YOSEMITE COMMUNITY COLLEGE DISTRICT

DISTRICT COUNCIL MEETING
March 26, 2014
3:00 p.m. – 5:00 p.m.
Gene Bianchi Community Center

AGENDA

Facilitator: Joan Smith
Recorder: Graciela Molina

1. Approval of Minutes of the Meeting of February 26, 2014 – Joan Smith
2. Policy Update – Nick Stavrianoudakis
4. Other Business
5. Next Meeting – April 23, 2014 - Gene Bianchi Community Center, Oakdale

* Attachments
Members Present: Jill Stearns, Angela Fairchilds, Brian Sinclair, John Leamy, Joan Smith, Rosanne Faughn, Debi Bolter, Shawna Dean, Joan Van Kuren

Members Absent: James Todd, Gene Womble, Student Trustee (vacant)

Other's Present: Marty Gang, Brenda Thames, Susan Kincade, Sarah Schrader, Victoria Simmons, Leslie Buckalew, Gary Whitfield, Graciela Molina (recorder)

Meeting called to order at 3:05 p.m. in Oakdale at the Gene Bianchi Community Center, Conference Room 1.

1. Approval of Minutes of the Meeting of January 22, 2014
   A motion to approve the minutes of the meeting of January 22, 2014, was made by Debi Bolter and seconded by Angela Fairchilds. District Council members approved the minutes with a vote all in favor.
   Ayes: Jill Stearns, Angela Fairchilds, Brian Sinclair, John Leamy, Joan Smith, Rosanne Faughn, Debi Bolter, Shawna Dean
   Abstention: Joan Van Kuren

2. Policy Update
   Nick Stavrianoudakis provided an update on District policy and procedures. DC members received 12 policies as part of the agenda: Policy 2345 Public Participation at Board Meetings, 2350 Speakers, 3501 Campus Security and Access, 5140 Disabled Students and Programs and Services, 6300 Fiscal Management, 7110 Delegation of Authority for Personnel Actions, 7120 Recruitment and Hiring, 7125 Verification of Eligibility for Employment, 7235 Probationary Period: Classified Employees, 7240 Confidential Employees, 7250 Educational Administrators, 7260 Classified Supervisors and Managers. DC members were invited to forward comments regarding the policies to Nick Stavrianoudakis. Discussion ensued regarding Policy 7250 and Policy 7260, and the language which reads “…up to four years…” It was reported that the language is in accordance with Ed Code.

3. FTES Update
   Chancellor Smith requested inquiries regarding college FTES status be referred to the respective college president. Chancellor Joan Smith asked constituency group leaders to take back to their groups that the “growth” the State is talking about is better noted as “restoration”. We are in restoration mode trying to meet our targets. Teresa Scott stated that many districts will not be able to restore up to the cap. The system is arguing that the growth funds do not go back to the State; a workgroup of CBOs is meeting about every three weeks on this topic. We are waiting for the May Revise to come down from the State.
Leslie Buckalew invited DC members to participate in Columbia College’s Distance Education (DE) Summit taking place March 5, 2014; efforts are being made to video stream the summit to Modesto Junior College.

4. Leadership Academy

Chancellor Joan Smith provided an update on the Leadership Academy. Requests have been received by classified, faculty and others about possible future trainings. Chancellor Smith will be working with Cabinet members to fine tune the current pilot project and roll out to other constituencies. DC members were asked to bring ideas about possible topics and comments to the March meeting.

5. Vision Planning

In follow up to the Managing Change Training that took place on January 31st, the Chancellor will schedule a Visioning Planning Session on April 23 from 2:00 p.m. to 5:00 p.m. Further details regarding location and attendance will be discussed at the March DC meeting. Chancellor Joan Smith stated the Vision of the YCCD should be a global view of what we want to do as a District and colleges. In seeking a meaningful vision Chancellor Joan Smith asked DC members to begin thinking of “key words”, reviewing the vision, and think about what footprint we want to see in our future and how our vision could inspire.

6. Other Business

   a. News Articles
      Chancellor Smith provided an update regarding the news articles regarding the FIRE lawsuit. A settlement agreement has not yet been reached. An Op-ed by Chancellor Smith will be circulated to the YCCD when it comes out.

   b. Statement of Principles
      Statement of Principles will be sent to new members serving on DC.

7. Next Meeting

    The next meeting of the District Council will take place on Wednesday, March 26, 2014, at 3:00 p.m. in Oakdale at the Gene Bianchi Community Center.

The District Council meeting adjourned at 4:35 p.m.
### POLICY COMMITTEE MEETING AGENDA
March 26, 2014

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<thead>
<tr>
<th>BOARD</th>
<th>P</th>
<th>AP</th>
<th>COMMENTS</th>
<th>FORWARD</th>
<th>BOARD MTG DATE</th>
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<tbody>
<tr>
<td>2015 – Student Member(s)</td>
<td>✓</td>
<td>✓</td>
<td>Annual Review Required</td>
<td></td>
<td>4/9/14 (1st Reading)</td>
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<tr>
<td>2345 – Public Participation at Board Meetings – Oral Communication</td>
<td>✓</td>
<td>✓</td>
<td>Title Change &amp; Changes to Procedure - <strong>TABLED</strong></td>
<td>District Council 2/26/14</td>
<td>3/12/14 (1st Reading)</td>
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<tr>
<td>2350 – Speakers</td>
<td>✓</td>
<td>✓</td>
<td>Revised in Conjunction with 2345 - <strong>TABLED</strong></td>
<td>District Council 2/26/14</td>
<td>3/12/14 (1st Reading)</td>
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<tr>
<td>3501 – Campus Security and Access</td>
<td>✓</td>
<td>✓</td>
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<td>District Council 2/26/14</td>
<td>4/9/14 (2nd Reading)</td>
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<td>5140 – Disabled Students Programs and Services</td>
<td>✓</td>
<td>✓</td>
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<td>District Council 2/26/14</td>
<td>4/9/14 (2nd Reading)</td>
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<tr>
<td>7110 – Delegation of Authority for Personnel Actions</td>
<td>✓</td>
<td>✓</td>
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<td>District Council 2/26/14</td>
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<tr>
<td>7120 – Recruitment and Hiring</td>
<td>✓</td>
<td>Additional Changes</td>
<td>District Council 2/26/14</td>
<td>4/9/14 (2nd Reading)</td>
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<tr>
<td>7125 – Verification of Eligibility for Employment</td>
<td>✓</td>
<td>✓</td>
<td>Additional Changes</td>
<td>District Council 2/26/14</td>
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<td>7235 – Probationary Period: Classified Employees</td>
<td>✓</td>
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<td>7240 – Confidential Employees</td>
<td>✓</td>
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<td>District Council 2/26/14</td>
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<tr>
<td>7250 – Educational Administrators</td>
<td>✓</td>
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<td>District Council 2/26/14</td>
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<tr>
<td>7260 – Classified Supervisors and Managers</td>
<td>✓</td>
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<td>District Council 2/26/14</td>
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**POLICY COMMITTEE**

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<tr>
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<tr>
<td>2015 – Student Member(s)</td>
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<td>Annual Review Required – Board Agenda 1st Reading</td>
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<tr>
<td>3420 – Recruitment and Hiring</td>
<td>✓</td>
<td>Revised in Conjunction with 7120</td>
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<tr>
<td>3440 – Service Animals/Therapy Animals</td>
<td>✓</td>
<td>✓</td>
<td>Legal Counsel Recommendation to eliminate therapy animal</td>
<td>Examples from other colleges for new policy “Animals on Campus”</td>
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<tr>
<td>NEW – Animals on Campus</td>
<td>✓</td>
<td>New Policy</td>
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<td>4-8078 – Student Transportation – Field Trips</td>
<td>✓</td>
<td>✓</td>
<td>Proposal to merge with 5-8079 and eliminate 4-8078</td>
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<tr>
<td>5010 – Admissions</td>
<td>✓</td>
<td>Feedback not received yet</td>
<td>Melissa Raby, Martha Robles</td>
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<td>5050 – Matriculation</td>
<td>✓</td>
<td>✓</td>
<td>Feedback not received yet</td>
<td>Melissa Raby, Lorena Dorn</td>
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<td>5130 – Financial Aid</td>
<td>✓</td>
<td>✓</td>
<td>Feedback not received yet</td>
<td>Peggy Fikse, Marnie Shively</td>
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<td>5500 – Standards of Conduct</td>
<td>✓</td>
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<td>Refer to Legal</td>
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<td>5-8079 – Student Transportation – Extra Curricular Activities</td>
<td>✓</td>
<td>Feedback received from Fiscal</td>
<td>Teresa Scott</td>
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# POLICY COMMITTEE MEETING AGENDA

**March 26, 2014**

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<tr>
<th>POLICY COMMITTEE CONTINUED</th>
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<td>7120 – Recruitment and Hiring</td>
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<td>Feedback received from HR</td>
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<td>Refer Procedure to HR</td>
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<td>7150 – Evaluation</td>
<td>✓</td>
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<td>Feedback received from HR</td>
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<td>7160 – Professional Development</td>
<td>✓</td>
<td>✓</td>
<td>Feedback received from HR</td>
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<td>Refer Procedure to HR (each group)</td>
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<td>7210 – Academic Staff</td>
<td>✓</td>
<td>✓</td>
<td>Feedback received from HR</td>
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<tr>
<td>7330 – Communicable Disease</td>
<td>✓</td>
<td>✓</td>
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<td>7336 – Certification of Freedom from Tuberculosis</td>
<td>✓</td>
<td>✓</td>
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<td>7337 – Fingerprinting</td>
<td>✓</td>
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<td>7346 – Employees Called To Military Duty</td>
<td>✓</td>
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<td>Feedback received from HR</td>
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<td>7365 – Discipline and Dismissals – Classified Employees</td>
<td>✓</td>
<td>✓</td>
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<td>7380 – Retiree Health Benefits: Academic Employees</td>
<td>✓</td>
<td>✓</td>
<td>Feedback received from HR</td>
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<td>7500 – Volunteers</td>
<td>✓</td>
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<td>Feedback received from HR</td>
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<tr>
<th>FUTURE AGENDA ITEMS</th>
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<th>COMMENTS</th>
<th>FORWARD</th>
<th>REFER TO/ SPECIAL INVITE</th>
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<tr>
<td>3200 – Accreditation</td>
<td>✓</td>
<td></td>
<td>Legally Required AP Wait for ACCJC updates</td>
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<tr>
<td>3250 – Institutional Planning</td>
<td>✓</td>
<td>✓</td>
<td></td>
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<td>College Presidents and VPI’s</td>
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<td>3503 – Notification of Missing Students</td>
<td>✓</td>
<td>✓</td>
<td>Need to include Missing Student Registration Form</td>
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<td>Campus Safety/Security</td>
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<tr>
<td>4020 – Program and Curriculum Development</td>
<td>✓</td>
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<td>Updated Reference. Procedure Legally Required</td>
<td></td>
<td>Barbara Adams, Kathy Schultz</td>
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<td>4025 – Philosophy and Criteria for Associate Degree and General Education</td>
<td>✓</td>
<td></td>
<td>We have Columbia College Procedure. Need MJC.</td>
<td></td>
<td>Barbara Adams, Kathy Schultz</td>
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<tr>
<td>4050 – Articulation</td>
<td>✓</td>
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<td>Updated Reference. Procedure Legally Required</td>
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<td>Ruth Cranley, Barbara Adams, Kathy Schultz, Elizabeth Pfleging</td>
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<td>4225 – Course Repetition</td>
<td>✓</td>
<td>✓</td>
<td></td>
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<td>VPI, VPSS</td>
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<tr>
<td>4227 – Repeatable Courses</td>
<td>✓</td>
<td>✓</td>
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<td>VPI, VPSS</td>
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<tr>
<td>4250 – Probation, Disqualification, and Readmission</td>
<td>✓</td>
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<td>Title Change &amp; Policy Revisions.</td>
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<td>VPI, VPSS</td>
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<tr>
<td>4255 – Disqualification and Dismissal</td>
<td>✓</td>
<td>✓</td>
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<td>VPI, VPSS</td>
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**NON-SUBSTANTIVE CHANGES**

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<thead>
<tr>
<th>COMMENTS</th>
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<tr>
<td>Updated Reference to Old Policy Number</td>
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# POLICY COMMITTEE MEETING AGENDA

**March 26, 2014**

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<tr>
<th>NEW (FROM CCLC)</th>
<th>P</th>
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<td>NEXT CCLC expected Spring 2014</td>
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Policy

2015 Student Member(s)

The Board shall include one non-voting student member who is a resident of the Yosemite Community College District. The student member shall be selected in accordance with rules and regulations established by the members of the elected Board of Trustees.

The term of office shall be one year commencing May 15 each year and terminating on the following May 14.

The student member shall be seated with the Board and shall be recognized as a full member of the Board at meetings. The student member is entitled to participate in discussion of issues and receive all materials presented to members of the Board (except for closed session). The student member shall be entitled to any mileage allowance necessary to attend board meetings to the same extent as publicly elected trustees. The student member is not required to give up employment with the District.

The student member will be entitled to an advisory vote, although the vote shall not be included in determining the vote required to carry any measure before the Board. If a student member wishes to cast an advisory vote, it shall be taken prior to the Board’s vote. The student member of the Board does not make and second motions; attend closed sessions; or receive compensation for meeting attendance.

This policy will be reviewed by the Board and either readopted, revised or repealed on or before May 15 of each year. (See Policy 2105)

References:
Education Code Section 72023.5

Adopted: May 7, 2002
2015 Student Member(s)

The student member shall have the following responsibilities:

A. Attend meetings of the Board of Trustees
B. Participate in a Student Trustee Orientation
C. Identify a mentor or advisor
D. Consult with Associated Student leadership at both Colleges

References:
Education Code Section 72023.5

Procedure Last Revised: 04/11/07
Policy

3501 Campus Security and Access

The Chancellor shall establish procedures for security and access to District facilities.

Reference:
34 Code of Federal Regulations Part 668.46(b)(3)
Administrative Procedure

3501 Campus Security and Access

During business hours, YCCD Central Services, Modesto Junior College (excluding the West Campus Agriculture Housing community) and Columbia College (excluding the apartments located on campus) will be open to students, parents, employees, contractors, and visitors. During non-business hours, access to all district facilities is by an issued key, electronic access or by assistance from Campus Safety/Security or housing staff/supervisor. In the case of periods of extended/emergency closure, the colleges will admit only those who have received approval from the president or his/her designee.

Instructional areas such as the Library, swimming pools, locker rooms, athletic fields and classrooms are limited to students and employees of the college or participants in authorized programs. Staff areas such as private offices, back offices, non-instructional kitchens and maintenance areas are accessible to assigned employees and by invitation to others for college business.

On-campus residences are secured 24 hours a day by the occupants. The colleges do not control the security of the individual residences. The West Campus Agriculture Housing community is patrolled by MJC Campus Safety 24 hours a day and afterhours access is defined in the Resident Agreement. The residences on the Columbia College campus are private apartments and not owned by the District. Columbia College Campus Security only patrols the adjoining parking lot 24 hours a day.

Periodic security surveys will be conducted by Campus Safety/Security to review security concerns such as landscaping, locks, fire alarms, lighting, and emergency phones. As appropriate, Campus Safety/Security will meet with Facilities Planning and Operations to review/resolve concerns that could raise personal safety risks.

Reference:
34 Code of Federal Regulations Section 668.46(b)(3)
Policy

5140 Disabled Student Programs and Services (DSPS)

Students with disabilities shall be reasonably accommodated pursuant to federal and state requirements in all applicable programs in the District assisted to participate whenever possible in the regular educational programs in the district.

The Disabled Student Programs and Services (DSPS) program shall be the primary provider for support programs and services that facilitate equal educational opportunities for disabled students who can profit from instruction as required by federal and state laws.

DSPS services shall be available to students with verified disabilities. The services to be provided include, but are not limited to reasonable accommodations, academic adjustments, technology accessibility, accessible facilities, equipment, instructional programs, rehabilitation counseling and academic counseling.

No student with disabilities is required to participate in the DSPS Disabled Student Programs and Services program.

The District shall respond in a timely manner to accommodation requests involving academic adjustments. The Chancellor shall establish a procedure to implement this policy which, at a minimum, provides for an individualized review of each such request, and permits interim decisions on such requests pending final resolution by the appropriate administrator or designee.

The Chancellor shall assure that the DSPS program conforms to all requirements established by the relevant law and regulations and develop procedures responding requests for accommodations.

References:
Education Code Sections 67310, 84850; Title 5, Section 56000 et seq. and 56027

Adopted: June 28, 2004
5140 Disabled Student Programs and Services (DSPS)

The District maintains a plan for the provision of programs and services to disabled students with disabilities designed to assure that they have equality of access to District classes and programs. This plan serves as a contract between the district and the State Chancellor’s Office. It includes long-term goals, short-term measurable objectives, activities for accomplishing the goals, and methods for program evaluation.

Eligible students include those with verified physical disabilities (visual and mobility impairments), communication disorders (hearing impairments), learning disabilities, acquired brain impairments, developmental delays in learning, psychological impairments, and other conditions (e.g., asthma, kidney disease, etc.).

Verification of a student’s disability must be provided by a professional certified to diagnose and/or treat the condition of the student applying for services. In some situations the DSPS Specialist may verify the disability of the student by direct observation or review of medical or educational records. To be eligible for services, students must also show proof that their disability creates functional limitations in an academic setting.

Special support services are provided to students with disabilities in addition to those services provided to all students. These services enable students with disabilities to participate in regular programs and classes. They include, but are not limited to, adaptive equipment (e.g., tape recorders, adapted keyboards, etc.) and software, registration assistance, disabled parking, test accommodations, assessments, counseling, sign language interpreters, note takers, alternate media, and specialized tutoring.

Special class instruction in select areas is provided to students with disabilities. These classes are designed to help students overcome educational limitations or acquire skills necessary for completion of the goals set in their educational contracts.

Student Educational Contracts (SEC) are established for all students registered with DSPS in consultation with a DSPS Counselor. The SEC outlines special instructional and educational goals, describes objectives and activities leading to the achievement of students’ goals, and measures progress. Services prescribed in the SEC are reviewed and updated annually, or more frequently when a change occurs in the students’ educational goals or accommodations required.

All student files contain a release of information form that is signed by the student. DSPS student records are confidential and can be disclosed only with the student’s written permission.

Students registered with DSPS are expected to comply with the Student Code of Conduct, make responsible use of accommodations and services, adhere to written service provision policies and make measurable progress towards achievement of the goals set forth in their SEC.

Each college has an Advisory Committee that meets a minimum of one time per year to provide direction and guidance to the DSPS program. The Committee is comprised of students, as well as
representatives from the disability community, and organizations and agencies for people with disabilities.

Provisions for course substitutions and waivers are established on each campus, along with administrative procedures.

References:
Title 5, Section 56000 et seq. and 56027

Adopted: April 11, 2007
Policy

6700 Use of District Facilities

The Board of Trustees permits community use of District and College facilities when such use does not interfere with District or College activities.

Although the use of District/College facilities will normally be limited to recognized nonprofit organizations, which have or are eligible for Internal Revenue Service tax exempt status, the Board of Trustees may approve the use of District/College facilities for private profit-making purposes on a case-by-case basis.

No person while in or on District/College buildings or grounds shall possess, consume, give or deliver to any other person any alcoholic beverage, other intoxicants or narcotics. Exceptions may be granted as identified in Policy 3560 - Alcoholic Beverages.

References:
Education Code Section 10900-10902, 82537, 82548, Business and Professions Code Sections 24045.4, 24045.6, and 25608

Cross References:
YCCD Policy 3560 - Alcoholic Beverages

Adopted: June 28, 2004
Revisions Adopted: August 9, 2006; October 14, 2009; February 9, 2011
I. Priorities For Use of Facilities

Groups qualifying for use shall adhere to policy of the Yosemite Community College District Board of Trustees and to established regulations. In order to prevent conflict among groups which seek to use facilities at the same time, the following priority system has been established:

A. College groups, including student and employee organizations
B. Public Schools, including recognized parent organizations
C. Nonprofit in-district groups
D. Nonprofit out-of-district groups
E. Commercial enterprises (when approved by College President/or Designee).

Use of facilities is denied to individuals and organizations which advocate overthrow of the government by unlawful means.

Use of facilities shall be consistent with designed use of facilities for District/College purposes.

II. Facility Fees

A. Facility Use Without Charge

In accordance with the Civic Center Act, no charge will be made for the use of facilities when an alternative location is not available by the following groups: Parent Teacher Associations, Camp Fire Girls, Boy Scout and Girl Scout Troops, or school-community advisory councils.

All meetings or events qualifying under these provisions shall be nonexclusive, open to the public, and free of charge (no admission fee, contribution, or membership fee shall be solicited).

Special equipment or services required (such as technicians) will be charged at actual cost.

For students and/or employees organizations, there may be a custodial/security/utility fees.

B. Facility Use With Charge

A fair rental fee will be charged to cover facility rental by public and private educational users (such as service area high schools, elementary schools and four-year institutions); nonprofit organizations with current IRS tax exempt status; and to organizations not qualifying for nonprofit status. A copy of the facility fee schedule is available from the College Facilities/Events Coordinator or designee.
III. Denial of Permits

A. Activities prohibited by law.

B. Denial because of Violation of District Regulations.

The District and/or College, at its discretion, shall have the right to cancel and terminate a permit immediately and without notice upon its discovery of a violation of any term, condition, or provision of the permit on the part of the permittee. Should any such violation occur, the District and/or College, at its discretion, shall have the right to deny any future requests by the permittee for the use of any other District and/or College property or facilities.

IV. Schedule of Charges

Charges shall include services of at least one District/College employee to open the facility, be available during the period of use, and to close the facility. Charges also shall include time to prepare the facility and clean up after usage.

If, in the opinion of the District/College or at the request of the using organization, additional services such as technical, security, etc., are required, an additional charge for each employee shall be made. A schedule of rates is available from the College Facilities/Events Coordinator or designee.

Payment of all fees will be made to the appropriate college business office upon receipt of statement. Billing questions should be directed to the College Facilities/Events Coordinator or designee.

A certificate of insurance naming the Yosemite Community College District as an additional insured in the amount of One Million Dollars single limit, including a “hold harmless” clause for “any acts or omissions” in favor of the Yosemite Community College District is required and shall be presented to the College Facilities/Events Coordinator or designee at least seven days prior to the date of such property use. Organizations may obtain liability insurance coverage through the district according to the event. This information is available from the College Facilities/Events Coordinator or designee and the District Fiscal Services office.

In a case of a company or show which carries stage scenery and equipment and/or which brings a stage crew for purposes of staging a show, and in other cases determined by the District/College, a guarantee deposit in an amount to be determined by the District/College, depending upon the facility used, shall be placed with the District/College. Damage to District/College equipment, and/or property occurring during and by reason of the use and/or occupancy of the premises, shall be paid for from this guarantee deposit. The balance, if any, shall be returned to the organization. If the guarantee deposit is not sufficient to cover the damage, the group shall be liable for the difference.

Damages. Permittee and/or lessee shall be responsible for and shall pay for any repairs or replacement of any character whatsoever which are occasioned or made necessary by reason of the negligence or misuse of said premises. Damage occasioned by acts of God is excepted.
Cancellation by Permittee. Facilities shall be held available for the permittee until one-half hour after the time designated in the permit for the meeting to begin. Notification of cancellation of usage must be received at least 36 hours prior to the time for scheduled use. All cancellations shall be reported to the permit-issuing office.

V. Leases

District/college buildings, grounds, and facilities may be leased from the Board of Trustees as long as such property is not needed for District/College purposes during the term of the lease. Rental for property leased shall be the fair rental value as determined by a rental schedule adopted by the Board of Trustees.

Applications for leases shall be made to the Yosemite Community College District Fiscal Services after lessee ascertains from the College President or designee that the facility is available.

All general terms for use of facilities apply to leases except the requirement for meetings to be open to the public.

Lessee agrees to take out and keep in force during the life hereof at lessee’s expense public liability and property damage insurance against any liability to the public, incidental to the use of or resulting from any accident occurring in or about said premises, in the amount of ONE MILLION DOLLARS ($1,000,000) single limit. Said policy shall name the Yosemite Community College District as an additional insured and be placed on file with lessor, and lessee is to obtain a written obligation on the part of the insurance carriers to notify lessor in writing prior to any cancellation thereof, and lessee agrees if lessee does not keep such insurance in full force and effect, that lessor may take out the necessary insurance and pay the premium and the repayment thereof shall be deemed to be part of the rental and payable at once.

The District, at its discretion, shall have the right to cancel and terminate a lease immediately and without notice upon its discovery of a violation of any term, condition, or provision of the lease of the part of the lessee. Should any such violation occur, the District, at its discretion, shall have the right to deny any future requests by the lessee for the lease of the District/college property which is the subject of this lease, or for any other District/college property of facilities.

VI. Requirements and Conditions (For Use by Permit or Lease)

A. Applications under the Civic Center Act shall originate with established and responsible organizations in the District.

B. All meetings under the Civic Center Act shall be open to the public.

C. No use will be inconsistent with the purpose for which the facility was designed nor inconsistent with use of facilities for school purposes nor interfere with regular school work.

D. No use shall be granted in such a manner as to constitute a monopoly for benefit of any person or organization.
E. No usage or entertainment shall be permitted which reflects in any adverse way on any persons because of race, color, age, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, religion, sex, gender, or national origin.

F. District/college premises shall not be used as political campaign headquarters.

G. Facility use permits shall not be issued for a period exceeding one semester or quarter. Long-term facility use permits are not valid on holidays unless specified when the request is made.

H. Applications for use shall be filed at least two weeks in advance of the proposed usage.

I. Any facility or equipment usage is limited to that listed on the application and contract. Special requirements must be requested in writing at least two weeks prior.

J. A District employee shall be fully in charge of any facility being used.

K. No promotional or advertising materials shall be sold without prior approval.

L. No goods or services may be sold on the college campus without prior approval.

M. Concession operation approval must be obtained from the college.

N. Organizations shall not use the name of the District or any of its Colleges, facilities, or equipment to sell a commercial product or to promote personal service to gain financial or material advantage.

O. No group may use a College swimming pool unless an approved lifeguard(s) (holder of a Red Cross Life Saving Certificate) is on duty. Red Cross water safety regulations shall be observed.

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

Q. Smoking is prohibited in all District facilities.

R. Lighted candles and any devices having any form of open flame are prohibited; any material or device which constitutes a fire hazard is expressly prohibited.

S. The possession and carrying of firearms and weapons of any kind on District/College premises shall be subject to Procedure 2530 3530 – Weapons on Campus.

T. No person while in or on District/College buildings or grounds shall possess, consume, give or deliver to any other person any alcoholic beverage, other intoxicants or narcotics. A person convicted of a violation of this section, in addition to the penalty imposed for the misdemeanor, shall be barred from further use of the facilities. (Business and Professional Code, Section 25608)

U. No structures may be erected or assembled on District/college premises nor may any electrical, mechanical, or other equipment be brought thereon unless authorized.
V. No activity shall be conducted which constitutes a violation of any federal, state, or local law.

W. The District/College is not responsible for articles left on school property.

X. Use of facilities for dances shall be restricted to events sponsored or approved by the colleges.

Y. The District/College reserves the right to cancel facility use permits at any time without notice.

Z. The District/College reserves the right to reject at any time an application for use of District/College facilities from any organization which proposes an activity which could cause potential damage or which the District/College determines would not be in the best interests of the District or the community.

AA. No food or drink will be allowed in classrooms.

BB. No person applying for (or authorized to use) District property shall be issued a key to District facilities.

VI. Procedure for Requesting Facility Use

A. Columbia College

Application is to be made with the Facilities Rental staff, Instructional Materials Center (IMC), 11600 Columbia College Drive, Sonora, CA 95370.

B. Modesto Junior College (College Avenue and Blue Gum Avenue Campuses)

Application is to be made in the Facilities Office, C. S. Morris Memorial Administration Building, East Campus, 435 College Avenue, Modesto, CA 95350.

C. Yosemite Community College District

Application is to be made in the Chancellor’s Office, District Office, 2201 Blue Gum Avenue, P.O. Box 4065, Modesto, CA 95352.

Procedure Last Revised: 04/11/07, 08/13/09, 02/24/10
Policy

7110 Delegation of Authority for Personnel Actions

The Board delegates authority to the Chancellor to authorize employment, fix job responsibilities, and perform other personnel actions provided that all federal and state laws and regulations and Board Policies and Administrative Procedures have been followed. Personnel transaction items and appointments are subject to confirmation by the Board.

References:
Education Code Section 70902(d)

Adopted:
The Chancellor delegates responsibility to the Vice Chancellor of Human Resources to recommend or authorize employment, develop job responsibilities, and perform other personnel actions provided that all federal and state law and regulations, Board Policies, and Administrative Procedures are followed.

References:
Education Code Section 70902(d)
Policy 7120 Recruitment and Hiring

The Chancellor shall establish procedures for the recruitment and selection of employees including, but not limited to, the following criteria:

- An equal employment opportunity plan shall be implemented according to Title 5 and **YCCD Policy 3420**.

- Academic employees shall possess the minimum qualifications prescribed for their positions by the Board of Governors.

The criteria and procedures for hiring academic employees shall be established and implemented in accordance with Board Policies and Administrative Procedures regarding the Academic Senate’s role in local decision making, and also in accordance with all contractual agreements.

The criteria and procedures for hiring classified employees shall reflect job-related selection criteria in accordance with all contractual agreements.

**Reference:**
Education Code Section **70901.2, 70902(b)(7) & (d), and 87100 et seq.; Title 5 Sections 53000, et seq. and 51023.5; Accreditation Standard III.A.1**

**Adopted:** June 28, 2004
**Administrative Procedure**

7120 Recruitment and Hiring

Applicants for classified positions in the Yosemite Community College District shall secure application forms from the District Human Resources Office and, when completed, return them to that office. Due to geographic considerations, procedural modifications may be made for Columbia College vacancies, subject to approval by the Vice Chancellor for Human Resources.

When a vacancy occurs or when a new regular position is established, the department head shall request, through administrative channels, to the Human Resources Office that the position be filled.

I. Competitive Selection Procedures

A. A committee consisting of at least three (3) members, familiar with the duties and qualifications of the vacant position, shall be designated by the department head for the purpose of screening applications, interviewing applicants, and identifying the best qualified candidates. The department head may interview finalists for the position and recommend appointment.

B. Screening committees will include female and ethnic minority representation whenever possible. Committee composition will be reviewed for approval by the Vice Chancellor of Human Resources or designee prior to the start of the screening process. Committee composition may be modified accordingly.

C. The candidate selected will be recommended to the President or Vice Chancellor by the appropriate department head. The recommended appointment will be reviewed by the Vice Chancellor for Human Resources, who will submit their recommendations to the Chancellor. Official offers of employment will be made by the Human Resources Office following approval by the Chancellor.

D. A candidate will not be recommended to the Board of Trustees until his/her application is on file with the Human Resources Office and his/her references have been contacted to verify experience and performance.

E. All processing required for employment shall normally be completed prior to completion of the first week of employment. No new employee shall report for the first day of work without having obtained clearance (formal offer) from the Human Resources Office.

Reference:
Education Code Sections 87100 et seq.; 87400; 88003; Accreditation Standard III.A.1

Procedure Last Revised: June 13, 2007
Policy Change ☐ Constituency Group Review ☒
Procedure Change ☐ District Council ☒
New Policy ☒ Board 1st Reading ☒
New Procedure ☒ Board 2nd Reading ☒
Comments: Legally Required

KEY: BOLD= new language
       strikethrough= delete language

Comments:
Legally Required
Referred to:

Edited:
Jan. 22, 2014

Yosemite Community College District Policies and Administrative Procedures No. 7125

Policy

7125 Verification of Eligibility for Employment

The District shall verify all new employees’ eligibility for employment prior to start of work.

Reference:
8 U.S. Code Section 1324a

Adopted:
Reliable documentation of eligibility is required for employment from all new employees. “Reliable documentation” as set out in federal law includes one or more of the following:

- A United States passport or a resident alien card or alien registration card containing a photograph of the prospective employee, that indicates the person is authorized to work in the United States

OR

- A social security card or other documentation issued by the United States government showing authorization to work in the United States AND a driver’s license or similar identification document containing a photograph of the prospective employee.

The District will not hire or recruit a person for employment who is not authorized to be employed in the United States.

The District will complete for each new employee the verification form or forms required by the United States government.

The District will protect the privacy of the information it collects pursuant to this procedure.

References:
8 U.S. Code Section 1324a
7235 Probationary Period: Classified Employees

Newly hired classified employees shall have a probationary period of one year, as specified in the collective bargaining agreement.

References:
Education Code Section 88013

Adopted:
Policy

7240 Confidential Employees

Consistent with the provisions of Section 3540.1(c) of the Government Code, Title 1, Division 4, Chapter 10.7 (Rodda Act), the Board of Trustees hereby establishes the classification of confidential employee.

Confidential employees are those who are required to develop or represent management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

Confidential employees are not eligible for inclusion in a bargaining unit and the terms and conditions of their employment are not controlled by any collective bargaining agreement.

Reference:
Government Code Section 3540.1(c)

Adopted: June 28, 2004
Policy Change ☐ Constitute Group Review ☒
Procedure Change ☐ District Council ☒
New Policy ☒ Board 1st Reading ☒
New Procedure ☐ Board 2nd Reading ☒
Comments: 
Recommendation to create an additional policy in the future for executive level positions.

KEY:
BOLD = new language
strikethrough = delete language

Edited: 11/18/13

Yosemite Community College District Policies and Administrative Procedures

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Policy

7250 Educational Administrators

An administrator is a person employed by the Board in a supervisory or management position as defined in Government Code Sections 3540 et seq.

Educational administrators are those who exercise direct responsibility for supervising the operation or formulating policy regarding the instructional or student services programs of the District.

Educational administrators shall be compensated in the manner described in the provisions of the Leadership Team Handbook. Compensation shall be set by the Board upon recommendation by the Chancellor. Educational administrators shall further be entitled to health and welfare benefits made available by action of the Board upon recommendation by the Chancellor.

Educational administrators shall be entitled to vacation, sick, and other leaves as provided by law, these Policies and Administrative Procedures adopted by the Chancellor.

Every educational administrator shall be employed by an appointment or contract of up to four years in duration.

References:
Education Code Sections 72411 et seq., 87002(b), and 87457-87460; Government Code Section 3540.1(g) and (m)

Adopted:

7250 Educational Administrators
Yosemite Community College District Policies and Administrative Procedures

Policy

7260 Classified Supervisors and Managers

Classified administrators are administrators who are not employed as educational administrators.

Classified supervisors are those classified administrators, regardless of job description, having the responsibility to assign work to and direct other employees.

Classified managers are those classified administrators, regardless of job description, having significant responsibilities for formulating District policies or administering District programs other than the educational programs of the District.

Classified administrators may be employed by an appointment or contract of up to four years in duration. The appointment or contract shall be subject to the provisions of the Leadership Team Handbook.

References:
Education Code Section 72411; Government Code Section 3540.1(g) and (m)

Adopted:

11/18/13
Policy Change ☐ Procedure Change ☐ Constituency Group Review ☐
New Policy ☐ District Council ☐
New Procedure ☐ Board 1st Reading ☐
Comments: Board 2nd Reading
Non-substantive change

Yosemite Community College District

Policy

7700 Whistleblower Protection

The Chancellor shall establish procedures regarding the reporting and investigation of suspected unlawful activities by District employees, and the protection from retaliation of those who make such reports in good faith and/or assist in the investigation of such reports. For the purposes of this policy and any implementing procedures, “unlawful activity” refers to any activity—intentional or negligent—that violates state or federal law, local ordinances, or District policy.

The procedures shall provide that individuals are encouraged to report suspected incidents of unlawful activities without fear of retaliation, that such reports are investigated thoroughly and promptly, remedies are applied for any unlawful practices and protections are provided to those employees who, in good faith, report these activities and/or assist the District in its investigation.

Furthermore, District employees shall not: (1) retaliate against an employee or applicant for employment who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order; or (2) directly or indirectly use or attempt to use the official authority or influence of his or her position for the purpose of interfering with the right of an applicant or an employee to make a protected disclosure to the District. The District will not tolerate retaliation, and will take whatever action may be needed to prevent and correct activities that violate this policy, including discipline of those who violate it up to and including termination.

Reference:

Adopted: March 8, 2006
Revision Adopted: February 11, 2009
Whistleblower Protection

Individuals are encouraged to report suspected incidents of unlawful activities by District employees in the performance of their duties. Reports will be investigated promptly and appropriate remedies applied. Employees who, in good faith, reported such activities and/or assist the District in the investigation will be protected from retaliation.

This procedure sets out the processes for responding to and investigating reports of unlawful activities, as defined in Board Policy 7520 7700, and addressing complaints of retaliation for making such reports.

Filing a Report of Suspected Unlawful Activities
Any person may report allegations of suspected unlawful activities. Knowledge or suspicion of such unlawful activities may originate from academic personnel, staff or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, customers, vendors, students or other third parties.

Anonymous reports will be investigated to the extent possible. However, employees are strongly encouraged not to report anonymously because doing so impedes the District’s ability to thoroughly investigate the claim and take appropriate remedial measures. As set forth fully below, retaliation against individuals who report suspected unlawful activities will not be tolerated.

Normally, a report by a District employee of allegations of a suspected unlawful activity should be made to the reporting employee’s immediate supervisor or other appropriate administrator or supervisor within the operating unit. However, if the report involves or implicates the direct supervisor or others in the operating unit, the report may be made to any other District official whom the reporting employee believes to have either responsibility over the affected area or the authority to review the alleged unlawful activity on behalf of the District. When the alleged unlawful activities involve a college president, the report should be made directly to the Chancellor. When the alleged unlawful activity involves the Chancellor, the report should be made to the Chair of the Board of Trustees. When the alleged unlawful activity involves the board of trustees or one of its members, the report should be made to the Chancellor who will confer with the Chair of the Board of Trustees and/or legal counsel on how to proceed.

Allegations of suspected unlawful activities should be made in writing so as to assure a clear understanding of the issues raised, but may be made orally. Such reports should be factual and contain as much specific information as possible. The receiving supervisor or administrator should elicit as much information as possible. If the report is made orally, the receiving supervisor or administrator shall reduce it to writing and make every attempt to get the reporter to confirm by his or her signature that it is accurate and complete.

Once the receiving supervisor or administrator has received and/or prepared a written report of the alleged unlawful activity, he or she must immediately forward to the President of the College President where the alleged activity has occurred or to the Chancellor if the activity involves the District office or is District-wide. However, if this process would require submitting the report to an employee implicated in the report, the receiving supervisor or administrator should follow the reporting options outlined,
above. The high-level administrator or Trustee who receives the written report pursuant to this paragraph is responsible for ensuring that a prompt and complete investigation is made by an individual with the competence and objectivity to conduct the investigation, and that the assistance of counsel and/or an outside investigator is secured if deemed necessary.

In the course of investigating allegations of unlawful conduct, all individuals who are contacted and/or interviewed shall be advised of the District’s no-retaliation policy. Each individual shall be: a) warned that retaliation against the reporter(s) and/or others participating in the investigation will subject the employee to discipline up to and including termination; and b) advised that if he or she experiences retaliation for cooperating in the investigation, then it must be reported immediately.

In the event that an investigation into alleged unlawful activity determines that the allegations are accurate, prompt and appropriate corrective action shall be taken.

Protection from Retaliation
When a person makes a good-faith report of suspected unlawful activities to an appropriate authority, the report is known as a protected disclosure. District employees and applicants for employment who make a protected disclosure are protected from retaliation.

Any employee who believes he or she has been (1) subjected to or affected by retaliatory conduct for reporting suspected unlawful activity, or (2) for refusing to engage in activity that would result in a violation of law, should report such conduct to the appropriate supervisory personnel (if such supervisory personnel is not the source of or otherwise involved in the retaliatory conduct). Any supervisory employee who receives such a report, or who otherwise is aware of retaliatory conduct, is required to advise their College President, the Chancellor or the Chancellor’s designee. If the allegations of retaliation, or the underlying allegations of unlawful conduct involve the President or Chancellor, the supervisor shall report to the highest level administrator and/or trustee who is not implicated in the reports of unlawful activity and retaliation.

All allegations of retaliation shall be investigated promptly and with discretion, and all information obtained will be handled on a "need to know" basis. At the conclusion of an investigation, as appropriate, remedial and/or disciplinary action will be taken where the allegations are verified and/or otherwise substantiated.

Whistleblower Contact Information
Employees who have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees should contact the “California “ Community College Chancellor’s Office or the Board of Trustees for the District. Employees can contact the State Personnel Board with complaints of retaliation resulting from whistleblower activities. The State Personnel Board hotline is (916) 653-1403.

Other Remedies and Appropriate Agencies
In addition to the internal complaint process set forth above, any employee who has information concerning allegedly unlawful conduct may contact the appropriate government agency.

Reference:

Procedure Last Revised: March 8, 2006, February 24, 2010
Members Present: Jill Stearns, Brian Sinclair, John Leamy, Joan Smith, Rosanne Faughn, Debi Bolter, Shawna Dean, Joan Van Kuren, Angie Fairchilds, James Todd, Aiko Gonzalez

Members Absent: Gene Womble

Other’s Present: Marty Gang, Brenda Thames, Susan Kincade, Leslie Buckalew, Sarah Schrader, Victoria Simmons, Gary Whitfield, Teresa Scott, Nick Stavrianoudakis, Graciela Molina (recorder)

Meeting called to order at 3:04 p.m. in Oakdale at the Gene Bianchi Community Center, Conference Room 1.

1. Approval of Minutes of the Meeting of January 22, 2014
   A motion to approve the minutes of the meeting of January 22, 2014, was made by Debi Bolter and seconded by Angie Fairchilds. District Council members approved the minutes with a vote 11-0 with one member abstaining.
   Ayes: Jill Stearns, Brian Sinclair, John Leamy, Joan Smith, Rosanne Faughn, Debi Bolter, Shawna Dean, Angie Fairchilds, James Todd, Aiko Gonzalez
   Abstention: Joan Van Kuren

2. Policy Update
   Nick Stavrianoudakis provided an update on District policy and procedures. DC members received a copy of the March 26 Policy Committee meeting agenda and copies of the following twelve policies for review: 2015 Student Member(s), 3501 Campus Security and Access, 5140, Disabled Student Programs and Services (DSPS), 6700 Use of District Facilities, 7110 Delegation of Authority for Personnel Actions, 7120 Recruitment and Hiring, 1725 Verification of Eligibility for Employment, 7235 Probationary Period: Classified Employees, 7240 Confidential Employees, 7250 Educational Administrators, 7260 Classified Supervisors and Managers, and 7700 Whistleblower Protection. Members were asked to review and provide any feedback to Nick Stavrianoudakis.

3. Preview of Vision Planning
   Chancellor Joan Smith provided a preview to the Vision Planning discussion that will take place in April. DC members were provided the presentation, YCCD Vision Planning: District Council Preview. Chancellor Smith requested DC members to conduct preliminary work with their respective constituency groups. In preparation for the Vision Planning next month, Chancellor Smith asked DC members to dialogue on the topic and prepare a list of “charged” words that could be incorporated into a District vision. Discussion ensued how as a District we address the communities and students we serve. Members were asked to not put limitations on our vision in light of all that is happening at the State level. In addition, DC members were charged with creating a draft of key elements that would be brought forward for the vision statement. Once meeting details are confirmed, an invitation
will be extended to attend the April YCCD Vision Planning – Extended District Council meeting.

4. Other Business
   a. YCCD Staff Recognition Dinner – An update was provided on the staff dinner taking place April 11, 2014. Graciela Molina called for volunteers to assist with set-up and check-in. Several members agreed to assist or seek volunteers from their areas to assist.

5. Next Meeting
   The next meeting of the District Council will take place on Wednesday, April 23, 2014, location and time to be confirmed.

The District Council meeting adjourned at 4:20 p.m.