



**PERALTA COMMUNITY COLLEGE DISTRICT PARTICIPATORY  
GOVERNANCE COUNCIL (PGC)**

**AGENDA**

Friday, March 25, 2022

9:00 – 11:00 a.m.

Join the meeting:

<https://cccconfer.zoom.us/j/92621828112>

**CO-CHAIRS**

Jannett N. Jackson, Interim Chancellor

Donald Moore, DAS President

**COUNCIL MEMBERSHIP**

Angélica Garcia, President, BCC	Jannett N. Jackson, Interim Chancellor
Nathaniel Jones, President, COA	Ronald McKinley, Interim Vice Chancellor, HR
Rudy Besikof, President, Laney	Matthew Freeman, President, BCC Faculty Senate
David Johnson, President, Merritt	Matthew Goldstein, President, COA Faculty Senate
Eleni Gastis, President, Laney Faculty Senate	Thomas Renbarger, President, Merritt Faculty Senate
Richard Thoele, Representative, Local 1021	Scott Barringer, Local 39
Jennifer Shanoski, President, PFT	Donald Moore, President, DAS
Leesa Hogan, Student Representative	Tachetta Henry, Classified Senate President, Merritt
Maisha Jameson, Notetaker (non-voting)	

*Members – 16; Quorum – 9*

**I. STANDING ITEMS**

**A. CALL TO ORDER (9:00 a.m.)**

**B. ADOPTION OF THE AGENDA (9:02 a.m.)**

**C. CHANCELLOR'S REPORT (9:04 a.m.)**

- i. Chancellor's Report-back on Action Items from 2.25.2022 PGC Meeting
- ii. Chancellor's Report-back on PGC E-Vote to Approve the Updates to AP5410
- iii. Chancellor's General Update
  - ☐ Update on IEPI
  - ☐ FCMAT Report
  - ☐ Legislative Update
  - ☐ Staff Hires Update

**D. APPROVAL OF PREVIOUS PGC MEETING MINUTES (9:20 a.m.)**

February 25, 2022 Meeting Minutes

**E. PUBLIC COMMENT (9:22 a.m.)**

**F. COMMITTEE/COUNCIL/GROUP REPORTS (2 minutes each) (9:30 a.m.)**

- i. District Academic Affairs and Student Services Committee - Matthew Freeman
- ii. Planning & Budgeting Council - Thomas Renbarger
- iii. District Facilities Committee - Atheria Smith / Rachel Goodwin
- iv. District Technology Committee - Antoine Mehoulley /Matthew Goldstein
- v. Update from the PGC subcommittee on Equity, Diversity & Inclusion – Royl Roberts
- vi. Chancellor’s Work Group – Donald Moore/Chancellor Jackson

## II. CARRIED OVER AND NEW ITEMS (9:45 a.m.)

Topic:	Presenter:	Purpose:	Strategic Goal:	Time:
<b>1. Recommendation to Approve Administrative Procedures (APs)</b> <ul style="list-style-type: none"> <li>- AP 4105</li> <li>- AP 5410</li> <li>- AP 5700</li> <li>- AP 6340</li> <li>- AP 6620</li> <li>- AP 7400</li> <li>- AP 7800</li> </ul>	<i>Joseph Bielanski / Chancellor Jackson</i>	<i>Action</i>	D2. Institutional Leadership and Governance	9:45 a.m.
<b>2. Recommendation to Approve the Membership Composition for the Advisory Group for Holistic Safety &amp; Wellness/ Security</b>	<i>Chancellor Jackson</i>	<i>Action</i>	D2. Institutional Leadership and Governance	10:25 a.m.
<b>3. (First Read) PCCD Budget Philosophy</b>	<i>Chancellor Jackson &amp; CM Brahmabhatt</i>	<i>First Read</i>	E.3 — Fiscal Oversight	10:00 a.m.
<b>4. Update from Finance:</b> <ul style="list-style-type: none"> <li>- Budget Development Calendar</li> <li>- Annual Financial Audit</li> </ul>	<i>Adil Ahmed</i>	<i>Update &amp; Discussion</i>	E.3 — Fiscal Oversight	10:15 a.m.
<b>5. PGC Business</b> <ul style="list-style-type: none"> <li>- Check-in on PGC Goals for 2021-22</li> <li>- Update on Implementation of BoardDocs for</li> </ul>	<i>Donald Moore Chancellor Jackson</i>	<i>Update &amp; Discussion</i>	D2. Institutional Leadership and Governance	10:45 a.m.

<b>PBIM Committees</b>				
----------------------------	--	--	--	--

**III.     ADJOURNMENT**

- IV.     NEXT MEETING**  
a.   April 22 @ 1:30 p.m.



# PERALTA COMMUNITY COLLEGE DISTRICT PARTICIPATORY GOVERNANCE COUNCIL (PGC)

## MINUTES

Friday, February 25, 2022

9:00 – 11:00 a.m.

Join the meeting:

<https://cccconfer.zoom.us/j/92621828112>

### CO-CHAIRS

Jannett N. Jackson, Interim Chancellor

Donald Moore, DAS President

### **COUNCIL MEMBERSHIP**

Angélica Garcia, President, BCC	Jannett N. Jackson, Interim Chancellor
Nathaniel Jones, President, COA	Ronald McKinley, Interim Vice Chancellor, HR
Rudy Besikof, President, Laney (Ramon Knox attending in place)	Matthew Freeman, President, BCC Faculty Senate
David Johnson, President, Merritt	Matthew Goldstein, President, COA Faculty Senate
Eleni Gastis, President, Laney Faculty Senate	Thomas Renbarger, President, Merritt Faculty Senate
Richard Thoele, President, Local 1021	Scott Barringer, Local 39
Jennifer Shanoski, President, PFT	Donald Moore, President, DAS
Leesa Hogan, Student Representative	Tachetta Henry, Classified Senate President, Merritt
Maisha Jameson, Notetaker (non-voting)	

*Members – 16; Quorum – 9*

### **PRESENT:**

<p><b><u>Committee Members</u></b></p> <p>Angelica Garcia, President, Laney College  David Johnson, President, Merritt  Donald Moore, DAS President  Rudy Besikof, Laney  Nathaniel Jones, President, COA  Eleni Gastis, President, Laney Faculty Senate  Jannett Jackson, Interim Chancellor  Jennifer Shanoski, President, PFT  Matthew Freeman, President, BCC Faculty Senate  Matthew Goldstein, President, COA Faculty Senate  Tachetta Henry, Classified Senate President, Merritt  Thomas Renbarger, President, Merritt Faculty Senate  Richard Thoele, President, Local 1021  Ronald McKinley, Acting Vice Chancellor, HR  Scott Barringer, Local 39</p> <p><b><u>Minutes</u></b></p> <p>Maisha Jameson</p>	<p><b><u>Guests</u></b></p> <p>Adil Ahmed  Albert Maniaol  Alejandro Acosta  Atheria Smith  CM Brahmabhatt  Jeffrey Sanceri  Laura (Laney College)  Lowell Bennett  Momo Lim  Mark Johnson  Rachel Goodwin  Ramon Knox  Royle Roberts  Sasha Amiri  Shanice Millican  Stephanie Droker</p>
---	--

## **I. STANDING ITEMS**

### **A. CALL TO ORDER**

### **B. ADOPTION OF THE AGENDA**

MOTION TO APPROVE THE MEETING AGENDA

MOTION – Matthew Freeman

SECOND – Eleni Gastis

MOTION APPROVED

NO ABSTENSIONS

### **C. CHANCELLOR'S REPORT**

#### **i. Chancellor's Report-back on Action Items from 1.28.2022 PGC Meeting**

- ☐ As recommended, Chancellor Jackson approved all of the BPs/APs listed on the agenda (minus AP4105, AP7801, BP2310 & BP7801).

#### **ii. Chancellor's General Update**

- ☐ Membership Update
  - Richard Thoele will be replacing Andrea Williams representing SEIU.
- ☐ White Paper on Reimagining Campus Policing
  - Working on a Transformative Policing Proposal to go to the State Level for consideration. The project would involve 5 districts and be spearheaded by the San Diego CCCD and PCCD.
  - Would involve curriculum and working with law enforcement.
  - Looks like it will move forward.
- ☐ CTE Deans Meeting
  - Chancellor's Meeting with the CTE Deans from across the District has been confirmed for March 30<sup>th</sup>.
  - There may be some funding coming from the State for CTE. To provided an update on this once we know for sure.
  - This is one area where most students have to have in-person courses.
  - Working to get our CTE students to take additional courses (English, math, etc.)
  - Posed the question - What can we do across the District to make sure our CTE programs continue to grow?
- ☐ FCMAT Report
  - The Spreadsheet that comprises the FCMAT Report is now uploaded to the PGC Teams Folder for review.
- ☐ HBCU Grant Update (College Presidents)
  - Peralta has been awarded this State Chancellor's Office funded grant. Per the MOU signed by the State, they are to develop regional consortiums to work to identify students and facilitate the implementation and expansion of this program. Peralta to serve as the pilot for this program.
  - Working to identify point staff to lead this program.
  - The mission of this project aligns with PCCD's mission.
  - Working to identify priorities for the grant.

- ☐ Audit
  - Audit Report to come out soon. A lot of it involves Financial Aid. We've been granted an extension to respond. Our report will be going to the State Chancellor's Office March 15 and will go to the Board.
- ☐ We've embarked on transition to PeopleSoft Phase II. Huron brought on board to conduct the training for all of our staff. Training to begin soon.

**D. APPROVAL OF PREVIOUS PGC MEETING MINUTES (9:20 a.m.)**

i. January 28, 2022 Meeting Minutes

MOTION TO APPROVE THE JANUARY 28, 2022 MEETING MINUTES

MOTION – Matthew Freeman

SECOND – Angelica Garcia

MOTION APPROVED

ABSTENSION- Ramon Knox, Richard Thoele

**E. PUBLIC COMMENT (9:22 a.m.)**

i. **None**

**F. COMMITTEE/COUNCIL/GROUP REPORTS (2 minutes each) (9:30 a.m.)**

i. District Academic Affairs and Student Services Committee - *Matthew Freeman*

- ☐ To reach out to Dr. Droker to schedule meetings for the rest of the semester. Haven't met this semester yet.
- ☐ To let Maisha know the changed meeting schedule so that the PBIM Meeting Schedule can be updated on the website.

ii. Planning & Budgeting Council - *Thomas Renbarger*

- ☐ Last meeting was held on 2/11.
- ☐ BAM Handbook Update provided.
- ☐ Discussed some personnel issues and the frozen positions plan. Discussed the process for the hiring of the new Deputy Chancellor. Shared that it would be great if we had an integrated planning process that prioritizes administer positions along with faculty and classified positions.
- ☐ Reviewed the 311 Financial Reports.

iii. District Facilities Committee - *Atheria Smith / Rachel Goodwin*

- ☐ Last meeting was held on 2/4.
- ☐ Had the sub-committees from each college report out.
- ☐ Discussed the following: security cameras, HVAC, blue phones, \$7M in scheduled maintenance funding and Keyless entry (starting to implement for external security doors District-wide. To start with Laney and D.O.)
- ☐ Discussed priorities.
- ☐ State allows us to change how we apply for these funds.
- ☐ Aecom provided update on Phase 1 Bond Projects)
- ☐ Discussed increased cost of construction and capital projects.

iv. District Technology Committee - *Antoine Mehoulley /Matthew Goldstein*

- ☐ Last meeting was held on 2/4. Discussed the following: update on new website shared, update on the PeopleSoft Upgrade provided,

- security camera refresh and discussed upcoming training.
  - ☐ Presentation received from Envoke learning. Allows for a granular assessment of data. This is to improve our BI Tool functionality.
- v. Update from the PGC subcommittee on Equity, Diversity & Inclusion – Royl Roberts
  - ☐ Most of the month of February was focused on Black History Month.
  - ☐ The state added assessability to the areas covered under DEI.
- vi. Chancellor’s Work Group – Donald Moore/Chancellor Jackson
  - ☐ Updated the Holistic Safety & Wellness Advisory Committee Membership Composition (Draft shared)
    - This is a workgroup...not a shared governance body. Made up of constituencies from across all campuses.
    - Met twice thus far.
    - Discussed the following:
      - Revision to the Tri-Chair Recommendation
      - Budget Philosophy – to bring back a recommendation to a future meeting. To go through the other committees for shared governance input/vetting as well.
        - Discussion ensued on how we will be moving forward to codify our operations and processes into a Manual.
      - To change name of the Budget Allocation Model (BAM) to Revenue Allocation Model (RAM).
      - Membership composition for the Holistic Safety & Security Advisory Committee
      - To also begin looking at committee assessment.

## II. CARRIED OVER AND NEW ITEMS

Topic:	Presenter:	Discussion:
1. Recommendation from the CWG to Approve PBIM Committee Tri-Chairs	<p><i>Chancellor Jackson</i></p> <p><i>Action</i></p>	<ul style="list-style-type: none"> <li>• Shared revised recommendation for the Tri-Chairs being added to the PBIM committee structure</li> <li>• Clarified that the appointments are made by the Peralta Classified Senate. Made it clear that this is a recommendation for the Tri-Chairs to be adopted for all PBIM committees.</li> <li>• It was noted that BP7340 allows release time for faculty, but there is no process that exists for Classified. We need a clear process that defines how classified professionals are granted release time to do this work. Chancellor Jackson noted that we need to make sure that administrators are supportive of classified staff participating and to ensure that they are not being required to work a 40hr/work week + the time they serve on shared governance committees.</li> <li>• Jennifer Shanoski clarified that faculty are not provided additional compensation or release time to serve on committees. Rather they are provided 30 instruction hours and 5 hours for everything else – including shared</li> </ul>

		<p>governance work.</p> <ul style="list-style-type: none"> <li>It was suggested that we continue to discuss and implement action items on agendas to change policies that are associated with the issues that exist to prevent classified from participating. Questioned whether we need to review AP 2410 to create a system that defines how this works.</li> </ul> <p>MOTION TO APPROVE THE RECOMMENDATION TO APPROVE THE PBIM COMMITTEE TRI-CHAIRS.  MOTION – Ron McKinley  SECOND – Tom Renbarger  MOTION APPROVED  NO ABSTENSIONS</p>
<p><b>2. Update on BAM Handbook</b></p>	<p><b>C.M. Brahmhatt</b></p> <p><i>Update &amp; Discussion</i></p>	<ul style="list-style-type: none"> <li>An overview on how the BAM Handbook will guide the PCCD was provided.</li> <li>The new BAM is to be implemented for FY 2023-24. Hence, we are taking the time to conduct our due diligence to ensure we have the integrated planning process in place.</li> <li>Discussed changing the name of the BAM. This is really a resource/revenue allocation model. Does not guide how we control our costs.</li> <li>There has to be something to guide the D.O. and colleges, and so we came up with a Budget Philosophy. Shared a proposed draft of the Budget Philosophy that was presented with the CWG.</li> <li>How do we find a way to balance our budget and address our ongoing challenges?</li> <li>Spoke to the Hold Harmless funds that are currently allowing us to balance our budget, but which we are not earning.</li> <li>D.O. here to provide services to the colleges, which needs to be evaluated. We will have to determine what services we can afford to provide in our effort to balance our resources.</li> <li>Still working to find a solution.</li> <li>The changes in the District leadership has not been helpful.</li> <li>Need to work together to develop this with transparency and participation to make it successful.</li> <li>Now is the time that we as a team move forward in a way that we know we should and the way that we need to. Need to still plan out how we will implement the new BAM. To identify what our processes are. To change processes that are not working.</li> <li>Chancellor Jackson likes to keep the board involved along the way so that they are informed and more likely to be supportive.</li> <li>It was asked if we could implement this process now as a part of the budget development process that we have in place and are going through right now. Asked this out of concern how the allocations and targets are being developed. Asked for the Chancellor to ensure that decisions are more transparent. Chancellor noted that these decisions are transparent and shared within the</li> </ul>



		Chancellor's Cabinet meetings. The College Presidents are to bring back information to the colleges.
<b>3. Update on 2022-23 Staff Hires</b>	<b>Chancellor Jackson</b>  <i>Update &amp; Discussion</i>	<ul style="list-style-type: none"> <li>Received \$1.4M funds from the State for hiring additional faculty.</li> <li>Have not yet finalized the allocation of positions to the colleges.</li> <li>Most of the colleges have confirmed their staffing priorities. Waiting for this to make final decisions.</li> <li>Working to mirror the same process we went through last year.</li> <li>To communicate asap once the decisions are made.</li> <li>To complete the faculty decisions by next week.</li> <li>Concern expressed about the timeline and us starting our recruitments for faculty hires so that they are hired by June.</li> <li>Discussion ensued about the difference between the sharing of information and collegial consultation. Concern was shared about including faculty on decision making. Chancellor Jackson noted that she would talk to the DAS to come up with a way to ensure this is done.</li> <li>Chancellor shared that it was her understanding that these decisions ( staffing prioritizations) have been made at the colleges, and then moved forward to the District. The decisions are made according to the available resources (funds and vacancies) and the needs of the various units/colleges.</li> <li>Faculty leadership noted that they would like discussion before decisions are formalized and released. Concerned shared that the savings were built on the back of faculty.</li> <li>Jennifer Shanoski made a motion – To review the staffing plan from last spring to determine the extent to which we followed it.</li> </ul> <p>MOTION TO BRING BACK THE RESULTS OF A COMPARATIVE ANALYSIS BETWEEN THE NUMBER OF FACULTY, CLASSIFIED STAFF AND ADMINISTRATORS THAT WERE PRESENTED TO THE BOARD TO BE HIRED THIS FY VS. WHICH POSITIONS WERE ACTUALLY HIRED.</p> <p>MOTION – Jennifer Shanoski  SECOND – Richard Thoele  MOTION APPROVED  NO ABSTENSIONS</p>
<b>4. PGC Business</b>  - <b>Check-in on PGC Goals for 2021-22</b>	<b>Donald Moore / Chancellor Jackson</b>  <i>Update &amp; Discussion</i>	<i>There was no time left to address this agenda item.</i>

### III. ADJOURNMENT

**IV.    NEXT MEETING**  
a.    March 25<sup>th</sup> @ 9:00 a.m.

**ADMINISTRATIVE PROCEDURE 4105 DISTANCE and  
Correspondence EDUCATION**

**I. Definitions**

**Distance Education:** Per Title 5 Section 5520, distance education means instruction in which the instructor and student are separated by distance and interact through the assistance of technology. All distance education is subject to the requirements of Title 5 as well as the requirements of the Americans with Disabilities Act (42 U.S. Code Sections 12100 et seq.) and Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S. Code Section 794 d).

**Correspondence Education:** Correspondence Education means education provided through one or more courses by a community college or district under which the college or district provides instructional materials, by mail or electronic transmission, including examinations on the materials, to students who are separated from the instructor. Interaction between the instructor and student is limited due to separation, is not regular and substantive, and is primarily initiated by the student. Correspondence courses are typically self-paced, although a regular cycle of assignment submissions and delivery of feedback should be established for facilitated learning. If a course is part correspondence and part residential training, it is considered a correspondence course. Correspondence education is not distance education.

**II. Course Approval**

- A. Each proposed or existing course offered by distance education shall be reviewed and approved separately by the local College Curriculum Committee. Separate approval is mandatory if any portion of the instruction in a course or a course section is designed to be provided through distance education.
- B. The review and approval of new and existing distance education courses shall follow the curriculum approval procedures outlined in AP 4020 Program and Curriculum Development. Distance education courses shall be approved under the same conditions and criteria as all other courses.
- C. Distance education proposals are sent to the Council on Instruction, Planning, and Development (CIPD) for district-level review.

**III. Certification**

When approving distance education courses, the department forwarding the course to the College Curriculum Committee will certify the following:

- A. **Course Quality Standards:** The same standards of course quality are applied to the distance and correspondence education courses as are applied to in person classes.
- B. **Course Quality Determinations:** Determinations and judgments about the quality of the distance and correspondence education course were made with the full involvement of the College Curriculum Committee approval procedures.

**C. Instructor Contact:**

**Distance Education:** Each section of the course that is delivered through distance education will include regular effective contact between instructor and students, as well as among students, either synchronously or asynchronously, through group or individual meetings, e-mail, or other activities.

**Correspondence Education:** Each section of a course conducted through correspondence education will be established through a cycle of assignment submissions and comprehensive, responsive feedback, as determined by instructional faculty. Instructors will be responsible for ensuring that each student will receive ongoing support toward making meaningful academic progress.

Students who participate in correspondence education will have access to student support services, including counseling, library searches, research assistance, and tutoring or other learning support through mail, email, telephone or in-person contact, as determined by instructional faculty.

- D. Duration of Approval: All distance and correspondence education courses approved under this procedure will continue to be in effect unless there are substantive changes of the course outline

**IV. Correspondence Education Students:** A student is considered to be “enrolled in correspondence courses” if correspondence courses constitute 50 percent or more of the courses in which the student is enrolled during a financial aid award year.

In order for a correspondence education student to be considered a full-time student at the District, at least one-half of the student’s coursework must be made up of non-correspondence coursework that meets one-half of the District’s requirement for full-time students.

## **V. Student Authentication**

- A. Students who enroll in online courses are authenticated by being provided a specific loginID and an initial password to access the online Learning Management System (LMS).
- B. Students are encouraged to change their password. New passwords must be sufficiently complex so that they cannot be easily decoded.
- C. The district policies/procedures regarding academic honesty and acceptable use of Information Technology Services include penalties for unauthorized use of another individual’s name and password, cheating on examinations, and other types of academic dishonesty. Students must agree to these policies/procedures the first time they login to the district LMS. This approach agrees to these policies/procedures the first time they login to the district LMS. This approach promotes a pedagogical focus rather than a punitive approach to academic honesty. This is an approach to educate students as to the consequences of academic dishonesty.
- D. Complete information about “Academic Dishonesty, Due Process, and Conduct” is posted on the district online education site, on the online education sites for each of the colleges, as well as on the LMS at the following link <http://web.peralta.edu/de/for-students-what-is-academic-dishonesty>.
- E. Students also are authenticated through sufficient interaction between students and instructors which contributes to verifying a student’s identity.
- F. Instructors also can require a proctored examination which can serve as another method of authentication.
- G. The district Office of Academic Affairs, working collaboratively with representatives from the four colleges, Distance Education Coordinators, and Information Technology staff, assumes responsibility for monitoring the changing online education requirements for institutions of higher education, as well as options available for meeting the expectations of assuring a student’s identity.

## **VI. Federal financial Aid Eligibility:**

Consistent with federal regulations pertaining to federal financial aid eligibility, the District/Colleges authenticate or verify that the student who registers in a distance or correspondence education is the same student who participates in and completes the course of program and receives the academic credit.

- A. The District/College will provide to each student at the time of registration, a statement of the process in place to protect student privacy and estimated additional charges associated with verification of

student identity, if any.

- B. The colleges shall utilize one or more of these methods to authenticate or verify the student's identity:
1. Secure credentialing/login and password
  2. Proctored examinations
  3. New or other technologies and practices which are effective in verifying student identification.

**VII. Scheduling Instructors for Distance Education classes and Creating Accountability within Online/Hybrid Courses:**

- A. The instructor must use or commit to using the recognized Peralta Community College District CMS/LMS (Course or Learning Management System) to deliver course content, which adheres to the following standards:
1. Welcome/Orientation
  2. Organizational components
  3. Instructional modalities
  4. Assessment practices and expectations
  5. Gradebook
  6. Instructor/ student communication – regular and substantive interaction (i.e., messaging, email, Announcements, chats, forums, etc.)
- .B. The instructor must have the following three elements in place prior to being assigned an online course:
1. Has received training in the use of at least one course management system (such as WebCT, Blackboard, ETUDES-NG, MOODLE, Canvas)
  2. Has successfully completed a course in how to teach online, such as "Teaching an Online Course" (offered by PCCD/Merritt College, @One, another community college, another appropriate external entity or UC extension course)
  3. Uses the Peralta email system (with a peralta.edu email address) and has a Peralta webpage on the college website that hosts the online course. This webpage will provide a link to the CMS/LMS (course/learning management system) website
- C. Recommended preparation includes that the instructor:
1. Has enrolled in an online course of some kind
  2. Has worked with a mentor who is an experienced online instructor
- D. Recommended ongoing instructor preparation should include maintaining currency in online education such as:
1. Technologies
  2. Pedagogy
  3. Collaborating with other online instructors
  4. Ongoing assessment of student learning outcomes
  5. Complete a certificate in online education ( at least 3 and as many as 8 courses in online education for certification as an online instructor)

Note: In keeping with Section V, Student Authentication, it is to be noted that Federal Regulations require districts to have processes in place to ensure that the student who registers in a distance education or **correspondence** education course or program is the same student who participates in and completes the program and receives academic credit. Section IV shows that the district meets this requirement.

**VII. Addendum to a Course Outline of Record:**

In accordance with Title 5, section 55260, any course offered through distance education, requires an addendum in the Course Outline of Record. In addition to addressing how course outcomes will be achieved in distance education mode, at a minimum the addendum must specify how the course will meet (1) regular effective contact (provide examples) and (2) and shall be accessible to students with disabilities per the Americans with Disabilities Act and Section 508 of the Rehabilitation Act of 1973.

A Distance Education Addendum is provided in CurricUnet (currently used in the Peralta CCD).

For correspondence education the addendum will address how the portion of instruction delivered via correspondence education documents and facilitates learning progression through a cycle of assignment submissions and feedback.

**References:**

Education Code Sections 66700 and 70901 et seq.;

Title 5 Sections 55200 et seq.;

Title 5 Sections 55260 et seq.

42 U.S. Code Sections 12100 et seq.;

29 U.S. Code Section 794d;

34 CFR, part 602.17 (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended)

ACCJC Guide to Evaluating Distance Education and Correspondence Education;

ACCJC Accreditation Standard II.A.1

Approved by the Chancellor: January 31, 2012

Revised and approved by the Chancellor: February 24, 2014

Revised and approved by the Chancellor: August 13, 2015

Revised and approved by the Chancellor: June 13, 2017

Revised and approved by the Chancellor:



**ADMINISTRATIVE PROCEDURE 5410 ASSOCIATED STUDENTS ELECTIONS**

This administrative procedure is the full Peralta Student Election Code Manual.

**STUDENT ACTIVITIES:  
STUDENT ELECTIONS CODE**

**(Pursuant to Education Code § 76060)**

**TABLE OF CONTENTS**

<b>Section I.</b>	<b>Associated Students and Student Trustee Elections</b>
<b>Section II.</b>	<b>The Elections Committee</b>
<b>Section III.</b>	<b>Timeline for Elections</b>
<b>Section IV.</b>	<b>Candidate and Proposition Eligibility for Elections</b>
<b>Section V.</b>	<b>Publicity for Elections</b>
<b>Section VI.</b>	<b>The Elections Process</b>

- A. Candidates' Meeting
- B. Campaign Period
- C. Ballots
- D. Write-In Candidates
- E. Political Parties
- F. Conduct
- G. Campaign Posting
- H. Campaign Expense Limits

<b>Section VII.</b>	<b>Election Day</b>	<b>Section VIII.</b>	<b>Election Results</b>
---------------------	---------------------	----------------------	-------------------------

- A. Tallying the Votes
- B. Announcing the Results
- C. Protesting the Results
- D. Violations
- E. Certifying the Results
- F. Swearing In/Affirming of All Newly Elected Officers

<b>Section IX.</b>	<b>Recalling and Filling of a Student Trustee Vacancy</b>
--------------------	---

- A. Recall Process
- B. Student Trustee Vacancy
- C. Procedure for Filling a Vacancy



**Section I. Elections**

- A. The Associated Students shall conduct annual elections to elect officers and propositions.
- B. Propositions include, but are not limited to, amendments to each Associated Students' Constitution, initiatives as allowed by the Education Code, referendums, recalls, and resolutions.
- C. The Associated Students shall conduct annual elections to elect two (2) Student Trustees from the consolidated Peralta Community College District Colleges.

**Section II. The Elections Committee**

- A. The election process shall be overseen by an Elections Committee which includes:
  - The Elections Committee Chairperson;
  - Four Elections Council members; and
  - The Director of Student Activities and Campus Life or an administrator designated by the College President (hereinafter referred to as "Director")
- B. The Elections Committee Chairperson shall be appointed by the Associated Student Body President at each College. The Chairperson, in turn, shall appoint four members to the Elections Committee.
- C. The Appointments of the Elections Committee shall occur no later than eleven weeks before Election Day as delineated in the Section III of this Code (Timeline for Elections).
- D. Elections shall be under the administrative charge of the Elections Committee Chairperson and be conducted under the guidelines that comply with this Code and the specific Constitution and By-Laws of each College. Election procedures are subject to review by the Director.
- E. The Advisor is a non-voting member of the Election Committee. The Director may only vote in order to break a tie vote within the Election Committee. The Director may veto a decision of the Election Committee. The Committee may override the Director's veto with a two-thirds (2/3) vote.
- F. Members of the Election Committee must not be seeking an Associated Students' office in the upcoming General or Special Elections. If any member of the Election Committee plans to seek re-election or declines to sit on the committee, the Election Committee Chairperson shall select a replacement.
- G. Guidelines must be established to ensure that the Elections Chairperson and Elections Committee members are neutral and impartial with regard to candidacy, candidates, and issues involved in the election. No member of the Election Committee shall assist nor endorse or oppose any candidate and/or ballot measure either in writing, verbally, or financially.

**Section III. Timeline for Elections**

- A. General Elections shall be held annually on the second Tuesday of April and shall include the Wednesday of the same week. Special elections, which may be held in the fall semester, shall conform to similar timeline and procedures outlined in this Election Code.

- B. The following is the timeline for elections.

Event(s)	Date(s)	Length of Time
Election Committee must have been formed	Eleven weeks before Election Day	Anytime before
Announcement of Election Timeline	Ten weeks before Election Day	
Application Filing Open	Ten weeks before Election Day	For three weeks
Application Filing Deadline for All Candidates and Props.	Seven weeks before Election Day	
Official Announcement of Candidates and Propositions	Six weeks before Election Day	
Candidates meetings	Five weeks before Election Day	For one week
Campaign period	Four weeks before Election Day	For four full weeks
Ballots must be printed	One week before Election Day	
Election Days (Tuesday/Wednesday)	Second Tuesday of April and the accompanying Wednesday of the same week. Elections scheduled to occur during Spring Break will be rescheduled to occur on the Tuesday and Wednesday that immediately follow the week of Spring Break.	For two days
Announcement of election results	The following Monday after Election Day(s) by 5 p.m.	
Turn in Student Protest Form to challenge election results	Third Tuesday of April by 5 p.m.	
Certification of Election Results	One week following announcement of election results (the following Monday by 5 p.m.)	

- C. The Elections Committee, by the time it announces the official start date for filing applications, shall announce the official timeline for that election cycle. The timeline outlined in this Code is intended as the ideal. Extenuating circumstances could require a change in these timelines, but all changes should conform as close as possible to the timeline in this Code.
- D. Candidates for the Associated Students positions and Student Trustees positions must file for official election candidacy with the proper forms available online and in the Director's office during the established filing period.
- E. During an Emergency Period, this section (Section III) may be revised to accommodate the emergency. The Vice Chancellor, who oversees Student Affairs, must communicate the revised timeline to the colleges.

#### Section IV. Candidate and Proposition Eligibility for Elections

- A. Each candidate may campaign for only one Associated Students office at no more than one college. A candidate can only be elected to one office per term including the office of the Student Trustee. Student Trustees serving at the same time cannot be from the same college. The two candidates with the highest votes from different colleges will win the election.
- B. Pursuant to California Education Code Section 76061, a student who is elected to serve as an officer in Associated Students government shall meet both of the following requirements:

Formatted: Highlight

1. The student shall be enrolled at the college in which the candidate intends to run for office at the time of election, and throughout his/her term, with a minimum of five (5) semester units.
  2. The student shall meet and maintain a minimum G.P.A. of 2.0 on a four (4) point scale prior to qualifying for the ballot, at the time of occupying office, and for every term that the student occupies office.
- C. To qualify for the ballot, a candidate must meet the above requirements. A candidate must also meet the following requirements:
1. Candidate must collect a minimum of 50 valid signatures of current students and submit these to the Student Activities Office or a location designated by the Election Committee.
  2. Student Trustee candidates must collect a minimum of 200 valid signatures. One hundred from their home college and 100 which is a combination of the other three colleges.
  3. Candidate shall be a student in good standing, and not on academic probation, disciplinary probation, financial aid probation, and/or library hold.
  4. Candidate must attend the mandatory candidates' meeting.
- D. Write-in candidates must also meet the minimum qualifications in Section IV.A-C in order to be declared a winner of an Associated Students' election or Student Trustee.
- E. Candidates shall be given a signed receipt by the Elections Committee Chair or his/her designee, at the time of the submission of an election petition, this following a review of the submitted candidacy petitions for legibility and accuracy of petition signatures.
- F. Each candidate is solely responsible for complying with all the requirements for candidacy. Should an issue arise that the candidate did not fully comply with the application requirements, the candidate has the burden of proving full compliance to the Election Committee.
- G. Propositions
1. In order to appear on the ballot, all propositions must be signed by no less than one hundred (100) registered students, unless the proposition is an amendment to the Associated Students' Constitution.
  2. If the proposition is an amendment to the Associated Students' Constitution, the proposition shall only need to meet the requirements set forth in the respective Associated Students' Constitution or By-Laws.
  3. The students must submit the last four digits of their social security numbers or student identification numbers with the petition, and the Election Committee must verify that the petitioners are current Peralta Community College District students.
  4. The proposition must be presented to the Elections Committee before the official announcement of election candidates and propositions.

**During an Emergency:** Sections IV.C. 1-2 and IV.D and G may be revised to accommodate the emergency. The number of signatures required may be reduced under the authority of the Vice Chancellor of Student Success. The Vice Chancellor over Student Affairs-Chancellor shall communicate the number to the colleges. The remainder of this Administrative Procedure is to remain in place. Student elections shall continue to run electronically as is done during non-emergency periods. Communication by text, e-mail, and LMS Banner should announce elections in accordance with this Administrative Procedure.

**Section V. Publicity for Elections**

- A. The student body must be informed of an upcoming election by the beginning of the tenth week during the semester in which an election is to be held. Publicity should be widespread, including communication to students by publication in the Laney Tower and other information literature at each college and by communication to faculty and staff at each college.
- B. The campus community should be informed about the time and place, the offices and candidates, and the propositions and initiatives that will be on the election ballot.
- C. The Elections Committee may make a Voter's Guide available to the campus community four weeks before Election Day. This guide shall include party and candidate statements, the full text of all propositions and initiatives, pro and con statements regarding propositions and initiatives, and an explanation of voting procedures.

**Section VI. The Elections Process**

- A. Candidates' Meeting
  - 1. The Election Committee or Director shall conduct a minimum of two mandatory candidates' meetings following the official announcement of the candidates, but before the official campaign period in accordance with Section III of this Code. Candidates will be given the option to attend one these two meetings.
  - 2. If a candidate fails to attend the mandatory candidates' meeting, unless due to extenuating circumstances as determined by the Election Committee, the candidate shall be disqualified from the General Election.
  - 3. At the mandatory candidates meetings, the Election Committee or Advisor shall explain campaign procedures, dates, rules, and laws and provide each candidate with a copy of this Peralta Community College District Student Elections Code.
- B. Campaign Period
  - 1. The Election Committee or Director may coordinate open forum, speech events, and any other events deemed necessary during the campaign period. The Election Committee Chairperson will draw numbers from a container to determine the order of those speaking at the event(s).
  - 2. Candidates may seek prior approval from faculty to enter and speak to students in the classroom.
- C. Ballots
  - 1. The ballot for the election must be printed by the Elections Committee or Advisor a minimum of one week prior to Election Day.
  - 2. In case of a proposition that is an amendment to the Associated Students' Constitution, any part(s) to be added, subtracted, or changed, shall be included on the ballot with the old sections affected.
  - 3. No candidates shall be placed on the ballot as a slate.
  - 4. Student Trustee election ballots shall be distinguishable from the general election ballots and shall be kept separate from any other ballots.

5. The Election Committee chairperson shall draw numbers from a container in order to determine ballot placement without showing bias. This should be done during the first mandatory candidates' meeting.

D. Write-In Candidates

1. There shall be one space for write-ins for each vacant office in the General Election.
2. A write-in candidate must be verified of eligibility by the Chairperson before campaigning. Any individual campaigning for an office without approval by the Election Committee or Advisor shall be subject to disqualification.
3. There shall be no write-ins eligible or counted in a run-off election.

E. Political Parties

1. All candidates have the right to campaign in association with other candidates.
2. Two (2) or more persons who wish to band together for an election as a political party must be registered with Election Committee if not already a member of the Inter-Club Council (ICC) as a political organization. No such organization may use the name of any existing organization or past organization.

F. Conduct

1. Candidates may begin campaigning on the official start date as determined by the Election Committee. Campaigning at any other times may be grounds for disqualification. Campaigning may consist of flyers, posters, giveaways, any other form of public advertising, or public speaking regarding a candidate's run in an election.
2. Campaigning shall conform to the Student Code of Conduct and to the established guidelines contained within the Elections Code, Constitution and By-Laws of each of the Peralta Colleges.
3. Any action of a candidate that impedes a member of the Election Committee or a poll watcher in the discharge of his/her duties shall be grounds for disqualification.

G. Campaign Posting

1. The Election Committee will designate the areas used for campaigning.
2. The Student Bulletin and Student Newspaper shall present adequate space for candidates in a non-partisan manner.
3. The Election Committee shall designate the maximums of campaign materials that may be distributed by each candidate.
4. All candidate campaign material must contain the candidates' name and the position in which he/she is running.
5. No candidate shall interfere with the campaigning of any other candidate, nor shall he/she interfere with the dissemination of information by any student publication. Failure to obey this provision shall be grounds for disqualification.

6. No candidate shall publish or post campaign materials featuring factually inaccurate information about any Associated Students candidate or their endorsements. Failure to obey this provision shall be grounds for disqualification.
7. Candidates shall remove all signs, posters and/or displays within forty-eight (48) hours of notification of the official closing of the General Election. Failure to do so may result in the college imposing fines for clean up and a hold on candidates' records.
8. Violations of these provisions may be grounds for disqualification.

H. Campaign Expense Limits

1. Each Candidate shall not spend more than \$150.00 on campaign activities for the General Election. Any donated materials must be assessed at full retail value and clearly itemized as part of the \$150.00 limit.
2. Each candidate shall submit an expenditure report, which must include receipts clearly itemizing any personal funds and donations to be used in the General Election.
3. Expenditure reports shall include all sources of gifts, donations, and/or other services to be used in the General Election.
4. Each candidate shall submit an expenditure report to an Election Committee cochair no later than the end of the last day of the General Election. Failure to submit a report may be grounds for disqualification.
5. The Election Committee shall review all candidates' expenditure reports prior to official certification of the General Election results. Any substantial inaccuracies in an expenditure report may be grounds for disqualification.
6. All candidates who campaign in association with other candidates must still turn in individual expenditure reports.

**Section VII. Election Day**

- A. The elections shall be held under the auspices of the Elections Committee, with the assistance of neutral elections observers/workers, e.g., Student Activities' staff and League of Women Voters.
- B. The elections shall be held on no less than two consecutive days and for a minimum of seven hours each day, with specific poll-opening times dictated by each college. Every opportunity to vote must be made available to evening students.
- C. There shall be at least one polling place on each campus.
- D. Each polling place shall be staffed by no less than two neutral poll workers.
- E. Twenty copies of the official Voter's Guide must be available at the polling location for review by potential voters.
- F. Prior to the opening of each poll site the poll workers shall remove all campaign materials, all student publications containing endorsements, and any campaign materials that are clearly visible and legible from within one hundred (100) feet of the polling site.

- G. Any campaigning or any distribution of student publications within one hundred (100) feet of an open polling site shall be grounds for disqualification. This shall include the posting of any literature related to the campaign.
- H. Upon presentation of either a student identification card or valid state identification, any currently registered student at the college at which the elections are held may vote. The voter must sign an official voter registration list available at the polling location.
- I. Ballots shall be maintained in a locked ballot box and in a secure location during the election.
- J. No student shall vote at more than one college. Students enrolled in more than one college may select their home college, as long as they are taking at least one unit at their home college.

## Section VIII. Election Results

### A. Tallying the Votes

1. Ballots shall be counted by the Elections Committee Chairperson, representatives from the college administration (which may include the Student Advisor), elections workers, or neutral observers, e.g. League of Women Voters. The counting of ballots shall occur immediately following the completion of the voting process. All ballots by students who voted at more than one college shall not be counted.
2. For Associated Students and Student Trustee candidates, at least 50 students must have voted in order for the election to be valid. If not, a candidate can be appointed by the Associated Students for one semester, after which another election must be held.
2. For propositions, at least 1% of the district's each-college student population during the current semester (unduplicated) must have voted in order for the election to be valid. If not then?? Hold another election before the end of spring? (get feedback from Student Life Directors). ADD representation of Trustees should be from 2 different colleges when possible.
3. A candidate for President or Vice-President must receive a majority of the valid votes cast. If no one receives a majority, a run-off will be held between the top two (2) candidates.
- 4-5. The candidate who receives the highest number of votes in the runoff election shall be the winner of the contested position.
- 5-6. In a case where someone is running unopposed, the unopposed candidate shall be declared the winner.
- 6-7. Propositions shall be approved only if a majority of the votes cast on the issue support the proposal unless otherwise required by California State Law, District policy, or the respective Associated Students Constitution and By-Laws. In the case of a proposed Constitutional amendment, the amendment shall be approved only if two-thirds (2/3) of the votes cast on the issue support the amendment unless otherwise required by the Associated Students Constitution and By-Laws.
- 7-8. Student Trustee ballots shall be counted at the District Office at the close of the election by the Directors of Student Activities and Campus Life from the colleges and the Associate Vice Chancellor of Student Services or designee.

Formatted: List Paragraph, No bullets or numbering

Formatted: Normal, Numbered + Level: 2 +  
Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment:  
Left + Aligned at: 1.5" + Indent at: 1.5"

B. Announcing the Results

1. Election results shall be announced twenty-four hours following an election in accordance with Section III (Timeline).

C. Protesting the Results

1. Any and all alleged violation(s) of the Associated Students Election Code must be submitted, in writing, using the appropriate General Election protest form, to the Election Committee within three days of the announcement of election results in accordance with Section III (Timeline). Any and all alleged violation(s) of the Peralta Community College District Student Elections Code submitted afterwards may be considered by the Election Committee as invalid.
2. The General Election protest form must contain a clause stating that the signature(s) of the griever(s) on the form constitute(s) an acceptance of any decision made by the Election Committee regarding the specified grievance.
3. The griever must state whether the alleged violation(s) of the Associated Students Elections Code require a specific remedy. If a specific remedy is necessary, the griever must specify both the nature and provisions of the remedy.
4. The Election Committee shall review all alleged violation(s) of the Peralta Community College District Student Elections Code.
5. Any decision made by the Election Committee to disqualify any candidate shall require a two-thirds (2/3) vote of the entire Election Committee.
6. All decisions made by the Election Committee regarding the alleged violation(s) of the Peralta Community College District Student Elections Code by any candidate shall be final and binding to any and all parties involved.
7. The Election Committee may refer to the appropriate College office for possible disciplinary action for any candidate found in violation of campaign rules and regulations.

D. Violations

1. Any attempt by a candidate to violate the Student Elections Code and directives by the Election Committee shall be grounds for disqualification as determined by the Election Committee.
2. Violations of campaign procedures shall be subject to review and censure by the Elections Committee of each College. Violation of campaign rules shall be subject to review and adjudication by the Elections Committee of each College. Violations of campaign rules may lead to disqualification from the election.
3. Any deliberate violation of any ruling of the Election Committee shall be grounds for disqualification.
4. A plea of ignorance shall not be considered a valid defense to an infraction of the Peralta Community College District Student Elections Code or any ruling of the Election Committee.
5. Disqualification may only be based on violation of rules specified in the Peralta



Community College District Student Elections Code and/or rulings of the Election Committee. The Election Committee shall have the discretion to determine the applicability or enforceability of any reported or discovered violations.

E. Certifying the Results

1. Following review and deliberation of any protests to the election results, the Elections Committee and the Administration of the College (which may include the Director) shall certify election results as official.

F. Swearing In/Affirming of All Newly Elected Officers

1. All newly elected officers must be sworn/affirmed into office by the Associated Students Chief Justice in accordance with Associated Students Constitution and By-Laws of each College.

**Section IX. Recall and Filling of a Student Trustee Vacancy (entire new section)**

A. Recall of a Student Trustee

1. A majority of Student Body Association Senates (at least 3 out of 4) that have each recorded a three-quarter (3/4) majority vote within their respective bodies shall be required to enact a recall election of a Student Trustee.
2. Recall shall be initiated for just cause only, including but not limited to illegal or unethical behavior while acting as a representative of the students of the Peralta Community College District; being unresponsive or acting contrary to the interests and welfare of the students of the District; disregarding the expressed intentions of the Student Body Association and each of its components and the Peralta Student Council; or not maintaining the qualifications of a Student Trustee.
3. The recall election shall begin no later than fourteen (14) days after the Associate Vice Chancellor of Student Services confirms that the requirements to enact the recall have been fulfilled.
4. If a Student Trustee is recalled, the Chancellor shall authorize the officers of the student body associations at each college in the district to jointly appoint a student to serve the remainder of the term, in lieu of a special election. (See AP 2105, Student Board Members)

B. Student Trustee Vacancy

1. Definition of a Vacancy:
  - (a) If no Student Trustee has been elected as of May 31 of each year, the Student Trustee seat shall become vacant on June 1 of that year.
  - (b) If a Student Trustee has two (2) consecutive unexcused absences from Board of Trustee meetings, the Student Trustee seat shall become vacant. Absences may be excused using the same procedure applicable to other Trustees.

- (c) In the event that a Student Trustee is unable to complete his/her term, the Student Trustee seat shall become vacant.
- (d) If the Student Trustee fails to meet the qualifications to hold office at any time, the Student Trustee seat shall immediately become vacant.
- (e) If the Student Trustee is recalled, the Student Trustee seat shall become vacant.
- 6. If a Student Trustee position becomes vacant, the Chancellor shall authorize the officers of the student body associations at each college in the district to jointly appoint a student to serve the remainder of the term, in lieu of a special election.  
(See AP 2105, Student Board Members)

**Section X. Declaration of State of Emergency**

- A. If a state of emergency is declared by the federal, state, or county government, or by the District Board of Trustees, then the Vice Chancellor of Academic Affairs may amend this Administrative Procedure as necessary to comply with orders related to the declared state of emergency or to protect the health and safety of individuals participating in the student elections.
- B. The Vice Chancellor of Academic Affairs may revise the timeline for elections where a state of emergency has been declared. If such revisions are made, the Vice Chancellor of Academic Affairs shall work with the Election Committee to notify the administration at each college of such revisions.

**References:**

Education Code Section 76061

First approved: May 2009

Approved by the Chancellor: January 30, 2013

Revised and approved by the Chancellor: December 16, 2015

Revised and approved by the Chancellor, March 23, 2020

**ADMINISTRATIVE PROCEDURE 5700  
INTERCOLLEGIATE ATHLETICS**

The intercollegiate athletics programs at each college is operated by the District and governed by the Athletic Code of the Community College League of California (CCLC) and by the constitution of the California Community College Athletic Association (CCCAA). The Athletic Director and his/her supervising administrator have been delegated authority to determine individual eligibility according to the CCLC, CCCAA, and District regulations. The enforcement of established policies and eligibility rulings is the responsibility of the Athletics Director, the team coaches involved, and the designated administrator. General direction and administration of the program, within the established policies and procedures, is the responsibility of the Athletics Director under the supervision of his/her administrator.

**A. Rules Governing Athletic Eligibility**

All rules of the Community College League of California, California Community College Athletic Association, and the team's respective conference are applicable to the College's athletes, and in addition:

1. Each athlete must have completed both the District and conference eligibility procedures before becoming eligible for any contest, game, meet, match, or scrimmage, including completion of and signature on the college declaration form regarding California Education Code 67362, which prohibits participation in intercollegiate athletics by a student-athlete who has been convicted as an adult of specified crimes;
2. The College's Athletics Department complies with California Athletics Association bylaw article 1.5.4 F & G regarding adherence to the Title IX Education Amendments of 1972;
3. When the Athletics Director and team coach are notified that an athlete is ineligible, said athlete may not participate until the supervising administrator or designee certifies that the athlete has become eligible and,
4. Each athlete must complete a physical or equivalent and be approved for competition by a college Athletic Trainer before participation in a College practice or official competition.

**B. Compliance Procedures**

1. The college submits the Equity in Athletics Disclosure Act (EADA) report in October. All coeducational institutions of higher learning that participate in any Federal student financial aid program and have intercollegiate athletics programs must provide the information for the report. It tracks athletic revenues, expenses, salaries, gender of personnel in coaching positions (head and assistant), and the number of men and women student athletes. A copy of the report is submitted to the College Presidents.
2. Each College submits the California Community College Athletic Association (CCCAA) Statement of Compliance Form R-1 to the Executive Director of the CCCAA and the appropriate team conference Commissioner. The form certifies that the College athletic administrator has reviewed the contents, interpretations, and implications of the current CCCAA Constitution and Bylaws with College staff, employees, representatives and each person who works with the Athletics Program. There is a special emphasis on rules of recruitment, eligibility, decorum, and sports season. The College President, Administrative Representative, and the Athletics Director sign the form.

3. The College also submits the Statement of In-Service Training Form R-2. This form requires each college representative to certify that he/she has received in-service training on current CCCAA Constitution and Bylaws and that a copy of the CCCAA Decorum and the Recruiting Policies has been received. The College representatives affirm that they will adhere to the CCCAA rules and regulations, and violations of the CCCAA rules and regulations may subject him/her, the program, and the Colleges to penalties.
4. At the beginning of each sport season, all required Commission on Athletics and College forms are completed for each student athlete. These forms are verified by the Athletic Director, team coaches, and the supervising administrator and submitted to the CCCAA and appropriate conference.
5. During the semester, each student's schedule is reviewed to ensure the athletes are continuously enrolled in a minimum of twelve (12) semester units during the semester of sport, nine (9) of which must be working toward their educational plan.

References:

Education Code Sections 66271.6, 66271.8, and 67360 et seq.; 78223  
Title IX, Education Amendments of 1972  
20 U.S. Code Sections `681 et seq.  
ACCJC Accreditation Standard II.C.4

Approved by the Chancellor: February 19, 2013  
Revised and approved by the Chancellor: August 13, 2015  
Revised and approved by the Chancellor: May 14, 2021  
Reviewed and approved by the Chancellor  
:

**ADMINISTRATIVE PROCEDURE 6340  
BIDS AND CONTRACTS**

The Chancellor directs that the following procedures and regulations apply to Contracts in the Peralta Community College District:

I. **Definitions:** This administrative procedure uses the following terms as defined below:

- A. **Goods:** Any tangible product. Goods include, but are not limited to, “off-the shelf” computer software and utilities, books, supplies, equipment, etc.
- B. **Services:** Any deliverable resulting from labor performed specifically for the District. The service may result from the application of physical or intellectual skills. Services include, but are not limited to, repair work, consulting, maintenance, data processing, custom software design or coding, etc. Excludes Professional services as defined in Government Code Sections 4525 et seq. and Special Services 53060 et seq.
- C. **Construction:** A project that includes all the work needed to produce a complete and usable facility, or to remodel an inadequate or damaged facility. Construction includes excavation, building, installations, related infrastructure, landscaping, etc.
- D. **Maintenance:** Routine, recurring, and usual work for the preservation, protection, and keeping of any publicly owned or publicly operated facility for its intended purposes in a safe and continually usable condition, for which it was designed, improved, constructed, altered or repaired. “Facility” means any plant, building, structure, ground facility, utility system, or real property. This definition of “maintenance” expressly includes, but is not limited to: carpentry, electrical, plumbing, glazing, and other craft work designed consistent with the definition set forth above to preserve the facility in a safe, efficient, and continually usable condition for which it was intended, including repairs, cleaning, and other operations on machinery and other equipment permanently attached to the building or realty as fixtures. This definition does not include among other types of work, janitorial or custodial services and protection of the sort provided by guards or other security forces. This definition does not include painting, repainting, or decorating other than touchup.
- E. **Public Project:** Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving or painting or repainting of any publicly owned, leased, or operated facility. “Public Project” does not include maintenance work.
- F. **Bid threshold:** Any purchase over \$200,000 for public projects, or ~~\$95,200~~ \$99,100 in 2022 (adjusted annually by the Board of Governors of the California Community Colleges) for equipment, materials or supplies, services (except for construction services) and repairs that are a not public project as defined in subdivision (c) of Public Contract Code Section 2202, including maintenance as defined in Public Contract Code Section 20656.
- G. **Notice to Bidders:** A formal invitation to bid that published in accordance with Education Code Section 81641 and may be sent to prospective bidders when Goods or Services are

desired in an amount that is higher than the then applicable bid threshold (the “Bid Threshold”) set by the California Community Colleges Board of Governors (“Board of Governors”). Such notice will state the work to be done or materials or supplies to be furnished and the time when and the place where the bids will be opened.

- H. **Request for Qualifications (RFQ):** A notice calling for a statement of qualifications that may be sent to prospective proposers for professional services, special services, design-build services or when the Goods or Services desired are below the bid threshold, The RFQ shall be in a form that conforms to applicable California laws and any other District requirements. The outcome of an RFQ is a pool of qualified proposers/vendors.
- I. **Request for Proposal (RFP):** A formal, notice calling for proposals published in accordance with Education Code Section 81641 and may be sent to prospective proposers for professional services, special services, design-build services or when the Goods or Services desired are below the bid threshold. The RFP shall be in a form that conforms to applicable California law and any other District requirements. The award of contract, if any, is based on the criteria stated in the RFP.
- J. **Price Quotations:** Written price quotations are used for purchases less than \$99,100 and informal competitive bidding for goods or services under the applicable bid threshold.  
*Verbal Quotes are not accepted*

## II. District Business Processes and Contract Types

- A. **Delegation of Authority to Enter Into and Amend Contracts:** When transactions do not exceed dollar limits established by statute or this administrative procedure, the Chancellor and the Vice Chancellor, Finance and Administration may:
  - 1. Contract for goods, services, equipment and rental of facilities as authorized by statutes in conformance with any specified limitations or requirements.
  - 2. Amend the terms and conditions of any contractual arrangement provided that the total expenditure of funds and term of the contract do not exceed the limitations set forth in applicable state or federal law, District policy, District Regulations, and/or college budget allocations.
  - 3. The Chancellor may delegate to the College Presidents the authorization to enter into, and/or amend, professional or personal service contracts or amendments (excluding employment contracts, contracts for interim employees or labor (collectively “Personnel Services”), and all other agreements) College Presidents may commit only their respective College’s financial resources in amounts, that total less than \$5,000 per contract, provided that the total dollar amount in any given fiscal year of: (i) any one contract, as amended, or (ii) series of contracts with regards to a specific vendor or a specific project, do not exceed in the aggregate \$125,000. Such contracts or amendment must be approved in accordance with then current District contracting requirements and use the applicable District services agreement template.

4. Each Contract and Contract amendment amounting to more than \$125,000 require prior Board of Trustees authorization before they can be executed by the Chancellor or the Vice Chancellor, Finance and Administration.
  5. No other employee is authorized to enter into or amend or to commit District financial resources.
    - a. Contracts under \$50,000 are ratified by the Board in a monthly report after execution (not applicable to public works contracts).
    - b. All transactions, purchase orders, contracts and amendments regardless of dollar amount must be ratified by the Board of Trustees within 60 days, if not approved in advance as otherwise required herein
- B. **Contract Types:** Contracts are classified as continuing price, lease/rental, repair/maintenance, personnel services, construction and income generating. District regulations for fulfilling these requirements are summarized below:
1. **Continuing Contracts:** Contracts for work to be done, services to be performed, or for apparatus or equipment to be furnished, sold, built, installed, or repaired, or for materials or supplies to be furnished or sold to the District with an accepted vendor over a period of time; such Contracts are limited by California Education Code Section 81644 as follows:
    - a. For work, services, apparatus or equipment: not to exceed five (5) years.
    - b. For materials or supplies: not to exceed three (3) years.
  2. **Personnel Services:** The Chancellor's approval shall be required for any contracts relating to Personnel Services (defined above in Section II.A.4 above).
  3. **Constructions and/or Improvement of Grounds (Public Projects)** Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving or painting or repainting of any publicly owned, leased, or operated facility.
    - a. **Public Works Projects Pursuant to AP 6345**
      - The district has adopted the California Uniform Public Construction Cost Accounting Act (CUPCCAA).
      - CUPCCAA bid thresholds for construction services contracts for agencies, including school and community college districts, are follows:
      - Public projects of \$60,000 or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order without bidding;
      - Public projects of \$200,000 or less may be awarded by informal bidding procedures;
      - Public projects of more than \$200,000 must be awarded by formal bidding procedures.
    - b. **Repairs:** As repairs are included in the definition of "public project," if a contract is

under \$60,000 (PCC section 22032), it may be awarded without competitive bidding and executed without prior Board of Trustees approval. Repair work over \$60,000 and up to \$200,000 may be awarded by informal bidding procedures, under the Uniform Public Construction Cost Accounting Act (AP 6345).

- a. **Bonds:** Material and Labor Performance Bonds shall be issued for not less than one hundred percent (100%) of the contract price by a surety or sureties satisfactory to the District and in a form prescribed by the District in which expenditures for a public project exceed \$25,000.
- b. **Acceptance of Completion for Material and Labor Contract:** When the entire work has been completed, as provided for in the Contract and any amendments to the Contract, the Vice Chancellor of General Services shall submit a recommendation for Board of Trustees to accept the completed project. After acceptance, a Notice of Completion of Contract shall be filed with the County Recorder.
- c. **Certified Small Business or Disabled Veteran Business Enterprise:** Pursuant to Public Contract Code Section 20651.2, the Board may award a contract for the acquisition of goods, services, or information technology that has an estimated value of greater than five thousand dollars (\$5,000), but less than two hundred fifty thousand dollars (\$250,000), to a certified small business, including a microbusiness, or to a disabled veteran business enterprise, if the District obtains price quotations from two or more certified small businesses, including microbusinesses, or from two or more disabled veteran business enterprises.
- d. **Best Value Contracts:** When the District determines that it can expect long-term savings through the use of life cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the District may provide for the selection of the lowest responsible bidder on the basis of best value pursuant to policies and procedure adopted by the Board of Trustees in accordance with Public Contract Code Section 20651.7. "Best Value" means the most advantageous balance of price, quality, service, performance, and other elements, as defined by the Board achieved through methods in accordance with this section and determined by objective performance criteria that may include price, features, long-term functionality, life-cycle costs, overall sustainability, and required services.
4. **Maintenance:** ~~The Vice Chancellor, General Services is responsible for any contracts relating to the maintenance, minor alterations and improvements of District grounds, buildings, facilities, and similar work but requires prior Board of Trustees approval for contracts over \$95,200. Contracts for Maintenance work more than \$95,200 must be formally bid. Maintenance work less than \$95,200 in 2020 (or as adjusted annually by the Board of the Community Colleges), may be awarded pursuant AP 6345 Informal Bidding Procedures~~

Contracts for Maintenance Work may be bid pursuant to the Informal Bidding Procedures. If a contract is under \$60,000 (PCC section 22032), it may be awarded without competitive bidding and executed without prior Board of Trustees approval. Maintenance work over \$60,000 and up to \$200,000 may be awarded by informal bidding procedures, under the Uniform Public Construction Cost Accounting Act (AP 6345).



5. **"Piggyback" Purchases from Contracts Bid by Other Public Agencies:** The Board of Trustees may allow the District, without advertising for bids, if the Board of Trustees has determined it to be in the best interests of the District, authorize by contract, lease, requisition or purchase order, any public corporation or agency to lease data-processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors and other personal property for the District pursuant to California Public Contract Code Section 20652 and Education Code Section 72670.5. The District may purchase materials, equipment or supplies and services through the Department of General Services in accordance with Public Contract Code Sections 10298 or 20653.

The District may purchase materials, equipment or supplies under the same terms and conditions as are specified in a contract lawfully awarded by the University of California or the California State University in accordance Public Contract Code Section 20653.5 or Education Code Section 81646.

The District may purchase materials, equipment, or supplies and services from another public agency by agreement, jointly exercising any power common to the contracting parties, if authorized by their legislative or other governing bodies, in accordance with Government Code Section 6500 et seq.

6. **Leasing of Equipment or Service Systems (Lease-Purchase Agreements):** The District may, as lessee, enter into a lease or lease-purchase agreement with any person, firm, corporation or public agency for (1) school buses, (2) other motor vehicles, (3) test materials, educational films, and audiovisual materials, and (4) all other items defined as equipment or service systems in the Community College Budget and Accounting Manual.
  - a. The District is required by statute to comply with all applicable bid and contract provisions specified in the California Education Code (beginning with Section 81641) and by Section 20651 of the California Public Contract Code prior to entering into an agreement. Each contract shall show the total price for an outright purchase of any item and its total cost for the entire specified term of the contract.
  - b. The term of any lease or lease-purchase agreement shall not exceed the estimated useful life of the item but in no event shall the term exceed 10 years. A lease, but not a lease-purchase agreement, may be renewable at the option of the lessee and the lessor, jointly, at the end of each term at a rate not more than 7 percent annually above the rate set pursuant to the existing agreement. In no event shall the combined period of the original lease and renewals or extensions exceed 10 years. Any contract for the lease or lease-purchase of equipment or service systems which was in existence prior to the effective date of this act shall remain in effect and such terms are hereby ratified.
7. **Income Generating Contracts** may be issued when the District provides services or when the District acts as lessor other than for Civic Center Act permit activities (see AP 6700), including lease of surplus district property. The District is authorized to lease, or lease with option to purchase, any land, buildings, or equipment it determines is not needed for District purposes. Such leases and leases with options to purchase to nonpublic agencies or individuals shall comply with the provisions of California

## Education Code Sections 81450, 81452, 81453, 81454, and 81553.

- III. **Implementation:** To facilitate the implementation of this administrative procedure, the Vice Chancellor, Finance and Administration shall have the authority to issue contracting, purchasing and operating procedures and authorize standard forms consistent with, and in furtherance of the finance, accounting, accounts payable, purchasing, information technology, internal auditing, and budgeting activities of the District; subject to the limits established in the California Education Code and/or other laws pertaining to the taking of bids and issuance of contracts and subject to any requisite approval of the Chancellor or formal procedures first requiring vetting via the District's shared governance process.
- IV. **General Requirements:** The following information identifies some, but not all, general statutory requirements applicable to public agency contracting and procurement:
- A. Employees of the District, members of the Board of Trustees, and members of Citizens' Oversight Committees shall not have an interest in any contract, other than their individual employment agreement, made by the Board. (California Education Code 72533)
  - B. In addition, California statute prohibits "offering of any valuable thing to any member of the governing board of any community college district, with the intent to influence his or her action in regard to the making of any contract to which the board of which he or she is a member is a party, or the acceptance of any member of the governing board of any valuable thing, with corrupt intent, is a misdemeanor" (California Education Code 72530(a))."
  - C. A contract obtained by incorrect means is void (California Education Code 72530(b)).
  - D. The District cannot be legally bound to any contract unless and until that contract is authorized or ratified by the Board of Trustees. (California Education Code 81655).
  - E. Any employee who signs a contract in violation of law or in violation of his or her authority is subject to disciplinary action. In addition, as allowed by California Education Code Section 81655 and 81656, any employee committing malfeasance may be personally liable to the District for any and all moneys the District paid as a result of such action. District funds incurred as a result of malfeasance.
  - F. **Approved Vendor List:** The Vice Chancellor, Finance and Administration shall ensure an approved vendor list is maintained and ensure that bids, if and when solicited, are solicited from a pool that includes small local businesses, and disabled veterans as specified by statute. No vendor can be placed on the approved vendor list until the following are submitted:
    - (1) Complete vendor information including name, address, and phone number, and named address of key officers.
    - ~~(2) Statement of qualifications.~~
    - (3) Taxpayer identification number as required by the Internal Revenue Services (IRS).
    - ~~(4) Affirmative Action Status Form.~~

## V. Contractual Elements and Requirements

- A. An appropriate budget-line for the contract along with adequate funding to encumber the contract must be developed before a contract is submitted for processing. Adequate funding includes both an “unencumbered balance” in the line item and sufficient cash reserves in the fund to pay subsequent invoices within thirty days of receipt. The Vice Chancellor of Finance and Administration shall notify all managers of the College if insufficient cash is available to pay invoices. When inadequate funding exists to encumber the entire cost of the contract, it is permitted to submit a partially encumbered contract which amount shall have a specified limited “work authorization” scope of work and dollar amount. Such contracts shall contain language that completion of the contract is subject to issuance of subsequent “work authorizations,” as determined by the District in its sole discretion.
- B. ***Non-Discrimination Certification:*** Any vendor performing work or performing services for the District must certify that:
1. All vendors must agree to comply with applicable federal and California anti-discrimination laws, including but not limited to the California Fair Employment Housing Act beginning with Government Code Section 12900.
  2. In addition, the vendor must agree to require compliance by all subcontractors it employs or engages to perform work.
- C. ***Payment of Prevailing Wages:*** If applicable, vendors are required to certify compliance with California Labor Code Sections 1775 and 1776 governing payment of prevailing wages and that the contract is subject to labor compliance monitoring and enforcement by the Department of Industrial Relations.
- D. ***Employed Apprentices:*** When working for the District, vendors and their subcontractors who employ or otherwise engage workers in any craft or trade apprentices, and who refer apprentices to the District for enrollment, are subject to the provisions of the California Apprenticeship Law, California Plan in Apprenticeship, and the Equal Employment Opportunity Action Plan adopted by the Board of Trustees.
- E. ***Discriminatory Trusts and Restraints of Trade:*** Vendors are required to abide by California Business and Professions Code Sections 16721 and 16721.5 pertaining to unlawful discrimination in commercial transactions and unlawful restraints of trade.

## VI. Competitive Bidding or Selection for Professional or Special Services (Non-Public Works projects):

- A. Bids or quotations must be obtained as follows:
1. Purchase of Goods or Services less than \$15,000 requires at least one written quote
  2. Purchase of Goods or Services from \$15,000 to ~~\$95,200~~ 99,100 requires at least three (3) written quotations.
  3. Purchase of Goods and Services in an amount that exceeds the annual Bid

Threshold ~~(\$95,200 in 2020)~~ (99,100 in 2022), shall require formal advertised bids.

4. Professional Services or Special Services are exempt to formal bidding as per public contract code 20111 (C) and do not legally require a formal bid process no matter the dollar amount.

If the District has completed Request(s) for Qualifications (RFQ), then purchase of Professional Services from \$50,000 or more requires at least three (3) written quotations from qualified consultants, If the District has not completed a RFQ, then purchase of Professional Services requires a formal Request for Proposals

- i. Purchase of Special Services from \$50,000 or more requires at least three (3) quotations.

5. The above subsections 3 and 4 do not apply to purchases made using Piggyback contracts because there is no statutory bid threshold. Contracts that require competitive bidding must be approved by the Board of Trustees prior to award. Contracts for Professional Services or Special Services from \$50,000 or more must be approved by the Board of Trustees prior to award. Piggyback contracts shall be procured in compliance with the applicable statute, including, if necessary, a resolution from the Board of Trustees.

- B. **Bid Splitting:** Public Contract Code Section 20657 prohibits splitting or separating projects into smaller work orders, contract, or purchase for the purpose of avoiding competitive bidding. A project may, however, be split into several trade-oriented contracts, which will each be competitively bid, if the District is using a multiple prime contractor project delivery method.

- C. **Bid and Contract Forms:** The Vice Chancellor, Finance and Administration shall ensure that bid and contract forms are prepared for the District. Bid documents are prepared by the Purchasing Director in consultation with the individual initiating the request and shall provide a basis for selection of a vendor. Bid documents are made available to vendors through the Purchasing Department.

**D. Bid Specifications:**

Bid documents or requests for proposals contain specifications and/or drawings, if appropriate, which shall include a definite, complete statement of what is required and insofar as practical, shall include pertinent details of size, composition, construction, and/or texture of what is specified, and minimum standards of efficiency, durability and/or utility required of what is specified. Additionally, when the use of a skilled and trained workforce to complete a contract or project is required, the bid document and construction contracts shall state that the project is subject to the skilled and trained workforce requirement. In general, specifications should be generic in nature and not specify a particular brand, manufacturer or vendor. Vendors must provide equipment and appliances that earn the ENERGY STAR and meet ENERGY STAR specifications for energy efficiency where ratings exist. The Vice Chancellor, Finance and Administration shall ensure that bid specifications are sufficiently broad to encourage and promote open competitive bidding.

**E. Advertised Notice Calling for Formal Bids or Requests for Proposals:**  
**When required by Education Code section 81641.**

The Vice Chancellor of Finance and Administration shall ensure that the District shall publish at least once a week for two weeks in a newspaper of general circulation published within the District or if there is no such paper, then in some newspaper of general circulation, circulated in the county, (and may post on the District's web site or through an electronic portal) a notice calling for bids or proposals stating the work to be done or materials or supplies to be furnished and the time and place when bids will be opened.

- F. Bid Security:** When bids shall be accompanied by a certified or cashier's check, or bid bond, in the amount specified in the bid form, as security that the bidder will enter into contract pursuant to the terms of the bid document. If unused, bid bonds/security are returned to respective bidders within 60 days after the award of contract.

**G. Distribution and Examination of Bid Documents:** For public contracts and maintenance contracts the Vice Chancellor of General Services:

1. Shall ensure "Bid forms" along with applicable sets of specifications and drawings are made available to prospective bidders. Any changes to the bid documents prior to the award of bid must be provided to all prospective bidders in writing prior to the bid opening.
2. Shall provide a convenient place for bidders, subcontractors, and material personnel to use to examine specifications and drawings.
3. May require a deposit for sets of plans and specifications and may refund the deposit when the documents are returned.
4. May schedule a bidder's conference and/or job site walk through to clarify specifications.

**H. Receipt of Bids**

1. A time and place of bid opening is stated in the bid documents and the bid advertisement. Bids are accepted in the Purchasing Department up to the exact time of the bid opening. Bids received before the opening are kept unopened until the designated time.
2. The Vice Chancellor, Finance and Administration shall receive the bids and ensure bids are opened and read aloud in public at the time and place specified in the bid, shall check the bids for regularity and compliance with legal requirements, and record them. Bids are a matter of public record and the results are available in the Purchasing Department after the bid opening.

**I. Awarding of Contracts:** The awarding of bids and contracts shall be subject to the following conditions:

1. Any and all bids and contract proposals may be rejected by the District. Such rejection shall be in writing.

2. Bid and contract awards shall be made to the lowest responsive and responsible bidder meeting the requirements. Bids are considered to be "responsive" if they meet the requirements of the bid documents. The Board has the right to waive any non-material irregularities.

**J. Amendments:**

Any change to specifications of terms and conditions of the bid after the opening will require a written change order or contract amendment. The Board of Trustees may authorize the contractor to proceed with performance of the change or alteration without the formality of securing bids, if the cost so agreed upon does not exceed the greater of: (a) the amount specified in Section 20651 or 20655, whichever is applicable to the original contract; or (b) ten percent (10%) of the original contract price.

**K. Emergency Repair Contracts without Bid**

If the Board of Trustees declares an emergency by unanimous vote and with the county superintendent of schools' approval, the Purchasing Department may (1) make a contract in writing or otherwise for the performance of labor and furnishing of materials or supplies for any repairs, alterations, work, or improvement is necessary to any facility of the college, or to permit the continuance of existing college classes, or to avoid danger to life or property without advertising for or inviting bids; or (2) authorize the use of day labor or force account.

**L. Prequalification of Bidders:** As allowed by California Public Contract Code Sections 20101 and 20651.5, prospective bidders for a contract construction services of a particular type and/or having an estimated cost to the District in excess of \$1,000,000.00, may be required by the District to furnish sufficient proof of public works experience and financial solvency and ability by submitting a standard form questionnaire and financial information.

1. Applicant responses to the District's standard questionnaire shall be evaluated based on the uniform rating system adopted by the Board of Trustees.
2. As provided by laws, the questionnaires and financial information are not public records and shall not be open to public inspection.
3. A determination that an applicant is prequalified does not guarantee that a contract will be awarded.
4. A determination that an applicant is prequalified will, unless otherwise cancelled, revoked, or limited by the District, remain valid for a period of twelve (12) months after the date that the applicant was prequalified.
5. Applicants wishing to dispute a prequalification determination are entitled, prior to the closing time for receipt of bids for the contract for which they have been

prequalified (or, in the case of prequalification for a classification of contracts, prior to the closing time for receipt of bids for the first contract bid by District within such classification) to an appeal as provided in the District's prequalification procedures.

VII. The Vice Chancellor of General Services, in cooperation with the designated District planning structures, and with the approval of the Chancellor, is authorized to perform the following activities in preparation for facilities capital improvement contracts:

- A. **Facilities:** The Vice Chancellor, General Services shall be responsible for the planning and programming of new construction, alterations and repairs of existing plants, and leasing of facilities which require State approval. This responsibility includes the planning and programming of college-initiated new construction, additions to existing plants, and major alterations of buildings and grounds.
- B. **Drawings and Specifications:** The Vice Chancellor, General Services is responsible for preparation of drawings and specifications for new buildings, leased facilities, additions, major alterations and improvements of buildings and grounds together with estimates of costs.
  - 1. Preliminary Drawings (Design Development Drawings) shall cover all proposed facilities, together with construction cost estimates, and shall be submitted to the Board of Trustees for approval and authorization to proceed with the Working Drawings and Specifications.
  - 2. Working Drawings (Construction Drawings) shall be prepared showing specifications and revised cost estimates, if any, will be submitted for approval to the Board of Governors of the California Community Colleges before letting any contract or contracts for construction services totaling \$150,000 or more and the State Department of General Services, Division of the State Architect as required by statute (Education Code Sections 81837 and 81130 et seq.).
  - 3. Final Drawings and Specifications approved by the State Department of General Services, Division of the State Architect and the Board of Governors of the California Community Colleges, along with revised estimates, if any, shall then be submitted to the Board of Trustees for adoption.
- C. **Performance of Work by District Personnel:** The Vice Chancellor of General Services is authorized to plan for the use of day labor or force account personnel to perform repairs, alterations, additions, or painting, repainting, or decorating upon school buildings, repair or build apparatus or equipment, improvements on the school grounds, new buildings, and maintenance may be performed by day labor, or by force account, whenever the total number of hours on the job does not exceed 750 hours, or when the cost of materials does not exceed \$21,000 in accordance with Education Code Section 20655.

**D. Record Retention:**

The District will retain records sufficient to detail the history of procurement.

Reference:

Title 5 Section 55007; Sections 59130 et seq.

Education Code Sections 81641 et seq.

Public Contract Code Sections 20103.7, 20112, 20650 et seq., and 22000 et seq.

Labor Code sections 1770 et seq.

Government Code Section 53060

ACCJC Accreditation Standard III.D.16

2 Code of Federal Regulations Part 200.318

Approved by the Chancellor: February 22, 2013

Revised and approved by the Chancellor: January 3, 2014

Revised and approved by the Chancellor: August 7, 2014

Revised and approved by the Chancellor: August 13, 2015

Revised and approved by the Chancellor: January 31, 2017

Revised and approved by the Chancellor: December 12, 2017

Revised and approved by the Chancellor: March 7, 2019

Revised and approved by the Chancellor: December 6, 2019

Revised and approved by the Chancellor: January 5, 2021

Revised and approved by the Chancellor: November 9, 2021



**ADMINISTRATIVE PROCEDURE 6620 NAMING OF BUILDINGS AND FACILITIES**

The Chancellor directs that the following regulations apply to naming buildings or other facilities in the Peralta Community College District:

- I. **Purpose:** The purpose of this regulation is to provide standard guidelines for all facilities of the District for naming buildings, sites and common areas. Naming opportunities may be granted in recognition of distinction and/or in recognition of financial support, in addition to the naming of buildings by function and location.

**II. Criteria**

- A. **Naming in Recognition of Distinction:** A proposal to name a facility in honor of an individual, family, corporation, or other organization, may be initiated in writing, which shall include:
  1. biographical information of the person proposed to be honored;
  2. description of the facility and the proposed name; and
  3. reasons the contribution to the district by the individual, family, corporation, or other organization merit designation.
- B. **Naming in Recognition of Financial Support:** When a name is proposed as a consequence of a gift or bequest, the guidelines should take into account the prominence and size of the location, a comparison to existing "named" areas and the capital cost of the new or restored facility, to decide if the gift or bequest is appropriate for the purpose of this policy.
  1. For naming in recognition of financial gifts, the donor will be expected to provide all or substantial part of the cost of the entity. "Substantial" is deemed to mean either a significant majority of the cost (51%+) or a contribution which, while not being a significant majority, would not have been available from another source or was in some way integral to project completion. Names for subdivisions of a facility may be based on cost of area per square foot with appropriate adjustments based on visibility of space to be named and other considerations.
  2. For naming associated with a fundraising campaign, the Chancellor will establish a schedule of naming opportunities and the level of donation required for each. The Chancellor will consult with the involved college and/or the district wide facilities committee for advice whether the gift levels are appropriate and consistent with others in the district.
- C. **Naming by Function and Location:** The functional name of a building will be consistent with the ongoing use/majority occupancy of the building, i.e., English, Math. etc. Location letter codes for buildings will be mnemonic associated with the functional name if possible.

**III. General Provisions**

- A. Naming a building, segments of buildings, or other facilities after person, organizations, and corporations, does not imply that the name or names used will necessarily be used in perpetuity.
- B. When a building is demolished, replaced or substantially renovated, or where the occupancy changes and the former name is no longer appropriate than a request for a new name will be considered. It may be appropriate to place a plaque in, or on, a new building to indicate that it occupies the site of a building formerly known by another name. Such plaques should recognize the person, organization or corporation after whom the former building was named. It may also be appropriate that a request for a new name will be considered to name part of a new building after a person for whom the former building was named.

- C. When it proposed that facility or room within a building be relocated within the same building, or to a different building, provided that the new facility will service the same original purpose, Board approval is not required.
- D. No naming will be recommended or approved or (once approved) sustained that will call into serious question the public respect of the district.
- E. Names of facilities or areas should lend prestige to the district and to staff, students and community. The credentials, character and reputation of each individual, organization or corporation for whom the naming of a building is being considered shall be carefully scrutinized and evaluated. Nominations submitted for consideration must be accompanied by supporting documentation.
- F. Historical names established prior to this procedure may continue to be used. However, any renaming shall be in accordance with this procedure.
- G. When a building or significant area has been named, the district will continue to use the name so long as the building or area remains in use and serves its original function. When the use has changed such that it must be demolished, substantially renovated or rebuilt, the district may retain the use of the name, name another comparable room or facility or discontinue the use of the name.
- H. It is the responsibility of individuals negotiating on behalf of the district to advise potential benefactors that their gift may be recognized by naming, subject to approvals and decisions consistent with this policy.
- I. 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 Chancellor. If it is determined that names cannot be preserved due to major alteration or demolition, the district may make a suitable arrangement to preserve the name on a monument, plaque, or tablet specifically created for this purpose.
- J. 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 by the district.

#### **IV. Process**

- A. All proposals for naming will be forwarded to the Chancellor who shall make a determination whether the proposed naming conforms to this policy, is otherwise appropriate, and is of sufficient merit.
- B. Board approval is required for building or other stand alone facility names. Board approval is not required for room or other facility subset designations unless the name of an individual or a plaque is associated with the room or facility subset designation. Board approval is also required for a schedule of naming opportunities and the level of donation required for each upon the launching of a capital campaign.
- C. Historical names prior to this regulation may be honored subject to reconsideration based on criteria is this regulation.

#### **V. Naming Conventions**

- A. A uniform current system of signing will be implemented consistent with the guidelines of this regulation to the extent possible.

- B. The signing should be consistent with publications and maps and include the personal name (if any), the functional name, and the letter "code" e.g. "Gunderson Health Center" - "G."
- C. Plaques and other signage such as office designations should be tasteful, discrete and consistent in style with other campus signage. Plaques should not contain the names of any individuals unless authorized by the Chancellor in accordance with this procedure except for the Board of Trustees, Chancellor, and College President at the time of dedication of the plaque.
- D. The naming of a building to honor an individual should use the surname only, as in "Smith Building;" and "King Hall." In the case of corporations or other organizations, the district use a shortened name sufficient to recognize the business ("Colgate Hall"). The reason for this convention is to ensure that the use of the new name becomes commonplace within the lexicon of the district and minimizes exterior lettering, listings in directories, mailing addresses and the like.

Approved by the Chancellor: February 19, 2013

Reviewed and approved by the Chancellor:

**ADMINISTRATIVE PROCEDURE 7400 TRAVEL AUTHORIZATION**

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

- I. **Travel Purposes:** The District recognizes the following purposes of travel, each of which requires authorization and documentation of participation before processing and/or reimbursement can occur.
  - A. **Institutional Travel:** The objective of institutional travel is to attend meetings with Federal, State, or local agencies; to meet with elected officials; to consult with colleagues at other institutions for such purposes as curriculum planning, administrative practices, student services, and community college funding, and to serve on an accreditation team.
  - B. **Professional Travel:** The objective of professional travel is to permit participation in activities of organizations whose primary purpose is advancing the legitimate and constructive cause of community college education in the State of California. Such organizations include, but are not limited to:
    - Academic Senate of the California Community Colleges
    - American Association of Community Colleges
    - Association of California Community College Administrators
    - Association of Community College Trustees
    - California Association of School Business Officials
    - Community College League of California
    - National Association of Colleges and Employers
    - Other Community Colleges/Districts
  - C. **Instructional Travel:** The objective of instructional travel is to encourage faculty and staff to keep abreast of new knowledge and new techniques in their areas of responsibility.
    1. **International Education.** International travel is appropriate in order to develop or implement an international education program. Tax revenue shall not provide the funding for such travel.
    2. **Recruitment of Out of State or International Students.** Out of state or international travel is appropriate in order to recruit out of state or international students to attend Peralta Community College District. The funding for such travel shall be provided by revenue generated by out of state or foreign student tuition.
- II. **Applicability:** This regulation applies to all Academic and Classified employees of the District. Members of the Board of Trustees are considered employees of the District for purposes of this regulation. This regulation does not apply to:
  - A. **Students or student employees.** Students shall follow procedures developed for student travel.
  - B. **Consultants and contractors.** Travel expenses incurred by a consultant or contractor are reimbursable only if such expense is specified as part of the consultant/contractor's contract with the District and submitted to the District via an invoice as a contractual expense. Consultants and contractors must follow the same employee travel guidelines, and will not be reimbursed at a greater rate than employee reimbursements.

III. **Authorized Activities:** For purposes of this regulation, off-campus travel is defined as attendance and participation at meetings, conferences, conventions, commissions, in-service training, and other groups whose principal business includes community college instruction and/or support functions or the advancement of the discipline or professional area in which the employee normally teaches or works. Off-campus travel does not include:

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

#### IV. Conference Attendance

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

A. **Approval Processing Requirements:** When requesting off-campus travel, prior approval is required using the district's official "Travel Request Form". The travel request must ensure the activity is related to District business, adequate funding is budgeted and minimal disruption to District programs and operations occur. When appropriate, substitute employees may be arranged. Employees are expected to "shop" well in advance for reasonable prices.

1. The employee's Supervisor, College or District Administration, must approve all travel requests as confirmation the trip and related expenditures are appropriate for District business prior to the trip.

The administrator overseeing the charge account must approve the expenditure of funds and the Business Officer must confirm that the funds are available.

Required approval signatures are as follows:

- a. **In-State Travel:** Requests under \$3000 require approval of the College President (for college members) or the appropriate Vice Chancellor (for district members). Request \$3000 and above require the Chancellor's approval. The Chancellor's Office must receive the request no later than 10 business days in advance of a trip.

b. **Out-of-State and International Travel.** All out-of-state and international travel require approval by the Chancellor and the Board of Trustees. The Chancellor's Office must receive the request no later than 30 business days in advance of the trip and approval may be contingent upon the following factors:

- Budgetary considerations
- District priorities
- b. • Local, state, and federal regulatory directives

Travel must be approved or ratified by the Board of Trustees before an advance

Peralta Community College District

AP 7400

payment or reimbursement of expenses can be made.

- c. **Chancellor and Board of Trustees Travel:** The Board of Trustees approval is required for the Chancellor's or Board of Trustees' travel in advance, if possible. If the Board member or the Chancellor did not know about the trip in time for advance approval, then Board ratification is permitted.
  - d. No travel advance funds or reimbursements can be processed without all the required approvals listed above.
- B. **Conference Location Reimbursement Limitation:** If a conference destination is within the boundaries of Peralta Community College District, the only conference expenses eligible for reimbursement are mileage and the payment of a registration/participant fee. Employees receiving a monthly travel stipend are not eligible for mileage or parking reimbursement of less than 30 miles one way or 60 miles round-trip.
- C. **Internal Revenue Services (IRS) Regulations:** Employers are required to track the amount of expense reimbursement allowances paid to employees. Amounts employers pay employees to reimburse for substantiated business expenses are not generally subject to income tax or employment tax. Reimbursements can be subject to such taxes if the employer pays an amount in excess of the federal per diem rate and the employee does not return unsubstantiated expenses covered by the per diem rate to the employer. (IRS Publication 1542).
- D. **Advance Payment.** An employee may request the Finance Office to pay 80% of approved estimated expenses (less the registration fee) in advance, if an approved Travel Request (Form 7400) and required documentation is submitted to the Finance Office within 14 days in advance of travel. For advanced payment for out-of-state and international travel, all required documentation must be submitted to the Finance Office in time for Board of Trustees authorization. If, upon submitting a final expenses claim, actual expenses are less than the 80% advanced, the employee must repay to the district the part of the advance in excess of expenses. No new travel requests will be approved if there is an outstanding balance. If an employee does not respond to a Finance Office request for repayment within 30 calendar days, no future advances to the employee will be made.
- E. **Conference Lodging.** Where a conference hotel is selected by the conference, the discounted conference hotel rate may be used as the lodging reimbursement rate. Travelers thus need to register early to receive the conference hotel guaranteed rate booked for the conference rooms. A copy of the conference hotel website page must be attached to the travel request and expense claim form for this rate to apply as the reimbursement rate. Lodging taxes are excluded from the conference hotel room rate cap. Where more than one hotel is offered for a conference, the lowest offered hotel rate shall be used as the base hotel reimbursement rate. Should the conference rooms be unavailable, employees are reminded to also ask the hotel for government employee, AAA, and senior rates, where applicable. Should no conference hotel be designated for a conference, then the GSA federal rates shall apply as the per diem hotel reimbursement rate. Receipts are required for all hotel reimbursement.
- F. **District Implementation:** When implementing Per Diem Allowances and Non Per Diem Reimbursement, the following shall apply:
1. **Registration Fees (Non Per Diem Pre-Paid Expense)**
    - a. Registration fees charged in connection with approved attendance at conferences, conventions, seminars, and training sessions maybe processed as a direct payment to the conference sponsor.

- b. The registration fee may include a daily stipend for meals and/or other expenses which should not be separately claimed as a per diem expense. Conference provided meals are only to be considered a non Per Diem "registration expense".
- c. A copy of the event's brochure or announcement showing sponsor, event purpose, dates and times, event location, and applicable fees may be used to substantiate the event's purpose and employee's attendance.

**2. Lodging (Per Diem Allowance)**

- a. Allow lodging as an allowable per diem expense when the nature of the travel requires the employee to be absent overnight from his/her established residence and the destination is outside the District boundaries
- b. Calculate lodging separately for each employee when employee's share lodging.
- c. Limit the Per Diem allowance to the single occupancy rate when the employee shares lodging facilities with a non-District person.
- d. Reimburse for lodging taxes as a non-per diem expense whenever such taxes increase lodging costs to an amount greater than the per diem lodging rate. Employees are encouraged to complete a "Hotel/Motel Transient Occupancy Tax Waiver" Form 7400C in order to avoid payment of lodging taxes.
- e. Lodging expenses are substantiated via a copy of the "hotel" bill.
- f. Full per diem rates are allowed for up to one day before the conference and one day after the conference, if warranted by an early start or late finish schedule of the conference. This can also accommodate any lodging assessment, or early or late check-in or out fees.
- g. The conference dates should be requested to be consistent with the required travel dates to attend all conference activities.

**2. Meals (Per Diem Allowance)**

- a. Allow the Per Diem allowance only for employees when the meal is associated with an approved conference attendance. Social events unrelated to the functions of the District are not reimbursable. Alcohol is not reimbursable.
- b. When applicable, use the meal amount stated in the registration fee of a meeting, conference, or other activity as part of the per diem allowance.
- c. Include tips in the Per Diem allowance.

Meals substantiated by a receipt are subject to the \$55 a day maximum.

- d. Employees may not use room service or a room mini-bar or snack bar.

**3. Incidentals (Per Diem Allowance)**



Employees will not be reimbursed for reasonable expenses incidental to travel and/or miscellaneous expenses essential to District business..

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

- a. **Air / Rail Travel:** The employee purchases their tickets directly and submits for reimbursement as an expense claim. Fares must be at the lowest possible rate, e.g., economy, coach, etc. Upgrades are not reimbursable. If an employee wishes to upgrade, it is done at the employee's expense. Baggage charges may be reimbursed subsequent to the trip with the submission of receipts. Employees are expected to "shop" well in advance and be sensitive to pricing. Travel agent fees are not reimbursable unless it can be demonstrated that the travel agent's total cost is less than available through normal internet booking capabilities. Management may withhold approval of full reimbursement if air travel prices are above the norm due to late booking.
- b. **Personal Airplane Use:** In the event an employee desires to use his/her personal airplane, Chancellor approval is required. Reimbursement shall not exceed the economy/coach rate for public carriers.
- c. **Personal Vehicle:** A personal vehicle is approved for travel. The lesser of mileage or air fare is reimbursed regardless of what mode of transportation is used. Mileage is calculated from the employee's worksite to the conference, and not from the employee's home.
- d. **Taxi and Shuttle Services:** When an employee is on an approved conference, taxi, bus, rail, and shuttle services are the preferred transportation mode to and from the airport. A receipt is required for reimbursement unless claimed as an incidental expense. Employees should also explore the use of public transit, such as by bus, train, or BART.
- e. **Rental Cars:** Employees on approved conferences outside of Alameda County may be authorized to rent a car when the cost of transportation is greater than the cost of other transportation modes, e.g., taxi, airport limousine, shuttle, multiple employees traveling together, etc.
  - 1) Employees are to rent the car in their name, not the District's name.
  - 2) Reimbursable rental charges are limited to a compact or standard size car. If the employee wishes an upgrade, he/she may do so at his/her own expense.
  - 3) Rental charges should be at the best promotional rate and/or net of any discounts.

- 4) Gasoline for rental car use is reimbursable with proper documentation, e.g., rental agreement requirement and receipt(s).
- 5) Peralta Community College District has insurance for vehicles rented for district business. Therefore, there is no reimbursement for insurance purchases as part of a car rental contract.
- 6) Employees are encouraged to use the district van for group travel rather than using a rented vehicle.

**f. Parking and Related Fees**

- 1) Metered or any other parking fee, or a toll fee, is reimbursable when receipts are provided as a part of a conference claim. If receipts are not available, these fees could be considered covered as part of the incidentals allowance.
  - 2) **Airport / Rail Station Parking:** Parking fees for leaving an employee's personal vehicle at the airport / train station is reimbursable at the shuttle/long term parking lot rate. If the travel is for an extended period of time, an airport shuttle to/from the employee's home is reimbursable if the shuttle cost is less than parking cost.
  - 3) **Related Fees:** Toll, bridge, and other related fees are reimbursable if a receipt is provided. If a receipt is not provided, the expense would be considered part of undocumented incidental expenses.
5. Table AP 7400-2, Allowable Conference Expenses, below, identifies expenses allowable and not allowable.

**V. Personnel Considerations**

- A. **Leave of Absence:** When a leave of absence of any kind is taken by an employee while on travel status, the exact date and hour of departure and return to duty shall be shown on the reimbursement claim. No expense of any kind will be allowed for time in a leave of absence status.
- B. **Salary-Status:** An employee authorized to attend a conference is considered to be in regular status for the duration of the conference.
- C. Disregard for District travel policy, regulations, and procedures and/or altering receipts can result in disciplinary action.
- D. **Overtime:** Overtime is not permitted unless expressly authorized in advance by the Chancellor.

**VI. Operating Procedures**

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

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

1. **Mileage, Tolls and Parking Reimbursement:** Employees authorized to use a personal vehicle in the performance of their assigned workday duties are eligible for reimbursement for mileage and parking fees incurred while on District business. All expense claims requested for reimbursement shall be substantiated and submitted on the District's approved form. Employees receiving a monthly travel stipend shall not be eligible for mileage, tolls, and parking reimbursement of expenses for travel associated with their regular job functions.
  1. **Direct Surface Route:** Mileage is reimbursable on the basis of a commonly-used direct surface route, e.g. "Google Maps". The district cannot reimburse for extra miles logged due to a "roundabout" or other preferred route.
  2. **Parking and Toll Fees:** Parking, Toll and other related fees are reimbursable when the expense is substantiated.
  3. **Call-Back Mileage:** In the event an employee is off-duty and called back to work by a supervisor, the employee may be paid for all mileage traveled in connection with that event or as specified in an applicable collective bargaining agreement.
  4. **Meals with Receipts:** The maximum amount to be claimed for reimbursement of meals during the authorized travel with receipts, inclusive of tax and tip are:
    - Breakfast \$10.00
    - Lunch: \$15.00
    - Dinner \$30.00
    - Total \$55.00**
  5. **Incidentals: Employees will not be reimbursed** for reasonable expenses incidental to travel and/or miscellaneous expenses essential to District Business. Incidental expenses include telephone, fax, internet access, email, supplies, porter services, tips, valet and laundry expenses, or other miscellaneous items directly related to District Business travel.
  6. **Not Reimbursable:** Employees shall not be reimbursed for the following:
    - a. Miles to and from the work location to the employee's personal residence. If, at the start or end of the work day, the employee is required to travel on district business to a destination that is farther from the work location than the normal commute, only the excess miles are reimbursable.
    - b. Gas purchases are not reimbursable because the mileage reimbursement rate includes fuel expenses.

Damage or theft to an employee's vehicle or items kept within the vehicle is not the district's liability. A portion of the reimbursement rate is intended to defray the individual's insurance costs.

Approved by the Chancellor: April 12, 2012

Revised by the Chancellor: January 29, 2015

Revised and approved by the Chancellor: September 14, 2018

Reviewed and approved by the Chancellor: September 14, 2021

TABLE AP 7400-2 ALLOWABLE CONFERENCE EXPENSES		
PER DIEM <sup>1</sup> (Allowance Rate)	OTHER THAN PER DIEM <sup>2</sup> Receipts required:(Reimbursable)	NOT ALLOWED (Not Reimbursable)
Lodging	Lodging taxes to the extent such taxes increase lodging cost to an amount greater than the per diem lodging rate.	<ul style="list-style-type: none"> <li>• Additional lodging costs resulting from additional travel time for the employee's convenience.</li> <li>• Lodging furnished by non-commercial or other means, e.g., staying with family/friends living in the conference area.</li> <li>• Mini-bar and room service charges</li> </ul>
Meals		<ul style="list-style-type: none"> <li>• Meals consumed while enroute to / from the conference.</li> <li>• Alcoholic beverages and/or other intoxicating spirits.</li> <li>• Cost of meals furnished by non-commercial or other means, e.g., family and/or friends.</li> </ul>
<b>Incidental Expenses</b>	<b>Miscellaneous Expenses</b>	<b>Other Not Reimbursable Expenses</b>
	<ul style="list-style-type: none"> <li>• Personal vehicle mileage.</li> <li>• Air, rail, or bus fare to conference destination if receipted.</li> <li>• Airport parking.</li> <li>• Vehicle rental / gas.</li> <li>• Taxi and shuttle service including tip.</li> <li>• Registration fee.</li> <li>• Training fees.</li> </ul>	<ul style="list-style-type: none"> <li>• Gasoline purchases associated with personal vehicle use.</li> <li>• Avoidable "no-show" charges for hotel or car service.</li> <li>• Upgrade fees.</li> <li>• Excess baggage fees for more than two checked bags or bags weighing more than 50 pounds.</li> <li>• Lost baggage.</li> <li>• Transportation to / from places of entertainment and similar facilities.</li> <li>• Conference-arranged leisure tours or personal side-trip expenses.</li> <li>• Traffic or parking citation while using a district or private vehicle</li> <li>• Entertainment expenses, radio or television rental, and other items of a similar nature.</li> <li>• Individual membership dues or fees, e.g., airline clubs, gyms, etc.</li> <li>• Personal telephone calls and other expenses of a personal nature.</li> <li>• Loss / theft of personal property</li> <li>• Gifts.</li> </ul>
<sup>1</sup> Per diem rates combine lodging and meals for primary destinations. Expenses may not exceed amount authorized on Form 7400A, Travel Request .		

**ADMINISTRATIVE PROCEDURE 7800 EMERITUS  
STATUS**

Per Board Policy 7800, the Chancellor of the Peralta Community College District (Berkeley City College, College of Alameda, Laney College, and Merritt College) may confer the title of Emeritus upon any retiring or retired faculty, classified staff, confidential staff, administrators, or trustees who have given honorable service to their College or the District.

A. Process and Procedure for granting Emeritus Status:

1. Once a year, **before June 1 upon request**, the Office of Human Resources will provide ~~the Chancellor~~ a list of faculty (full-time and part-time), classified staff, confidential staff, and administrators who have retired and have provided 10 consecutive years of service in the Peralta Community College District.
2. A Chancellor/President to be granted Emeritus Status will have served 3 years
3. A trustee to be granted Emeritus Status will have served two terms on the Board of Trustees.
4. **The composite list will be provided to a committee consisting of two faculty members (one appointed by the PFT and one appointed by the DAS), two classified staff members (one appointed by SEIU 1021 and one appointed by the District Classified Senate), and two administrators (appointed by the Chancellor), and a member of the Board of Trustees (appointed by the Board President).**
5. **The Board of Trustees shall agendaize and ~~endorse~~ consider approving those the** ~~Chancellor~~ recommended for Emeritus Status.
6. A formal celebration will be held to honor those who have attained Emeritus Status.

B. Emeritus Benefits

1. A parking sticker that is placed on the car front window and provides free parking at the College of Alameda, Laney College, Merritt College, and the District Office. This does not allow for parking at Berkeley City College where parking is limited and costly at this time.
2. A Peralta ID card
3. Full access to library facilities, including access to computer resources in the library.
4. Faculty, staff, administrators or trustees discounts to all College events per College or District Office.
5. Continued access and use of Peralta e-mail set up for retirees.

References:

Approved by the Chancellor: May 8, 2018

Revised and approved by the Chancellor:

## Responses 10

10  
Responses

10:02  
e time to complete

Active  
Status

1. What is your Name?

10  
Responses

## Latest Responses

*"Tachetta Henry"*

*"Rudy Besikof"*

*"Eleni Gastis"*

1 respondents (10%) answered **David M Johnson** for this question.

Richard Thoele Eleni Gastis Rudy Besikof  
Tom Renbarger David M Johnson Tachetta Henry  
Jones Scott Barringer III Matthew Freeman  
McKinley Nathaniel

2. Please provide your vote on the recommendation to approve the proposed update of AP 5410 (Associated Students Elections)



5



2



# Holistic Safety, Security & Wellness Advisory Committee

## Membership Composition

DRAFT

Membership
Advisory Committee Chair (Non-Voting) - Director of Safety & Security (1)
<b>Voting Members</b>
Mental Health Professional (1)
College Health & Safety Committee chairs + 1 additional At-large member per college (8) <i>* additional at-large members are to round-out the balance of constituencies within the group</i> <ul style="list-style-type: none"> <li>• Laney College</li> <li>• Merritt College</li> <li>• COA</li> <li>• BCC</li> </ul>
District Office Classified Staff (1)
Bargaining Unit Representation – PFT/Local 39/SEIU (3)
<b>Ex-Officio Members (Non-Voting)</b>
Current or former student representatives from each college (4) <ul style="list-style-type: none"> <li>• Laney College</li> <li>• Merritt College</li> <li>• COA</li> <li>• BCC</li> </ul>
Director of Marina Security (1)
<b>TOTAL MEMBERS = 19</b> <b>VOTING MEMBERS = 13</b> <b>QUORUM = 7</b>

## Peralta Community College District

### Budget Philosophy – **DRAFT**

The Budget Philosophy of the Peralta Community College District is to create a spending plan that provides funding for educational programs to support the success of our students by using fiscally responsible and sound practices. The overall goal is to develop a budget that best aligns resources with student achievement goals.

Our budget plan must address and include all facets of the student experience that will lead to student success. It reflects strategies that are adopted and implemented following the goals as outlined in the California Community Colleges Chancellors Office Vision for Success to reduce achievement gaps by supporting diversity, equity, access, and inclusion in all our programs. It will also reflect prioritization and allocation of expenditures that align with each college's goals.

The budget should encompass a complete cycle for integrated long-term planning and budgeting, throughout this cycle, the college's planning and institutional goals serve as the overarching guide for decision-making and resource allocation to be supported by the Peralta Board of Trustees.







***PERALTA COMMUNITY COLLEGE DISTRICT***  
**PARTICIPATORY GOVERNANCE COUNCIL (PGC)**

**PGC**  
**GOALS for 2021-22**

1. Identify a standardized platform for committee materials and implement it. Maintaining committee documentation from year to year.
2. Regular Assessment of committees.
3. Develop a Master Calendar for the PGC. Align with critical activities at State level, as well as colleges and District levels.
4. Create Sub-committees for key areas of PGC responsibility/scope (Accreditation, Master Planning, monitoring PBIM effectiveness, etc.)
5. Review the PBIM Structure for possible necessary/appropriate updates.



**PERALTA COMMUNITY COLLEGE DISTRICT**  
**New Budget Allocation Model**  
**April 2022**

Based on Student Centered Funding Formula



## BUDGET PHILOSOPHY

- ▶ The Budget Philosophy of the Peralta Community College District is to create a spending plan that provides funding for educational programs to support the success of our students by using fiscally responsible and sound practices. The overall goal is to develop a budget that best aligns resources with student achievement goals.
- ▶ Our budget plan must address and include all facets of the student experience that will lead to student success. It reflects strategies that are adopted and implemented following the goals as outlined in the California Community Colleges Chancellors Office Vision for Success to reduce achievement gaps by supporting diversity, equity, access, and inclusion in all our programs. It will also reflect prioritization and allocation of expenditures that align with each college's goals.
- ▶ The budget should encompass a complete cycle for integrated long-term planning and budgeting, throughout this cycle, the college's planning and institutional goals serve as the overarching guide for decision-making and resource allocation to be supported by the Peralta Board of Trustees.

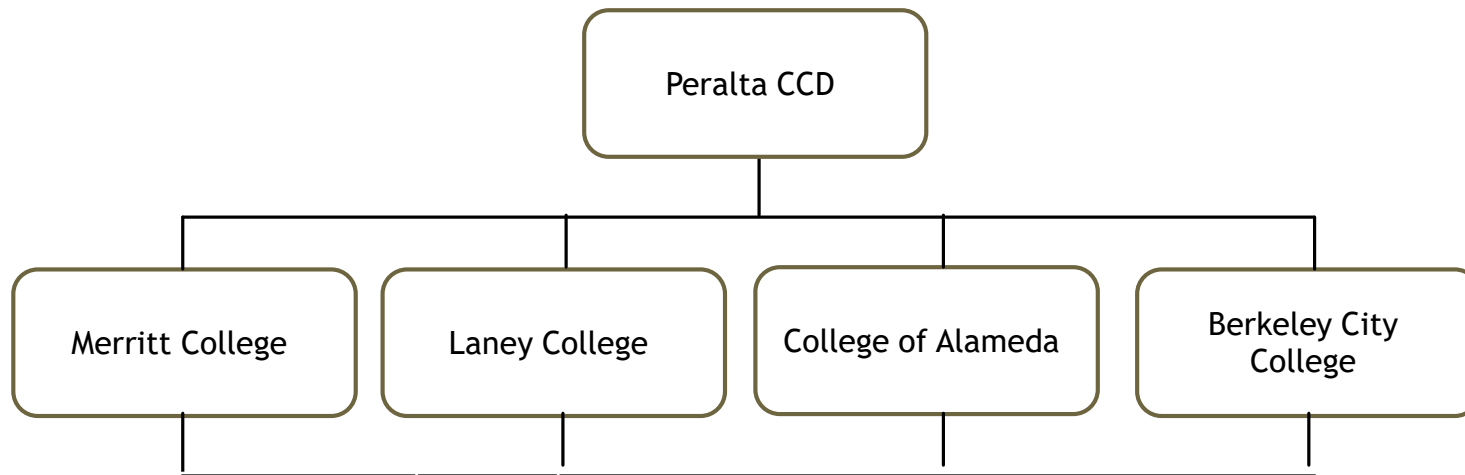
# PRINCIPLES

- ▶ These are the guiding principles that were developed for the new allocation model.
- Recognize the District as the fiscal entity while honoring the unique legacy and culture of each institution
- The BAM will be fair, equitable, and transparent.
  - Fair - resource allocation decisions will be informed by objective, predictable, verifiable, and easily accessible data and will be made in an impartial and consistent manner.
  - Equitable - resources will be distributed in a manner that adequately supports the full array of programs offered at each college while ensuring compliance with statutory and regulatory requirements; efficient and strategic use of resources is expected, and inefficiencies will not be subsidized or supported.
  - Transparent - resource allocation decisions will be made in an open and consultative manner with representative stakeholder groups and that it is simple, easy to administer and communicate as possible.
- The goals and priorities for student success, equity, and access as articulated in the educational master/strategic plan of each college and the district office will align with the goals included in the district strategic plan and strategic vision plan adopted by the California Community Colleges Board of Governors, including benchmarks and actions for measuring progress, and the Budget Allocation Model will align accordingly.
- The BAM will provide operational cost predictability and stability to support college and district office strategic goals and objectives.
- ▶ Operational structural balance will be maintained by ensuring that ongoing expenditures do not exceed ongoing revenues resulting in a positive fund balance.

# PRINCIPLES

- Ongoing expenditures will be funded with ongoing revenues, and one-time expenditures will be funded with one-time revenues, with exceptions only under rare circumstances.
- Compliance with state, accreditor, and district reserve requirements will be maintained or exceeded, will be the first item funded in the BAM, and each college will maintain its own prudent reserve of no less than 1% of the previous year's expenditures. Reserves in excess of the minimum reserve requirements will be established in an expenditure holding account to meet unexpected and/or unanticipated expenditures that arise subsequent to budget adoption.
- The BAM will be assessed manually.
- The BAM will maintain and enhance FON requirements for the district.
- The BAM will maintain and improve 50% law calculation for future budget years.
- The BAM will support to maintain and improve 75/25 ratio in future years.
- The BAM will provide a minimum funding for classroom 17.5 FTES/FTEF ratio to achieve expected classroom efficiency.
- The BAM will provide guidance to maintain staffing salary and benefits cost between 85% and 87% of available resources.
- The BAM encourages cooperation among and between colleges and district office to continuously find solutions to improve classroom offerings, student services and trim cost to seek fiscal stability within the district.





## Budget Development

Resources - Phase I  
(Revenue)  
(Completed)

SCFF

Other State

Local

Expenditures - Phase II  
(Appropriations)

Academic Salaries

Classified/Managers Salaries

Benefits

Books & Supplies

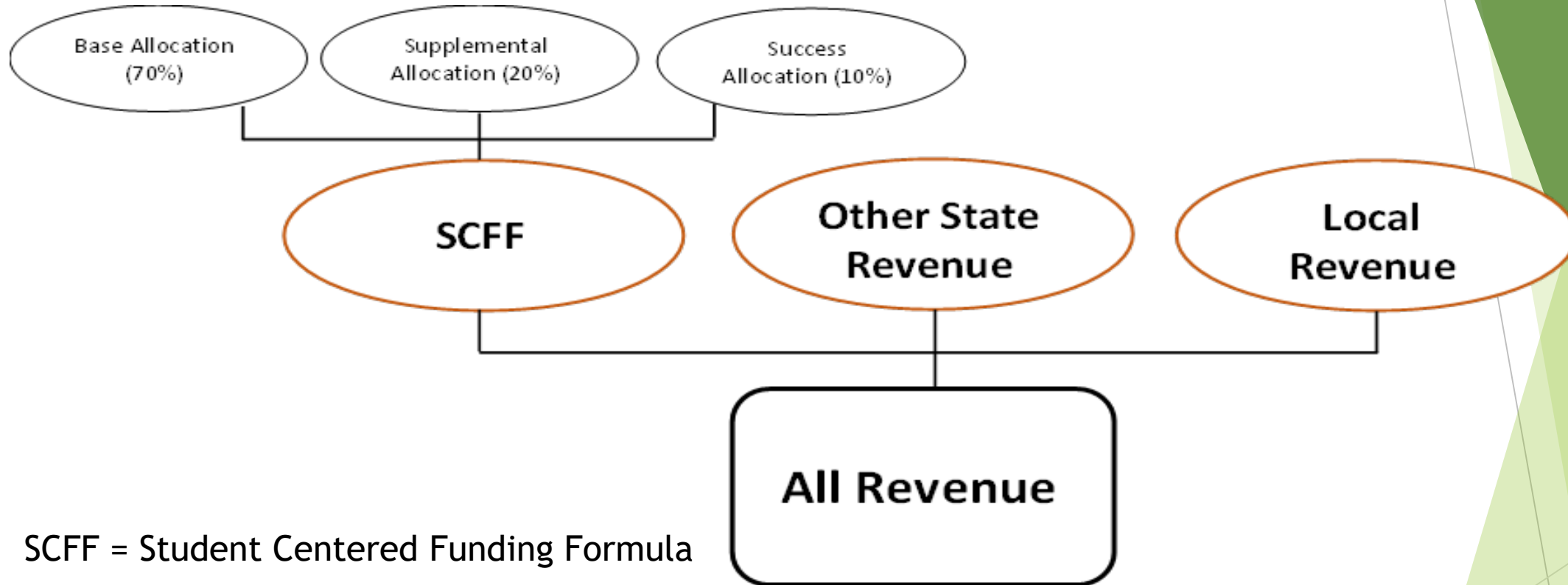
Operating Expenses

Equipment's

Transfer out/Financial Aid

Prior year ending balance shall not be used for ongoing expenses.  
Maintaining reserve for contingency per Board Policy.

## Peralta Community College District

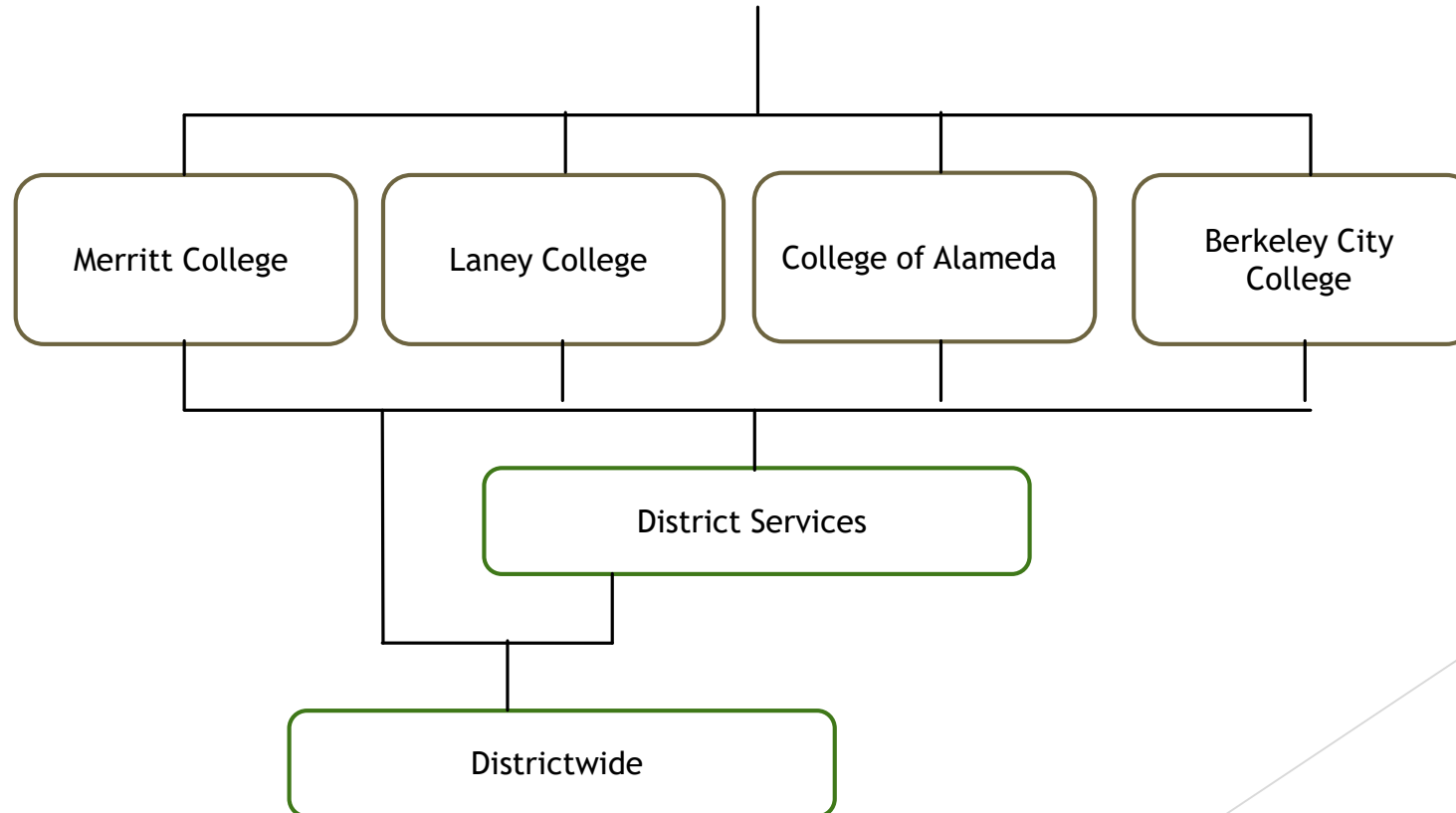


SCFF = Student Centered Funding Formula

All Revenue = Unrestricted General Fund

# All Revenue

All Revenue = Unrestricted General Fund





# SCFF

## Student Centered Funding Formula

### Base Allocation (70%)

- Credit FTES
- Non-credit FTES
- CDCP
- Incarcerated
- Special Admit

### Supplemental Allocation (20%)

- Pell Grants
- Promise Grants
- AB 540 Grants

### Success Allocation (10%)

#### *Earned:*

- Associate Degrees
- Associate Degrees for Transfer
- Credit Certificates

#### *Completion of:*

- 9+ CTE Units
- Transfer Level Math and English

#### *Achieved:*

- Regional Living Wage

FTES = Full Time Equivalent Student

CDCP = Career Development & College Preparation

CTE = Career Technical Education

## Other State Fund

- Lottery
- Faculty Compensation
- Mandated Cost
- Faculty Hiring and Parity
- Other State
- Homeowners Tax Relief

## Local Revenues

- Community Service Fees
- Contract Education/Services
- Facilities Rental Fees
- STRS paid on behalf Others
- Non-Resident Student Revenue
- Student Health Fees
- A/C Transit
- Application Fees (Int'l)/Student Records
- Capital Outlay
- Other Local
- Interest 2% Enrollment Fee
- Miscellaneous

# Peralta Community College District

## ► Timeline For Resource Allocation Model

- Phase I - Resources - October 2020 to December 2021 (Draft Completed)
- Phase II - Expenditures - April 2022 to December 2022
- Ready for Budget Development of 2023-24 fiscal year
- Requirements:
  - Support from Board of Trustees
  - Support from Chancellor and College Presidents
  - Engagement with stakeholders in college, district participation processes.
  - Availability of accurate and timely data related to all operations

Questions:

► Thank you



# 20-21 Annual Audit Highlights

## Financial Statement

- Peralta received an Unmodified opinion on its financial statement – highest level of assurance
- Total net position = \$58.3M (assets – liabilities)
- Revenues netted a \$28.2M gain (compared to a \$5.2M loss in prior year)

## Audit Findings

- Significant Deficiency over Material Weakness
- Same total as prior year - 6 repeated
- “Common findings under Federal Awards” (CLA)
- Corrective Action Plan



# 20-21 Annual Audit Highlights

## FY21 Audit Findings

### Financial Statements:

- 001: Closing Process

### Federal Compliance –Student Financial Aid

- 002: COD Reporting
- 003: Gramm-Leach-Bliley Act
- 004: Internal Controls Over Federal Awards
- 005: NSLDS Enrollment Reporting
- 006: Outstanding Student Refund Checks (questioned costs of \$23,782)
- 007: Return of Title IV Funds

### Federal Compliance –Other

- 008: HEERF Expenditures (questioned costs of \$8,278)
- 009: HEERF Reporting
- 010: Suspension and Debarment

# Peralta Community College District

## Budget Development Calendar

**Fiscal Year 2022-23**

<b>Tentative Budget</b>		
<b>Date</b>	<b>Responsible</b>	<b>Action Item</b>
January 10, 2022	Vice Chancellor for Finance and Administration	Governor Proposed Budget releases.
January 17, 2022	Vice Chancellor for Finance & Administration and Chancellor	Review Budget Development Calendar with Chancellor.
January XX, 2022	Vice Chancellor for Finance & Administration and Budget Director	District Office Presentation at the Colleges Level Budget Committees meeting to present the Governor's Proposed Budget.
January 24, 2022	Vice Chancellor for Finance and Administration	Projected Funds for 2022-23 fiscal year based upon Governor's budget proposal reviewed with the Planning and Budgeting Council and Chancellor's Cabinet.  Draft budget assumptions for the Tentative Budget.
January 25, 2022	Vice Chancellor for Finance and Administration	Budget calendar to Board of Trustees for adoption (AP 6250).
January 28, 2022	Vice Chancellor for Finance & Administration and Chancellor	Review Budget Development Calendar with Chancellor.
February 03, 2022	Budget Director	Round 1 positions control for 2022-23 fiscal year distribution to colleges.
February 04, 2022	Chancellor Vice Chancellors College Presidents Business Directors Budget Director	Prior and current year line item budgets, instruction packets, and due dates are distributed to Campus Presidents, Business Directors, and Vice Chancellors for distribution to managers with budget responsibility.  Campus and DAC budget processes determine priorities, reallocation of funds (within college), and responsibility managers prepare budget forms for submittal to Budget Director.
February 18, 2022	Planning and Budgeting Council	Review Governor's 2022-23 Proposed Budget.  Review Tentative Budget Assumptions.  Review the Budget Allocation Model (Student Centered Funding Formula).
February 25, 2022	Vice Chancellor for Finance & Administration and Chancellor	Review Tentative Budget Assumptions and Allocation.
March 04, 2022	College Presidents Vice Chancellors Business Directors	Submit discretionary budget worksheets to Budget Director.  Submit round 1 positions control worksheets with any changes to the Budget Director.

March 18, 2022*	Vice Chancellor for Finance and Administration Budget Director	2022-23 preliminary budgets submissions are presented to the Planning and Budgeting Council. *Estimated date.  Round 2 position control worksheets are sent to the College Presidents, Business Directors, and Vice Chancellors.
March 25, 2022	Vice Chancellor for Finance and Administration Budget Director Planning & Budgeting Council	Discussion and review of the FTES allocation and enrollment numbers to make a recommendation for the Chancellor's Cabinet in the upcoming year. (Note: to be completed earlier in the future.)
April 01, 2022	College Presidents Vice Chancellors Business Directors	Submit round 2 positions control worksheets revisions to Budget Director.
April 04, 2022	Budget Director	Load positions control and discretionary budgets into Peoplesoft.
April 18, 2022	Vice Chancellor for Finance and Administration	Chancellor's Cabinet updated on status of Preliminary Budget.  Review, discussion, and recommended adjustments brought forward.
May 06, 2022*	Vice Chancellor for Finance and Administration	Governor May Revision releases. *Estimated date.
May 27, 2022	Vice Chancellor for Finance and Administration	Finalizes budget assumptions for the Tentative Budget.  Preliminary budget is presented to the Planning and Budgeting Council.
June XX, 2022	Vice Chancellor for Finance & Administration and Budget Director	District Office Presentation at the Colleges Level Budget Committees meeting to present the Governor's May Revised Budget.
June 07, 2022	Vice Chancellor for Finance and Administration	Tentative Budget is presented to the Board of Trustees for the first read.
June 21, 2022	Vice Chancellor for Finance and Administration	Tentative Budget is presented to the Board of Trustees for approval.
<b>Adopted Budget</b>		
August 22, 2022	Vice Chancellor for Finance & Administration and Chancellor	Review Adopted Budget Assumptions and Allocation.
August XX, 2022	Vice Chancellor for Finance & Administration and Budget Director	District Office Presentation at the Colleges Level Budget Committees meeting to present the Adopted Budget/changes from the May Revise.
August 29, 2022	Planning and Budgeting Council	Review draft of the Adopted Budget.
September 13, 2022	Vice Chancellor for Finance and Administration	Present the Adopted Budget to the Board for approval.