



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

Friday, October 29, 2021

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, Acting 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
Andrea Williams, Representative, Local 1021	Anthony Edwards, Representative, 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 – 15; Quorum – 8

I. STANDING ITEMS

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

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

C. APPROVAL OF PREVIOUS JOINT PGC/PBC MEETING MINUTES (9:04 a.m.)

i. October 1, 2021, Meeting Minutes from Joint PBC/PGC Meeting

D. PUBLIC COMMENT (9:06 a.m.)

E. COMMITTEE/COUNCIL REPORTS (2 minutes each) (9:11 a.m.)

- i. District Academic Affairs and Student Services Committee - Siri Brown
- ii. Planning & Budgeting Council - Thomas Renbarger
- iii. District Facilities Committee - Atheria Smith / Rachel Goodwin
- iv. District Technology Committee – Matthew Goldstein
- v. Update from the PGC subcommittee on Equity, Diversity & Inclusion – Royl Roberts

F. ACCREDITATION UPDATE (2 minutes) (2:23 p.m.)

II. CARRIED OVER AND NEW ITEMS (9:25 a.m.)

Topic:	Presenter:	Purpose:	Strategic Goal:	Time:
1. Check-in on PGC Membership	<i>Donald Moore Chancellor Jackson</i>	<i>Discussion</i>	D2. Institutional Leadership and Governance	9:25 a.m.
2. Approval of Administrative Procedures and Board Policies <ul style="list-style-type: none"> - AP2435 - AP 3225 - AP3434 - AP3435 - AP4026 - AP5015 - AP5020 - AP5030 - AP5050 - AP5530 - AP6340 - AP6370 - AP7700 - BP2435 - BP2200 - BP2720 - BP2745 - BP3225 - BP3420 - BP3550 - BP5035 - BP5050 - BP7100 - BP7160 - BP7250 	<i>Joseph Bielanski</i>	<i>Discussion & Action</i>	D2. Institutional Leadership and Governance	9:30 a.m.
3. Recommendation for Approval of Updated Budget Development Calendar	<i>Adil Ahmed</i>	<i>Action</i>	E3. Fiscal Oversight	9:40 a.m.
4. Delineation of Functions (Functional Map)	<i>Chancellor Jackson / College Presidents</i>	<i>Update & Discussion</i>	D3. Institutional Effectiveness	9:50 a.m.
5. Chancellor's Work Group <ul style="list-style-type: none"> • Budget Philosophy • Updating PBIM Structure/Manual 	<i>Chancellor Jackson</i>	<i>Update & Discussion</i>	E3. Fiscal Oversight	10:00 a.m.

6. College Presidents Presentation on CARES/ HEERF Funds	<i>College Presidents</i>	<i>Presentation</i>	E3. Fiscal Oversight	10:20 a.m.
7. PGC Business - Check-in on PGC Goals for 2021-22 - (First Read) PGC Master Calendar for 2021-22	<i>Donald Moore Chancellor Jackson</i>	<i>Update & Discussion</i>	D2. Institutional Leadership and Governance	10:40 a.m.

III. ADJOURNMENT

IV. NEXT MEETING

- a. PGC Meeting - November 19 @ 1:30 p.m.



**Planning & Budgeting Committee Minutes
(PBC Committee)**

October 15, 2021 9:00 am to 11:00 am

Meeting Location: Zoom Video Conference ID: 769-987-656

Co-Chair: Adil Ahmed, Interim Vice Chancellor for Finance & Admin.

Co-Chair: Thomas Renbarger, Academic Senate President

PBC Membership

Adil Ahmed, Co-Chair, Interim Vice Chancellor of Finance & Admin.	Dr. Nathaniel Jones, III, President, College of Alameda
Thomas Renbarger, Co-Chair, Merritt Academic Senate President	Dr. Tina Vasconcellos, Vice President of Student Services, COA
Donald Moore, DAS President	Aurelie Sciaroni, Student Representative
Matthew Freeman, Faculty, BCC	Helen Ku, Institutional Research Designee
Jennifer Shanoski, PFT President	Louie Martinez, Classified Senate Appointee
Scott Barringer, Local 39 Representative	David M. Johnson, President, Merritt College
Kawanna S. Rollins, SEIU Representative	Richard Ferreira, Executive Assistant, District, Note taker
Tami Taylor, Interim Budget Director	

Total Number of Members is 14. Quorum is 8.

In Attendance:

Guests:

Adil Ahmed, Co-Chair, Interim Vice Chancellor of Finance & Admin.
Thomas Renbarger, Co-Chair, Merritt Academic Senate President
Donald Moore, DAS President
Matthew Freeman, Faculty, BCC
Scott Barringer, Local 39 Representative
Kawanna S. Rollins, SEIU Representative
Tami Taylor, Interim Budget Director
Dr. Nathaniel Jones, III, President, College of Alameda
Dr. Tina Vasconcellos, Vice President of Student Services, COA
Helen Ku, Institutional Research Designee
David M. Johnson, President, Merritt College

Richard Ferreira, Executive Assistant, Finance & Admin., Note taker

Lowell Bennett, Faculty, Merritt College
Momo Lim, Internal Auditor, District
Sean Brooks, Vice President of Administrative Services, BCC
Garth Kwiecien, Vice President of Administrative Services, Merritt
Andrea Stokes, Capital Outlay, Coordinator, Finance & Administration
Ava Lee-Pang, Senior Supervisor, Administration & Business Support, COA
Francis Howard, Adjunct Librarian, Merritt
Joseph J. Bielanski, Jr., DAS Representative
Siri Brown, Vice Chancellor, Academic Affairs & Student Success
C.M. Brahmabhatt, Consultant, Cambridge West Partnership
Randy Yang, Faculty, BCC
Derek Pinto, Vice President of Administrative Services, Laney

Absent:

Jennifer Shanoski, PFT President
Aurelie Sciaroni, Student Representative

Planning & Budgeting Committee Minutes (PBC Committee)

Agenda Item	Committee Goal	Strategic Plan Goal	Outcome	Action Items	Follow Up on Action Items
I. Standing Items					
A. Call to Order			The meeting was called to order at 9:10 am and quorum was met.		
B. Adoption of the Agenda			Motion and seconded to accept the agenda as written. Motion approved.		
C. Approval of Minutes			Motion and seconded to accept the Minutes from September 3, 2021 for the PBC meeting. Motion approved.		
D. Report of Action Taken			Budget Allocation Model (BAM) Taskforce committee has been meeting. Feedback received. Next and possible final draft of the BAM Handbook that incorporated considerations from the integrated Student Centered Funding Formula (SCFF). Report of College Budget Committees. BCC reached out to the Finance Department and C.M. Brahmbhatt in coming to a meeting and discussing Budgets. More to come with the other colleges.		
E. Public Comments			Lowell Bennett presented comments that students want our classes. Advocated for a revenue versus cost perspective. Emphasis on the growth mindset and bring in more revenues. He will be speaking more about it on Flex Day at Merritt College.		

Planning & Budgeting Committee Minutes (PBC Committee)

II. Carried-Over and New Items	Committee Goal	Strategic Plan Goal	Outcome	Action Items	Follow Up on Action Items
A. Review Schedule C Basic Allocation and Hold Harmless		E.3 — Fiscal Oversight	<p>Co-Chair Ahmed presented information to be provided about the Schedule C Basic Allocation and Hold Harmless.</p> <p>He provided information on the Total Computational Revenue for the District and how it matched the Finance Department figures for the SCFF and Hold Harmless with the State.</p> <p>The point was made that the Hold Harmless Funding and Stability Protection Adjustment will not be available in the future. The annual District budget would be reduced from \$127,857,819 to \$112,850,361, for example.</p> <p>VC Ahmed discussed various options on how to address the future deficit. In the past, it was recommended that vacant positions be frozen until a Steering Committee could be created and work with the colleges to determine, as a group, the best way to reduce costs.</p>		
B. Review of the Budget Development Calendar		E.3 — Fiscal Oversight	<p>Co-Chair Ahmed presented and requested approval for the Budget Development Calendar for FY 2022-23 with the changes from PBIM Summit and the BAM Taskforce. The term of Town Hall meeting changed to District Office Presentation at the Colleges Level Budget Committee meetings. Forward recommendation to PGC.</p>		

Planning & Budgeting Committee Minutes (PBC Committee)

			<p>Motion to approve the Budget Development Calendar. Amendment to accept the item as an Action item on the Agenda.</p> <p>Motion approved.</p>		
C. Review of PBIM Meeting Calendar for PBC Meetings		E.3 — Fiscal Oversight	<p>Co-Chair Renbarger Review the PBIM Meeting Calendar for the FY 2021-22.</p> <p>Meeting generally the third Friday of each month.</p> <p>Concern with April 22, 2022 PBC meeting date and request for clarification the reason separate PGC on the same date.</p>		
D. Agenda Items for the next PBC meeting		E.3 — Fiscal Oversight	<p>In the future, a recommendation was made that any agenda items be noted specific as approval for the Topic as an Action Item.</p> <p>Co-Chair Renbarger requested any agenda items for the next PBC meeting.</p> <p>Proposal made that a broad Taskforce (with PBC and PGC) be created. Proposed action item to create and exploratory task force to investigate possible solutions to balance revenue and expenditures without hold harmless funding. (Realignment taskforce).</p> <p>Proposed Action Item: Review and Approval BAM Taskforce Final draft of the BAM Handbook.</p>		

**Planning & Budgeting Committee Minutes
(PBC Committee)**

			Proposed Review: Suggestions/brainstorm solutions for how to frame the reduction of future funds and concerns with FTEF.		
II. Next Meeting			November 19, 2021, 9:00 am to 11:00 am December 10, 2021, 9:00 am to 11:00 am		
IV. Adjournment			The PBC meeting was adjourned at 10:37 am.		

Peralta Community College District

Budget Development Calendar

Fiscal Year 2022-23

Tentative Budget		
Date	Responsible	Action Item
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.
Adopted Budget		
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.

**Peralta Community College District
SCFF Calculation**

		Adopted Budget		
		Budget		
		Adopted Budget FY 2021-2022		
		May Revise Cola for FY 2020-2021		3.37%
		May Revise Cola for FY 2021-2022		1.70%
		Total Cola		5.07%
		2021/22		
		FTES		Total
Base Allocation	Basic Allocation			16,182,008
	Credit FTES: 3-Year Average Credit	15,040.33	4,212.26	63,353,739
	Special Admit	458	5,906.97	2,704,566
	CDCP	42	5,906.97	246,380
	Non Credit	60	3,552.03	212,092
	Subtotal	15,599.61		82,698,785
Non-Credit				
Total		16,950.00		82,698,785
		Headcount		Rate
Supplemental Allocation	Pell Grant Recipients	5,923.00	1,014.83	6,010,862
	AB540 Students	1,013.00	1,014.83	1,028,027
	California Promise Grant Recipients	12,198.00	1,014.83	12,378,945
	Total	24,767.22		19,417,834
		Outcomes		Rate
Student Success Allocation	All Students: Associate Degrees	862.33	1,762.02	1,519,446
	Associate Degrees for Transfer	565.00	2,349.37	1,327,391
	Credit Certificates	361.67	1,174.68	424,847
	Nine or More CTE Units	2,675.00	587.34	1,571,138
	Transfer	1,100.00	881.01	969,113
	Transfer Level Math and English	492.33	1,174.68	578,331
	Achieved Regional Living Wage	2,841.00	587.34	1,668,637
Subtotal		8,897.33		8,058,904
Pell Grant Recipients Bonus:	Associate Degrees	514.00	666.67	342,668
	Associate Degrees for Transfer	327.67	888.89	291,263
	Credit Certificates	172.00	444.45	76,445
	Nine or More CTE Units	1,185.67	222.22	263,483
	Transfer	523.00	333.33	174,334
	Transfer Level Math and English	199.00	444.45	88,445
	Achieved Regional Living Wage	630.67	222.22	140,149
Subtotal		3,552.01		1,376,787
California Promise Grant Recipients Bonus:	Associate Degrees	654.33	444.45	290,814
	Associate Degrees for Transfer	430.33	592.59	255,011
	Credit Certificates	243.00	296.30	72,000
	Nine or More CTE Units	1,727.33	148.15	255,902
	Transfer	705.00	222.22	156,667
	Transfer Level Math and English	283.00	296.30	83,852
	Achieved Regional Living Wage	1,240.67	148.15	183,804
Subtotal		5,283.66		1,298,051
Total		17,733.00		10,733,742
Total SCFF before Hold Harmless				112,850,361
Hold Harmless Funding				8,354,922
Stability Protection Adjustment				6,652,536
Total TCR 2020-2021				127,857,819
Total SCFF FY 2021-2022 (Total Computation Revenue) Adopted				127,857,819

State Chancellor Guaranteed Revenue Amount based on 2017/18 TCR

Total Computation Revenue (TCR) 2017-2018	114,674,531
Cola 2018-2019	2.71% 3,107,680
Total Computation Revenue (TCR) 2018-2019	117,782,211
Cola 2019-2020	3.26% 3,839,700
Total Computation Revenue (TCR) 2019-2020	121,621,911
Cola 2020-2021	3.37% 4,098,658
Total Computation Revenue (TCR) 2020-2021	125,720,569
Cola 2021-2022	1.70% 2,137,250
Total Computation Revenue (TCR) 2021-2022	127,857,819

**California Community Colleges
2020-21 First Principal
Peralta CCD
Exhibit C - Page 1**

Total Computational Revenue and Revenue Sources

Total Computational Revenue (TCR)									
I. Base Allocation (FTES + Basic Allocation)								\$	79,489,114
II. Supplemental Allocation									18,139,032
III. Student Success Allocation									10,215,807
									2020-21 Student Centered Funding Formula (SCFF) Calculated Revenue (A)
									2019-20 SCFF Calculated Revenue + COLA (B)
									2020-21 Hold Harmless Revenue (C)
									2020-21 Stability Protection Adjustment
									2020-21 Hold Harmless Protection Adjustment
									2020-21 TCR (Max of A, B, or C)
									\$ 121,621,911
Revenue Sources									
Property Tax								\$	53,389,536
Less Property Tax Excess									-
Student Enrollment Fees									8,406,113
Education Protection Account (EPA)									17,185,869
State General Entitlement									39,742,594
State General Entitlement									
Main General Fund Apportionment								\$	38,531,919
Full-Time Faculty Hiring (FTFH) Apportionment (2015-16 Funds Only)									1,210,675
									Total State General Entitlement
									\$39,742,594
Adjustment(s)									-
									Total State General Entitlement
									\$39,742,594
									Available Revenue
									\$ 118,724,112
									2020-21 TCR (Max of A, B, or C)
									121,621,911
									Revenue Deficit Percentage
									2.3826%
									Revenue Deficit
									\$ (2,897,799)

Supporting Sections

Section Ia: FTES Data and Calculations									
variable	a	b	c	d	e	f = b + c + d + e	g = f (except credit = (a + b + f)/3)	h	i = g + h
	2018-19 Applied #3	2019-20 Applied #3	2020-21 Restoration	2020-21 Decline	2020-21 Adjustment	2020-21 Applied #1	2020-21 Applied #2	2020-21 Growth	2020-21 Funded
FTES Category									
Credit	15,192.14	14,964.43	-	-	-	14,964.43	15,040.33	-	15,040.33
Incarcerated Credit	-	-	-	-	-	-	-	-	-
Special Admit Credit	1,217.08	457.86	-	-	-	457.86	457.86	-	457.86
CDCP	72.23	41.71	-	-	-	41.71	41.71	-	41.71
Noncredit	69.47	59.71	-	-	-	59.71	59.71	-	59.71
Total FTES>>>>	16,550.92	15,523.71	-	-	-	15,523.71	15,599.61	-	15,599.61
Total Values>>>>		\$63,002,810	\$0	\$0	\$0				
Change from PY to CY>>>>		\$0							

variable	j = g x l	k = h x l	l	m = j + k
	2020-21 Applied #2 Revenue	2020-21 Growth Revenue	2020-21 Rate \$	2020-21 Total Revenue
FTES Category				
Credit	\$60,296,696	\$ -	\$4,009.00	\$60,296,696
Incarcerated Credit	-	-	\$5,621.94	-
Special Admit Credit	2,574,062	-	\$5,621.94	2,574,062
CDCP	234,491	-	\$5,621.94	234,491
Noncredit	201,857	-	\$3,380.63	201,857
Total	\$63,307,106	\$0		\$63,307,106

n	o = f + h	p = n - o	q = p x l
2020-21 Applied #0	2020-21 Applied #3	2020-21 Unfunded FTES	2020-21 Unfunded FTES Value
14,964.43	14,964.43	-	-
-	-	-	-
457.86	457.86	-	-
41.71	41.71	-	-
59.71	59.71	-	-
15,523.71	15,523.71	-	-

Total Value>>>> \$63,002,810

Section Ib: 2020-21 FTES Modifications						Definitions	
variable	r Applied #0 PY 19-20 R1 FTES	s Reported 320 CY 20-21 P1 FTES	t Emergency Conditions Allowance (ECA) COVID-19	u Other	n = s + t + u 2020-21 Applied #0	19-20 App#3: 19-20 App#1 plus 19-20 Growth, is the base for 20-21	
R1						20-21 App#0: Reported R1 FTES with COVID-19 and other ECA and statutory protections. These FTES are used in the calculations of the 20-21 funded FTES.	
Credit	14,964.43	12,263.14	2,701.29	-	14,964.43	20-21 App#1: Base for 20-21 plus any restoration, decline or adjustment	
Incarcerated Credit	-	-	-	-	-	20-21 App#2: FTES that will be funded not including growth	
Special Admit Credit	457.86	507.61	(49.75)	-	457.86	20-21 App#3: 20-21 App#1 plus Growth and will be used as the base for 21-22	
CDCP	41.71	68.75	(27.04)	-	41.71	20-21 Adjustment: Alignment of FTES to available resources.	
Noncredit	59.71	70.55	(10.84)	-	59.71	Change Prior Year to Current Year: 20-21 App#0 value minus 19-20 App#3 value and is the sum of CY restoration, decline, growth and unapplied values	
Total	15,523.71	12,910.05	2,613.66	-	15,523.71		

Section Ic: FTES Restoration Authority				
variable	v	w	y	z = (v + w + y) x l
FTES Category	2017-18	2018-19	2019-20	Total \$
Credit	-	3,492.39	227.71	\$ 14,913,881
Incarcerated Credit	-	-	-	-
Special Admit Credit	-	(1,217.08)	759.22	(2,574,062)
CDCP	-	(72.23)	30.52	(234,491)
Noncredit	-	47.84	9.76	194,724
Total	-	2,250.92	1,027.21	\$ 12,300,052

Section Id: FTES Growth Authority			
variable	aa	ab 2019-20	ac = aa x ab 2020-21
FTES Category	% target	Applied #3 FTES	Growth FTES
Credit	0.00%	14,964.43	-
Incarcerated Credit	0.00%	-	-
Special Admit Credit	0.00%	457.86	-
CDCP	0.00%	41.71	-
Noncredit	0.00%	59.71	-
Total		15,523.71	-
Total Growth FTES Value =>>>			-

Section Ie: Basic Allocation

District Type/FTES	Funding Rate	Number of Colleges	Basic Allocation	FTES	Funding Rate	Number of Centers	Basic Allocation
<u>Single College Districts</u>				<u>State Approved Centers</u>			
≥ 20,000	6,742,506.62	-	\$0	≥ 1,000	\$1,348,501.11	-	\$0
≥ 10,000 & < 20,000	5,394,005.51	-	-	<u>Grandparented Centers</u>			
< 10,000	4,045,502.28	-	-	≥ 1,000	1,348,501.11	-	-
<u>Multi-College Districts</u>				≥ 750 & < 1,000	1,011,375.57	-	-
≥ 20,000	5,394,005.51	-	-	≥ 500 & < 750	674,250.03	-	-
≥ 10,000 & < 20,000	4,719,754.42	-	-	≥ 250 & < 500	337,125.54	-	-
< 10,000	4,045,502.28	4	16,182,008	≥ 100 & < 250	168,563.83	-	-
<u>Additional Rural \$</u>	1,286,718.94	-	-	Subtotal			
Subtotal			\$16,182,008	\$0			
				Total Basic Allocation			
				\$16,182,008			
				Total FTES Allocation			
				63,307,106			
				Total Base Allocation			
				\$79,489,114			

Section II: Supplemental Allocation

Supplemental Allocation - Point Value \$948		Points	2019-20 Headcount	Rate	Revenue
AB540 Students	1	1	1,013	\$948	\$960,324
Pell Grant Recipients	1	1	5,923	948	5,615,004
Promise Grant Recipients	1	1	12,198	948	11,563,704
Totals			19,134		\$18,139,032

Section III: Student Success Allocation

All Students - Point Value \$559		Points	2017-18 Headcount	2018-19 Headcount	2019-20 Headcount	Three Year Average	Rate = Point Value x Points	Revenue
Associate Degrees for Transfer	4	4	520	569	606	565.00	\$2,236.00	\$1,263,340
Associate Degrees	3	3	871	861	855	862.33	1,677.00	1,446,133
Baccalaureate Degrees	3	3	0	0	0	-	1,677.00	0
Credit Certificates	2	2	339	321	425	361.67	1,118.00	404,343
Transfer Level Math and English	2	2	356	465	656	492.33	1,118.00	550,429
Transfer to a Four Year University	1.5	1.5	1,053	1,090	1,157	1,100.00	838.50	922,350
Nine or More CTE Units	1	1	2,758	2,739	2,528	2,675.00	559.00	1,495,325
Regional Living Wage	1	1	2,713	2,863	2,947	2,841.00	559.00	1,588,119
All Students Subtotal			8,610	8,908	9,174	8,897.33		\$7,670,039
Pell Grant Recipients - Point Value \$141								
Associate Degrees for Transfer	6	6	303	337	343	327.67	\$846.00	\$277,206
Associate Degrees	4.5	4.5	492	542	508	514.00	634.50	326,133
Baccalaureate Degrees	4.5	4.5	0	0	0	-	634.50	0
Credit Certificates	3	3	170	157	189	172.00	423.00	72,756
Transfer Level Math and English	3	3	142	192	263	199.00	423.00	84,177
Transfer to a Four Year University	2.25	2.25	500	508	561	523.00	317.25	165,922
Nine or More CTE Units	1.5	1.5	1,246	1,184	1,127	1,185.67	211.50	250,769
Regional Living Wage	1.5	1.5	603	619	670	630.67	211.50	133,386
Pell Grant Recipients Subtotal			3,456	3,539	3,661	3,552.00		\$1,310,349
Promise Grant Recipients - Point Value \$141								
Associate Degrees for Transfer	4	4	394	429	468	430.33	\$564.00	\$242,708
Associate Degrees	3	3	637	688	638	654.33	423.00	276,783
Baccalaureate Degrees	3	3	0	0	0	-	423.00	0
Credit Certificates	2	2	242	217	270	243.00	282.00	68,526
Transfer Level Math and English	2	2	184	288	377	283.00	282.00	79,806
Transfer to a Four Year University	1.5	1.5	669	695	751	705.00	211.50	149,108
Nine or More CTE Units	1	1	1,829	1,730	1,623	1,727.33	141.00	243,554
Regional Living Wage	1	1	1,138	1,268	1,316	1,240.67	141.00	174,934
Promise Grant Recipients Subtotal			5,093	5,315	5,443	5,283.67		\$1,235,419
Total Headcounts			17,159	17,762	18,278	17,733.00		
							Total Student Success Allocation	\$10,215,807



PBIM MEETING SCHEDULE 2021-2022

(All PBIM meetings are on Friday, except as noted)

COMMITTEE	DATE	TIME
District Facilities Committee (DFC)		
	September 10, 2021	9:00 am – 11:00 am
	October 1, 2021	9:00 am – 11:00 am
<i>11/12 = Holiday</i>	November 5, 2021	9:00 am – 11:00 am
	December 3, 2021	9:00 am – 11:00 am
	February 4, 2022	9:00 am – 11:00 am
	March 4, 2022	9:00 am – 11:00 am
	April 8, 2022	9:00 am – 11:00 am
	May 6, 2022	9:00 am – 11:00 am
District Technology Committee (DTC)		
	September 10, 2021	10:30 am - Noon
	October 1, 2021	10:30 am - Noon
<i>11/12 = Holiday</i>	November 5, 2021	10:30 am - Noon
	December 3, 2021	10:30 am - Noon
	February 4, 2022	10:30 am - Noon
	March 4, 2022	10:30 am - Noon
	April 8, 2022	10:30 am - Noon
	May 6, 2022	10:30 am - Noon
District Academic Affairs and Student Services Committee (DAASSC) combined w/ Enrollment Committee		
	September 10, 2021	3:00 pm – 4:30 pm
	October 15, 2021	11:00 am – 12:30 pm
	December 10, 2021	3:00 pm – 4:30 pm
	February 4, 2022	3:00 pm – 4:30 pm
	May 6, 2022	3:00 pm – 4:30 pm



COMMITTEE	DATE	TIME
Planning & Budgeting Council (PBC)		
*Review FY 2022 Budget	August 27, 2021	9:00 am – 11:00 am
2 nd *Review FY 2022 Budget	September 3, 2021	12:00 pm – 2:00 pm
	September 17, 2021	9:00 am – 11:00 am
*Joint PBC & PGC Meeting	October 1, 2021	9:00 am – 10:00 am
	October 15, 2021	9:00 am – 11:00 am
	November 19, 2021	9:00 am – 11:00 am
	December 10, 2021	9:00 am – 11:00 am
2/18 = Holiday	February 11, 2022	9:00 am – 11:00 am
	March 18, 2022	9:00 am – 11:00 am
	April 22, 2022	9:00 am – 11:00 am
	May 13, 2022	9:00 am – 11:00 am
*Review May Revise	May 27, 2022	9:00 am - 11:00 am
Participatory Governance Council (PGC)		
*Review FY 2022 Budget	September 10, 2021	2:00 pm – 3:00 pm
	September 24, 2021	2:00pm – 3:00 pm
*Joint PBC & PGC Meeting	October 1, 2021	9:00 am – 10:00 am
	October 22, 2021	9:00 am – 11:00 am
	November 19, 2021	1:30 pm – 3:00 pm
	December 17, 2021	9:00 am – 11:00 am
	January 28, 2022	9:00 am – 11:00 am
	February 25, 2022	9:00 am – 11:00 am
	March 25, 2022	9:00 am – 11:00 am
	April 22, 2022	1:30 pm – 3:00 pm
	May 20, 2022	9:00 am – 11:00 am

COMMITTEE	Co-Chairs	Note Taker	Contact Information
DFC	Atheria Smith, Rachel Goodwin	Annie Javier	ajavier@peralta.edu
DTC	Antoine Mehoulley, Matthew Goldstein	Violeta De Leon	ddleon@peralta.edu
DAASSC	Siri Brown, Matthew Freeman	Laura Leon-Maurice	lmaurice@peralta.edu
PBC	Adil Ahmed, Thomas Renbarger	Richard Ferreira	rferreira@peralta.edu
PGC	Jannett Jackson, Donald Moore	Maisha Jameson	mjameson@peralta.edu

Calendar dates/time subject to revision. The latest revision is noted in the footer.



PERALTA COMMUNITY COLLEGE DISTRICT
JOINT
PARTICIPATORY GOVERNANCE COUNCIL (PGC)
PLANNING BUDGET COUNCIL (PBC)
MEETING AGENDA

Friday, October 1, 2021

9 a.m. – 10 a.m.

Join the meeting:

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

CO-CHAIRS

PGC – Jannett Jackson, Interim Chancellor

PGC - Donald Moore, DAS President

PBC – Adil Ahmed, Interim Vice Chancellor of Finance & Administration

PBC – Thomas Renbarger, Co-Chair, Academic Senate President, Merritt College

<u>PGC MEMBERSHIP PRESENT</u>	<u>PBC MEMBERSHIP PRESENT</u>
Jannett Jackson, Interim Chancellor, PCCD (Co-Chair) Donald Moore, President, DAS (Co-Chair) Angélica Garcia, President, BCC Nathaniel Jones, President, COA Rudy Besikof, President, Laney David Johnson, President, Merritt Eleni Gastis, President, Laney Faculty Senate Jamille Teer, Representative, Local 1021 (<i>Kawana Rollins = Proxy</i>) Ronald McKinley, Acting Vice Chancellor, HR Matthew Freeman, President, BCC Faculty Senate Matthew Goldstein, President, COA Faculty Senate Senate Tachetta Henry, Classified Senate President, Merritt TBD, Student Representative *Maisha Jameson, Note taker (non-voting)	Adil Ahmed, Co-Chair, Interim V.C. of Finance & Admin. Donald Moore, DAS President Matthew Freeman, Faculty, BCC Scott Barringer, Local 39 Representative Kawanna S. Rollins, SEIU Representative Tami Taylor, Interim Budget Director Nathaniel Jones, III, President, COA Tina Vasconcellos, VPSS, COA Helen Ku, Institutional Research Designee Louie Martirez, Classified Senate Appointee David M. Johnson, President, Merritt College *Richard Ferreira, Executive Asst., Note taker (non-voting)
<u>GUESTS PRESENT</u>	
Lowell Bennett Stacey Shears Mary Clarke-Miller Mark Johnson Diana Bajrami MoMo Lim Derek Pinto	

Dana Cabello Marla Williams-Powell Sean Brooks Joseph Bielanski Royl Roberts C.M. Brahmhatt Sasha Amiri Andrea Williams Immaculate Adesida	
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Members – 26; Quorum – 13

I. STANDING ITEMS

A. CALL TO ORDER

- i. Meeting called to order at 9:04 a.m.

B. ADOPTION OF THE AGENDA

MOTION TO APPROVE THE MEETING AGENDA WITH AMENDMENT (to remove the CCLC required BPs/APs)

MOTION – Rudy Besikof

SECOND – Adil Ahmed

MOTION APPROVED

NO ABSTENSIONS

C. APPROVAL OF MINUTES

- i. September 3, 2021 PBC Meeting Minutes

MOTION TO APPROVE THE PBC 9/3 MEETING MINUTES

MOTION – Matthew Freeman

SECOND – David Johnson

MOTION APPROVED

NO ABSTENSIONS

- ii. September 24 2021 PGC Meeting Minutes

MOTION TO APPROVE THE PGC 9/24 MEETING MINUTES

MOTION – Angelica Garcia

SECOND – Jamille Teer

MOTION APPROVED

NO ABSTENSIONS

D. PUBLIC COMMENT

- None

II. CARRIED OVER AND NEW ITEMS

Topic:	Presenter:	Discussion:
1. Budget Calendar for FY 2022-23 - Budget Assumptions	Adil Ahmed	<p><i>Discussion & Action</i></p> <ul style="list-style-type: none"> Presented the Budget Calendar or FY 2022-23 that will lead our budget development. It was suggested that there be more of a discussion and system or process for providing faculty consultation on the FTES target. VC Ahmed noted that the current process is to get the FTES target from Academic Affairs and Student Success and the colleges, then determine the part-time faculty budget. Currently the VPIs meet with VC Brown and Finance and they develop the target. This is to be presented in January. VC Ahmed recommends that we move to budgeting by the discipline in order to determine where and why we are over any given fiscal year. Need to be able to see how much is budgeted for each class vs. how much it cost. Currently Finance gives a lump sum to colleges, but the allocation is not allocated by discipline. This makes it hard to monitor. *Louie Martirez suggested an Amendment to the Budget Calendar --> Add the following Town-halls to the Budget Calendar: <ul style="list-style-type: none"> August – For Classified Senate review the budget before it is approved in September. Intent is to help them participants understand how the budget works. January –To go over the process and calendar May – To understand the May Revise. IVC Ahmed asked Louie Martirez to send this request in writing. <p>MOTION TO APPROVE THE BUDGET CALENDAR FOR 2022-23 WITH AMENDMENT MOTION – Louie Martirez SECOND – Kawana Rollins MOTION APPROVED NO ABSTENSIONS</p> <p>*Chancellor Jackson recommended a friendly amendment to the motion – Not tie the final Townhall to the month of May, but rather tie it to when the Governor’s revised budget is made public (This friendly amendment was accepted).</p>

			<ul style="list-style-type: none"> • Chancellor Jackson suggested that an Orientation to be held in the fall to help all understand how the budget works. This will be noted for the PBC. Pres. Angelica Garcia asks that this Orientation be replicated and presented at the four colleges Budget Committee meetings. • Suggestion → Need to strengthen the ties from the PBC to the colleges budget committees. • CM Brahmabhatt– The colleges are currently allocated their budgets based on an average of the last 3 years. There is currently no data driven conversation taking place on budget development process. Suggestion → Should engage colleges Budget Committees in early fall to discuss development of the target based on the needs of the disciplines. The only way the District will improve our fiscal state is by increasing our FTES. The colleges need guidance from the District. Also need for the District to provide the data and to ensure that the colleges are actually able to increase their FTES. In short, the District needs to work on how to develop the target, manage the target and how to develop the course schedules to meet that target. • Suggestion → There needs to be a broader discussion on determining the target at the colleges. To hold these discussions on the front side, rather than after the fact. • When the new Budget Allocation Model goes into effect, this should change, as it will include consideration of the Student Centered Funding Formula (SCFF) and whether we will have the Hold Harmless funds or not. • Now that we have a new Institutional Researcher Francisco Herrera, this process should be more data driven. • Suggestion → It would be helpful to get some sort of progress report on budget management (quarterly maybe), along with budget projections. • Suggestion → Start the budget development from the adjusted budget that was finalized or adjusted along the way vs. the budget cost center managers receive at the beginning of the year. • Suggestion → Should also be looking at FTEF (should be aligned with the budget to correspond with the actual needs of colleges).
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			<ul style="list-style-type: none"> • It was proposed for PBC to look at 1. a budget projection calendar, 2. building the budget from the adjusted budget, and 3. have a joint meeting between VC Brown, DAASSC and the PGC & PBC so that everyone understands everything. • The Chabot Las Positas tool for meeting goals and targets was referenced. • It was noted that historically we have been operating an incremental budgeted model. We are now shifting to a resource management centered model with the new BAM. We do not currently have the college level processes to do allocation based on the strategic objectives we want to develop. • Chancellor Jackson suggested that the Chancellor's Work Group (CWG) work on this to provide some direction to the colleges so that they can develop what processes they will use. • To check in again in the spring.
<p>2. Approval of Administrative Procedures and Board Policies</p> <ul style="list-style-type: none"> - New Vaccination Policy Protocol (not an AP) - AP2410 <p><u>Required by CCLC (BELOW ALL REMOVED FROM AGENDA)</u></p> <ul style="list-style-type: none"> - AP2435 - AP 3225 - AP3420 - AP3434 - AP3435 - AP5020 - AP5030 - AP5050 - AP6340 - AP6370 - AP7700 - BP2200 - BP2435 	<ul style="list-style-type: none"> • Ron McKinley for Vaccination Policy Protocol • Joseph Bielanski Other BPs/APs 	<p><i>Discussion & Action</i></p>	<ul style="list-style-type: none"> • Discussion and Action on the CCLC BPs/AP was put off and removed from the agenda to allow for PFT review. • It was noted that the Vaccination Policy Protocol is not an administrative procedure, but rather a protocol. • This protocol relates to employees (not students) and requires that as a condition of employment, one must be vaccinated or have an approved exemption. Options for exemption were shared. • All new employees (including contractors) to be vaccinated. This is effective immediately until no longer necessary. • Visitors are not included (those that are not employees or students or registered prospective students). It was requested that the definition of visitor be made explicit. • It was noted that PCCD's policy is more stringent than the CDC and Alameda County policies/requirements. Suggestion --> that PCCD make explicit which takes precedence over the other. <p>MOTION TO EXTEND THE MEETING FOR 20 MINUTES MOTION – David Johnson SECOND – Ron McKinley MOTION APPROVED NO ABSTENSIONS</p>

<ul style="list-style-type: none"> - BP2720 - BP2745 - BP3225 - BP3550 - BP5035 - BP5050 - BP7100 - BP7160 - BP7250 			<p>MOTION TO APPROVE THE ADMINISTRATIVE PROTOCOL ON VACCINATION POLICY MOTION – Ron McKinley SECOND – Rudy Besikof MOTION APPROVED NO ABSTENSIONS</p> <ul style="list-style-type: none"> • VC McKinley highlighted the Tele-work Policy (noted on the website) – If you have an identified underlying condition, and have a Dr. note indicating that they have one of the qualifying conditions, you can continue to work from home even if you are vaccinated.
<p>3. Budget Allocation Model (SCFF Revision and Handbook)</p>	<p>C.M. Brahmbhatt, Cambridge West</p>	<p><i>Update & Discussion</i></p>	<ul style="list-style-type: none"> • C.M Brahmbhatt suggested that we have an extensive conversation at the PBC and PGC to study side-by-side how the fiscal year finishes and what it would look like under the SCFF. • It was asked if the colleges have been working on this? All colleges noted that they would ensure to agendize this discussion at the college level budget committees and college councils/roundtables. All colleges to ensure thorough discussion on this through the college-level shared governance processes. • Suggestion → C.M. to come back to a future PGC meeting to present on this. • In November to have a District-wide Townhall to provide a presentation on the new proposed BAM to get feedback. • PBC and PGC to vote on the new BAM in late November to get it to Chancellor and Board this semester. • Suggestion → Ensure the new BAM is disseminated to District staff for shared governance input by those individuals. • IVC Ahmed was asked to provide a calendar/ on how to do this. Chancellor Jackson asked to include the orientation on the budget development process as a part of this district-wide presentation on the BAM. • C.M. suggestion → Don't wait to bring the proposed new BAM to the colleges for input. There are minor updates that will need to be made for it to be final. C.M. agreed to visit the colleges to provide a presentation on the new proposed BAM.

4. Chancellor's Work Group - Membership - Charge	Jannett Jackson	<i>Update & Discussion</i>	<ul style="list-style-type: none"> • Draft of the overview of the Chancellor's Work Group's (CWG) proposed Charge and Membership Composition was presented for feedback. • This will not be a standing committee, but will rather be task-oriented. The current tasks to be assigned were discussed (development of the budget philosophy and reviewing and updating the PBIM structure and manual. • All were asked to provide feedback on the proposed CWG to Maisha Jameson. • DAS President Moore noted that the CW shouldn't be something that last long term. • To prioritize which tasks are prioritized for immediacy. The PGC Chairs will determine the priorities.
5. FCMAT Report <i>See ACCJC Follow-up Report on the Status of the FCMAT. Final Report due to the State Chancellor's Office on 12/31/21</i>	Jannett Jackson	<i>Update & Discussion</i>	<ul style="list-style-type: none"> • Chancellor Jackson reported that the District has addressed a lot of the remaining FCMAT recommendations. We are currently on track to meet all recommendations by June 2022. <ul style="list-style-type: none"> - Will still have some audit corrections, but with the PeopleSoft Upgrade, some of these major items will be addressed. - Working on the Functional Map to define who is responsible for what and a delineation of functions between the colleges and the District. - An update on status of FCMAT recommendations can be found in the Follow-up Reports. -
6. PBIM Summit Follow-up <i>MCPR is working on editing the PBIM Summit recording, and it will be posted and placed on website for future reference.</i>	Jannett Jackson	<i>Update & Discussion</i>	<ul style="list-style-type: none"> • MCPR working on editing the PBIM Summit recording. To be placed on website when done.

****Announced re: AB361 – The Board did not act on this at the last Board Meeting. Chancellor Jackson noted that – for now – she has the authority to ensure that we continue as we are (remote participatory governance operations). To assess this every 30 days. ****

III. ADJOURNMENT – 10:00 a.m.

IV. NEXT MEETINGS –

- A.** PBC --> October 15 at 9:00 a.m.
- B.** PGC --> October 22 at 9:00 a.m.

Peralta Community College District

Budget Development Calendar

Fiscal Year 2022-23

Tentative Budget		
Date	Responsible	Action Item
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.
Adopted Budget		
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.



**Planning & Budgeting Committee Minutes
(PBC Committee)**

October 15, 2021 9:00 am to 11:00 am

Meeting Location: Zoom Video Conference ID: 769-987-656

Co-Chair: Adil Ahmed, Interim Vice Chancellor for Finance & Admin.

Co-Chair: Thomas Renbarger, Academic Senate President

PBC Membership

Adil Ahmed, Co-Chair, Interim Vice Chancellor of Finance & Admin.	Dr. Nathaniel Jones, III, President, College of Alameda
Thomas Renbarger, Co-Chair, Merritt Academic Senate President	Dr. Tina Vasconcellos, Vice President of Student Services, COA
Donald Moore, DAS President	Aurelie Sciaroni, Student Representative
Matthew Freeman, Faculty, BCC	Helen Ku, Institutional Research Designee
Jennifer Shanoski, PFT President	Louie Martinez, Classified Senate Appointee
Scott Barringer, Local 39 Representative	David M. Johnson, President, Merritt College
Kawanna S. Rollins, SEIU Representative	Richard Ferreira, Executive Assistant, District, Note taker
Tami Taylor, Interim Budget Director	

Total Number of Members is 14. Quorum is 8.

In Attendance:

Guests:

Adil Ahmed, Co-Chair, Interim Vice Chancellor of Finance & Admin.
Thomas Renbarger, Co-Chair, Merritt Academic Senate President
Donald Moore, DAS President
Matthew Freeman, Faculty, BCC
Scott Barringer, Local 39 Representative
Kawanna S. Rollins, SEIU Representative
Tami Taylor, Interim Budget Director
Dr. Nathaniel Jones, III, President, College of Alameda
Dr. Tina Vasconcellos, Vice President of Student Services, COA
Helen Ku, Institutional Research Designee
David M. Johnson, President, Merritt College

Lowell Bennett, Faculty, Merritt College
Momo Lim, Internal Auditor, District
Sean Brooks, Vice President of Administrative Services, BCC
Garth Kwiecien, Vice President of Administrative Services, Merritt
Andrea Stokes, Capital Outlay, Coordinator, Finance & Administration
Ava Lee-Pang, Senior Supervisor, Administration & Business Support, COA
Francis Howard, Adjunct Librarian, Merritt
Joseph J. Bielanski, Jr., DAS Representative
Siri Brown, Vice Chancellor, Academic Affairs & Student Success
C.M. Brahmabhatt, Consultant, Cambridge West Partnership
Randy Yang, Faculty, BCC
Derek Pinto, Vice President of Administrative Services, Laney

Richard Ferreira, Executive Assistant, Finance & Admin., Note taker

Absent:

Jennifer Shanoski, PFT President
Aurelie Sciaroni, Student Representative

Planning & Budgeting Committee Minutes (PBC Committee)

Agenda Item	Committee Goal	Strategic Plan Goal	Outcome	Action Items	Follow Up on Action Items
I. Standing Items					
A. Call to Order			The meeting was called to order at 9:10 am and quorum was met.		
B. Adoption of the Agenda			Motion and seconded to accept the agenda as written. Motion approved.		
C. Approval of Minutes			Motion and seconded to accept the Minutes from September 3, 2021 for the PBC meeting. Motion approved.		
D. Report of Action Taken			Budget Allocation Model (BAM) Taskforce committee has been meeting. Feedback received. Next and possible final draft of the BAM Handbook that incorporated considerations from the integrated Student Centered Funding Formula (SCFF). Report of College Budget Committees. BCC reached out to the Finance Department and C.M. Brahmbhatt in coming to a meeting and discussing Budgets. More to come with the other colleges.		
E. Public Comments			Lowell Bennett presented comments that students want our classes. Advocated for a revenue versus cost perspective. Emphasis on the growth mindset and bring in more revenues. He will be speaking more about it on Flex Day at Merritt College.		

Planning & Budgeting Committee Minutes (PBC Committee)

II. Carried-Over and New Items	Committee Goal	Strategic Plan Goal	Outcome	Action Items	Follow Up on Action Items
A. Review Schedule C Basic Allocation and Hold Harmless		E.3 — Fiscal Oversight	<p>Co-Chair Ahmed presented information to be provided about the Schedule C Basic Allocation and Hold Harmless.</p> <p>He provided information on the Total Computational Revenue for the District and how it matched the Finance Department figures for the SCFF and Hold Harmless with the State.</p> <p>The point was made that the Hold Harmless Funding and Stability Protection Adjustment will not be available in the future. The annual District budget would be reduced from \$127,857,819 to \$112,850,361, for example.</p> <p>VC Ahmed discussed various options on how to address the future deficit. In the past, it was recommended that vacant positions be frozen until a Steering Committee could be created and work with the colleges to determine, as a group, the best way to reduce costs.</p>		
B. Review of the Budget Development Calendar		E.3 — Fiscal Oversight	<p>Co-Chair Ahmed presented and requested approval for the Budget Development Calendar for FY 2022-23 with the changes from PBIM Summit and the BAM Taskforce. The term of Town Hall meeting changed to District Office Presentation at the Colleges Level Budget Committee meetings. Forward recommendation to PGC.</p>		

Planning & Budgeting Committee Minutes (PBC Committee)

			<p>Motion to approve the Budget Development Calendar. Amendment to accept the item as an Action item on the Agenda.</p> <p>Motion approved.</p>		
C. Review of PBIM Meeting Calendar for PBC Meetings		E.3 — Fiscal Oversight	<p>Co-Chair Renbarger Review the PBIM Meeting Calendar for the FY 2021-22.</p> <p>Meeting generally the third Friday of each month.</p> <p>Concern with April 22, 2022 PBC meeting date and request for clarification the reason separate PGC on the same date.</p>		
D. Agenda Items for the next PBC meeting		E.3 — Fiscal Oversight	<p>In the future, a recommendation was made that any agenda items be noted specific as approval for the Topic as an Action Item.</p> <p>Co-Chair Renbarger requested any agenda items for the next PBC meeting.</p> <p>Proposal made that a broad Taskforce (with PBC and PGC) be created. Proposed action item to create and exploratory task force to investigate possible solutions to balance revenue and expenditures without hold harmless funding. (Realignment taskforce).</p> <p>Proposed Action Item: Review and Approval BAM Taskforce Final draft of the BAM Handbook.</p>		

**Planning & Budgeting Committee Minutes
(PBC Committee)**

			Proposed Review: Suggestions/brainstorm solutions for how to frame the reduction of future funds and concerns with FTEF.		
II. Next Meeting			November 19, 2021, 9:00 am to 11:00 am December 10, 2021, 9:00 am to 11:00 am		
IV. Adjournment			The PBC meeting was adjourned at 10:37 am.		

Peralta Community College District

Budget Development Calendar

Fiscal Year 2022-23

Tentative Budget		
Date	Responsible	Action Item
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.
Adopted Budget		
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.

**Peralta Community College District
SCFF Calculation**

		Adopted Budget		
		Budget		
Adopted Budget FY 2021-2022				
<i>May Revise Cola for FY 2020-2021</i>		3.37%		
<i>May Revise Cola for FY 2021-2022</i>		1.70%		
Total Cola		5.07%		
				2021/22
		FTES		Total
Base Allocation	Basic Allocation			16,182,008
	Credit FTES: 3-Year Average Credit	15,040.33	4,212.26	63,353,739
	Special Admit	458	5,906.97	2,704,566
	CDCP	42	5,906.97	246,380
	Non Credit	60	3,552.03	212,092
	Subtotal	15,599.61		82,698,785
Total		16,950.00		82,698,785
		Headcount	Rate	
Supplemental Allocation	Pell Grant Recipients	5,923.00	1,014.83	6,010,862
	AB540 Students	1,013.00	1,014.83	1,028,027
	California Promise Grant Recipients	12,198.00	1,014.83	12,378,945
	Total	24,767.22		19,417,834
		Outcomes	Rate	
Student Success Allocation	All Students: Associate Degrees	862.33	1,762.02	1,519,446
	Associate Degrees for Transfer	565.00	2,349.37	1,327,391
	Credit Certificates	361.67	1,174.68	424,847
	Nine or More CTE Units	2,675.00	587.34	1,571,138
	Transfer	1,100.00	881.01	969,113
	Transfer Level Math and English	492.33	1,174.68	578,331
	Achieved Regional Living Wage	2,841.00	587.34	1,668,637
	Subtotal	8,897.33		8,058,904
Pell Grant Recipients Bonus:	Associate Degrees	514.00	666.67	342,668
	Associate Degrees for Transfer	327.67	888.89	291,263
	Credit Certificates	172.00	444.45	76,445
	Nine or More CTE Units	1,185.67	222.22	263,483
	Transfer	523.00	333.33	174,334
	Transfer Level Math and English	199.00	444.45	88,445
	Achieved Regional Living Wage	630.67	222.22	140,149
	Subtotal	3,552.01		1,376,787
California Promise Grant Recipients Bonus:	Associate Degrees	654.33	444.45	290,814
	Associate Degrees for Transfer	430.33	592.59	255,011
	Credit Certificates	243.00	296.30	72,000
	Nine or More CTE Units	1,727.33	148.15	255,902
	Transfer	705.00	222.22	156,667
	Transfer Level Math and English	283.00	296.30	83,852
	Achieved Regional Living Wage	1,240.67	148.15	183,804
	Subtotal	5,283.66		1,298,051
Total		17,733.00		10,733,742
Total SCFF before Hold Harmless				112,850,361
Hold Harmless Funding				8,354,922
Stability Protection Adjustment				6,652,536
Total TCR 2020-2021				127,857,819
Total SCFF FY 2021-2022 (Total Computation Revenue) Adopted				127,857,819

State Chancellor Guaranteed Revenue Amount based on 2017/18 TCR

Total Computation Revenue (TCR) 2017-2018	114,674,531
Cola 2018-2019	2.71% 3,107,680
Total Computation Revenue (TCR) 2018-2019	117,782,211
Cola 2019-2020	3.26% 3,839,700
Total Computation Revenue (TCR) 2019-2020	121,621,911
Cola 2020-2021	3.37% 4,098,658
Total Computation Revenue (TCR) 2020-2021	125,720,569
Cola 2021-2022	1.70% 2,137,250
Total Computation Revenue (TCR) 2021-2022	127,857,819

Exhibit C - Page 1

Revenue Deficit Percentage	2.3826%	Revenue Deficit \$	(2,897,799)
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Supporting Sections

Section Ia: FTES Data and Calculations

Change from PY to CY=>>> \$0

Total Value=>>> \$63,002,810

\$63,002,810

Section Ib: 2020-21 FTES Modifications

19-20 App#3: 19-20 App#1 plus 19-20 Growth, is the base for 20-21

20-21 App#0: Reported R1 FTES with COVID-19 and other ECA and statutory protections. These FTES are used in the calculations of the 20-21 funded FTES.

20-21 App#1: Base for 20-21 plus any restoration, decline or adjustment

20-21 App#2: FTES that will be funded not including growth

20-21 App#3: 20-21 App#1 plus Growth and will be used as the base for 21-22

20-21 Adjustment: Alignment of FTES to available resources.

Change Prior Year to Current Year: 20-21 App#0 value minus 19-20 App#3 value and is the sum of CY restoration, decline, growth and unapplied values

Section Ic: FTES Restoration Authority				
variable	v	w	y	z = (v + w + y) x l
FTES Category	2017-18	2018-19	2019-20	Total \$
Credit	-	3,492.39	227.71	\$ 14,913,881
Incarcerated Credit	-	-	-	-
Special Admit Credit	-	(1,217.08)	759.22	(2,574,062)
CDCP	-	(72.23)	30.52	(234,491)
Noncredit	-	47.84	9.76	194,724
Total	-	2,250.92	1,027.21	\$ 12,300,052

Section Id: FTES Growth Authority			
variable	aa	ab	ac = aa x ab
FTES Category	% target	2019-20 Applied #3 FTES	2020-21 Growth FTES
Credit	0.00%	14,964.43	-
Incarcerated Credit	0.00%	-	-
Special Admit Credit	0.00%	457.86	-
CDCP	0.00%	41.71	-
Noncredit	0.00%	59.71	-
Total		15,523.71	-
Total Growth FTES Value =>>>			-

Section Ie: Basic Allocation

District Type/FTES	Funding Rate	Number of Colleges	Basic Allocation	FTES	Funding Rate	Number of Centers	Basic Allocation
<u>Single College Districts</u>				<u>State Approved Centers</u>			
≥ 20,000	6,742,506.62	-	\$0	≥ 1,000	\$1,348,501.11	-	\$0
≥ 10,000 & < 20,000	5,394,005.51	-	-	<u>Grandparented Centers</u>			
< 10,000	4,045,502.28	-	-	≥ 1,000	1,348,501.11	-	-
<u>Multi-College Districts</u>				≥ 750 & < 1,000	1,011,375.57	-	-
≥ 20,000	5,394,005.51	-	-	≥ 500 & < 750	674,250.03	-	-
≥ 10,000 & < 20,000	4,719,754.42	-	-	≥ 250 & < 500	337,125.54	-	-
< 10,000	4,045,502.28	4	16,182,008	≥ 100 & < 250	168,563.83	-	-
<u>Additional Rural \$</u>	1,286,718.94	-	-	Subtotal			
Subtotal			\$16,182,008	Subtotal			
				Total Basic Allocation			
				Total FTES Allocation			
				Total Base Allocation			
				\$16,182,008			
				63,307,106			
				\$79,489,114			

Section II: Supplemental Allocation

Supplemental Allocation - Point Value \$948		Points	2019-20 Headcount	Rate	Revenue
AB540 Students	1		1,013	\$948	\$960,324
Pell Grant Recipients	1		5,923	948	5,615,004
Promise Grant Recipients	1		12,198	948	11,563,704
Totals			19,134		\$18,139,032

Section III: Student Success Allocation

All Students - Point Value \$559	Points	2017-18 Headcount	2018-19 Headcount	2019-20 Headcount	Three Year Average	Rate = Point Value x Points	Revenue
Associate Degrees for Transfer	4	520	569	606	565.00	\$2,236.00	\$1,263,340
Associate Degrees	3	871	861	855	862.33	1,677.00	1,446,133
Baccalaureate Degrees	3	0	0	0	-	1,677.00	0
Credit Certificates	2	339	321	425	361.67	1,118.00	404,343
Transfer Level Math and English	2	356	465	656	492.33	1,118.00	550,429
Transfer to a Four Year University	1.5	1,053	1,090	1,157	1,100.00	838.50	922,350
Nine or More CTE Units	1	2,758	2,739	2,528	2,675.00	559.00	1,495,325
Regional Living Wage	1	2,713	2,863	2,947	2,841.00	559.00	1,588,119
All Students Subtotal		8,610	8,908	9,174	8,897.33		\$7,670,039
Pell Grant Recipients - Point Value \$141							
Associate Degrees for Transfer	6	303	337	343	327.67	\$846.00	\$277,206
Associate Degrees	4.5	492	542	508	514.00	634.50	326,133
Baccalaureate Degrees	4.5	0	0	0	-	634.50	0
Credit Certificates	3	170	157	189	172.00	423.00	72,756
Transfer Level Math and English	3	142	192	263	199.00	423.00	84,177
Transfer to a Four Year University	2.25	500	508	561	523.00	317.25	165,922
Nine or More CTE Units	1.5	1,246	1,184	1,127	1,185.67	211.50	250,769
Regional Living Wage	1.5	603	619	670	630.67	211.50	133,386
Pell Grant Recipients Subtotal		3,456	3,539	3,661	3,552.00		\$1,310,349
Promise Grant Recipients - Point Value \$141							
Associate Degrees for Transfer	4	394	429	468	430.33	\$564.00	\$242,708
Associate Degrees	3	637	688	638	654.33	423.00	276,783
Baccalaureate Degrees	3	0	0	0	-	423.00	0
Credit Certificates	2	242	217	270	243.00	282.00	68,526
Transfer Level Math and English	2	184	288	377	283.00	282.00	79,806
Transfer to a Four Year University	1.5	669	695	751	705.00	211.50	149,108
Nine or More CTE Units	1	1,829	1,730	1,623	1,727.33	141.00	243,554
Regional Living Wage	1	1,138	1,268	1,316	1,240.67	141.00	174,934
Promise Grant Recipients Subtotal		5,093	5,315	5,443	5,283.67		\$1,235,419
Total Headcounts		17,159	17,762	18,278	17,733.00	Total Student Success Allocation	\$10,215,807



PBIM MEETING SCHEDULE 2021-2022

(All PBIM meetings are on Friday, except as noted)

COMMITTEE	DATE	TIME
District Facilities Committee (DFC)		
	September 10, 2021	9:00 am – 11:00 am
	October 1, 2021	9:00 am – 11:00 am
<i>11/12 = Holiday</i>	November 5, 2021	9:00 am – 11:00 am
	December 3, 2021	9:00 am – 11:00 am
	February 4, 2022	9:00 am – 11:00 am
	March 4, 2022	9:00 am – 11:00 am
	April 8, 2022	9:00 am – 11:00 am
	May 6, 2022	9:00 am – 11:00 am
District Technology Committee (DTC)		
	September 10, 2021	10:30 am - Noon
	October 1, 2021	10:30 am - Noon
<i>11/12 = Holiday</i>	November 5, 2021	10:30 am - Noon
	December 3, 2021	10:30 am - Noon
	February 4, 2022	10:30 am - Noon
	March 4, 2022	10:30 am - Noon
	April 8, 2022	10:30 am - Noon
	May 6, 2022	10:30 am - Noon
District Academic Affairs and Student Services Committee (DAASSC) combined w/ Enrollment Committee		
	September 10, 2021	3:00 pm – 4:30 pm
	October 15, 2021	11:00 am – 12:30 pm
	December 10, 2021	3:00 pm – 4:30 pm
	February 4, 2022	3:00 pm – 4:30 pm
	May 6, 2022	3:00 pm – 4:30 pm



COMMITTEE	DATE	TIME
Planning & Budgeting Council (PBC)		
*Review FY 2022 Budget	August 27, 2021	9:00 am – 11:00 am
2 nd *Review FY 2022 Budget	September 3, 2021	12:00 pm – 2:00 pm
	September 17, 2021	9:00 am – 11:00 am
*Joint PBC & PGC Meeting	October 1, 2021	9:00 am – 10:00 am
	October 15, 2021	9:00 am – 11:00 am
	November 19, 2021	9:00 am – 11:00 am
	December 10, 2021	9:00 am – 11:00 am
2/18 = Holiday	February 11, 2022	9:00 am – 11:00 am
	March 18, 2022	9:00 am – 11:00 am
	April 22, 2022	9:00 am – 11:00 am
	May 13, 2022	9:00 am – 11:00 am
*Review May Revise	May 27, 2022	9:00 am - 11:00 am
Participatory Governance Council (PGC)		
*Review FY 2022 Budget	September 10, 2021	2:00 pm – 3:00 pm
	September 24, 2021	2:00pm – 3:00 pm
*Joint PBC & PGC Meeting	October 1, 2021	9:00 am – 10:00 am
	October 22, 2021	9:00 am – 11:00 am
	November 19, 2021	1:30 pm – 3:00 pm
	December 17, 2021	9:00 am – 11:00 am
	January 28, 2022	9:00 am – 11:00 am
	February 25, 2022	9:00 am – 11:00 am
	March 25, 2022	9:00 am – 11:00 am
	April 22, 2022	1:30 pm – 3:00 pm
	May 20, 2022	9:00 am – 11:00 am

COMMITTEE	Co-Chairs	Note Taker	Contact Information
DFC	Atheria Smith, Rachel Goodwin	Annie Javier	ajavier@peralta.edu
DTC	Antoine Mehoulley, Matthew Goldstein	Violeta De Leon	ddleon@peralta.edu
DAASSC	Siri Brown, Matthew Freeman	Laura Leon-Maurice	lmaurice@peralta.edu
PBC	Adil Ahmed, Thomas Renbarger	Richard Ferreira	rferreira@peralta.edu
PGC	Jannett Jackson, Donald Moore	Maisha Jameson	mjameson@peralta.edu

Calendar dates/time subject to revision. The latest revision is noted in the footer.



POLICY & PROCEDURE SERVICE

Policy & Procedure Subscription Service

Community College League of California
Liebert Cassidy Whitmore

Legal Update #38 (as of October 2021)

OVERVIEW

This is the 38th update to district members of the League's Policy & Procedure Subscriber Service, offered in partnership with the law firm of Liebert Cassidy Whitmore.

As part of the ongoing updates, the Service biannually updates the templates for diversity, equity, and inclusion-related issues. That process is continuing, and the League is redoubling that effort and commits to integrating diversity, equity, inclusion, and accessibility issues into these reviews of the policy/procedure templates.

Revisions to the Board Policy Templates

BP 2200 Board Duties and Responsibilities – The Service updated this policy to add **optional language** to highlight diversity, equity, and inclusion issues.

BP 2435 Evaluation of the [CEO] – Existing CCLC Policy; new for Peralta.. CCLC template attached.

BP 2720 Communications Among Board Members – The Service updated this policy to reflect new Brown Act requirements allowing members of the Governing Board to engage in conversations on social media platforms that are open and accessible to the public so long as the purpose of the communication is to answer questions, provide information to the public, or solicit information from the public; and as long as the majority of the members of the Board do not discuss District business among themselves.

BP 2745 Board Self-Evaluation – The Service updated this policy to add **optional language** to highlight diversity, equity, and inclusion issues.

BP 3225 Institutional Effectiveness – The Service updated this policy to add **optional language** to highlight diversity, equity, and inclusion issues.

BP 3420 Equal Employment Opportunity – The Service updated this policy to add **optional language** to highlight diversity, equity, and inclusion issues.



POLICY & PROCEDURE SERVICE

BP 3550 Drug Free Environment and Drug Prevention Program – The Service updated this policy to add clarifying language to specify that the District shall be free from all unlawful drugs.

BP 5035 Withholding of Student Records – The Service updated this policy to reflect changes to Title 5 Regulations that prohibit withholding grades or transcripts in an effort to collect a debt.

BP 5050 Student Success and Support Program – The Service updated this policy to add **optional language** to highlight diversity, equity, and inclusion issues.

BP 7100 Commitment to Diversity – The Service updated this policy to add **optional language** to highlight diversity, equity, and inclusion issues.

BP 7160 Professional Development – The Service updated this policy to add **optional language** to highlight diversity, equity, and inclusion issues.

BP 7250 Academic Administrators – The Service updated this policy to add clarifying language regarding the term “vacancy” as used in this policy.

POLICY & PROCEDURE SERVICE

Revisions to the Administrative Procedure Templates

AP 2435 Evaluation of the [CEO] – The Service updated this procedure to add optional language to highlight diversity, equity, and inclusion issues. **New for Peralta; required for Accreditation Standards**

AP 3225 Institutional Effectiveness – The Service updated this procedure to add optional language to highlight diversity, equity, and inclusion issues.

AP 3434 Responding to Harassment Based on Sex under Title IX – Minor edits for clean-up.

AP 3435 Discrimination and Harassment Complaints and Investigations – The Service updated this procedure to add optional language to highlight diversity, equity, and inclusion issues and to make further changes resulting from the regulation changes.

AP 4026 Philosophy and Criteria for Study Abroad Education – Updates to Risk and Safety Factors; the process to submit proposals for Study Aboard; Student-Participation Program requirements; and Fiscal Policies (such as refunds, program costs, and collection of funds).

AP 5015 Residence Determination – The Service updated this procedure to insert a deadline to make a determination on a reclassification petition. Additional edits as highlighted in yellow.

AP 5020 Nonresident Tuition – The Service updated this procedure to reorganize (*inserting a numbering sequence versus bullets in three sections of the template*) to clarify that there are multiple factors that must be satisfied to qualify for the corresponding exemption.

AP 5030 Fees – The Service updated this procedure to remove a citation to Section 54801 of Title 5, which was repealed.

AP 5050 Student Success and Support Program – The Service updated this procedure add optional language to highlight diversity, equity, and inclusion issues.

AP 5530 Student Rights and Grievances – The Service updated the use note for this procedure to make it legally advised in order to ensure compliance with accreditation requirements.



POLICY & PROCEDURE SERVICE

AP 6340 Bids and Contracts – The Service updated this procedure to reflect new legal requirements that bid documents and construction contracts specify that a project is subject to the skilled and trained workforce requirement and to add optional language to highlight diversity, equity, and inclusion issues.

AP 6370 Contracts – Personal Services – The Service updated this procedure to reflect a change in the citation to the Labor Code provisions addressing independent contractor requirements (Labor Code Sections 2775 et seq.).

AP 7700 Whistleblower Protection – The Service updated this procedure to remove contact information for the State Personnel Board.

ADMINISTRATIVE PROCEDURE 2435 EVALUATION OF THE CHANCELLOR

The Chancellor will be evaluated annually based upon the timeline specified in the Superintendent/President's employment contract. The Board Chair and Vice Chair will conduct the evaluation process.

The process for evaluating the Chancellor is delineated in the Chancellor's current employment contract.

The evaluation of the Chancellor will be based on the job description, the Superintendent/President's goals and objectives of the past year, and other elements previously agreed upon.

References:

Education Code Section 87663;

ACCJC Accreditation Standards IV.B and IV.C.3 (This procedure is required by the Accreditation Standards)

Approved by the Chancellor:

ADMINISTRATIVE PROCEDURE 3225 INSTITUTIONAL EFFECTIVENESS

Each college in the district (Berkeley City College, College of Alameda, Laney College, and Merritt College) shall develop, adopt, and publicly post goals that address all of the following:

- (1) Accreditation status;
- (2) fiscal viability;
- (3) student performance and outcomes; and
- (4) programmatic compliance with state and federal guidelines.

The goals should be challenging and quantifiable, address achievement gaps for underrepresented populations, and align the educational attainment of California's adult population to the workforce and economic needs of the state.

Institutional effectiveness includes the assessment of goals and objectives with respect to the District's commitment to equity and inclusion.

Reference:

Education Code Sections 78210 et seq. and 84754.6 (Seymour-Campbell Student Success Act of 2012)

ACCJC Accreditation Standard I.B.5-9

Approved by the Chancellor: October 21, 2015

Reviewed and approved by the Chancellor:

Introduction

The District encourages members of the District community to report sexual harassment. This procedure only applies to conduct defined sexual harassment under Title IX and applicable federal regulations and that meet Title IX jurisdictional requirements. The District will respond to sexual harassment and sexual misconduct that falls outside that definition and outside the jurisdiction of the Title IX federal regulations using California law and applicable District policies and procedures. In implementing these procedures discussed below, the District will also provide supportive measures, training, and resources in compliance with California law, unless they are preempted by the Title IX regulations.

NOTE: This Administrative Procedure will be applied in accordance with union Collective Bargaining agreements.

Title IX Coordinator

Questions concerning Title IX may be referred to the District Title IX Coordinator whose contact information is below.

The District's Title IX Coordinator, who addresses employee complaints is:

Vice Chancellor for Human Resources and Employee Relations
District Office – 333 East 8th St. Oakland, CA 94606
(510) 587-7833

The contact information for the Title IX Coordinators at each of the four Peralta colleges who address student complaints is as follows:

Vice President of Student Services
Laney College
900 Fallon Street, Oakland, CA 94607
Tower, Room 815
510-464-3244
Laneystudentservices@peralta.edu

Vice President of Student Services
College of Alameda
555 Ralph Appenzato Memorial Parkway
Alameda, CA 94601
A Building, A130
510-748-2205

Vice President of Student Services
Berkeley City College
2050 Center Street
Berkeley, CA 94704
Second Floor
510-981-2820

Vice President of Student Services
Merritt College
12500 Campus Drive
Oakland, Ca. 94619
Building R-113E
(510) 436-2478

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with

others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on campus, comply with state and federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. However, the Title IX Coordinator will make an assessment to determine if there is a safety risk to the campus. If the Title IX Coordinator finds there is a continued risk, the Title IX Coordinator will file the formal complaint without the Complainant's consent or cooperation.

Title IX Harassment Complaints, Investigations, and Hearings

These Title IX sexual harassment procedures and the related policy protect students, employees, applicants for employment, and applicants for admission.

Jurisdictional Requirements – Application of Procedures

These procedures apply if the conduct meets the following three jurisdictional requirements:

- (1) The conduct took place in the United States;
- (2) The conduct took place in a District "education program or activity." This includes locations, events, or circumstances over which the District exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the District owns or controls or student organizations officially recognized by the District own or control.
- (3) The conduct meets the definition of Title IX "sexual harassment."

Definitions

Advisor: Throughout the grievance process, both the Complainant and Respondent have a right to an Advisor of their choice. If a Party does not have an Advisor at the time of the hearing, the District must provide the Party an Advisor of the District's choice, free of charge. The District may establish restrictions regarding the extent to which the Advisor may participate in the proceedings as long as the restrictions apply equally to both Parties.

NOTE: The regulations only require the District to provide an Advisor to conduct cross-examination. It is strongly recommended that an Advisor is provided for the entire hearing; so, the Advisor is able to observe the direct examination of all witnesses and thus better able to conduct cross-examination.

Complainant: A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.

Consent: Consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. Both Parties must give affirmative consent to sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he/she/they has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest, lack of resistance, or silence does not indicate consent. Affirmative consent must be ongoing throughout a sexual activity and one can revoke his/her/their consent at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, is not an indicator of consent.

The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident. A Respondent's belief is not a valid defense where:

- (1) The Respondent's belief arose from the Respondent's own intoxication or recklessness;
- (2) The Respondent did not take reasonable steps to ascertain whether the Complainant affirmatively consented; or
- (3) The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:
 - a. asleep or unconscious;
 - b. unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or

- c. unable to communicate due to a mental or physical condition.

Decision-Maker: The person or persons who will oversee the live hearing and make a determination of responsibility. The College/District may have one Decision-Maker determine whether the respondent is responsible and another Decision-Maker determine the appropriate level of penalty for the conduct. The Decision-Maker cannot be the Title IX Coordinator or the investigator.

Formal Complaint: A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, he/she/they will not become a Party to the complaint.

Parties: As used in this procedure, this means the Complainant and Respondent.

Respondent: A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- (1) A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (quid pro quo harassment);
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
- (3) Sexual assault, including the following:
 - a. **Sex Offenses.** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - b. **Rape** (except Statutory Rape). The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
 - c. **Sodomy.** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
 - d. **Sexual Assault with an Object.** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
 - e. **Fondling.** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
 - f. **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.**
 - **Incest.** Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape – Non-Forcible.** Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
 - g. **Dating violence.** Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - h. **Domestic Violence.** Violence committed:
 - (1) By a current or former spouse or intimate partner of the victim;
 - (2) By a person with whom the victim shares a child in common;
 - (3) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

- (4) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of California; or
- (5) By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.
- i. **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress.

Reporting Options

Any individual may report sexual harassment to the District's Title IX Coordinator.

The District strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, and witness statements. A delay may limit the District's ability to effectively investigate and respond.

Because individuals may be deterred from reporting incidents of sexual harassment if alcohol, drugs, or other violations of District or campus rules were involved, the District will inform individuals that the primary concern is for student and employee safety and that use of alcohol or drugs never makes a Complainant at fault for sexual harassment. If other rules are violated, the District will address such violations separately from an allegation of sexual violence.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows the District to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, the District will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder legal process or proceedings.

The District will document reports of sexual harassment in compliance with the Clery Act, a federal law requiring data collection of crime within the campus geography. Under the Clery Act, the District does not document personal information; the District reports the type of conduct, and the time, date, and location. (Also see BP/AP 3540 Sexual and Other Assaults on Campus.)

District Employees and Officials with Authority

District Officials with Authority are not confidential resources and are required to report allegations of sexual harassment to the Title IX Coordinator promptly. All other employees are encouraged to report allegations to the Title IX Coordinator but are not required to do so.

The District has designated the following employees as Officials with Authority:

- Title IX Coordinator, District Office
- President at each college
- Vice President, Student Services at each college
- Vice President, Instruction at each college

Officials with Authority are required to report all relevant information they know about sexual harassment including the name of the Respondent, the Complainant, any other witnesses, and the date, time, and location of the alleged incident.

Intake and Processing of Report**Receipt of Report**

After receiving a report of sexual harassment, the Title IX Officer will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in-person meeting. The Title IX Officer will discuss supportive measures with the Parties.

Timeframe for Reporting

To promote timely and effective review, the District strongly encourages individuals to report sexual harassment as soon possible because a delay in reporting may affect the ability to collect relevant evidence and may affect remedies the District can offer.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. The District will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to the District's education program or activities. These measures are designed to protect the safety of all Parties, protect the District's educational environment, or deter sexual harassment. The District will provide supportive measures on a confidential basis and will only make disclosures to those with a need to know to enable the District to provide the service. Supportive measures may include counseling, extensions of deadlines, other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Removal of Respondent Pending Final Determination

Upon receiving a report regarding sexual harassment, the Title IX Coordinator will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. The District has the right to order emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

Emergency removal

The District may remove a non-employee Respondent from the District's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

The District may not use emergency removal to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

The District's or College's Title IX Coordinator designee will conduct the individualized safety and risk analysis depending on the parties involved (District Title IX Coordinator for employees and College Title IX Coordinator for students).

If the College or District Title IX Coordinator determines emergency removal is appropriate, he/she/they or designee will provide the person the District is removing from campus on an emergency basis with a notice and opportunity to attend a meeting and challenge the basis of his/her/their removal. The College President or the District Chancellor or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

Administrative leave

The District may place a non-student employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The District will follow any relevant policies, procedures, collective bargaining agreements, or state law in placing an employee on administrative leave.

Formal Complaint Grievance Process**Notice to Parties**

Upon receipt of a formal complaint, the Title IX Coordinator will provide the following notice in writing, to the Parties:

- a. Notice of the District's Title IX grievance process;
- b. Notice of the allegations of alleged sexual harassment with sufficient details known at the time and with sufficient time to prepare a response before any initial interview;
- c. Statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- d. Notice that the Parties may have Advisor of their choice, who may be, but is not required to be, an attorney;
- e. Notice that the Parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a Party or another source; and
- f. Inform the Parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator will provide notice in writing of the additional allegations to the Parties.

Dismissal of formal complaint

The District must investigate the allegations in a formal complaint. However, the District must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- a. If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure;
- b. If the conduct alleged did not occur in the District's education program or activity;
- c. If the conduct alleged did not occur against a person in the United States.

The District has discretion to dismiss a formal complaint or any allegation under the following circumstances:

- a. If at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations;
- b. If the Respondent is no longer enrolled or employed by the District; or
- c. If there are specific circumstances that prevent the District from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

If the District dismissed the formal complaint or any allegations, the Title IX Coordinator shall simultaneously provide the Parties with written notice of the dismissal and reason. The District will also notify the Parties of their right to appeal.

The District may commence proceedings under other policies and procedures after dismissing a formal complaint.

Consolidation of Formal Complaints

The District may, but is not required to, consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Equitable Treatment of the Parties

The District's determination of responsibility is a neutral, fact-finding process. The District will treat Complainants and Respondents equitably. The procedures will apply equally to both Parties. The District will not discipline a Respondent unless it determines the Respondent was responsible for sexual harassment at the conclusion of the grievance process.

Statement of Presumption of Non-Responsibility

The investigation is a neutral, fact-finding process. The District presumes all reports are in good faith. Further, the District presumes the Respondent is not responsible for the alleged conduct. The District makes its determination regarding responsibility at the conclusion of the grievance process.

Bias or Conflict of Interest

The District's Title IX Coordinator, investigator, Decision-Maker, or any person designated by the District to facilitate an informal resolution process, will not have potential actual bias or conflict of interest in the investigatory, hearing, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the Decision-Maker in the process. The District will ensure that the Title IX Coordinator, investigator, Decision-Maker, and facilitator receive training on:

- a. The definition of sexual harassment in this procedure;
- b. The scope of the District's education program or activity;
- c. How to conduct an investigation;
- d. The grievance process including conducting hearings, appeals, and informal resolution processes; and
- e. How to serve impartially, including avoiding: prejudgment of the facts at issue; conflicts of interest; and bias.

Timeline for Completion

The District will undertake its grievance process promptly and as swiftly as possible. The District will complete the investigation and its determination regarding responsibility or the informal resolution process within 180 calendar days.

When appropriate, the Title IX Coordinator may determine that good cause exists to extend the 180 calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for District breaks or vacations, or due to the complexity of the investigation. The District will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case recordkeeping.

Role of Advisor

The role of the Advisor is to provide support and assistance in understanding and navigating the investigation process.

The Advisor may not testify in or obstruct an interview or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an Advisor and take reasonable steps to ensure compliance with this procedure.

A Party does not have a right to self-representation at the hearing; an Advisor must conduct any cross-examination. The District must provide an Advisor of its choice, free of charge to any Party without an Advisor in order to conduct cross-examination. If an Advisor fails to appear at the hearing, the District will provide an Advisor to appear on behalf of the non-appearing Advisor. To limit the number of individuals with confidential information about the issues, each Party may identify one Advisor.

Confidentiality Agreements

To protect the privacy of those involved, the Parties and Advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the District's grievance process. The confidentiality agreement restricts dissemination of any of the evidence subject to inspection and review or use of this evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

Use of Privileged Information

The District's formal complaint procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally-recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

Investigations

The Title IX Coordinator is responsible to oversee investigations to ensure timely resolution and compliance with Title IX and this procedure.

Both Parties have the right to have an Advisor present at every meeting described in this section.

Trained investigators

The District will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment and how the District's grievance procedures operate. The District will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

Burden of Gathering Evidence

The District, not the Parties, has the responsibility to gather information and interview witnesses. As part of the District's burden of gathering evidence, the District's investigator will create an investigative report that fairly summarizes relevant evidence, whether it is inculpatory or exculpatory. The investigator shall not make findings or determinations of law or fact.

Notice of Investigative Interview

The District will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to a Party whose participation is invited or expected, with sufficient time for the Party to prepare to participate.

Evidence Review

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the District **will make available send** to each Party and the Party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least ten days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

Investigative Report

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all of the following information:

- a. A description of the circumstances giving rise to the formal complaint;
- b. A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed;
- c. A summary of the testimony of each witness the investigator interviewed;
- d. An analysis of relevant evidence collected during the investigation, including a list of relevant documents;
- e. A specific finding as to whether the allegations occurred using a preponderance of the evidence standard;
- f. A table of contents if the report exceeds ten pages; and
- g. Any other information deemed appropriate by the District.

The investigator will not make a determination regarding responsibility.

The investigator may redact information not directly related to the allegations or privileged information. However, the investigator will keep a log of information he/she/they do not produce to the Parties. The investigator will provide this log only to the Title IX Coordinator. The Title IX Coordinator will not disclose the log to the Parties but will maintain the log in the Title IX Coordinator's file, in the event it later becomes relevant.

At least ten days prior to a hearing, the District will send the investigative report to each Party and their Advisors, if any, the investigative report in an electronic format or a hard copy, for review and written response. The Parties will have at least ten days to submit a written response.

Hearing

After completing an investigation and prior to completing a determination regarding responsibility, the District will hold a live hearing to provide the Complainant and Respondent an opportunity to respond to the evidence gathered before a Decision-Maker. Neither Party may choose to waive the right to a live hearing, but the Parties can choose whether to participate in the hearing or answer some or all cross-examination questions.

Notice

If the District proceeds to a hearing, the District will provide all Parties written notice of the date, time, location, participants, and purpose of the hearing with sufficient time for the Party to prepare to participate.

Hearing Format

The District may provide a live hearing with all Parties physically present in the same geographic location or, at the District's discretion if either Party requests, the District may provide any or all Parties, witnesses, and other participants the ability to appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other in real time.

The District will make the information reviewed during the Evidence Review available at the hearing for reference and consultation. The District will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

The District will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review.

Decision-Maker

The Decision-Maker will be free from conflict of interest or bias, including bias for or against Complainants or Respondents.

The Decision-Maker may ask the Parties and the witnesses questions during the hearing. The Decision-Maker must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility without giving deference to the investigative report. The Decision-Maker must receive training on issues of relevance, how to apply the rape-shield protections for Complainants, and any technology to be used at the hearing.

Presenting Witnesses

The District will provide the Complainant and Respondent an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Witnesses, like Parties, are not required to participate in the live hearing process.

Only relevant evidence will be admissible during the hearing. Relevant evidence means evidence, including evidence relevant to the credibility of a Party or witness, having any tendency in reason to prove or disprove any disputed fact material to the allegations under investigation.

Cross-Examination

The District shall permit each Party's Advisor to ask the other Party and any witness relevant questions and follow-up, including questions challenging credibility. The Party's Advisor must conduct cross-examination directly, orally, and in real time. A Party may never personally conduct cross-examination.

If a Party or witness does not submit to cross-examination at the live hearing, the Decision-Maker will not rely on any statement of that Party or witness in reaching a determination regarding responsibility.

Before a Complainant, Respondent, or witness answers a question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker need not provide a lengthy or complicated explanation in support of a relevance determination.

If a Party or witness disagrees with a relevance determination, that individual has the choice of either (1) abiding by the Decision-Maker's determination and answering the question or (2) refusing to answer the question.

The Decision-Maker cannot rely on the statements and/or testimony of a Party or witness who has refused to answer a question the Decision-Maker had found relevant unless the Decision-Maker reconsiders and changes the ruling before reaching the determination of responsibility. If the Decision-Maker changes the determination of relevance of an unanswered question, the Decision-Maker must explain the decision to reconsider the ruling in the written determination of responsibility.

The Decision-Maker cannot draw an inference about the determination of responsibility based solely on a Party's or witness's absence from the live hearing or refusal to submit to cross-examination or to answer any questions.

The Decision-Maker may also ask any Party or witness questions. If a Party or witness refuses to respond to a Decision-Maker's questions, the Decision-Maker is not precluded from relying on that Party or witness' statements.

Determinations of Responsibility

When the Decision-Maker makes a determination of responsibility or non-responsibility, the Decision-Maker will issue a written determination regarding responsibility, no later than 20 business days after the date that the hearing ends.

When making a determination regarding responsibility, a Decision-Maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-Maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-Maker will use the preponderance of the evidence standard. Thus,

after considering all the evidence it has gathered, the District will decide whether it is more likely than not that sexual harassment occurred.

The written determination will include:

- a. Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;
- b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation and gave notifications to the Parties. The determination will also state when, where, and the date the investigator interviewed the Parties and witnesses, conducted site visits, the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence and the date of any hearings held and who attended the hearing;
- c. Findings of fact supporting the determination. In making these findings, the Decision-Maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;
- d. Conclusions regarding the application of the District's code of conduct to the facts;
- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- f. A statement of, and rationale for, any disciplinary sanctions the District imposes on the Respondent;
- g. A statement of whether the District will provide the Complainant with remedies designed to restore or preserve equal access to the District's education program or activity;
- h. The District need not disclose to the Respondent remedies that do not affect him/her/them as part of the written determination. The District can inform the Respondent that it will provide remedies to the Complainant. However, the District will inform the Complainant of the sanctions against the Respondent;
- i. The District's procedures and permissible bases for the Complainant and Respondent to appeal.

The District will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the District provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be timely.

Disciplinary Sanctions and Remedies

The District must have completed the grievance procedures (investigation, hearing, and any appeal, if applicable) before the imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-Maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the District will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- a. Providing an escort to ensure that the Complainant can move safely between classes and activities;
- b. Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area;
- c. Providing counseling services or a referral to counseling services;
- d. Providing medical services or a referral to medical services;
- e. Providing academic support services, such as tutoring;
- f. Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
- g. Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for student Respondents include written or verbal reprimand, required training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, reduction in pay, demotion, suspensions, or discharge.

Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility

A Complainant or Respondent may appeal the District's determination regarding responsibility or the dismissal of a formal complaint or any allegations. A Complainant or Respondent must submit a written appeal within five business days from the date of the notice of determination regarding responsibility or from the date of the District's notice of dismissal of a formal complaint or any allegations.

Grounds for Appeal

The District Vice Chancellor for Academic Affairs or the College Vice President of Instruction will serve as the Decision-Maker on Appeal. In filing an appeal of the District's determination regarding responsibility or the District's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- a. A procedural irregularity affected the outcome;
- b. New evidence was not reasonably available at the time the District's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or
- c. The District's Title IX Coordinator, investigator, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

Appeal Procedure

If the Complainant or Respondent submit an appeal to the District, the District will:

- a. Notify the other Party in writing within five business days of receiving a Party's appeal;
- b. Allow the non-appealing Parties at least ten business days from the date of receipt of the appeal to submit a written statement in support of, or challenging, the outcome;

The appeal Decision-Maker will issue a written decision on whether to grant or deny the appeal, and the rationale for the decision, within 45 business days after the Decision-Maker on appeal receives the response to the appeal or the last day to provide a response. The District will provide the written decision simultaneously to both Parties.

The Decision-Maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the appeal Decision-Maker explaining the need for the extension and the proposed length of the extension. The Decision-Maker will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

Informal resolution

If the District determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

The District will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The District must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the District does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

Retaliation prohibited

The District prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

Dissemination of Policy and Procedures

The District will provide its policy and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining with the District.

When hired, employees are required to sign acknowledging that they have received the policy and procedures. The District will place the signed acknowledgment of receipt in each employee's personnel file.

Training

The District will provide training to Title IX Coordinators, investigators, Decision-Makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the District's education program or activities, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Any materials used to train the District's Title IX Coordinator, investigators, Decision-Makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

File retention

The District will retain on file for a period of at least seven years after closing the case copies of:

- a. The original report or complaint;
- b. Any actions taken in response to the complaint, including supportive measures;
- c. The investigative report including all evidence gathered and any responses from the Parties;
- d. The District's determination regarding responsibility;
- e. Audio or audiovisual recording or transcript from a hearing;
- f. Records of any disciplinary sanctions imposed on the Respondent;
- g. Records of any remedies provided to the Complainant;
- h. Any appeal and the result;
- i. Any informal resolution and the result; and
- j. All materials used to train Title IX Coordinators, investigators, Decision-Makers, and any person who facilitates an informal resolution process. The District will make these training materials publicly available on its website.

The District will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.

References:

20 U.S. Code Sections 1681 et seq.;
34 Code of Federal Regulations Parts 106.1 et seq.;
Education Code Section 67386

Approved by The Chancellor: January 5, 2021
Reviewed and approved by the Chancellor:

ADMINISTRATIVE PROCEDURE 3435 DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS

For sexual harassment under Title IX, Complainants must proceed under BP 3433 Prohibition of Sexual Harassment under Title IX, AP 3433 Prohibition of Sexual Harassment under Title IX, and AP 3434 Responding to Harassment Based on Sex under Title IX. For other forms of sexual harassment or gender-based harassment, Complainants should use this procedure.

NOTE: This Administrative Procedure will be applied in accordance with union Collective Bargaining Agreements (CBA)

I. Reporting and Filing Complaints

The law prohibits coworkers, supervisors, managers, and third parties with whom an employee comes into contact engaging in harassment, discrimination, or retaliation. Any person who has suffered harassment, discrimination, or retaliation or who has learned of harassment, discrimination, or retaliation may report harassment, discrimination, or retaliation. Complainants may have the option of filing an informal a complaint or formal complaint.

II. Informal Complaints

An informal complaint is any of the following: (1) a written allegation of harassment, discrimination, or retaliation that falls outside the timelines for formal complaint; or (2) a written complaint alleging harassment, discrimination, or retaliation filed by an individual who expressly indicates that he/she/they does not want to file a formal complaint.

Any person may submit an informal complaint to the college Vice President of Student Services (students) or the college Vice President of Instruction (employees) or any other District or college administrator. Administrators receiving an informal complaint shall immediately notify the Vice Chancellor of Human Resources and Employee Relations in writing of all pertinent information and facts alleged in the informal complaint.

Upon receipt of an informal complaint, the Vice Chancellor of Human Resources and Employee Relations will notify the person bringing the informal complaint of his/her/their right to file a formal complaint, if the incident falls within the timeline for a formal complaint, and explain the procedure for doing so. The Complainant may later decide to file a formal complaint, if within the timelines to do so. If the individual chooses not to file a formal complaint, or if the alleged conduct falls outside the timeline to file a formal complaint, the Vice Chancellor of Human Resources and Employee Relations shall consider the allegations contained in the informal complaint and determine the appropriate course of action. This may include efforts to informally resolve the matter, or a fact-finding investigation.

Investigation of an informal complaint will be appropriate if the Vice Chancellor of Human Resources and Employee Relations determines that the allegation(s), if proven true, would constitute a violation of the District policy prohibiting harassment, discrimination, or retaliation. The Vice Chancellor of Human Resources and Employee Relations will explain to any individual bringing an informal complaint that the Vice Chancellor of Human Resources and Employee Relations may decide to initiate an investigation, even if the individual does not wish the District to do so. The Vice Chancellor of Human Resources and Employee Relations shall not disregard any allegations of harassment, discrimination, or retaliation solely on the basis that the alleged conduct falls outside the deadline to file a formal complaint.

II. **Formal** Complaints

A **formal** complaint is a written or verbal statement filed with the District that alleges harassment, discrimination, or retaliation in violation of the District's Board Policies, Administrative Procedures, or a violation of state and federal law. **Formal** Complaints must be filed with the Vice Chancellor of Human Resources and Employee Relations unless the Party submitting the **Formal** Complaint alleges discrimination, harassment, or retaliation against the responsible District Officer, in which case it should be submitted directly to the Chancellor.

The District may request, but shall not require the Complainant to submit a **formal** complaint on the form prescribed by the State Chancellor. A copy of the form will be available at the college Office of Student Services, District Office of Human Resources, and the District/college web sites. A complainant shall report a verbal Complaint to the Vice President of Student Services, or the College President, or the Vice Chancellor of Human Resources. The Vice President of Student Services, the College President, or the Vice Chancellor of Human Resources will take steps to ensure the writing accurately reflects the facts alleged by the Complainant.

A **Formal** Complaint must meet each of the following criteria:

- It must allege facts with enough specificity to show that the allegations, if true, would constitute a violation of District policies or procedures prohibiting discrimination, harassment, or retaliation;
- The Complainant must file any **Formal** Complaint not involving employment within one year of the date of the alleged discriminatory, harassing, or retaliatory conduct or within one year of the date on which the Complainant knew or should have known of the facts underlying the allegation(s) of discrimination, harassment, or retaliation.
- The Complainant must file any **Formal** Complaint alleging discrimination, harassment, or retaliation in employment within 180 days of the date of the alleged discriminatory, harassing, or retaliatory conduct, except that this period shall be extended by no more than 90 days following the expiration of the 180 days if the Complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days.

If the **Formal** Complaint does not meet the requirements set forth above, the District Office of Employee Relations will promptly contact the Complainant and specify the defect. ~~If the sole defect is that the Formal Complaint was filed outside the applicable proscribed timeline, the Vice Chancellor of Human Resources and Employee Relations will handle the matter as an informal complaint.~~ If the Complainant is unable to fix the defect in the Complaint, the Vice President of Student Services shall consider the allegations contained in the Complaint and determine the appropriate course of action. This may include efforts to informally resolve the matter or a fact-finding investigation.

Who May File a **Formal Complaint:** Any student, employee, parent of a minor, or an individual with legal authority on behalf of a student or employee who believes the student or employee has been discriminated against or harassed by a student, employee, or third party in violation of this procedure and the related policy.

Where to File a **Formal Complaint:** A student, employee, parent of a minor, or an individual with legal authority on behalf of a student or employee who believes the student or employee has

been discriminated against or harassed in violation of these policy and procedures may make a complaint orally or in writing directed to the Vice President of Student Services, the College President, or the Vice Chancellor of Human Resources.

Complainants may but are not required to use the form prescribed by the Chancellor of the California Community Colleges. These forms are available from the District Office of Employee Relations, the District's Human Resources website, and at the State Chancellor's website.

III. Employment-Related Complaints

Complainants filing employment-related complaints shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

Any District employee who receives a harassment or discrimination complaint shall notify the Vice Chancellor of Human Resources and Employee Relations immediately.

IV. Filing a Timely Complaint: Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages anyone who believes they are being harassed or discriminated against, to file a complaint. The District also strongly encourages the filing of such complaints within 30 days of the alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate.

All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination; the existence of a hostile, offensive or intimidating work environment, and acts of retaliation.

The District will investigate complaints involving acts that occur off campus if they are related to an academic or work activity or if the harassing conduct interferes with or limits a student's or employee's ability to participate in or benefit from the school's programs or activities.

V. Communicating that the Conduct is Unwelcome

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

VI. Intake and Processing of the Complaint

Upon receiving notification of a harassment or discrimination complaint, the Vice Chancellor of Human Resources and Employee Relations shall:

- Consider whether the District can undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules; obtaining apologies; providing informal counseling, training, etc.
- Advise all Parties that he/she/they need not participate in an informal resolution of the complaint, as described above, and they have the right to end the informal resolution process at any time.
- Advise a student Complainant that he/she/they may file a complaint with the Office for Civil Rights of the U.S. Department of Education and employee complainants may file a Complaint with the Department of Fair Employment and Housing. All Complainants should be advised that they have a right to file a complaint with local

law enforcement, if the act complained of is also a criminal act. The District must investigate even if the Complainant files a complaint with local law enforcement. In addition, the District should ensure that Complainants are aware of any available resources, such as counseling, health, and mental health services. ~~The Vice Chancellor of Human Resources and Employee Relations shall also notify the State Chancellor's Office of the complaint.~~

- Take interim steps to protect a Complainant from coming into contact with an accused individual, especially if the Complainant is a victim of sexual violence. The Vice Chancellor of Human Resources and Employee Relations should notify the Complainant of his/her/their options to avoid contact with the accused individual and allow students to change academic situations as appropriate. For instance, the District may prohibit the accused individual from having any contact with the Complainant pending the results of the investigation. When taking steps to separate the Complainant and accused individual, the District shall minimize the burden on the Complainant. For example, it is not appropriate to remove complainants from classes or housing while allowing accused individuals to remain.

VII. Investigation

The Vice Chancellor of Human Resources and Employee Relations shall:

- Authorize the investigation of the Complaint, and supervise or conduct a thorough, prompt and impartial investigation of the complaint, as set forth below. Where the Parties opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. ~~In the case of a formal complaint,~~ The investigation will include interviews with the Complainant, the accused, and any other persons who may have relevant knowledge concerning the complaint. This may include victims of similar conduct.
- Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, or other unlawful discriminatory conduct, giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.

VIII. Investigation of the Complaint

The District shall promptly investigate every Complaint ~~of harassment or discrimination~~. No claim of workplace or academic harassment or discrimination shall remain unexamined. This includes Complaints involving activities that occur off campus and in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, on a District bus, or at a class or training program sponsored by the District at another location. The District shall promptly investigate complaints of harassment or discrimination that occur off campus if the alleged conduct creates a hostile environment on campus. The District shall notify the Complainant that the District will commence an impartial fact-finding investigation of the allegations contained in the complaint.

As set forth above, where the Parties opt for an informal resolution, the Vice Chancellor of Human Resources and Employee Relations may limit the scope of the investigation, as appropriate. The District will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is

essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the Complainant's age; whether there have been other harassment complaints about the same individual; and the accused individual's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the Complainant if it cannot maintain confidentiality.

IX. Investigation Steps

The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this policy shall have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the District's grievance procedures operate. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially.

Investigators will use the following steps: interviewing the Complainant(s); interviewing the accused individual(s); identifying and interviewing witnesses and evidence identified by each Party; identifying and interviewing any other witnesses, if needed; reminding all individuals interviewed of the District's no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved Parties; reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion. When the District evaluates the complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred.

X. Timeline for Completion

The District will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within 90 days of the District receiving the complaint.

XI. Cooperation Expected

All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a Complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed.

XII. Written Report

The results of the investigation of a complaint shall be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the Formal Complaint;
- A description of the procedural steps taken during the investigation, including individuals contacted and interviewed;
- A summary of the testimony provided by each witness including the complainant and any available witnesses identified by the Complainant in the complaint;
- An analysis of relevant evidence collected during the course of the investigation, including a list of relevant documents;

- A specific finding as to whether each factual allegation in the complaint occurred based on the preponderance of the evidence standard;
- A table of contents if the report exceeds ten pages and
- Any other information deemed appropriate by the District.

XIII. Confidentiality of the Process

Investigations are best conducted within a confidential climate. Therefore, the District does not reveal information about ongoing investigations except as necessary to fulfill its legal obligations. The District will keep the investigation confidential to the extent possible, but it cannot guarantee absolute confidentiality because release of some information on a “need-to-know-basis” is essential to a thorough investigation and to protect the rights of students and employee respondents during the investigation process and any ensuing discipline.

XIV. Administrative Determination

1. In any case not involving employment discrimination, within 90 days of receiving a complaint, the District shall complete its investigation and forward a copy or summary of the report, and written notice to the Complainant setting forth all of the following:
[NOTE: For cases involving employment discrimination, Title 5 only requires that a copy or summary of the report be provided to the Complainant. The District may, but is not required to, provide the report to the respondent in order to have a consistent process for addressing employment and non-employment discrimination claims.]
 - (a) The Chancellor or his/her/their designee’s determination as to whether discrimination occurred with respect to each allegation in the complaint based on the preponderance of the evidence standard;
 - (b) In the event a discrimination allegation is substantiated a description of actions taken, if any, to prevent similar acts of unlawful discrimination from occurring in the future;
 - (c) The proposed resolution of the complaint;
 - (d) The Complainant’s right to appeal to the District Board of Trustees and the California Community Colleges Chancellor’s Office; and
 - (e) In matters involving student sexual misconduct, the Respondent’s right to appeal to the District’s Board of Trustees any disciplinary sanction imposed upon the Respondent.
2. In any case involving employment discrimination, within 90 days of receiving a complaint, the District shall complete its investigation and forward a copy or summary of the report and written notice to the Complainant setting forth all the following:
 - (a) The Chancellor’s or his/her/their designee’s determination as to whether discrimination occurred with respect to each allegation in the complaint based on the preponderance of the evidence standard;
 - (b) If a discrimination allegation is substantiated, a description of actions taken, if any, to prevent similar acts of unlawful discrimination from occurring in the future;
 - (c) The proposed resolution of the complaint; and
 - (d) The complainant’s right to appeal to the District Board of Trustees and to file a complaint with Department of Fair Employment and Housing

. The District shall also provide the Respondent the following:

 - (a) The Chancellor or his/her/their designee’s determination as to whether unlawful discrimination occurred with respect to each allegation in the complaint based on the preponderance of the evidence standard;

(b) The proposed resolution of the complaint, including any disciplinary action against the Respondent; and

(c) In matters involving student sexual misconduct not subject to Title IX, the Respondent's right to appeal to the District's Board of Trustees any disciplinary sanction imposed upon the Respondent.

XV. Discipline for Student Sexual Misconduct Not Subject to Title IX (new section)

In a complaint involving student sexual misconduct not subject to Title IX, if a student Respondent is subject to severe disciplinary sanctions, and the credibility of witnesses was central to the investigative findings, the District will provide an opportunity for the student Respondent to cross-examine witnesses indirectly at a live hearing, either in person or by videoconference and a live hearing conducted by a neutral decision-maker other than the investigator. The District shall appoint a neutral third party to attend the hearing solely for the purpose of asking any questions to the witnesses. The neutral third party shall not be the student Respondent, the student Respondent's representative, or any individual charged with making a final determination regarding discipline. The student Respondent may submit written questions before and during the cross-examination, including any follow-up questions. The neutral third party asking questions shall not exclude any questions unless there is an objection to the question by any individual charged with making a final determination regarding discipline.

XVI. Discipline and Corrective Action

If harassment, discrimination or retaliation occurred in violation of the policy or procedure, the District shall take disciplinary action against the accused and any other remedial action it determines to be appropriate consistent with state and federal law. The action will be prompt, effective, and commensurate with the severity of the offense. Remedies for the complainant might include, but are not limited to:

1. providing an escort to ensure that the Complainant can move safely between classes and activities;
2. ensuring that the complainant and alleged perpetrator do not attend the same classes or work in the same work area;
3. preventing offending third parties from entering campus;
4. providing counseling services or a referral to counseling services;
5. providing medical services or a referral to medical services;
6. providing academic support services, such as tutoring;
7. arranging for a student-Complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
8. reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant being disciplined.

If the District imposes discipline, the nature of the discipline will not be communicated to the Complainant. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in harassment when the sanction directly relates to the Complainant; for example, the District may inform the Complainant that the harasser must stay away from the Complainant.

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

The District shall also take reasonable steps to protect the Complainant from further harassment, or discrimination, and to protect the Complainant and witnesses from retaliation as a result of communicating the complaint or assisting in the investigation.

The District will ensure that Complainants and witnesses know how to report any subsequent problems, and should follow-up with Complainants to determine whether any retaliation or new incidents of harassment have occurred. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all Parties to the extent possible without impeding the District's ability to investigate and respond effectively to the complaint.

If the District cannot take disciplinary action against the accused individual because the Complainant refuses to participate in the investigation, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

XVII. Appeals

If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision.

If the Complainant is not satisfied with the results of the administrative determination, he/she/they may, within 30 days, submit a written appeal to the Board of Trustees.

In a complaint involving student sexual misconduct not subject to Title IX, a Respondent who is not satisfied with the results of the administrative determination may submit a written appeal to the District's Board of Trustees within 30 days.

The Board shall review the original complaint, the investigative report, the administrative decision, and the appeal. The Board shall issue a final District decision in the matter within 45 days after receiving the appeal. A copy of the decision rendered by the Board shall be forwarded to the Complainant and the Respondent. The Complainant shall also be notified of his/her/their right to appeal this decision.

If the Board does not act within 45 days the administrative determination shall be deemed approved on the forty-sixth day and shall become the final decision of the District in the matter. The District shall promptly notify the Complainant and the Respondent of the Board's action, or if the Board took no action, that the administrative determination is deemed approved.

In any case not involving workplace discrimination, harassment, or retaliation, the complainant shall have the right to file a written appeal with the State Chancellor's Office within thirty days after the Board issued the final District decision or permitted the administrative decision to become final. Such appeals shall be processed pursuant to the provision of Title 5 Section 59350.

In any case involving employment discrimination, including workplace harassment, the complainant may, at any time before or after the issuance of the final decision of the District, file a complaint with the Department of Fair Employment and Housing.

XVIII. Remand

The California Community College Chancellor's Office may remand any matter to the District for any of the following reasons: to cure defects in the investigation or in procedural compliance; to consider new evidence not available during the investigation despite the Complainant's due diligence that would substantially impact the outcome of the investigation; or to modify or reverse a decision of the District's Board of Trustees based upon misapplication of an applicable legal standard or an abuse of discretion.

If the California Community College Chancellor's Office remands a matter to the District, the District shall take necessary action and issue a decision after remand within 60 days. In any case not involving employment discrimination, the Complainant may appeal the District's amended determination to the California Community College Chancellor's Office within 30 days by following the appeal procedures above.

XIX. Extension of Time

If the District is unable to comply with the 90-day deadline, the District may extend the time to respond by up to 45 additional days. An extension may be taken only once without permission from the California Community Colleges Chancellor's Office, and must be necessary for one of the following reasons:

- a need to interview a party or witness who has been unavailable;
- a need to review or analyze additional evidence, new allegations, or new complaints related to the matter; or
- to prepare and finalize an administrative determination.

The District shall send a written notice to the Complainant and to a Respondent who is aware of an investigation indicating the necessity of an extension, the justification for the extension, and the number of days the deadline will be extended. The District shall send this notice no later than 10 days prior to the initial time to respond.

The District may request additional extensions from the California Community Colleges Chancellor's Office after the initial 45-day extension. The District shall send a copy of the extension request to the Complainant and to a Respondent who is aware of an investigation. The Complainant and Respondent may each file a written objection with the California Community Colleges Chancellor's Office within 5 days of receipt.

XX. Disclosures to the California Community Colleges Chancellor's Office

Upon request of the California Community College's Chancellor's Office, the District shall provide copies of all documents related to a discrimination complaint, including the following: the original complaint, any investigative report unless subject to the attorney-client privilege, the written notice to the Complainant setting forth the results of the investigation, the final administrative decision rendered by the Board or indicating the date upon which the decision became final, and a copy of the notification to the Complainant of his/her/their appeal rights, the Complainant's appeal of the District's administrative determination, any other non-privileged documents or information the Chancellor requests.

The District shall provide to the California Community Colleges Chancellor's Office an annual report with the following information: the number of employment and non-employment discrimination complaints and informal charges received in the previous academic year; the number of complaints and informal charges resolved in the previous academic year; the number of complaints of unlawful discrimination received in the previous academic year, and the number

of those complaints that were sustained in whole or in part; and any other information requested by the Chancellor.

XXI. File Retention

The District will retain on file for a period of at least three years after closing the case copies of:

1. the original complaint;
2. the investigatory report;
3. the summary of the report if one is prepared;
4. the notice provided to the Parties, of the District's administrative determination and the right to appeal;
5. any appeal; and
6. the District's final decision.

For any appeal to the California Community Colleges Chancellor's Office, shall provide all relevant, non-privileges documents upon request of the Chancellor.

XXII. Dissemination of Policy and Procedures

District Policy and Procedures related to harassment will include information that specifically addresses sexual violence.

1. The procedures shall be published in all student, faculty, and staff handbooks, each college's catalog and schedule of classes. And other printed material deemed appropriate by each college's Vice President of Student Services.
2. The procedures also will be disseminated to students at each college's new student orientation and at periodic workshops to be scheduled by each college's Vice President of Student Services.
3. The procedures also will be disseminated to each faculty member, all members of the administrative staff and all members of the support staff both at the time of hire and at the beginning of each school year.
4. The procedures also shall be displayed in a prominent location in each college along with the other notices regarding the college's procedures and standards of conduct. A copy of the procedures shall be made available to any person expressing a verbal complaint about such matters.

XXIII. Training

By January 1, 2021, the District shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees at least one hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees and at least one hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees. All new employees must be provided with the training and education within six months of their assumption of his/her/their position. After January 1, 2021, the District shall provide sexual harassment training and education to each employee once every two years. An employee who received this training and education in 2019 is not required to have a refresher until after two years thereafter.

The training and education required by this procedure shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment, a review of "abusive conduct," and harassment based on gender identity, gender expression, and sexual orientation. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge

and expertise in the prevention of harassment, discrimination, and retaliation. Supervisor's harassment training also must address potential exposure and liability for employers and individuals, supervisor's obligation to report sexual harassment, discrimination, and retaliation when they become aware of it, appropriate remedial measures to correct harassing behavior.

The District will maintain appropriate records of the training provided, including the names of the supervisory employees trained, the date of training, sign-in sheets, copies of all certificates of attendance or completion issued, the type of training provided, a copy of all written or recorded training materials, and the name of the training provider. If the training is provided by webinar, the District will maintain a copy of the webinar, all written materials used by the training and all written questions submitted during the webinar, and document all written response or guidance the trainer provided during the webinar. The District will retain these records for at least two years.

The District will also provide training to students who lead student organizations. The District should provide copies of the sexual harassment policies and training to all District law enforcement unit employees regarding the grievance procedures and any other procedures used for investigating reports of sexual violence. Participation of faculty in such training is strongly encouraged, but is not mandatory, except when required by law.

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

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

XXIV. Education and Prevention for Students

In order to take proactive measures to prevent sexual harassment and violence toward students, the District will provide preventive education programs and make victim resources, including comprehensive victim services, available. The District will include such programs in their orientation programs for new students, and in training for student athletes and coaches. These programs will include discussion of what constitutes sexual harassment and sexual violence, the District's policies and disciplinary procedures, and the consequences of violating these policies. A training program or informational services will be made available to all students at least once annually.

The education programs will also include information aimed at encouraging students to report incidents of sexual violence to the appropriate District and law enforcement authorities. Since victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of District or campus rules were involved, the District will inform students that the primary concern is for student safety and that use of alcohol or drugs never makes the victim at fault for sexual violence. If other rules are violated, the District will address such violations separately from an allegation of sexual violence.

NOTE: DFEH Regulations require any employer whose workforce contains 10 percent or more of persons who speak a language other than English as their spoken language to translate its harassment, discrimination, and retaliation policies into every language that is spoken by at least 10 percent (10%) of the workforce. In order to comply with this requirement, Districts should translate BP 3410 Nondiscrimination, BP 3430 Prohibition of Harassment, AP 3410 Nondiscrimination, AP 3430 Prohibition on Harassment, and AP 3435 Discrimination and Harassment Complaints and Investigations into any applicable languages.

References:

Education Code Section 212.5, 66281.5 and 67386
Government Code Section 12950.1;
Title 5 Sections 59320, 59324, 59326, 59328, and 59300 et seq.;
Title 2 sections 11023 and 11024
20 U.S. Code Sections 1681 et seq.
34 Code of Federal Regulations Section 106.8(b)

Approved by the Chancellor: June 14, 2016
Revised and approved by the Chancellor: December 12, 2017
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Revised and approved by the Chancellor: April 5, 2021
Revised and approved by the Chancellor:

ADMINISTRATIVE PROCEDURE 4026

Philosophy and Criteria for Study Abroad Education

The Peralta Community College District (PCCD) creates opportunities for students to study abroad through faculty-led programs. Instructors interested in proposing a study abroad course should consult with their department chairperson, who will in turn ask permission from the division Dean. Upon approval of division Dean and Vice President of Instruction (VPI), a proposal must be submitted to the Office of International Education no less than twelve (12) months in advance of the projected departure date. All proposals submitted will be forwarded to the Vice Chancellor of Educational Services for approval as well. The proposal form can be retrieved at the Office of International Education. When a course for study abroad is approved, it is for students at all four of the colleges in the district. More information can be found on the PCCD Study Abroad website at web.peralta.edu/international/study-abroad.

I. Philosophy

Study abroad education should encourage programs that support learning about other cultures, global issues, and the exchange of Californians and international students and scholars, such as providing opportunities for students in all majors to participate in study abroad programs to enrich their academic training, perspectives, and personal development.

II. Criteria for Program Development/Implementation

1. Courses to be offered on a study abroad program must be listed in the PCCD Schedule of Classes during the academic term for which the program is being offered. All courses must comply with all PCCD policies and regulations.
2. The faculty leader must provide mandatory pre-departure orientation sessions. These sessions will cover academic and cultural information, safety precautions, and student code of conduct, and medical insurance information, so that students are well-informed and fully prepared to participate in the program.
3. The faculty leader must include relevant cultural activities to significantly enhance the educational experience where the program is offered.
4. The faculty leader must adhere to established planning timelines.
5. Any full-time or part-time faculty employed by PCCD may propose a study abroad program.
6. The suggested criteria for faculty assignment are as follows:
 - a. Subject matter expertise as required by the program of study;
 - b. The variety of courses a faculty member is able to teach (when appropriate);
 - c. Demonstrated ability to work in unfamiliar conditions and under often severe time constraints;
 - d. Adaptability, flexibility, and self-sufficiency;
 - e. Previous experience leading or participating in study abroad programs and/or demonstrated participation in study abroad facilitation training and preparation;
 - f. Level of familiarity with host country, including language and culture; and
 - g. Other criteria as deemed appropriate by division Dean or VPI.

7. Risk and Safety Factors - For each program, an official decision will be made 120 days before departure if it will be offered or not based on safety factors which include, but are not limited to:

- a. Department of State Travel Warnings
- b. CDC Travel Advisories

III. Proposal for Establishing a Study Abroad Program

1. All faculty leaders must fill out a Proposal for Establishing a Study Abroad Program no less than twelve (12) months in advance of the projected departure date. The proposal form can be retrieved at the Office of International Education's [Study Abroad website](#).

2. Recommended Timeline for Faculty

- a. Meet with International Services Manager to discuss location, possible course offering, and tentative dates (19 months before)
- b. Faculty creates study abroad proposal with identified course (17 months before)
- c. Proposal submitted to Office of International Education for first review along with estimated budget, itinerary, syllabus, course offering, contact hours and Student learning outcomes (SLO). Begin working on plans and logistics with third party provider on how the program will be offered (16 months before)
- d. Proposal submitted to Dean and Vice President of Instruction for approval. Faculty assignments will be scheduled by the college administration in consultation with the department chairperson and the individual faculty member. (15 months before)
- e. Program details finalized including total costs, flights, lodging, payment deadlines, insurance and visas. Begin promotion on website and flyers with estimated budget for students (12 months before)

3. The proposal must contain the following:

- a. Faculty Profile;
- b. Signature of [approval from](#) division Dean and VPI;
- c. Location (Country);
- d. Semester offered (or summer study abroad);
- e. Length of program;
- f. Course offerings;
- g. Minimum number of students needed and maximum number possible;
- h. Requirements of acceptance (e.g. GPA, prerequisites, etc.);
- i. Suggested instructors;
- j. Relationship to PCCD curriculum;
- k. Method for evaluation; and
- l. Calendar (Travel dates, starting/ending dates)

~~4. Proposals must first be reviewed and approved in concept by the appropriate department chair.~~

~~5. Upon department approval, the proposal should be forwarded for approval to the division~~

Dean and VPI.

6. All signed proposals need to be submitted to the PCCD Office of International Education.
7. Submitted proposals will be forwarded to the Vice Chancellor of Educational Services for approval.
8. After the proposal form is approved, the faculty leader, third-party provider, will work with the Office of International Education, and/or college administration to finalize the program details, logistics and budget listed below: will discuss the following areas of concern:
 - a. Accommodations, such as transportation system, to be used to and from the USA to host country, as well as within the country;
 - b. Detailed information about housing and meal plan/s to be provided for students;
 - c. Insurance and liability;
 - d. Group activities/excursions;
 - e. Method and frequency of course evaluation;
 - f. Funding for instruction and student fee structure;
 - g. Timeline for course development for study abroad; and
 - h. Other issues related to the development and marketing of the program

IV. Student-Participation Program Requirements

1. Students must be at least 18 years old to participate in the programs. Students under the age of 18 may be allowed to participate at the discretion of the faculty, division Dean and VPI. If approval is obtained, the minor student must have a parent or legal guardian also participate in the program as a student, and both must remain together at all times for the duration of the program.
2. Prerequisites for courses taught as part of a PCCD study abroad program will be enforced. (Catalog and schedule of classes contain prerequisite information.)
3. In addition to completing the Pre-Travel Study Abroad Information Form, students will need to read, sign and submit the following documents to studyabroad@peralta.edu in order to be accepted to the program
 - a. Payment/Refund Terms and Conditions
 - b. Assumptions of Risks
 - c. Waiver and Release Agreement for International Travel
 - d. Standards of Student Conduct
 - e. A completed and signed ADD Card
 - f. Copy of Passport
4. Prior to departure, each student will also need to: students must submit the following documents to the faculty leader:
 - Apply to the college and obtain a Student ID (if they do not have one already)

- Apply for a Passport (if they do not have one already) or renew passport (if not valid for at least 6 months before travel is scheduled)
- Make program payments by deadlines
- Register and pay for course
- Attend mandatory pre-departure orientations
- Register with U.S. Department of State Smart Traveler Enrollment Program (STEP)
- Obtain proper immunizations as listed on CDC website and check with physician for health concerns
- ~~Waiver and Release Agreement for International Travel;~~
- ~~Assumption of Risk Form;~~
- ~~Emergency Contact Information;~~
- ~~Personal Health History;~~
- ~~Proof of Travel Insurance;~~
- ~~Other documents required by faculty leader and/or third-party provider~~
-

~~5. It is required that all students who participate in the program must be registered in the PCCD class/course associated with the program. Information about registration (and admission, if applicable) will be provided to students by the faculty leader.~~

5. Students interested in financial aid will be referred to the Financial Aid Office. A student's enrollment in a program of study abroad approved for credit by PCCD may be considered enrollment for the purpose of applying for assistance under Title IV. Title IV financial aid is federally funded aid such as Federal Pell Grant, Federal Supplemental Educational Opportunity Grant (SEOG), Federal Perkins Loan, Federal Subsidized and Unsubsidized Direct Loans.

~~6. The residence status of international students shall be the responsibility of the student and not the college.~~

~~7. Minors, except those enrolled in the program and accompanied by a parent or legal guardian also participating in the program, are not eligible to participate.~~

V. Fiscal Policies

A. ~~Third-Party Providers~~

~~1. All faculty leaders are encouraged to use third-party providers for provision of non-instructional services and activities.~~

~~2. Third-party providers may be responsible for the following:~~

- a. Supervise, plan, process and otherwise assist with the program;
- b. Ensure that participants' applications are processed and that participants are kept updated regarding logistics until the return date, including cancellation fees, other restrictions and additional costs;
- c. Promptly respond to participant inquiries;
- d. Ensure PCCD receives invoices and receipts related to the program that PCCD will need to reflect payment and other expenses associated with the program;
- e. Prepare and send out all literature pertaining to the participants' arrangements to a

~~f. Organize the travel (e.g. air and ground transportation and hotel accommodations) portion of the program in collaboration with on the ground contacts, as well as PCCD contacts, and monitor terrorism, severe weather and disease alerts, including as published by the United States Department of Homeland Security, the National Weather Service and the World Health Organization, respectively;~~

~~h. Arrange other accommodations as necessary~~

e. ~~Certificates of Insurance. Upon request, each party shall furnish the other with certificates of insurance evidencing compliance with all requirements. In addition, upon execution of the program agreement, the third-party provider will provide a copy of the certificate of insurance reflecting the coverage required.~~

~~6. After a final agreement with the third party provider has been “approved as to form” by the PCCD Office of General Counsel, it must be signed by the third party provider, College President, Director of International Services and Student Support and the Chancellor.~~

3. Students will be required to sign the "Study Abroad Payment/Refund Terms and Conditions" document outlining all refund penalties. These documents shall be submitted electronically to the Office of International Education.
4. For programs utilizing a third-party provider, students will need to abide by their refund policies.

~~1. These procedures shall include specification of all refund penalties and shall be distributed to students as part of the terms and conditions document to be signed by them.~~

C. Collection of Funds

1. Upon establishment of the program, it will be determined if All funds will be collected by the Office of International Education or third-party provider or faculty leader. Payments will be made out to travel agent/provider, Peralta Community College District or Peralta Colleges Foundation (Study Abroad Managed Fund). Checks cannot be made directly out to the faculty, and it is not recommended to collect cash from students.
2. Receipts are to be returned for all payments. Those collecting payments from students must issue a receipt to the student.
3. In addition to program fees, S-students will be required to pay state mandated enrollment fees through the PASSPORT system.

VI. Tours Not Approved Through the College

Faculty leading tours not approved through this process shall not use any college materials, staff, or equipment in the promotion or operation of the tour. Further, the name of the college shall not be used in any way. If the faculty member refers to him/herself as a Peralta College instructor, there must be a disclaimer stating that the Study Abroad Program has no affiliation with the college.

References:

Education Code Section 66015.7

Approved by the Chancellor: October 21, 2015

ADMINISTRATIVE PROCEDURE 5015 RESIDENCE DETERMINATION

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

1. A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.
2. Residence classification is the responsibility of ~~the District Office of Student Services~~ **Student Services at the College and/or District Admissions and Records**. Initial residence classification is determined by the District Office of Admissions and Records through a student's self-reporting in Open CCC (online admission application).
3. The Colleges shall publish the District's residence determination date and summary of the rules and regulations governing residence determination and classification in the college catalogs or addenda.
4. A student seeking to enroll exclusively in career development and college preparation courses, and other courses for which no credit is given, shall not be subject to this residency classification requirement.

B. Definition of Residence.

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

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

1. Every person who is married or eighteen years of age, or older, and under no legal disability to do so, may establish residence.
2. A person may have only one residence.
3. A residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose and to which one returns in seasons of repose.
4. A residence cannot be lost until another is gained.
5. The residence can be changed only by the union of act and intent.
6. A man or a woman may establish his or her residence. A woman's residence shall not be derivative from that of her husband.
7. The residence of the parent with whom an unmarried minor child maintains his/her place of dwelling is the residence of the unmarried minor child. When the minor lives with neither parent, the minor's residence is that of the parent with whom the last place of dwelling was maintained, provided the minor may establish his/her residence when both parents are deceased and a legal guardian has not been appointed.

8. The residence of an unmarried minor who has a parent living cannot be changed by the minor's own act, by the appointment of a legal guardian, or by relinquishment of a parent's right of control.

D. Determination of Resident Status. A resident is a student who has been a bona fide resident of the state for one year prior to the residence determination date. A bona fide resident is a person whose residence is in California as determined above except:

1. A student who is a minor and remains in this state after the parent, who was previously domiciled in California and has established residence elsewhere, shall be entitled to retain resident classification until attaining the age of majority and has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at an institution.
2. A student who is a minor and who provides evidence of being entirely self-supporting and actually present in California for more than one year immediately preceding the residence determination date with the intention of acquiring a residence therein, shall be entitled resident classification until he/she has resided in the state the minimum time necessary to become a resident.
3. A student who has not been an adult for one year immediately preceding the residence determination date for the semester for which the student proposes to attend an institution shall have the immediate pre-majority-derived California residence, if any, added to the post-majority residence to obtain the one year of California residence.
4. A student holding a valid credential authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the college year in which the student enrolls in an institution, shall be entitled to resident classification if each student meets any of the following requirements:
 - a. He/she holds a provisional credential and is enrolled in courses necessary to obtain another type of credential authorizing service in the public schools.
 - b. He/she holds a credential issued pursuant to Education Code Section 44250 and is enrolled in courses necessary to fulfill credential requirements.
 - c. He/she is enrolled in courses necessary to fulfill the requirements for a fifth year of education prescribed by subdivision (b) of Education Code Section 44259.
 - d. A student holding a valid emergency permit authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the academic year in which the student enrolls at an institution in courses necessary to fulfill teacher credential requirements, is entitled to resident classification only for the purpose of determining the amount of tuition and fees for no more than one year. Thereafter, the student's residency status will be determined under the other provisions of this procedure.
5. A student who is a full-time employee of the California State University, the University of California or a community college, or of any state agency or a student who is a child or spouse of a full-time employee of the California State University, the University of California or a community college, or of any state agency may be entitled to resident classification, until the student has resided in the state the minimum time necessary to become a resident.
6. A student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty and is in attendance at, or has been admitted to the District shall be entitled to resident classification. If the member of the armed forces of the United States later transferred on military orders to a place outside this state, or retires as an active member of the armed forces of the United States, the student

dependent shall not lose his or her resident classification so long he/she remains continuously enrolled in the District.

7. A student who is a member of the armed forces of the United States stationed in this state, except a member of the Armed Forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees. If the student later transfers on military orders to a place outside this state, the student shall not lose his or her resident classification, so long as he or she remains continuously enrolled in the District.
8. A veteran who was discharged or released from at least 90 days of active service less than three years before the date of enrollment in a course commencing on or after July 1, 2015, and his/her dependents, regardless of the veteran's state of residence is entitled to resident classification.
9. An individual who is the child or spouse of a person who, on or after September 11, 2001, died in the line of duty while serving on active duty as a member of the Armed Forces who resides in California.
10. An individual who is entitled to transferred Post-9/11 GI Bill program benefits by virtue of their familial relationship to a member of the uniformed services who is serving on active duty.
11. A student who is a minor and resides with his or her parent in a district or territory not in a district shall be entitled to resident classification, provided that the parent has been domiciled in California for more than one year prior to the residence determination date for the semester, quarter or term for which the student proposes to attend.
12. A student who is a Native American is entitled to resident classification for attendance at a community college if the student is also attending a school administered by the Bureau of Indian Affairs located within the community college district.
13. A student who is a federal civil service employee and his or her natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.
14. A student who resides in California and is 19 years of age or under at the time of enrollment, who is currently a dependent or ward of the state through California's child welfare system, or was served by California's child welfare system and is no longer being served either due to emancipation or aging out of the system, may be entitled to resident classification until he/she has resided in the state the minimum time necessary to become a resident.
15. A student who lives with a parent who earns a livelihood primarily by performing agricultural labor for hire in California and other states, and the parent has performed such labor in this state for at least two months per year in each of the two preceding years, and the parent resides in this District and the parent of the student has claimed the student as a dependent on his state or federal personal income tax return if he/she has sufficient income to have personal income tax liability shall be entitled to resident classification.
16. Students who attended high school or adult evening high school in California for three or more years or a combination of high school and elementary or secondary school and graduated from a California high school or attained the equivalent thereof. In the case of a person without lawful immigration status, the student must file an affidavit with the institution of higher education stating that the student has filed an application to legalize his or her immigration status, or will file an application as soon as he or she is eligible to do so. (Education Code 68130.5).

17. A student demonstrates financial need, has a parent who has been deported or was permitted to depart voluntarily, moved abroad as a result of that deportation or voluntary departure, lived in California immediately before moving abroad, attended a public or private secondary school in the state for three or more years, and upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District saying that he or she intends to establish residency in California as soon as possible.
18. A student who has a special immigrant visa that has been granted status under Section 1244 of Public Law 110-81 or under Public Law 109-163, or is a refugee admitted to the United States under Section 1157 of Title 8 of the United States Code, and who upon entering the United States settled in California, shall be exempted from paying the nonresident tuition fee required by Section 76140 for the length of time he/she lives in this state up to the minimum time necessary to become a resident.

E. Right To Appeal. Students who have been classified as non-residents have the right to a review of their classification (Title 5 Section 54010 (a)). Any student, following a final decision of residence classification by the Office of Admissions and Records, may make written appeal to **Student Services at the College and/or District Admissions and Records** ~~the Associate Vice Chancellor of Student Services~~ within 30 calendar days of notification of final decision by the college regarding classification.

F. Appeal Procedure.

1. The appeal is to be submitted to **Student Services at the College and/or District Admissions and Records** ~~District Office of Student Services~~. Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.
2. The appeal will be forwarded to **Student Services at the College and/or District Admissions and Records** ~~Associate Vice Chancellor of Student Services~~ within five working days of receipt by the office.
3. **Student Services at the College and/or District Admissions and Records** ~~Associate Vice Chancellor of Student Services~~ shall review all the records and have the right to request additional information from either the student or the District Office of Admissions and Records.
4. Within 30 calendar days of receipt, **Student Services at the College and/or District Admissions and Records** ~~the Associate Vice Chancellor of Student Services~~ shall send a written determination to the student. The determination shall state specific facts on which the appeal decision was made.

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

1. Petitions for reclassification are to be submitted to **Student Services at the College and/or District Admissions and Records** ~~District Office of Student Services~~.
2. Petitions must be submitted prior to the semester for which reclassification is to be effective. Extenuating circumstances may be considered in cases where a student failed to petition for reclassification prior to the residency determination date. In no case, however, may a student receive a non-resident tuition refund after the date of the first census.

3. Written documentation may be required of the student in support of the reclassification request.
 4. A questionnaire to determine financial independence must be submitted with the petition for reclassification. Determination of financial independence is not required for students who were classified as non-residents by the University of California, the California State University, or another community college District (Education Code Section 68044).
 5. A student shall be considered financially independent for purposes of residence reclassification if the applicant meets all of the following requirements:
 - a. Has not and will not be claimed as an exemption for state and federal tax purposes by his/her parent in the calendar year the reclassification application is made and in any of the three calendar years prior to the year the reclassification application is made;
 - b. Has not and will not receive more than seven-hundred fifty dollars (\$750) per year in financial assistance from his/her parent in the calendar year the reclassification application is made and in any of the three calendar years prior to the reclassification; and
 - c. Has not lived and will not live for more than six weeks in the home of his/her parent during the calendar year the reclassification application is made and in any of the three calendar years prior to the reclassification application.
 6. A student who has established financial independence may be reclassified as a resident if the student has met the requirements of Title 5 Sections 54020, 54022, and 54024.
 7. Failure to satisfy all of the financial independence criteria listed above does not necessarily result in denial of residence status if the one year requirement is met and demonstration of intent is sufficiently strong.
 8. Financial dependence in the current or preceding calendar year shall weigh more heavily against finding California residence than financial dependence in the preceding second and third calendar years. Financial dependence in the current or preceding calendar year shall be overcome only if
 - (1) the parent on whom the student is dependent is a California resident, or (2) there is no evidence of the student's continuing residence in another state.
 9. The Associate Vice Chancellor of Student Services will make a determination, based on the evidence and notify the student not later than 14 days of receipt of the petition for reclassification.
 10. Students have the right to appeal according to the procedures above.
- H. Non-Citizens.** The District will admit any non-citizen who is 18 years of age or a high school graduate. If non-citizens are present in the United States illegally or with any type of temporary visa, they will be classified as non-residents and charged non-resident tuition unless they meet the exceptions contained below.
1. If, for at least one year and one day prior to the start of the semester in question, a non-citizen has possessed any immigration status that allows him/her to live permanently in the United States and she or he meets the California residency requirements, the student can be classified as a resident.
 2. Any students who are US citizens, permanent residents of the US, and aliens who are not nonimmigrants (including those who are undocumented) may be exempt from paying nonresident tuition if they meet the following requirements:
 - a. Total attendance of or attainment of credits earned while in California equivalent to

three or more years of fulltime attendance or attainment of credits at any of the following:

- (i) California high schools;
- (ii) California high schools established by the State Board of Education;
- (iii) California adult schools established by either a county office of education, unified or high school district, or the Department of Corrections and Rehabilitation.
- (iv) campuses of the California community colleges, or
- (v) a combination thereof.

b. Additionally the following must be met;

- (i) Graduation from a California high school or attainment of the equivalent thereof; or
- (ii) completed an associate degree from a California Community College, or
- (iii) completed the minimum requirements at a California Community College or
- (iv) the minimum requirements at a California Community College or
- (i) fulfill the minimum transfer requirements established for the University of California or the California State University for students transferring from a campus of the California Community Colleges.

c. registration or enrollment in a course offered by any college in the district for any term commencing on or after January 1, 2002;

d. completion of a residence questionnaire prescribed by the Chancellor and furnished by the District, verifying eligibility for this nonresident tuition exemption; and

e. in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he or she is eligible to do so.

Documents and information obtained in implementing this exemption are confidential.

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

References:

Education Code Sections 68000 et seq., 68130.5, and 68074-68075.7

Title 5 Sections 54001 et seq., 51412; 68130.5

38 U.S. Code Section 3679

Approved by the Chancellor: November 1, 2012

Revised and approved by the Chancellor: June 15, 2015

Revised and approved by the Chancellor: October 21, 2015

Revised and approved by the Chancellor: February 11, 2016

Revised and approved by the Chancellor: March 28, 2018

Revised and approved by the Chancellor: November 16, 2018

Revised and approved by the Chancellor: December 6, 2019

Revised and approved by the Chancellor:

ADMINISTRATIVE PROCEDURE 5020 NONRESIDENT TUITION**A. Nonresident Tuition Payment for Out-of-State and International Students**

Nonresident students of California are required to pay tuition which is established by the Board of Trustees according to Education Code, no later than February 1 of each year to be effective the following fall semester. Nonresident students who are both citizens and residents of a foreign country are required to pay an additional amount per unit, called a capital outlay fee, which is calculated on the amount expended by the Peralta Community College District for capital outlay in the preceding year divided by the total full-time equivalent students.

The nonresident tuition fee is to be set no later than March 1 of each year.

B. Military Exemption

(1) A nonresident member of the Armed Forces of the United States stationed in California (except those assigned for education purposes to state-supported institutions of higher education) and their eligible dependents are exempt from paying nonresident tuition until they are no longer stationed in California or discharged from their military service.

(2) A nonresident member of the Armed Forces of the United States stationed in California on active duty for more than one year immediately prior to being discharged shall be exempt from paying nonresident tuition for up to one year (the one-year exemption shall be used by the student within two years of being discharged) if he or she files an affidavit stating that he or she intends to establish residency in California as soon as possible.

(3) A student or prospective student and their eligible dependents who are using, or are intending to use "GI Bill education benefits" shall be exempt from paying nonresident tuition while enrolled as a student.

Former members of the Armed Forces of the United State who received a dishonorable or bad conduct discharge shall not be eligible for an exemption.

See also AP 5015 Residence Determination.

C. High School Graduate Exemption (AB 540)

Any student, other than non-immigrant aliens under 8 U.S. Code Section 1101(a)(15), who meet the following requirements are exempt from nonresident tuition:

- (1) High School attendance in California for three or more years or a combination of high school and elementary or secondary school;
- (2) Graduation from a California high school or attainment of the equivalent;
- (3) Registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
- (4) Completion of a questionnaire form prescribed by the State Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
- (5) In the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so.

See also AP 5015 Residence Determination

D. September 11, 2011 Exemption

If an individual who was killed in the terrorist attacks on the World Trade Center in New York City, the Pentagon in Washington, D.C., or the crash of United Airlines Flight 93 was a resident of California on September 11, 2001 or if his/her dependent was a resident on that date and if he/she meets the financial need requirement of the Cal Grant A Program, the dependents of this individual may be exempt from

nonresident tuition. If the dependent is a spouse, the exemption applies until January 1, 2013. If the dependent is a child, the exemption applies until the person reaches the age of 30.

E. Special Part-Time Student Exemptions (SB 150)

Nonresident special part-time students (e.g. concurrently enrolled high school students) may be exempted from the requirement to pay nonresident tuition for credit courses during any semester or term in which he/she is enrolled in 11.5 or fewer units. This exemption does not apply to special full-time students. This exemption does not apply to categories of students who would be precluded from qualifying for the AB 540 nonresident tuition exemption. The District is not authorized to claim apportionment funding for students exempted under this provision. Students exempted under this provision do not receive resident status for the purpose of financial aid (SB 150).

This also applies to a special part-time student, other than a nonimmigrant alien under 8 U.S. Code Section 1101(15)(a), participating in a College and Career Access Pathways (CCAP) partnership program and enrolled in no more than 15 units per term.

F. U.S. Citizen Who Resides in a Foreign Country Exemption (SB 141)

The District shall exempt from nonresident tuition a student who is a U.S. citizen and who resides in a foreign country if that student meets the following requirements:

- (1) Demonstrates a financial need for exemption;
- (2) Has a parent or guardian who has been deported or was permitted to depart voluntarily under the federal immigration and Nationality Act;
- (3) Moved abroad as a result of the deportation or voluntary departure;
- (4) Lived in California immediately before moving abroad;
- (5) Attended a public or private secondary school in California for three or more years;
- (6) Upon enrollment, will be in his/her first academic year as a matriculated student in California public higher education;
- (7) Will be living in California and will file an affidavit with the community college stating that he/she intends to establish residency in California as soon as possible; and
- (8) Documentation shall be provided by the student as required by statute as specified in Education Code 76140 (a)(5).

This also applies to nonimmigrant aliens granted "T" or "U" visa status under title 8 U.S. Code Section 1101(a)(15)(T)(i) or (ii), or section 1101(a)(15)U(i) or (ii).

Districts are authorized to claim state apportionment for enrollment of students exempted under this provision. Students exempted under this provision do not receive resident status for the purpose of financial aid (SB 1414)

G. Additional Considerations

- A requirement that the nonresident tuition fee be set not later than March 1 of each year.
- A requirement that the calculation reflect the current expense of education calculated according to the Budget and Accounting Manual.
- Exemptions, if any, due to reciprocity with bordering states.
- Processing fees, if any, for international students.
- A requirement that the calculation include the expense of education in the preceding fiscal year.
- A requirement that the calculation reflect fees in contiguous Districts.
- A requirement that the calculation provide for students enrolled in more or less than 15 units per term.
- A requirement that a notice listing persons exempt from paying nonresident tuition be posted on the District's website.

Also see AP 5015 Residence Determination.

H. Nonresident Tuition Refund Procedure: Refunds are granted under the current refund policy.

There is a requirement that a notice listing persons exempt from paying nonresident tuition be posted on the District's website.

References:

Education Code Sections 68130.5 and 76140 et seq.;
Title 5 Section 54045.5

Approved by the Chancellor: October 12, 2015

Revised and approved by the Chancellor: December 12, 2017

Revised and approved by the Chancellor: November 18, 2019

Revised and approved by the Chancellor:

ADMINISTRATIVE PROCEDURE 5030 STUDENT FEES**I. Campus Center Use**

- A. In accordance with California Education Code Section 76375, the Peralta Community College District may establish a Campus Center use fee to students for the purpose of operating a student body center.
- B. The current fee is \$2 per semester per campus.
- C. In accordance with Title 5, section 58510, the fee is subject to change only after a favorable vote of two-thirds of the students voting in a student election.
- D. Students exempt from the Campus Center Use fee include:
 - 1. Student enrolled in non-credit courses
 - 2. Recipients of Temporary Assistance to Needy Families (TANF), SSI/SSP, or general assistance.
 - 3. Contract education students enrolled in non-apportionment courses.
 - 4. All special admit students (see AP 5011);
- E. This fee is refundable if the student drops all units on or before the last day to drop regular session credit classes.

II. Student Representation Fee (Education Code Section 76060.5; Title 5, 54805)

- A. A student representation fee of \$2 per College, per semester, for each enrolled student, shall be used to provide support for student governmental affairs representation (\$1) and for the Student Senate of the California Community Colleges (\$1). A student may refuse to pay the fee for religious, political, financial, or moral reasons and shall submit such refusal in writing. The Chief Business Officer of the District shall have custody of the money collected pursuant to the Education Code, and the money shall be disbursed for the purposes described above upon the order of the Associated Student Government. The student representation fee authorized by Education Code may be terminated by a majority vote of the students voting in an election held for that purpose. The election shall be called and held in compliance with regulations of the Board of Governors of the California Community Colleges and shall be open to all regularly enrolled students of the community college.
- B. Students exempt from the Student Representation Fee include:
 - 1. Special admit students (see AP 5011).
 - 2. Students who are only enrolled in non-credit courses.
- C. This fee is refundable on or before the last day of the term for which the fee is charged.

III. Capital Outlay

- A. In accordance with California Education Code Section 76141, the Peralta Community College District may establish a Capital Outlay fee for students who are not California Residents. As of Fall 2018 the fee is \$7 per unit.
- B. This fee is refundable if the student drops all units on or before the last day to drop regular session credit classes. There will be no refunds after this date.

IV. Enrollment

- A. In accordance with California Education Code Section 76300 and 76300.5; Title 5 Sections 58500 and 58509, students enrolling at the Peralta Community College District will be charged an enrollment fee as established periodically by the State of California.
- B. The current fee is \$46 per unit. The fee is subject to change by the state legislature and applies to credit courses only.
- C. Students exempt from the Enrollment fee include:
 - 1. Students who meet the criteria for the California College Promise Grant and Special admit-students (see AP 5011);
 - 2. Student enrolled in an approved apprenticeship program;
 - 3. Contract education students enrolled in non-apportionment courses; and
 - 4. Students who are only enrolled in non-credit courses.

- D. This fee is refundable if the student drops on or before the last day to drop regular session credit classes.
- E. Students who fail to pay the enrollment fee or non-resident tuition by two weeks before the semester start date shall be dropped from their classes for non-payment of fees. Students who enroll in classes subsequent to two weeks before the semester start date, but do not pay the enrollment fee, will be subject to the penalties described in Board Policy 5035 as of the first day of classes. The only possible exemptions from the mandatory drop and/or penalties for non-payment are listed in section IV.C above and section XII below.
- F. The Vice Chancellor of Finance and Administration is authorized to participate in the state Chancellor's Tax Offset Program (COTOP) in order to recover outstanding student debts.

V. Health Fee

- A. In accordance with California Education Code Section 76955, the Peralta Community College District may establish a student health fee.
- B. The current fee is \$18 per Fall and Spring semester and \$15 per Summer semester. The fee is subject to increase by the same percentage increase as the Implicit Price Deflator for State and Local Government Purchase of Goods and Services. Whenever the calculation produces an increase of \$1 above the existing fee, the fee may be increased by \$1.
- C. Students exempt from the Health fee include:
 - 1. Students who depend exclusively upon prayer for healing in accordance with the teachings of a bona fide religious sect, denomination, or organization (documentation required);
 - 2. Students who are attending college under an approved apprenticeship training program;
 - 3. Contract education students enrolled in non-apportionment courses;
 - 4. Special admit students enrolled in 11 to 15 units or less (see AP 5011); and
 - 5. Students who are only enrolled in non-credit courses.
- D. This fee is refundable if the student drops all units on or before the last day to drop regular session credit classes

VI. International Application Fee

- A. In accordance with California Education Code Section 76142, the Peralta Community College District may establish an International Application Fee.
- B. The application fee is due and payable with submission of an application for admission into one of the Peralta Community College District's Colleges by an international applicant.
- C. This \$50 fee is non-refundable.

VII. International Student Health Insurance Fee

- A. In accordance with California Education Code Section 70902(b)(9), the Peralta Community College District may establish a health insurance fee for nonresident students who are both citizens and residents of a foreign country.
- B. All international students with an F-1 Status will be automatically enrolled in the Peralta International Student Health Insurance Plan.
 - 1. Students engaged in Post-Completion Optional Practical Training (OPT) have the option to opt into the health insurance plan. These students are required to enroll directly with the health insurance provider for the months in which they are applying and approved for Post-Completion OPT.
 - 2. The Office of International Education will have this information and forms available on its website.
- C. The current fees are posted in the class schedule and on the Office of International Education's website. Fees are subject to change per contract renewal.
- D. This fee is only refundable if students have pre-existing health coverage through a governmental agency in their country of residency.
- E. Students must pay the International Student Health Insurance fee prior to enrollment in a payment plan. Students cannot include this fee in a payment plan.

VIII. Non-Resident Tuition (Out of State and/or International)

- A. In accordance with California Education Code Section 76140 and 7600.5, Title 5 Sections 58500 and 58509, the Peralta Community College District is required to charge Non-Resident Tuition for students classified as non-residents.
- B. Non-Resident Tuition will be set by the Board of Trustees no later than February 1 for the succeeding fiscal year. The fee will be calculated by a formula in accordance with the Education Code and follow the guidelines of the California Community College Budget and Accounting Manual in determining the District's full expense of education. The non-resident tuition fee thus established will be published in the College catalog, Schedule of Classes, and online.
- C. As of Fall 2021, the fee is \$307. The fee is subject to change by the state legislature and applies to credit courses
- D. Students exempt from Non-Resident Tuition include:
 - 1. California State Residents.
 - 2. Students taking noncredit courses.
 - 3. Students who are members of the Armed Forces of the United States stationed in this state on active duty.
 - 4. A student who is a natural or adopted child, stepchild, or spouse, who is a dependent of a member of the armed forces.
 - 5. Students enrolled in an approved apprenticeship program.
 - 6. Contract education students enrolled in non-apportionment courses.
 - 7. Students who attended high school in California for three or more years and graduated from a California high school or attained the equivalent thereof. In the case of a person without lawful immigration status, the student must file an affidavit with the institution of higher education stating that the student has filed an application to legalize his or her immigration status, or will file an application as soon as he or she is eligible to do so. (Education Code 68130.5).
 - 8. Any student who meets the following requirements:
 - (a) demonstrates financial need;
 - (b) has a parent who has been deported or was permitted to depart voluntarily;
 - (c) moved abroad as a result of that deportation or voluntary departure;
 - (d) lived in California immediately before moving abroad;
 - (e) attended a public or private secondary school in the state for three or more years; and
 - (f) upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education will be living in California, and will file an affidavit with the District stating that he or she intends to establish residency in California as soon as possible.
- E. This fee is refundable if the student drops on or before the last day to drop regular session credit classes.

IX. Parking Fee

- A. In accordance with California Education Code Section 76360, Peralta Community College District may establish a Parking fee.
- B. The fee schedule is as follows:
 - 1. \$2 per day (exact change only);
 - 2. A student decal for enrolled/registered students may be required;
 - 3. \$40 permit per Fall and Spring semester for students enrolled in less than 6 units;
 - 4. For students enrolled in 6 units or more, the parking fee is as follows:
 - Fall 2019 – Spring 2020: \$27.21
 - 5. \$20 permit per Fall and Spring semester for low-income students;
 - A low income student is defined as a person who demonstrate(s) financial need under federal standards or income standards established by the Board of Governors and students receiving benefits under the Temporary Assistance to Needy Families Program (formerly Aid to Families with Dependent Children), the

- Supplemental Security Income/State Supplemental Payment Program or a general assistance program. \$20 permit per Summer semester for all students;
6. \$10 permit per Fall and Spring semester for students with motorcycles; and
 7. \$5 for permit per Summer semester for students with motorcycles.

X. Refund Processing Fee

In accordance with Section 58508 of Title 5 of the California Code of Regulations, the Peralta Community College District may retain a maximum of \$10 from enrollment fees as a refund processing fee.

XI. Transcript Fee

A. In accordance with California Education Code Section 76223, the Peralta Community College District is authorized to charge a Transcript Fee for furnishing copies of student records.

B. Students must pay all outstanding debts to the college prior to release of transcripts, including fees owed for the current semester.

C. Transcripts are ordered:

1. In person at the campus Admissions & Records offices;
2. In person at the District Admissions & Records office;.
3. Online via TranscriptsPlus®;
4. By Mail. Students can fill out a transcript request form available on Admissions & Records website and mail the request with payment to any Admissions & Records Office.

D. The transcript fee schedule is as follows:

1. First 2 transcripts are free;
2. Additional transcripts (3rd transcript and subsequent transcripts) are \$6 per transcript.

E. Expediting fees are optional but will be charged in addition to the transcript fee if the student requests expedition. The following expediting fee schedule includes the \$6 transcript fee when applicable:

1. Pick-Up in District Admissions Office
 - a. First 2 transcripts, \$6 per transcript
 - b. Third transcript or subsequent, \$12 per transcript
2. Same Day Transcripts
 - a. First 2 transcripts, \$19 per transcript
 - b. Third transcript or subsequent, \$25 per transcript.

F. Once ordered, transcripts are mailed within 2-5-business days unless expedition is requested. Records prior to Fall 1970 may take up to 15 business days for processing.

Expedited orders are as follows:

1. Pick-Up in District Admissions Office orders are available for pick up within 2 business days.
2. Same day orders are available within 2 hours.
3. Same day orders can only be requested in person at the District Admissions and Records Office.

G. Express shipping is optional and only available with online ordering via TranscriptsPlus®. The following fees will be charged in addition to the transcript fees if the student requests express delivery via Federal Express.

1. Federal Express domestic delivery to main 48 states
 - a. \$20.00 per order
2. Federal Express domestic delivery to Alaska or Hawaii
 - a. \$23.00 per order
3. Federal Express international delivery
 - a. \$43.00 per order

XII. Other Fees as allowable by Law. Material Fees are described in AP 5031.

XIII. Waiver of Fees

The District may waive enrollment fees which were not collected in a previous session where the enrollment fees were not collected as a result of the District's error in awarding a California College Promise Grant (formerly known as Board of Governors Fee Waiver) to an ineligible student and not through the fault of the student, and to collect the enrollment fee would cause the student undue hardship.

XIV. Installment Payment Plan

1. Students in the Peralta Community College District may opt to pay their non-resident tuition or enrollment fee through an installment payment plan.
2. Students who owe fees from the current or previous terms may opt to pay these fees through an installment payment plan. Students are required to pay at least \$25 of their owed fees and develop an installment payment plan prior to enrolling in classes. Students can only participate in one payment plan. *This language is taken from what is stated in the current class schedules.*
3. ~~New foreign students are required to pay at least the non-resident tuition for 12 units plus all other required fees for both the fall and spring semesters prior to enrollment in their first year classes.~~
Foreign students may participate in Payment Plans after their first semester and only for current fees, Foreign students who owe fees from pervious terms cannot pay these through an installment plan.
4. The payment plan will be interest free.
5. The payment plan will include the specific amount and due date for each installment. All of the payments will be completed within the term for which the enrollment is made.
6. Failure to make timely payments will subject the student to the penalties described in Board Policy 5035.

References:

Title 5 Section 51012, 54805, 58520, and 58629
Education Code Section 66025.3, 68120, 70902(b)(9); 76300; 76300.5
California Community College Chancellor's Office Student Fee Handbook
ACCJC Accreditation Standard I.C.6

Approved by the Chancellor: October 18, 2012
Revised and approved by the Chancellor: February 19, 2013
Revised and approved by the Chancellor: March 8, 2013
Revised and approved by the Chancellor: April 11, 2014
Revised and approved by the Chancellor: October 25, 2014
Revised and approved by the Chancellor: March 5, 2015
Revised and approved by the Chancellor: August 13, 2015
Revised and approved by the Chancellor: October 21, 2015
Revised and approved by the Chancellor: February 11, 2016
Revised and approved by the Chancellor: June 14, 2016
Revised and approved by the Chancellor: September 28, 2016
Revised and approved by the Chancellor: January 9, 2017
Revised and approved by the Chancellor: March 6, 2017
Revised and approved by the Chancellor: May 3, 2017
Revised and approved by the Chancellor: November 16, 2018
Revised and approved by the Chancellor: May 21, 2019
Revised and approved by the Chancellor: November 28, 2019
Revised and approved by the Chancellor: February 12, 2020
Revised and approved by the Chancellor: July 20, 2020
Revised and approved by the Chancellor: May 14, 2021

Revised and approved by the Chancellor:

ADMINISTRATIVE PROCEDURE 5050 STUDENT SUCCESS AND SUPPORT PROGRAM

NOTE: The California Community Colleges Chancellor's Office is working on streamlining the reporting requirements for the Student Success and Support Program along with other programs. One change has been to submit information related to the Student Success and Support Program to the California Community Colleges Chancellor's Office as part of an "Integrated Plan." However, because Title 5 Regulations addressing Student Success and Support Programs have not been repealed, districts are still required to comply with the Student Success and Support Program requirements.

The District shall provide Student Success and Support Program services to further equality of educational opportunity and academic success. The Student Success and Support Program brings the student and the district/colleges into agreement regarding the student's educational goal through the District's established programs, policies, and requirements. The agreement is implemented by means of the student educational plan. All non-exempt new students are to participate in the orientation, assessment, and education planning services needed to assist the student in making an informed decision about his or her educational goal and course of study and in the development of an education plan.

- A. Each student, upon admission to the college/district, must do all of the following:
 - 1. complete orientation;
 - 2. identify an education and career goal;
 - 3. identify a course of study;
 - 4. be assessed to determine appropriate course placement;
 - 5. participate in the development of the abbreviated and/or comprehensive student educational plan;
 - 6. attend class and complete assigned coursework; and
 - 7. complete courses and maintain progress toward an educational goal.
- B. Student Success and Support Services include, but are not limited to, all of the following:
 - 1. Orientation designed to provide students information concerning college procedures, college resources, college life, academic expectations, financial assistance, and other appropriate matters/information important to student success shall be provided on a timely basis.
 - 2. Assessment and counseling upon enrollment, which shall include, but not be limited to, all of the following:
 - (a) administration of assessment instruments to determine student competency in computational and language skills and to use multiple measure assessment;
 - (b) assistance to students in the identification of aptitudes, interests and educational objectives, including, but not limited to, associate of arts degrees, transfer for baccalaureate degrees, and vocational certificates and licenses;
 - (c) evaluation of student study and learning skills
 - (d) referral to specialized support services as needed, including, but not limited to, federal, state, and local financial assistance; health services; mental health services; Extended Opportunity Programs and Services; Disabled Student Services; and CalWORKS;
 - (e) advisement concerning course selection
 - (f) follow-up services and required advisement or counseling for students who are enrolled in remedial courses, who have not declared an educational objective as required, or who are on academic probation; and
 - (g) Assist students in the development of an appropriate Student Education Plan (SEP) in accordance with their educational goal.
- C. The District shall not use any assessment instrument except one specifically authorized by the Board of Governors of the California Community Colleges.

D. Exemptions.

A student may be exempt from orientation, assessment, counseling, advising, or student education plan development if any of the following apply:

1. has completed an associate degree or higher;
2. has enrolled at the college for a reason other than career development or advancement, transfer, attainment of a degree or certificate of achievement, or completion of a basic skills or English as a Second Language course sequence;
3. has completed these services at another community college within a time period identified by the district;
4. has enrolled at the college solely to take a course that is legally mandated for employment as defined in Title 5, section 55000 or necessary in response to a significant change in industry or licensure standards, or
5. has enrolled at the college as a special admit student pursuant to Education Code section 76001.

Any student exempt from orientation, assessment, counseling, advising, or student education plan development shall be notified and may be given the opportunity to participate in these services.

The District will not exempt a student solely because a student has not selected an education and career goal or course of study.

E. The District shall do all of the following:

1. Inform students of their rights to access transfer-level coursework in English, mathematics (or quantitative reasoning), credit English as a Second Language and of the multiple measures placement policies or other college placement processes including the availability of challenge processes;
2. Include information about the student's course placement options in the college catalog, in orientation and advisement materials, on the college's website, and in any written communication by counseling services;
3. Provide annual reports to the California Community Colleges Chancellor's Office in a manner and form described by the California Community Colleges Chancellor's Office; and
4. Publicly post the college's placement results, including the number of students assessed and the number of students placed into transfer-level coursework, transfer-level coursework with concurrent support, or transfer-level or credit English as a Second Language coursework, disaggregated by race and ethnicity.

Reference:

Education Code Sections 78210 et seq.;
Title 5 Sections 55500 et seq.
ACCJC Accreditation Standard II.C.2

Approved by the Chancellor: October 18, 2012

Revised and approved by the Chancellor: April 11, 2014

Revised and approved by the Chancellor: August 13, 2015

Revised and approved by the Chancellor: November 18, 2019

Revised and approved by the Chancellor: December 6, 2019

Revised and approved by the Chancellor:

ADMINISTRATIVE PROCEDURE 5530 STUDENT RIGHTS AND GRIEVANCE PROCEDURE

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances. This procedure shall be available to any student who reasonably believes an experience or decision has adversely affected his or her status, rights or privileges as a student. A grievance may be initiated by a student against an instructor, an administrator, or a member of the classified staff. A grievance may also be initiated against another student.

I. Grounds for Filing Student Grievances. The Student Grievance Procedure shall apply only to grievances involving:

- A. Academic (Grade) Grievance: The extent permitted by Education Code Section 76224 subdivision (a), which provides: "When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final." "Mistake" may include, but is not limited to errors made by an instructor in calculating a student's grade and clerical errors;
- B. The exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.
- C. Violation of Law, Policy, and Procedures:
 - 1. Violation of rights which a student is entitled to by law or District policy, including financial aid, rules for student conduct, admission, probation, or suspension or dismissal policies.
- D. This Student Grievance Procedure does not apply to:
 - 1. Police citations (i.e. "tickets"). Complaints about citations must be directed to the Campus Police in the same way as any traffic violation.
 - 2. Discrimination, Sexual Assault or Sexual Harassment. (See AP 3433 Prohibition of Sexual Harassment under Title IX, AP 3434 Responding to Harassment Based on Sex under Title IX, and AP 3435 Discrimination and Harassment Complaints and Investigations)
 - 3. Student disciplinary actions, which are covered under separate board policies and administrative procedures.

II. Definitions

- A. Party: The student or any persons claimed to have been responsible for the student's alleged grievance, together with their representatives. "Party" shall not include the Grievance Hearing Committee.
- B. **Student:** A currently enrolled student, a person who has filed an application for admission to the college, or a former student. A grievance by an applicant shall be limited to a complaint regarding denial of admission. Former students shall be limited to grievances relating to course grades to the extent permitted by Education Code Section 76224(a).

- C. **Respondent:** Any person claimed by a grievant to be responsible for the alleged grievance.
- D. **Observer:** An individual who is present at a hearing to observe the proceeding, but shall not be allowed to speak and address the committee.
- E. **Written Notice/Written Decision:** Notice sent by personal service or by registered or certified mail with return receipt requested via the U.S. Postal Service.
- F. **Day.** Unless otherwise provided, day shall mean a day during which the college is in session and regular classes are held, excluding Saturdays, Sundays, and District holidays.

III. Grievance Process

A. Informal Resolution

Within 30 days of the allegation, each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting a grievance hearing:

1. For an academic (grade) grievance, the student shall make an appointment with the faculty against whom he/she has a grievance during the faculty member's posted office hours or at a mutually-agreed-upon time, in order to discuss the student's complaint. Should the faculty against whom the student has an academic complaint fail to meet with the student in a timely manner, the student may meet with the Division Dean of Instruction of the faculty member.
2. For a grievance based on an alleged violation of free expression, the student shall attempt to solve the problem with the person with whom the student has the grievance, that person's immediate supervisor, or the Vice President of Student Services (or designee).

B. Formal Complaint Procedures

Any student who believes he/she has a grievance must file an approved grievance complaint form with the Vice President of Student Services (or designee). The student may obtain the form from the Office of the Vice President of Student Services.

The student must file within 90 days of the incident on which the grievance is based; or after the student knew or should have known of the basis for the grievance, whichever is later. The grievance complaint must be filed whether or not the student has already initiated efforts at informal resolution, if the student wishes the grievance to become official. Failure to file a formal complaint within such ninety (90) day period constitutes waiver of the student's right to appeal.

The Vice President of Student Services (or designee) shall provide to the person against whom the grievance has been filed a copy of the grievance and a copy of the procedure.

The Vice President of Student Services (or designee) will provide the grievant with a written copy of the policy and procedures and answer all questions regarding the policy including the student's rights and responsibilities in the process of filing a grievance. For academic (grade) grievance, the Vice President of Student Services (or designee) will inform the student that a grade change may only be made where there is a finding of fraud, mistake, bad faith or incompetence.

The student and Vice President of Student Services (or designee) shall attempt to reach an informal resolution.

3. Request for Grievance Hearing

If an informal resolution cannot be reached, the Vice President of Student Services (or designee) shall make a request for records and documents from the student filing the complaint and forward copies of all documents pertinent to the alleged violation to the Chair of the Grievance Committee and the parties. Documents or accusations not specifically related to the alleged violations shall not be forwarded to the committee or the parties.

- a. For academic (grade) grievance, the Chair shall request records and documents from the faculty member against whom the complaint has been filed.
- b. For grievance based on exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120, the Chair shall request records and documents from the party against whom the complaint has been filed.

The Grievance Hearing timeline may be tolled (postponed) pending a formal investigation of any discrimination claims by or against the student. Such investigation must be concluded no later than 90 calendar days as required by law.

2. Grievance Hearing Committee

Within 90 days following receipt of the grievance complaint form, the Grievance Hearing Committee shall conduct a hearing. The following College Grievance Committee members shall be appointed for a term of one academic year as follows:

- a. The Vice President of Instruction, who shall Chair the committee;
- b. One faculty member (and one alternate) jointly appointed by the PFT and the Faculty Senate;
- c. One administrator (and one alternate) appointed by the College President;
- d. One student (and one alternate) appointed by the President of the Associated Students

Additional committee member:

- e. For academic (grade) grievances, one faculty member (and one alternate) jointly appointed by the PFT and the Faculty Senate; or
- f. For other grievances, one classified employee (and one alternate) jointly appointed by Local 790 and the Classified Senate.

A committee member shall withdraw from participation in the hearing if a conflict of interest is anticipated, in which case the alternate member shall serve. The members of the Committee shall be provided with a copy of the grievance and any written response provided by the respondent before the hearing begins. Four-fifths of the members of the committee shall be present in order for the committee to act.

1. Hearing Procedure

- a. The Vice President of Instruction, as Chair, shall provide written notice, including the date, time and place of the hearing to both parties at least ten days prior to the hearing. The notice shall be hand-delivered or sent by certified mail and shall include a copy of the complaint.
- b. The Chair shall provide the involved complainant with a written summary of rights he/she may be entitled to by law or contract at least 10 days before the hearing. For academic (grade) grievance, the Chair of the committee shall provide the involved faculty member with a written summary of rights he/she may be entitled to by law or contract at least 10 days before the hearing. Both parties shall be given adequate time (at least 10 days) to read and review all documents, consistent with privacy laws. This right may be waived by either party. Both parties shall be informed that all relevant evidence presented to the hearing committee, whether written or oral, may be used against them in this or any other proceeding unless otherwise prohibited by law. The written notice shall inform the parties of this fact. The Chair of the committee shall inform both parties orally of this fact at the commencement of the hearing.

- c. The decision of the Chair shall be final on all matters relating to the conduct of the hearing unless there is a vote by a majority of the other members of the panel to the contrary. The Chair may do whatever is necessary, so long as it is legally permissible, to ensure that the hearing is conducted in a fair, dignified and orderly manner.
- d. The Chair of the committee may exclude a witness from the hearing when the witness is not giving testimony.
- e. Anyone who disrupts the proceeding or interferes shall be excluded from the proceeding.
- f. All information derived from the complaint is confidential. Information may not be made public nor discussed with anyone except those with a legitimate need to know.
- g. The hearing shall be open only to persons directly involved in the matters to be heard. The bargaining agent representing the respondent may send an observer to any hearing.
- h. The committee may call in "expert witnesses" if the subject of the grievance is beyond their expertise.
- i. The committee shall inform the witnesses (other than the accused) in writing that they are sought for interview purposes and their participation in the process is requested by the committee. Witnesses shall also be informed as to the purpose of the interview, the general subject of the interview, and their right to request representation by anyone of their choosing prior to and during said interview.
- j. Any member of the committee may ask questions of any witness.
- k. The hearing shall be conducted so as to bring all of the relevant information and evidence to the members of the committee in an orderly and intelligible form. Formal rules of evidence shall not apply. Any relevant evidence shall be admitted, if it is the sort of evidence on which responsible persons are accustomed to rely upon in the conduct of serious affairs. Accusations not specifically related to the alleged violation shall not be considered relevant. The rules of privilege shall apply to the same extent that they are recognized in civil actions.
- l. At all steps of the process, both the student filing and the other party have the right to be accompanied, advised and represented by a person or counsel of their choosing. If either party wishes to be represented by an attorney, a request must be presented not less than 10 days prior to the date of the hearing. If the student is permitted to be represented by an attorney, the college representative may request legal assistance. The hearing committee may also request legal assistance; any legal advisor provided to the panel may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.
- m. If the respondent or his/her representative, or both, are absent from all or a part of the hearing, the committee shall make its recommendations on the basis of whatever evidence is submitted before the hearing and on whatever evidence and testimony is presented to the committee during the hearing.
- n. The committee shall make all evidence, written or oral, part of the record.
- o. The committee shall judge the relevancy and weight of testimony and evidence and make its findings of fact, limiting its investigation to the formal charge. The decision shall be based only on the record of the hearing, and not on matter outside of that record.
- p. The burden shall be on the grievant to prove by a preponderance of the evidence that the facts alleged are true and a grievance has been sufficiently established.

- q. The hearing date may be postponed or continued at the discretion of the Chair of the committee. Both parties shall be given notice of the new or continued hearing date.
- r. The votes of the majority of the members present (at least 3 votes) are necessary in order for the committee to make a recommendation to the Vice President of Student Services.
- s. The Chair of the committee shall notify the Vice President of Student Services of the committee's recommendation within 10 days.
- t. A summary record of the proceedings held in a closed session shall be kept in a confidential file by the Vice President of Student Services and shall be available at all times to the accused person. The Vice President of Student Services has the responsibility to ensure that a proper record is maintained and available at all times.

2. Final Decision by Vice President of Student Services

Based on the grievance hearing committee's recommendations, the Vice President of Student Services (or designee) may accept the recommendation, return it to the committee for further review, or reject it. Within 10 days of receipt of the committee's recommendation, the Vice President of Student Services (or designee) shall send written notification to the parties and committee informing them of:

- a. The committee's recommendation;
- b. The final decision by Vice President of Student Services; and
- c. Appeals procedure

Any decision to reject findings of the committee must be supported by a summary finding of fact. The decision to recommend a grade change must be supported by a summary finding of fact, establishing mistake, fraud, bad faith or incompetence.

3. Appeals

a. President's Decision

The Vice President of Student Services' (or designee's) decision may be appealed by either party in writing within 10 days of the Vice President of Student Services' (or designee's) decision.

The College President shall issue a written decision to the parties and their representatives within ten (10) days of receipt of the appeal. A decision to change a grade must be supported by a summary finding of fact, establishing mistake, fraud, bad faith or incompetence.

b. Chancellor's Decision

The College President's decision may be appealed to the Chancellor in writing within 10 days of receipt of the decision.

The Chancellor, or designee, shall issue a written decision to the parties and the representatives by certified mail within 10 days of the receipt of the decision. A decision to change a grade must be supported by a summary finding of fact, establishing mistake, fraud, bad faith or incompetence.

c. Board of Trustees' Decision

The Chancellor's (or designee's), decision may be appealed to the Board of Trustees in writing within 10 days of the receipt of the decision.

The Board will review the documentation of the prior steps of the case and determine whether to confirm the Chancellor's decision or hear the appeal. If the Board confirms the Chancellor's decision, the appellant has exhausted his or her remedies. If the Board decides to consider the appeal, it will do so in closed session subject to Education Code 72122, and will issue a final decision within forty-five (45) days after receipt of the decision.

A decision to change a grade must be supported by a summary finding of fact, establishing mistake, fraud, bad faith or incompetence. Implementation of any grade change shall be held in abeyance until the internal appeal process has been exhausted.

All recommendations, resolutions, and actions taken by the Board of Trustees shall be consistent with the State and Federal law, the Peralta Community College District Policies and Procedures, and the PFT and Local 790 Collective Bargaining Agreements. (In the event of a conflict between the Collective Bargaining Agreement and the PCCD Policies and Procedures, the Collective Bargaining Agreement shall govern.)

4. Time Limits

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

References:

Education Code Section 76224(a)

Title IX, Education Amendments of 1972

ACCJC Accreditation Eligibility Requirement 20

ACCJC Accreditation Standard IV.D.

Per Accreditation Standards this procedure is legal advised

Approved by the Chancellor: December 7, 2012

Revised and approved by the Chancellor: August 13, 2015

Revised and approved by the Chancellor: March 28, 2018

Revised and approved by the Chancellor: October 6, 2020

Revised 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 in 2020 (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 \$95,200 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 for

repair 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).

- c. **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.
 - d. **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.
 - e. **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.
 - f. **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
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 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) 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

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

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ADMINISTRATIVE PROCEDURE 6370 CONTRACTS – PERSONAL SERVICE

A. The District may enter into personal services contracts to achieve cost savings when each of the following conditions is met:

1. It can be clearly demonstrated that the proposed contract will result in actual overall cost savings to the District;
2. The contractor's wages are at the industry's level and do not undercut District pay rates;
3. The contract does not cause the displacement of district employees;
4. The savings are large enough to ensure that employees will not be eliminated by private sector and District cost fluctuations that could normally be expected during the contracting period;
5. The amount of savings clearly justifies the size and duration of the contracting agreement;
6. The contract is awarded through a publicized, competitive bidding process;
7. The contract includes specific provisions pertaining to the qualifications of the staff that will perform the work under the contract, as well as assurance that the contractor's hiring practices meet applicable nondiscrimination standards;
8. The potential for future economic risk to the District from potential contractor rate increases is minimal;
9. The contract is with a firm; and
10. The potential economic advantage of contracting is not outweighed by the public's interest in having a particular function performed directly by the District.

B Personal service contracts are also permissible when any one of the following conditions is met:

1. the contract is for new functions mandated or authorized by Legislature to be performed by independent contractors;
2. the services are not available within the District or cannot be satisfactorily performed by district employees;
3. the services are incidental to a purchase or lease contract;
4. the policy, administrative, or legal goals and purposes of the District cannot be accomplished through the regular or ordinary hiring process;
5. the work meets the criteria for emergency appointment;
6. equipment, materials, facilities, or support services could not feasibly be provided by the District; or
7. the services are of an urgent, temporary, or occasional nature.

C. Professional Experts – Contracts for the services of persons who qualify as professional experts may be let without competitive bidding. Professional experts are persons specially qualified to provide services and advise in financial, economic, accounting, engineering, legal or administrative matters. They must be specially trained, experienced and competent to perform the services required. Compensation for special services and advice from professional experts may be paid from available funds in the amounts deemed proper for the services rendered.

NOTE: AB 5, which went into effect on January 1, 2020, codified the "ABC" test for determining independent contractor status that the California Supreme Court adopted in its 2018 decision, *Dynamex Operations West, Inc. v. Superior Court* (2018) 4 Cal.5th 901. However, the longstanding multifactor test established in *S.G. Borello & Sons, Inc. v. Department of Industrial Relations* (1989) 48 Cal.3d 341, still applies to certain occupations. These occupations include: insurance agents; medical professionals such as physicians, dentists, podiatrists, psychologists, and veterinarians; licensed professionals such as attorneys, architects, engineers, private investigators, and accountants; financial advisers; direct sales salespersons; commercial fisherman; some contracts for professional services for marketing, human resources administrators, travel agents, graphic designers, grant writers, fine artists, freelance writers, photographers and photojournalists, and cosmetologists; licensed real estate agents; "business service providers"; construction contractors; construction trucking services; referral service providers; and motor club third party agents. Districts should consult with legal counsel if there is a question as to which test to apply to a particular contractor's occupation.

D. Independent Contractors – To be an independent contractor, substantial conformance with all the following conditions must exist:

1. The contractor is free from the control and direction of the District in connection with the performance of the work, both under the contract for the performance of the work and in fact;
2. The contractor performs work that is outside the usual course of the District's business; and
3. The contractor is customarily engaged in an independently established trade, occupation, or business of the same nature as that involved in the work performed.

Contractors can't be fired so long as they produce a result that meets the contract specifications.

Contractors are responsible for the satisfactory completion of a job or they may be legally obligated to compensate the hiring firm for failure to complete.

D. Consultants – Consulting services contracts refer to all services that:

1. are of an advisory nature,
2. provide a recommended course of action or personal expertise,
3. have an end product which is basically a transmittal of information either written or verbal, and,
4. are obtained by awarding a procurement-type contract, a grant, or any other payment of funds for services of the above type.
5. The product may include anything from answers to specific questions to design of a system or plan, and includes workshops, seminars, retreats, and conferences for which paid expertise is retained by contract.

References:

Education Code Section 88003.1;

Government Code Section 53060;

Labor Code Sections ~~2750.3~~, 32775 et seq. and 3353;

Public Contract Code Section 10335.5

Approved by the Chancellor: January 5, 2021

Reviewed and approved by the Chancellor:

ADMINISTRATIVE PROCEDURE 7700 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 BP 7700 titled Whistleblower Protection, and addressing complaints of retaliation for making such reports.

I. Filing a Report of Suspected Unlawful Activities

- A. 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.
- B. 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. In the case that an anonymous report cannot be substantiated in any way, a record of the report should still be kept by the receiving administrator in the event that subsequent information reopens the investigation. As set forth fully below, retaliation against individuals who report suspected unlawful activities will not be tolerated.
- C. Normally, a report by a District employee of allegations of a suspected unlawful activity should be made to the reporting employee's supervising President or Vice Chancellor. However, if the report involves or implicates the supervising President or Vice Chancellor, the report may be made to any another District official whom the reporting employee believes to have either responsibility over the affected function or the authority to review the alleged unlawful activity on behalf of the District. The report may also be made directly to the Chancellor and/or Peralta Police Services. When the alleged unlawful activity involves the Chancellor, the report should be made to the President of the Board of Trustees. When the alleged unlawful activity involves the board of trustees or one of its members, the report should be made to the Chancellor, who will confer with the president and/or vice-president of the board of trustees and/or legal counsel on how to proceed.
- D. 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/her signature that it is accurate and complete.
- E. Once the receiving administrator has received and/or prepared a written report of the alleged unlawful activity, he/she must immediately forward the report to the president of the college where the alleged activity has occurred or to the appropriate Vice Chancellor if the activity involves the district. However, if this process would require submitting the report to an employee implicated in the report, the receiving administrator should follow the reporting options outlined, above. Finally, the results of the initial investigation should be forwarded to the Chancellor. The highest-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.
- F. 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:

1. 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
 2. advised that if he or she experiences retaliation for cooperating in the investigation, then it must be reported immediately.
- G. In the event that an investigation into alleged unlawful activity determines that the allegations are accurate, prompt and appropriate corrective action shall be taken.

II. Protection from Retaliation

- A. 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. A district employee or applicant whose family member makes a protected disclosure is also protected from retaliation.
- B. Any employee who believes he/she has been either subjected to or affected by retaliatory conduct for reporting suspected unlawful activity, or refuses to engage in activity that would result in a violation of law, should report such conduct to the Vice Chancellor Human Resources and other supervisory management personnel (if such management personnel is not the source of or otherwise involved in the retaliatory conduct). Any management employee who receives such a report, or who otherwise is aware of retaliatory conduct, is required to advise the Vice Chancellor Human Resources. If the allegations of retaliation, or the underlying allegations of unlawful conduct involve the Vice Chancellor, the manager shall report to the highest level administrator and/or trustee who is not implicated in the reports of unlawful activity and retaliation.
- C. 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.

III. 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 Colleges Chancellor's Office or the District's Board of Trustees. Employees can contact the State Personnel Board with complaints of retaliation resulting from whistleblower activities. **The State Personnel Board hotline is (916) 653-1403.**

IV. Other Agencies

In addition to the process set forth above, any employee or supervising manager who has information concerning allegedly unlawful conduct involving federal or state grant funds, shall report the information to the Vice Chancellor Educational Services in order that the proper communication will take place with the granting agency.

References:

Education Code Sections 87160-87164;
Government Code Section 53296;
Labor Code Section 1102.5;
Private Attorney General Act of 2004 (Labor Code Section 2698)
Affordable Care Act (29 U.S.C. 218C)

Approved by the Chancellor: May 21, 2012

Revised by the Chancellor: February 14, 2014

Revised and approved by the Chancellor: September 28, 2016

Revised and approved by the Chancellor:



POLICY & PROCEDURE SERVICE

BP 2435 Evaluation of the [CEO]

References:

Education Code Section 87663;
ACCJC Accreditation Standard IV.C.3

The Board shall conduct an evaluation of [CEO] at least annually. Such evaluation shall comply with any requirements set forth in the contract of employment with the [CEO] as well as this policy.

The Board shall evaluate the [CEO] using an evaluation process developed and jointly agreed to by the Board and the [CEO].

The criteria for evaluation shall be based on Board policy, the [CEO] job description, and performance goals and objectives developed in accordance with BP 2430 Delegation of Authority to the [CEO].

NOTE: *The following language is Optional:*

The criteria for evaluation of the [CEO] shall also include performance goals and objectives related to the District's commitment to diversity, equity, and inclusion.

Revised 11/14, 10/20, 4/21

Disclaimer: *This document is provided as a benefit to Community College League of California's Policy & Procedure Service subscribers and cannot be shared outside of their entity. The information contained within is a sample only and is not designed to address each District's specific and unique issues, internal rules or practices, or governing documents that might be in place at each entity. Districts should always consult with local District legal counsel prior to implementation.*

BOARD POLICY 2200 BOARD DUTIES AND RESPONSIBILITIES

The Board of Trustees governs on behalf of the citizens of the Peralta Community College District in accordance with the authority granted and duties defined in Education Code Section 70902.

The Board is committed to fulfilling its responsibilities to:

- Represent the public interest
- Establish policies that define the institutional mission and set prudent, ethical and legal standards for college operations
- Assure fiscal health and stability
- Monitor institutional performance and educational quality
- Advocate and protect the district
- Assure that the Board operates in an open, accessible, welcoming spirit, and maintains an anti-racist culture
- Establish policies that ensure the District operates in an anti-racist manner
- Delegate power and authority to the Chancellor to effectively lead the district
- Hire the Chancellor, and evaluate the Chancellor at least annually
- Respect the authority of the Chancellor by providing policy, direction, and guidance only to the Chancellor who is responsible for the management of the district and its employees
- Delegate the authority to the Chancellor to issue regulations, and directives to the employees of the district

Reference:

Accreditation Standard IV
Education Code Section 70902

Approved by the Board of Trustees: September 27, 2011
Updated and approved by the Board of Trustees;

BOARD POLICY 2720 COMMUNICATIONS AMONG BOARD MEMBERS

Members of the Board shall not communicate among themselves by the use of any form of communication (e.g., personal intermediaries, e-mail, or other technological device) in order to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. In addition, no other person shall make serial communications to Board Members.

A majority of the members of the Board of Trustees shall not, outside a regularly scheduled meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the Board.

This policy shall not be construed as preventing an employee or official of the District from engaging in separate conversations or communications with members of the Board outside of a meeting in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of Board, if that person does not communicate to members of the Board the comments or position of any other member or members of the Board.

This policy shall also not be construed as preventing a member of the Governing Board from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the Board. In doing so, a majority of the members of the Board may not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the Board. However, a member of the Board shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the Board that another member of the Board has made, posted, or shared.

Reference:

Government Code 54952.2

Approved by the Board of Trustees: February 26, 2019

Revised and approved by the Board of Trustees:

BOARD POLICY 2745 BOARD SELF-EVALUATION

The Board is committed to assessing its own performance as a Board in order to identify its strengths and areas in which it may improve its functioning.

To that end, the Board has established the following process:

The Peralta Governing Board will conduct a formal self-evaluation on an annual basis during the months of June/July. The self-evaluation form will be circulated to each of the Trustees on or about the 1st of June. Trustees shall complete the form and deliver a copy to the Board President no later than the 15th of June. This document will be used as the foundation for a formal discussion during a workshop scheduled in conjunction with the end of June Board meeting or a July Board meeting. The goal of the self-evaluation will be to share views, values, concerns, priorities, and recommendations among the Trustees. The Board's self-evaluation also shall include goals and objectives related to the District's and the Board's commitment to anti-racism, diversity, equity, and inclusion.

In addition, the evaluation of the Chancellor also will be conducted in June.

The results of this process will be used to identify accomplishments in the past year and goals for the following year

Reference:

ACCJC Accreditation Standard IV.C.10

Approved by the Board of Trustees: October 9, 2012

Approved by the Board of Trustees: April 14, 2015

Revised by the Board of Trustees: March 8, 2016

Revised and approved by the Board of Trustees:

BOARD POLICY 3225 INSTITUTIONAL EFFECTIVENESS

The Board is committed to developing goals that measure the ongoing condition of the District's operational environment.

The Board regularly assesses the District's institutional effectiveness. Institutional effectiveness includes goals and objectives with respect to the District's commitment to diversity, equity, and inclusion to the fullest extent permitted by law

Reference:

Education Code Sections 78210 et seq. and 84754.6 (Seymour-Campbell Student Success Act of 2012)

ACCJC Accreditation Standard I.B.5-9

Approved by the Board of Trustees: December 8, 2015

Reviewed and approved by the Board of Trustees:

BOARD POLICY 3420 EQUAL EMPLOYMENT OPPORTUNITY

The Board supports the intent set forth by the California Legislature to assure that effort is made to build a community in which opportunity is equalized, and community colleges foster a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding and respect, harmony and respect, and suitable role models for all students. An equitable and inclusive hiring process is essential to improve diversity, reduce barriers to employment, and allow potential applicants the opportunity to demonstrate that they meet or exceed the minimum qualifications for employment. The Board therefore commits itself to promote the total realization of equal employment through a continuing equal employment opportunity program.

The Chancellor shall develop, for review and adoption by the Board, a plan for equal employment opportunity that complies with the Education Code and Title 5 requirements as from time to time modified or clarified by judicial interpretation. The Chancellor shall develop hiring procedures driven by diversity, equity, and inclusion consistent with the Board's intent described above.

References:

Education Code Sections 87100 et seq.;
Title 5 Sections 53000 et seq.
ACCJC Accreditation Standard III.A.12

Approved by the Board of Trustees: May 8, 2012

Revised and approved by the Board of Trustees: July 28, 2015

Revised and approved by the Board of Trustees:

BOARD POLICY 3550 DRUG FREE ENVIRONMENT AND DRUG PREVENTION PROGRAM

The District shall be free from all **unlawful** drugs and from the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees. The use of tobacco products is also restricted as detailed in Administrative Procedure AP 3570 Use of Tobacco.

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in all facilities under the control and use of the District.

Any student or employee who violates this policy will be subject to arrest, citation, and/or disciplinary action (consistent with local, state, or federal law), which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion or dismissal.

The District recognizes substance dependency as treatable and encourages employees with substance-dependency problems to take advantage of the District's Employee Assistance Program. Drug awareness workshops will be offered periodically to inform employees and students of the dangers of substance abuse, the availability of counseling, rehabilitation, and assistance programs, and to notify employees and students of the penalties that may be imposed for violations.

The Chancellor shall assure that the District distributes annually to each student and employee the information required by the Drug-Free Schools and Communities Act Amendments of 1989 and complies with other requirements of the Act.

Reference:

Drug Free Schools and Communities Act, 20 U.S. Code Section 1011;
34 Code of Federal Regulations Sections 86.1 et seq.;
Drug Free Workplace Act of 1988, 41 U.S. Code Section 8103

Approved by the Board of Trustees: May 8, 2012

Revised and approved by the Board of Trustees: February 26, 2019

Revised and approved by the Board of Trustees:

BOARD POLICY 5035 WITHHOLDING OF STUDENT RECORDS

Students or former students who have been provided with written notice that they have failed to pay a proper financial obligation shall have **grades**, diplomas, and/or registration privileges withheld until such time as the obligation is satisfied.

References:

Title 5 Section 59410

AB 1313: Higher Education: Prohibited Debt Collection Practices

Note: Effective January 1, 2020 the Educational Debt Collection Practices Act prohibits Districts from withholding transcripts on the grounds that the student owes a debt.

Approved by the Board of Trustees: June 26, 2012

Reviewed and approved by the Board of Trustees: April 21, 2020

Reviewed and approved by the Board of Trustees: April 27, 2021

Reviewed and approved by the Board of Trustees:

BOARD POLICY 5050-STUDENT SUCCESS AND SUPPORT PROGRAM

The District shall provide Student Success and Support Program services to ~~for the purpose of~~ furthering equality of educational opportunity for students to optimize their academic success. The expectation is that the Student Success and Support Programs will identify and close opportunity gaps that impact student success and improve the District's commitment to diversity, equity, and inclusion to better support student success. The purpose of Student Success and Support Program services is to bring the student and the college into agreement regarding the student's educational goal through the District's established programs, policies, and requirements.

The Chancellor shall establish procedures to assure implementation of Student Success and Support Program services that comply with the Title 5 regulations. The procedures shall require all non-exempt new students to participate in the orientation, assessment, and education planning services needed to assist the student in making an informed decision about his or her educational goal and course of study and in the development of an education plan.

NOTE: The California Community Chancellor's Office is working on streamlining the reporting requirements for the Student Success and Support Program along with other programs. One change has been to submit information related to the Student Success and Support Program to the California Community Colleges Chancellor's Office as part of an "Integrated Plan." However, because Title 5 Regulations addressing Student Success and Support Programs have not been repealed, districts are still required to comply with the Student Success and Support Program requirements.

References:

Education Code Sections 78210 et seq.;
Title 5 Sections 55500 et. seq.
ACCJC Accreditation Standard II.C.2

Approved by the Board of Trustees: October 9, 2012
Revised and approved by the Board of Trustees: March 11, 2014
Revised and approved by the Board of Trustees: July 28, 2015
Revised and approved by the Board of Trustees: June 25, 2019
Revised and approved by the Board of Trustees:

BOARD POLICY 7100 COMMITMENT TO DIVERSITY

The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success and committed to an inclusive, anti-racist campus culture. The Board recognizes that diversity, equity, and inclusion in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students and employees. The Board is strongly committed to hiring and staff development processes that support the goals of equal opportunity and diversity, equity, and inclusion, and provide equal consideration for all qualified candidates and create an anti-racist academic and employment environment.

Reference:

Education Code Sections 87100 et seq.

Title 5 Sections 53000 et seq.

Approved by the Board of Trustees: September 11, 2012

Reviewed and approved by the Board of Trustees;

BOARD POLICY 7160 PROFESSIONAL DEVELOPMENT

The Peralta Community College District encourages professional development for all employees of the district consistent with the institutional mission, institutional planning, and identified teaching and learning needs.

The goal of professional development is to enhance employee performance and service to students and to assist employees to meet the changing needs in education. Professional development opportunities will be provided in critical race theory, critical gender theory, and general sensitivity training.

Reference:

Education Code Sections 87150, 87767, 88220, and 88227;
Title 5 Sections 56652-56658
ACCJC Accreditation Standard III.A.14

Approved by the Board of Trustees: December 8, 2015

Revised and approved by the Board of Trustees:

BOARD POLICY 7250 ACADEMIC 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.

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

An academic administrator who has not previously acquired tenure as a faculty member in the District shall have the right to become a first year probationary faculty member once his/her administrative assignment expires or is terminated, if the following criteria are met:

- The administrator meets the criteria established by the District for minimum qualifications for a faculty position, in accordance with procedures developed jointly by the Chancellor and the Academic Senate and approved by the Board. The Board shall rely primarily on the advice and judgment of the Academic Senate to determine that an administrator possesses minimum qualifications for employment as a faculty member.
- The requirements of Education Code Section 87458, or any successor statute, are met with respect to prior satisfactory service and reason for termination of the administrative assignment.
- A vacancy means that a position is available within the District and the District has appropriately allocated, budgeted, and prioritized in accordance with District practice.
- A person employed in an administrative position that is not part of the classified service, who has not previously acquired tenured status as a faculty member in the same district and who is not under contract in a program or project to perform services conducted under contract with public or private agencies, or in other categorically funded projects of indeterminate duration, shall have the right to become a first-year probationary faculty member once his or her administrative assignment expires or is terminated if all of the following apply, per Education Code Section 87458:
 - The process by which the governing board reaches the determination shall be developed and agreed upon jointly by representatives of the governing board and the academic senate, and approved by the governing board. The agreed upon process shall include reasonable procedures to ensure that the governing board relies primarily upon the advice and judgment of the academic senate to determine that the administrator possesses the minimum qualifications for employment as a faculty member.
 - And the administrator has completed at least two years of satisfactory service, including any time previously served as a faculty member, in the district.

Educational administrators shall be compensated in the manner provided for by the appointment or contract of employment. Compensation shall be set by the Board upon recommendation by the Chancellor. Academic Administrators shall further be entitled to health and welfare benefits made available by action of the Board upon recommendation by the Chancellor.

Academic administrators shall be entitled to vacation leave, sick leave, and other leaves as provided by law, these policies, and administrative procedures adopted by the Chancellor.

The terms and conditions of employment for Academic Administrators shall be provided for by procedures developed by the Chancellor. Such terms and conditions of employment shall include, but not be limited to, procedures for evaluation and rules regarding leaves, transfers and reassignments

Reference:

Education Code Sections 72411 et seq., 87002(b), and 87457-87460;

Government Code Section 3540.1(g) and (m)

Administrative Procedures 7340, 7341, 7342, 7343, 7344, 7345, 7346, 7347, 7348, 7349, 7381. 7382

Approved by the Board of Trustees: February 12, 2013
Revised and approved by the Board of Trustees:



Draft 2



PCCD District Functional Map

9/23/2021

The Peralta Community College District Function map was developed to show the delineation of functions between the district and both colleges. The purpose of this document is to clarify shared responsibilities, authority, and functions in the District and Colleges and to reference guiding Policies and Procedures related to those tasks. Where applicable, relevant Board Policies (BP) and Administrative Procedures (AP) are listed with each function. These listings are meant to serve as a quick reference and are not comprehensive to each function. Responsible District and College positions are listed for each function.

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
Accreditation (BP 3200/ AP 3200) Accreditation Standards are cited in various BPs/APs)	<ul style="list-style-type: none"> Act as liaison between colleges and district for accreditation functions and issues Address accreditation standards related to centralized district functions Construct data and evidence on district operations relevant to the standards Coordinate with college reports Provide reporting (ACCJC Action Letters, College Reports, and relevant accreditation updates) to the Board <p>Chief of Staff VC of Academic Affairs and Student Success</p>	<ul style="list-style-type: none"> Coordinate and facilitate ongoing accreditation functions, including training Act as primary points of contact for ACCJC College Produce reports and evidence for colleges Align reporting with District components Distribute reports, action letters and relevant accreditation updates to participatory governance groups Ensure all required ACCJC letters and documents are posted on the College website <p>Presidents College Accreditation Liaison Officers</p>	
Admissions, Records, and Registration (BP/AP 5010) APs 5011, 5012, 5013, 5017, 5020, 5030,	<ul style="list-style-type: none"> Maintain online application (CCC Apply) and automated process Set registration rosters and related schedules Establish <i>Priority Registration</i> Implement State defined enrollment limitations & student challenge processes (for example high school, 	<ul style="list-style-type: none"> Maintain college registration processes and services, Maintain student records Designate and/or change priority registration for categorical programs and special populations Review external reporting (MIS, NSC, IPEDS) for accuracy related to 	<ul style="list-style-type: none"> Gap: Lack of Registrars on campuses and the District Gap: Residency requirements missing some criteria that other nearby districts include



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
5040,5050 BP/AP 5052 BP/AP 5055 APs 5140, 5150, 5300	<ul style="list-style-type: none">international and military students)• Provide transcripts electronically and in print• Provide annual training and updates to college A&R staff on State regulations, Board Policies, and the implementation of Administrative Procedures• Lead all A&R People Soft functionality projects to improve the student experience• Serve as centralized registrar• Ensure regulation compliance• Spearhead and coordinate responses to annual internal audits of A&R items• Maintain and monitor storage of student records (i.e. Grades, attendance records etc.)• Gather enrollment data• Evaluate applications eligibility for admission (e.g., review for fraud, complements and accuracy• Code and process applications according to established policies and procedures• Update & maintain Districtwide forms• Process student requests for legacy records• Process batch enrollment for OUSD and some specialized programs• Establish the Academic Calendar• Ensure compliance with BP/APs and CA Ed Code on related academic matters including	<ul style="list-style-type: none">student data/records• Process student request for initial transcript evaluation• Evaluate, award and post student degrees and certificates for credit and non-credit programs• Assess the student requests for enrollment• Collect and process rosters• Collaborate with Instruction and Division Deans to collect missing rosters, and documentation required for student requests• Process residency and AB540 requests, and communicate with Financial Aid & Bursar when status has been updated• Communicate student status with appropriate college bodies• Evaluate incoming transcripts to apply to student records• Process dual enrollment admissions forms• Provide training for enrollment functions• Provide verification of enrollment <p>Vice President of Student Services (Coordinate with Deans of Enrollment)</p>	



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<ul style="list-style-type: none"> Curriculum Course/Program Development Contract Education Grading Instructional Agreements <p>Service</p> <ul style="list-style-type: none"> Vice Chancellor of Academic Affairs and Student Success 		
Adult Education BP/AP 5010 AP 5011	<ul style="list-style-type: none"> Represent regional Adult Education consortium (Lead Representative) Coordinate with all member districts (K-12s and Colleges) and partner agencies Assist all consortium members in planning of courses and programs aligned with state requirements and pathways Oversee consortium-level budgets and distribution Submit reports to state for consortium (student data and fiscal) Provide not-for-credit Adult Education offerings through district's contract training program Provide funding opportunities for college Transition Liaisons and other mutually agreed upon projects District leads development of consortium annual plan and submits it on NOVA <p>Executive Director Adult Education</p> <ul style="list-style-type: none"> Report Adult Education data 	<ul style="list-style-type: none"> College PLANS and delivers instructional services related to Adult Education, including courses that provide pathways to PCCD colleges College plans and manages college-level budget to meet goals of the college plan for Adult Education Provide student data and budget information to District for state reporting Provide matriculation support to students, including concurrent enrollment for Adult School students. Cultivate and foster the development of community partnerships Evaluate need for non-credit courses for adult education and develop courses as needed Provide GED support for students Determine unit loads for students Coordinate student services and support, including counseling and SAS 	<p>Info from Laura Espino, Laney adult ed project manager:</p> <p>Added to map Add to 4th bullet in college column so it reads:</p> <ul style="list-style-type: none"> Provide matriculation support to students, including concurrent enrollment for Adult School students. <p>Add new bullet in college column:</p> <ul style="list-style-type: none"> Coordinate student services and support, including counseling and SAS <p>Feedback from BCC</p> <ul style="list-style-type: none"> Inaccuracy: CORRECTED College PLANS and delivers instructional services Inaccuracy: CORRECTED College plans and manages college-level budget to meet goals of the college plan MISSING FUNCTION



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<ul style="list-style-type: none"> Analyze Adult Education data Determine and coordinate unit loads across district <p>Associate Vice Chancellor Institutional Research</p>	<p>Vice President of Instruction (Coordinate with Dean of Career Education, Transitional Liaisons, Associate Dean for Student Success)</p>	<p>ADDED: District leads the development of consortium annual plan and submits it on NOVA</p> <ul style="list-style-type: none"> MISSING FUNCTION: ADDED: College develops and submits its annual plan to meet consortium goals
<p>Board Policy and Administrative Procedure</p> <p>BP 2410/AP 2410</p>	<ul style="list-style-type: none"> Initiate CCLC BP/AP updates Provide historical, key background and sample language for updates Review and distribute language for draft and final policies and procedures <p>Chancellor Designee</p> <ul style="list-style-type: none"> Initiate Board Policy and Administrative procedure in response to regulations and procedures necessary for operating the District Distribute policy for review among districtwide constituent groups <p>Chancellor's Cabinet Members by assigned Area (e.g., VC HR chapter 7)</p> <ul style="list-style-type: none"> Forward final language for Board Policy to the Board for approval Determine final language for Administrative Procedure with appropriate input Approve Administrative Procedures and forward final language to board <p>Chancellor</p>	<ul style="list-style-type: none"> Initiate Draft Board Policy or Administrative procedure by subject matter experts in response to issues and gaps Distribute policy and procedure drafts to appropriate constituent groups within the colleges Provide user feedback to the Chancellors Cabinet <p>President</p>	



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
Capital Outlay Administration (Chapter 6 Business and Fiscal Affairs BPs/APs)	<ul style="list-style-type: none"> Prioritize construction requests from district and colleges Work closely with contractors, architects, and other service providers Oversee Program Manager (AECOM) for bond construction Oversee Bond Measures coordinating with AECOM's mediator role and on-ground construction (Kitchell, Swinerton, Robelon) Manage various phases of construction contracts Coordinate progress/completion documents Issue <i>Notices to Proceed</i>, and <i>Notices of Completion</i> Provide completion reporting on construction to be uploaded to fixed asset Maintain multiple source project funding allocations and budgets Create requisitions for contractors and professional services Maintain and reconcile project audits on a semiannual basis Prepare and submit reimbursement claims to state and other agencies Compile requests for information for federal, state, and local agencies regarding projects. <p>Vice Chancellor of District General Services</p> <ul style="list-style-type: none"> Maintain Fixed Assets Inventory System 	<ul style="list-style-type: none"> Tag fixed assets using the same convention as the District Office Track asset location and status <p>Vice President of Administrative Services</p>	<ul style="list-style-type: none"> Need someone dedicated full time from Finance to support the DGS Better communication with the colleges Need more staff to administer programs (support staff to project managers and administration) Scheduled maintenance provides limited funding to accomplish services Need DGS internal legal services Revise contract approval process and path (this is costing money and is not timely) throughout the whole process including legal review and finance and re-evaluate approval tree. Align DGS re-organization and budget implications with the District-wide planning and organization structure DGS would like to propose a new structure for SLBEs SLBE Board Policy is needed Need to discuss and



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<p>and prepare reports for auditors and insurance carriers.</p> <ul style="list-style-type: none"> Reviews expenditures to ensure alignment with regulations Reports final financial reports (such as Parcel Tax) Review deliverables and report fixed asset including reporting agenda entry into system <p>VC Finance and Administrative Services</p> <ul style="list-style-type: none"> Implement and maintain PeopleSoft capital assets module Train staff on use of PeopleSoft capital assets module <p>Chief Technology Information Officer</p>		<p>plan/restructure for sustainability e.g. align sustainability standards with the maintenance ramifications</p> <ul style="list-style-type: none"> Consider Board Policy on sustainability planning Gap: lack of connection of purchasing within capital improvement projects (I.e. Measure G) Gap: lack of clarity of roles between DGS/AECOM/Colleges Gap: lack of clear process regarding COP administration and communication of the process. Gap: lack of connection and collaboration between DGS and Fiscal Services Recommendation: Identify a lead person at the District to clarify Measure G expenditure process and make it tight and effective. District leadership works with Colleges' VPASs to make this process work effectively.
Career Education and Strong Workforce	<ul style="list-style-type: none"> Plan and develop high-level District strategies and guiding 	<ul style="list-style-type: none"> Manage CTE certificate and degree programs that focus on training 	<p>GAP: Lack of connection and coordination between Fiscal</p>



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
Development (BP/AP 4020, AP 4102, AP 4235, BP/AP 4400)	<p>principles to meet district and regional workforce and career technical education needs</p> <ul style="list-style-type: none"> • Link the colleges with the local and county agencies, community-based organizations, industries, and regional employers to forge partnerships in support of career education programs. • Enable college CTE faculty to develop innovative programs to prepare students for the high demand, high-wage jobs in the region. • Align goals with the colleges in developing and implementing strategies to achieve college and district goals related to career and economic and workforce development education in support of the district and college missions. • Co-chair the districtwide Career Education and Strong Workforce Program---- meetings to foster collaboration and ensure regulatory compliance. • Plan, develop and manage Strong Workforce Program Regional Shares funds allocated for the District Office to administer the program. • Allocate Strong Workforce Program and Perkins funding to the colleges based on the CE FTES. • Provide the colleges budget reports for expenditure tracking and monitoring. 	<p>students for employment requiring specialized knowledge in a trade or manual skill</p> <ul style="list-style-type: none"> • Review and revise, every 2 years, existing programs to meet industry needs • Work with employer advisory committees and other regional entities • Promote career technical education programs to communities, high schools, and special populations • Plan, develop, and maintain the college's compliance with appropriate state and federal regulations related to career technical programs • Develop and enhance training programs designed to serve local workforce needs • Represent college on district, local, regional, and state workforce committees • Develop narrative and budget reports related to various state and federal initiatives and categorical funding such as the Strong Workforce Program (SWP), Perkins and other CE related funding sources • Develop strategies and guiding principles to meet current and future workforce and career technical education needs of the college and the region (with guidance from the college) 	<p>services and Academic and Student Affairs.</p> <p>GAP: Lack of leadership at the District level who is knowledgeable of Career Education (including regulations, fiscal management, grant information and management, as well as how best to support the college's CE and grant management processes.</p> <p>GAP: Lack of qualified personnel in the Fiscal Services who can facilitate the grant fiscal management with confidence and competence to work with the colleges including navigation of NOVA.</p> <p>GAP: Lack of leadership at the District level to be the liaison with regional partners including BACCC. Lack communication back to colleges.</p> <p>GAP: Disconnect between State and Federal original funds dissemination to the District (SWP funds and Perkins) do not match the amount distributed to the colleges (I.e. Amount in</p>



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<ul style="list-style-type: none"> • Ensure compliance of various state and federal initiative and program requirements including the District's Gainful Employment. • Ensure timely submission of reports through the NOVA and other reporting portals. • Review, approve and certify narrative and budget reports submitted by the colleges related to various state initiatives and categorical funding such as the Strong Workforce Program and Perkins. • Submit appropriate data to the State Chancellor's Office for CTE students as required for MIS Reporting. • Represent the District at the Bay Area Community College Consortium responsible for developing regional framework, coordination, collaboration, promoting and planning career and technical education and workforce and economic development in the Bay Area region. • Train CTE staff and faculty on required ERP related documents and uploading appropriate required reporting <p>Director of Academic Affairs</p>	<ul style="list-style-type: none"> • Create and submit Perkins application and Strong Workforce Plans based on funds allocated. • Plan, develop and manage Strong Workforce Program local and regional funds allocated to the college and administer the program • Ensure the college maintains compliance with appropriate state and federal regulations and initiatives related to career technical programs, such as Gainful Employment, SWP, Perkins and other CE grants, including timely submission of reports through the NOVA reporting portal • Ensure strategies for achieving college and program goals related to career and economic and workforce development education in support of the college mission • Facilitate development of innovative programs to prepare students for the high demand, high-wage jobs in the region • Link CE faculty to local and county agencies, community-based organizations, industries, and regional employers to forge partnerships in support of career education programs. • Ensure college CE programs maintain and engage industry advisory boards as per AP4102 • Participate in the districtwide Career 	<p>PeopleSoft does not match the original allocation from the State or Federal)</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Identify a strong leader at the District level who can communicate and partnership with BACCC, state and other high-level partners. • Identify a qualified personnel at the Fiscal Services level to ensure that the disseminated funds from the funding source entities are a) received correctly mat the district fiscal b) disseminate to the colleges correctly, and accurately with proper communication as to how much and where they are parked. (currently there is a gap) • Have a clearly identified Grant-related shared timeline fir the district annually which includes report, fiscal check, and other key activities



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
		<p>Education and Strong Workforce Program---- meetings to foster collaboration and ensure regulatory compliance</p> <ul style="list-style-type: none"> Serve as the college representative for the Bay Area Community College Consortium (BACCC) responsible for developing regional framework, coordination, collaboration, promoting and planning career and technical education and workforce and economic development in the Bay Area region <p>Deans of Career Technical Education</p>	<p>associated with CE grants.</p> <ul style="list-style-type: none"> Create an organized and clear process of grant management for the 4 colleges so that we stop correcting what's not right but to produce plans/report/fiscal report that are correct to submit to the relevant funding source or grant funders
<p>Catalog Development Various BPs and APs provide information that is cited in the college catalogs.</p>	<ul style="list-style-type: none"> Coordinate timeline for Catalog Development Provide colleges with updates from all required district areas for "district wrap around" <p>Vice Chancellor of Academic Affairs and Student Services</p> <ul style="list-style-type: none"> Assist with formatting and publish college catalogs (web and/or print) Verify accuracy of public information <p>Executive Director of Marketing, Communication and Public Relations</p>	<ul style="list-style-type: none"> Revise and update college catalog on an annual basis Ensure production and timely release of college catalogs and addenda Ensure accuracy of catalog course and program listings against Chancellor's Office Curriculum Inventory (COCI) and student information system Ensure accuracy of student services information <p>Vice President of Instruction Vice President of Student Services</p>	<ul style="list-style-type: none">
<p>Child Care Centers (Laney and Merritt College)</p>	<ul style="list-style-type: none"> Provide high quality early care and education Provide early intervention for children with special needs Enhance family capacity by providing 	<ul style="list-style-type: none"> Maintenance and facilities for Child Development Center facilities at campus sites. <p>Director of Maintenance and Operations</p>	<ul style="list-style-type: none">



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PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<ul style="list-style-type: none"> services and education for parents • Provide best practices in early education • Support early education educators throughout the district. • Maintain accreditation of Child Development Centers with state and other agencies • Ensure grant reporting is timely and sustained <p>Director of Child Care Centers Center</p>		
Curriculum Review and Approval (BP/AP 4020, AP 4022, BP/AP 4025, BP/AP 4100, AP 4105, BP/AP 4260, AP 4229)	<ul style="list-style-type: none"> • Co-chair district wide CIPD (Council on Instruction, Planning, and Development) meetings • Ensure compliance in proposed new and updated curriculum • Ensure the BOT reviews all curriculum updates • Provide all new, revised, and deleted courses and programs from each of the four colleges for action by the district CIPD. • Submit all course and program proposals and discontinuances to the Board of Trustees for review and action. • Make recommendations on districtwide matters pertaining to curriculum and instruction to the Board of Trustees and the District Mission. • Ensure federal financial aid eligibility of programs • Ensure that each course to be offered by any of the PCCD colleges (except community service classes) shall be 	<ul style="list-style-type: none"> • Identify community curriculum needs • Work with instructors to develop curriculum for community education classes • Support marketing of community education classes • Ensure that all curriculum, courses, and programs, are in alignment with the CCCCCO guidelines, Title 5, and Education code. <p>Vice President of Instruction</p>	<ul style="list-style-type: none"> • GAP: CIPD became a battle-filled for 4 colleges rather than collaborative one to serve our students. • Needed Function: Consider CIPD that functions as a collaborative entity to advance student access and equity, not to shut down certain programs in fear of losing one's enrollment. • CORRECTED As far as I am aware, Curriculum Review (Curriculum Committee) has nothing to do with development or promotion of class schedules • CORRECTED As far as I am aware, Curriculum Review (Curriculum Committee) has nothing to do with facilitating registration of students or



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PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email payment for courses.
	<p>reported/approved by the State Chancellor's Office before the course is offered</p> <ul style="list-style-type: none">• Review and request updates to PCCD APs as it relates to curriculum matter.• Oversee Peralta's Uniform Course Numbering (UCN) system• Provide guidelines for college-to-college consultation requirements for curriculum development• Ensure uniform implementation of Curriculum management system platforms to ensure consistent reporting via MIS system, ASSIST and others.• Provide curricular related training to faculty and administrations as needed• Establish guidelines for effective course delivery, such as term for course proposals, distance education, credit and clock hour consistency, and credit for prior learning, etc• Provide annual training to college curriculum committee leads to discuss pressing curriculum updates and Ed code updates• Provide colleges and the Office of Human Resources with district wide discipline lists to comply with minimum qualifications requirements <p>Vice Chancellor of Academic Affairs and Student Services</p>		
Data Management	District Information Technology Department Infrastructure Technology	Instructional Technology <ul style="list-style-type: none">• Implement projects approved by	<ul style="list-style-type: none">• Gap: Adequate and ongoing PeopleSoft training needed to



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PCCD District Functional Map

9/23/2021

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<p>PeopleSoft ERP, Canvas Office365, password resets, and Helpdesk Counseling appointments (SARS) BI Tools CurriQunet Library Resources Maxient Conduct Manager Terradotta, Campus Logic Connect Ed Handshake Credit for Prior Learning Peralta Apprenticeship AIM - Accessible Information Management</p>	<ul style="list-style-type: none"> • Prepare RFP's for large IT projects • Prepare documents for Board Approval • Maintain Enterprise Resource Planning System in conjunction with designated Team Leads/Product Experts • Protect the data and maintain the security (Data Custodian) • Process for security on data sent to offsite companies, externally hosted • Facilitate systems that connect/share data with ERP. • Evaluate the security of external applications. • Provide data access for institutional research department • Maintain and update district servers • Download and securely transmits data pulled daily and sent to third party hosted software applications (e.g. Mediat) • Develop policy on use of 3rd party hosted- data <p>Chief Technology Officer</p> <p>Business Technology</p> <ul style="list-style-type: none"> • Monitor and maintain data integrity through business rules • Provide consistency and external data reporting • Maintaining a relevant data dictionary 	<p>the District/Board</p> <ul style="list-style-type: none"> • Enter correct data • Validate/check data and report • Technical support for reports on specific topics such as enrollment, program review (analysts) • Test PeopleSoft modules to support functional implementation of updates <p>Vice President of Administrative Services</p> <p>Local IT Department (not distributed the same on each college – sometimes siloed in other areas like a lab, library, business/accounting dept. etc)</p> <p>Institutional Research (varies at colleges) Financial Aid Directors</p>	<p>maximize the capabilities of the software modules</p> <ul style="list-style-type: none"> • Gap: Varied levels of access to data in PeopleSoft for campus researchers • GAP: Lack of equity-based data dashboard • GAP: Organization of current BI tool and Power BI to be reorganized so that the data access is easy and straight forward (no manipulation of data by the users) - requests have been made in the past



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PCCD District Functional Map

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Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<ul style="list-style-type: none"> Develop and provide operational reports for college and District staff. Maintains access of the data. <p>VC Finance & Administrative Service Director of Fiscal Services & Financial Aid Vice Chancellor of Human Resources Vice Chancellor of Academic Affairs & Student Success Associate Vice Chancellor Institutional Research</p>		
Distance Education (AP 4105)	<ul style="list-style-type: none"> Facilitate communication and collaboration among the colleges and statewide initiatives, for example the CVC-OEI. Establish and maintain DE project timelines and priorities for the purpose of assuring related activities comply with established standards, consortium requirements, regulations, policies, and procedures. Collaborate and provide updates to district wide committees (DAASSC, DAS, DTC...) Coordinate and support Peralta Online Equity Initiative. Directs the development and implementation of CVC-OEI student exchange program. Collaborate with the IT and District Technology Committee to collaborate on designing new technology for student success. Collaborate with college leadership to 	<ul style="list-style-type: none"> Ensure courses are correctly identified as approved for delivery through distance education in COCI and in local course data. Collaborate with Distance Education Coordinators in development of and the offering of professional development opportunities for faculty. Collect and send IT issues to Director of Academic Affairs Provide support and instruction on using LMS to students Primary role for participation in the statewide initiative of CVC-OEI. Manages college level DE projects. Provides leadership and guidance of the Distance Education (DE) program, including federal and state guidelines. Represent the college on local and district DE Committees, the statewide 	<ul style="list-style-type: none">



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PCCD District Functional Map

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Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<p>assemble and maintain a current District list of AP4105 compliance.</p> <ul style="list-style-type: none">Coordinates and directs educational planning activities and professional development to monitor and evaluate programs that meet District and faculty needs and enhance the educational effectiveness of online class offerings.Develop district DE plan that aligns with college DE plans and lead the projects to achieve the goals determined by the District DE Plan.Develop and provide technical resources for the district's LMS and the district help desk.Ensure the effective use of LMS through report generation, course building process, design, security, external tool integration and maintenance.Provide 24/7 help desk support to students and faculty.Usher agreements for related educational technology and faculty training contracts and assess LTI services.Provide training and resources on LTIs (external tools) and educational technology.Obtain, manage, and assess all LTI contracts and services.Develop tools, resources, and training related to district-wide teaching and learning technologies.	<p>Distance Education Coordinator Organization (DECO), and local PO CR team.</p> <ul style="list-style-type: none">Collaborate with instructional designers and PO CR Leads.Collaborate with college and district Professional Development.Work on the projects and establish workgroups to accomplish the DE goals in collaboration with the other college DE coordinators.Update and maintain College DE websites.Collaborate with college wide committees including the college academic senate, student services, curriculum committee and professional development. <p>Vice President of Instruction</p>	



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PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<ul style="list-style-type: none"> Report any gaps or IT issues to CTO Director of Academic Affairs 		
Dual Enrollment (AP 5010, AP 5011)	<ul style="list-style-type: none"> Provide district wide support to the colleges in developing career pathways and increase offerings of dual-enrollment courses at the charter and high schools Engage unified high school and charter districts to enter into an agreement (Memorandum of Understanding) to adopt the College and Career Access Pathways (CCAP), also known as dual-enrollment, at their schools Ensure faculty are fully supported to successfully teach dual enrollment courses at the high school locations (i.e., audio-visual equipment, laboratory access as needed, white board markers, etc.) Participate at various city-wide tables or meetings in support of the dual enrollment programs. Assist the colleges in promoting programs to industries and employers. Encourage our partners' employees who are subject-matter experts and meet the minimum qualifications or equivalencies to teach college courses by joining our qualified Adjunct Faculty pool Recommend and provide appropriate professional development training for dual enrollment faculty in coordination with the Professional Development 	<ul style="list-style-type: none"> Engage faculty to work with their high school counterparts in developing career pathways and identifying courses that can be offered for dual enrollment Evaluate requests from the high schools and determine dual enrollment courses offered each semester. Schedule courses and assign qualified faculty members to teach the courses. Coordinate and maintain partnerships with feeder high schools, instructors, counselors, Instructional deans, Student Services staff to support admission for special admit, dual enrolled and batch enrolled students Coordinate on the onboarding process of dual-enrolled students, (i.e., High School, Adult School) Provide marketing and outreach to promote programs to various community partners and organizations. Identify and provide appropriate professional development training for faculty. <p>Vice Presidents of Student Services Vice Presidents of Instruction</p>	<ul style="list-style-type: none"> Gap: Lack of easier way for students to enroll electronically Gap; Dual enrollment instructors report to their deans and should be supported by their deans to successfully teach dual enrollment courses, not the district. . This is campus-level work. GAP: Colleges should provide comprehensive support for dual enrollment students including tutoring, counseling (completion of SEP), to ensure their success and encourage further engagement at the college. GAP: District and college should support and track matriculation and completion of dual enrollment students for certificates, AA, BA and gainful employment GAP: College dean should attend course agreement meetings with faculty and high school leads to ensure that faculty is well set up in accordance with the PFT



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PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email contract
	Committee at each college		
	Director of Academic Affairs		
Facilities/ Maintenance and Operations (BPs/APs 6340, 6500 6600)	<ul style="list-style-type: none"> • Prioritize repair requests • Prioritize and complete projects and repairs on the colleges sites • Adopt and enforce district-wide uniform standards for facility safety (water, HVAC) • Create and post signage at colleges (e.g. Covid safety signs etc.) • Maintain grounds • Communicate with the Director of Facilities and Operations or Facility Coordinators and Vice Presidents of Administrative Services at colleges • Perform journey-level work operating, maintaining, and repairing HVAC, plumbing, pool equipment electrical maintenance, door hardware, locks, and key coding. • Specialized assessments of facilities and equipment (HVAC, water, etc) • Supply safety and compliance materials for facilities as needed (water, HVAC, and ADA) 	<ul style="list-style-type: none"> • Direct custodial staff to clean facilities (facility director or facility coordinators) • Submit work orders for repairs to DGS • Maintain health and safety standards in classrooms • Submit requests for project needs 	<ul style="list-style-type: none"> • Re-visit facility use agreements • Develop policy on facility use (e.g. evaluating long-term agreements – DGS responsibility- versus temporary uses – college responsibility) • Reconsider leasing and sub-leasing agreements and maintenance of the facilities • When facilities are leased or rented out for income there needs to be a charge-back for maintenance • Develop a structure or annual report so that colleges understand the cost of maintenance services provided by DGS • Create uniform efforts for facilities across the district (district-wide initiatives should be run by DGS) • AP: Serious shortage of engineers to repair issues. Having them directed from the district means there is not effective oversight of their daily work on the campus.
	Vice Presidents of Administrative Services		
	Vice Chancellor of District General Services		



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PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
			<ul style="list-style-type: none">• This area needs serious consideration, how much of these functions would benefit from moving from the district to the college.• Gap: workorder system not used and tracking information not public.• Gap: Role of the district in communicating with the colleges about facilities repairs and updates.• Gap: Ongoing training for facilities management, water management, HVAC management operations.• Recommendation: Implementation / Utilization of customer resource management system to track all work orders/requests and maintain maintenance logs of when associated services and repairs have been performed
Financial Aid (BP 5130 AP 5130)	<ul style="list-style-type: none">• Update annual global packaging rules, associated run controls, pop-updates and job set queries within PeopleSoft• Test all functions of PeopleSoft financial aid administration upon version and patch updates• Runs Financial Aid authorization process to create transmission of Common	<ul style="list-style-type: none">• Submit COD reports to the District Office• Award, package and disburse Financial Aid to students• Oversees and monitors Satisfactory Academic Progress• Provides calculations for unmet need• Intake and award Federal Direct Loan	<p>Jennifer Ma's comments in red (jenniferma@peralta.edu)</p> <p>Add to District Function</p> <ul style="list-style-type: none">• Run end of term Satisfactory Academic Progress (SAP) status.• Run end of term CCPG



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<p>Origination and Disbursement (COD) files</p> <ul style="list-style-type: none"> • Draws down funds reported from COD reports submitted by colleges • Post all financial aid activity to student accounts • Run refund disbursement process for student accounts • Transfers funds and files to 3rd Party Administrator (Bank Mobile) for disbursement to students • Download student ISIRs and CalSIRs used for packaging and verification • Apply and maintain any system waiver requirements/exceptions as stipulated by DOE, CCPG, BOGG, etc. • Reconcile return of funds to DOE from 3rd party administrator and to the State of California as needed • Assist with fraud and forgery issues in collaboration with other offices • Perform cyclical reconciliation in coordination with colleges • Maintain accounts according to federal and state cash management regulations • Perform monthly and annual reconciliation of financial aid disbursements • Maintain and utilize District Information Technology (IT) to ensure efficient Financial Aid administration • Manage Financial Aid types and related budgets 	<p>applications</p> <ul style="list-style-type: none"> • Coordinates with A & R to verify drop dates • Ensure R2T4 calculations are completed on time and based on student enrollment data • Review, approve or deny student appeals • Verification intake of student files as they pertain to State and Federal Regulations • Responsible for oversight and monitoring of Financial Aid resources • Conduct InReach and Outreach Financial Aid workshops and Financial Literacy Programs • Direct Ongoing training of employees to ensure compliance with Title IV and state regulations • Submit annual FISAP and other reports to DOE • Verify MIS data for District submission • Track Title IV recipients and reconcile title IV funds with student awards • Document Monthly Direct Loan reconciliation in collaboration with the district • Conduct reconciliation of Title IV funds <p>Vice Presidents of Student Services (In Collaboration with Directors of Financial Aid, College Business Office)</p>	<p>Academic Standards.</p> <ul style="list-style-type: none"> • Coordinate annual audit review. • Monitor and address Stale Dated Checks. <p><u>Add to College Function</u></p> <ul style="list-style-type: none"> • Complete and submit all federal and state reports, such as FISAP, BFAP). • Document Monthly reconciliation in collaboration with the district for all federal and state programs (e.g. Direct Loans, Pell, SEOG, SSCG, FWS, Cal Grant). • Collaborate with district office on financial aid annual system setup in PeopleSoft. • Report Cal Grant payments to state agency (CSAC via WebGrants). • Maintain Program Participation Agreement and institutional Title IV eligibility. • Maintain Cal Grant Institutional Participation Agreement. • Develop and maintain institutional policy and procedures to comply with federal and state regulations.



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<ul style="list-style-type: none">• Submit MIS data to the State Chancellor's Office• District contact for audit engagement activities• Create and disseminate regularly scheduled reports for college reconciliation of anomalies due to failed authorization, failed disbursement, and failed packaging• Collaborate on data collection and reporting of annual FISAP reports• Maintain in collaboration with colleges documented procedures and training for district wide financial aid administration• Maintain in collaboration with colleges an annual student financial aid handbook and related resources• Lead annual collaboration efforts on annual business system set up criteria (including testing)• Work with internal auditor on review of district efficiencies and practices• Review and support with SIS issues related to Campus Logic• Create and maintain a designated communication stream for district wide financial aid administration matters• Maintain packaging rules related to external awards (non-global), used for		<ul style="list-style-type: none">• Perform annual audit reviews/fieldwork.• Manage BFAP and campus-based budgets and expenditures. <p>BCC input</p> <ul style="list-style-type: none">• Gap: Lack of key FA personnel at the district (FA Analysts and Director)• Gap: Lack of consistency of practices throughout the campuses among FA staff



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	exceptional student aid (e.g., HEERF) Director of Fiscal Services & Financial Aid		
Grant Management (BP/AP 3280)	<ul style="list-style-type: none"> Ensure CA Ed Code and Federal compliance in spending and reporting Provide support in college submission of Federal Grants Track grant reporting and send reminders for completion to colleges Maintain compliance for all district Academic Affairs and Student Services grants to include all budget related and reporting requirements Track and report spending to ensure all funds are utilized Monitors and approves reporting for Nova CE projects Responsible for fiscal data collection Vice Chancellor of Academic Affairs and Student Services	<ul style="list-style-type: none"> Adhere to Education Code and district policy and procedures Adhere to District's Grants Infrastructure (guidelines, policies, and procedures). Collaborate with the faculty in the various programs to identify needs for supplemental funding through grants or other initiatives. Prospect for grant funding opportunities that meet guidelines including RFA's disseminated by the District. Vice Presidents of Instruction Vice Presidents of Student Services	<ul style="list-style-type: none"> Gap: Lack of grants management infrastructure at district and college levels to coordinate from interest to final reporting. Also see section of "Career Education and Strong Workforce Program"
Health Services (BP 5200/ AP 5200) COVID has impacted this and policy	<ul style="list-style-type: none"> Develop, oversee, and direct the Health Services Initiative Project in alignment with appropriate mandated regulations to ensure compliance in accordance with the District mission, goals, and policies; include broad-based constituent input Develop annual Health Services budget Construct a work plan with the college leadership; Deans, VPs to coordinate Health Services on each campus Develop the scope and direction of clinical services in consultation with the community partners; maintain currency in 	<ul style="list-style-type: none"> Monitor clinical practice according to Health Services, College and District policies, as well as county, state and federal regulations, and licensures Monitor and coordinate activity of all staff assigned to health services Provide direct services in mental and physical health services Participate on college safety committees, or in District and State Health services activities Monitor college health services budget 	<ul style="list-style-type: none"> Gap: Disconnect between mental health providers, District Coordinator and campus leads



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PCCD District Functional Map

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	<ul style="list-style-type: none">contracts and MOUsAddress day to day operational concerns and monitor clinical services delivery for safety and efficacyEnsure that the federal rules of HIPAA confidentiality mandates are adhered to and in complianceConduct annual research to provide comprehensive data for unit plans and forecasting servicesProvide education and consultation to faculty, staff, and administrators with concerns about student mental and physical health <p>Vice Chancellor of Academic Affairs and Student Success</p>	<ul style="list-style-type: none">Ensure compliance and quality of care in the clinical practice settingProvide campus crisis and intervention servicesPrepare reports, surveys, evaluation of servicesMaintain and store confidential health records <p>Vice President of Student Services</p>	
Human Resources (Chapter 7, Human Resources BPs/APs)	<ul style="list-style-type: none">Provide employee relations support including performance evaluations, discipline, labor negotiations, grievance management etc.Coordinate and manage recruitment and selectionAdminister and enforce collective bargaining agreementsBenefits administration including health benefits, leave accruals, worker's compensation, etc.Plan and coordinate employee orientations and functionsEmployee training and developmentOversee Risk Management Function that administers: ADA reasonable accommodation process, workers'	<ul style="list-style-type: none">Performance evaluationsImplement improvement plans for corrective actionsAssure compliance with collective bargaining agreementsParticipate in recruitment and selectionFacilitate employee training and development related to employment and legal requirements <p>College Administration</p>	<ul style="list-style-type: none">GAP Need: Greater support for accountability with employees in the form of FRISK training for management, etc.



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PCCD District Functional Map

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Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	compensation, general liability insurance program, CalOSHA and OSHA employee health and safety, etc. <ul style="list-style-type: none"> • Provide human resource information system management • Create and maintain employee records • Maintain a record of all employee evaluation completion and due dates Vice Chancellor of Human Resources		
Initiatives Vision for Success Guided Pathways: For equity advancement and student success (AP 4235)	<ul style="list-style-type: none"> • Interpret statewide initiatives and policies to promote and leverage integration in the colleges AB 705 <ul style="list-style-type: none"> • Provide district wide data and analysis • Ensure district wide compliance on mandates • Standardize policies and procedures • Install PS customizations to accommodate student flow of information Noncredit <ul style="list-style-type: none"> • Create process for enrollment • Provide training on required attendance reporting • Install LTIs to aid hourly attendance accuracy • Integrate transcript display into existing credit transcripts Credit for Prior Learning (CPL)	Guided Pathways <ul style="list-style-type: none"> • Monitoring/reporting Guided Pathways efforts to integrate equity-strategies, increase student success • Plan, monitor, and report on the use of GP categorical funds to the state. • Integrating implementation through collaboration across college departments (e.g. instruction and student services, financial aid) • In alignment with the Vision for Success, the PCCD Strategic priorities, the colleges implement Guided Pathways structure as a foundation for student success. • Providing authentic, specific support for students in these paths • Assessment of these specific initiative efforts • Institutionalize the initiatives and strategies • Ensure pathways are created that 	Missing college role on GP: ADDED Plan, monitor, and report on the use of GP categorical funds to the state.



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PCCD District Functional Map

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Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<ul style="list-style-type: none">Create district wide implementation planDevelop display for transcript recordsCoordinate district side discipline meetingsTrack district wide data and provide analysis <p>Vice Chancellor of Academic Affairs and Student Success</p>	<ul style="list-style-type: none">accommodate part-time studentsIntegrate the Guided Pathways essential practices into the strategic goals of the collegeEstablish and maintain an engaging Areas of Interest webpageIdentify funding to further the pathway work after Guided Pathways funding is exhausted <p>AB 705</p> <ul style="list-style-type: none">Implement AB 705 for Math, English, and ESOL as part of the Pathways and Equity advancing focusDevelop and implement curricular changes to meet the state mandate.Work with math, English, and ESOL faculty to continuously improve student outcomesCoordinate with IT for program updates to allow enrollment without pre-requisite completion <p>Credit for Prior Learning</p> <ul style="list-style-type: none">Implement CPL courses and student support <p>Noncredit</p> <ul style="list-style-type: none">Colleges develop NC/CDCP as appropriate including CE focus to	



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PCCD District Functional Map

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Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
		enhance pathways from adult schools, community-based organizations, high schools, and other partner organizations Vice President of Instruction Vice President of Student Services	
Institutional Research (BP 3225 , BP 3250 , BP 5300 , AP 3225 , AP 3250 , AP 5300)	<ul style="list-style-type: none"> • Provide data to colleges on information and research to support (e.g. Strategic plan, EMP, SEM, Facility and Technology Plans) • Shepherd input from participatory governance related to goals and planning for the district • Provide data and evidence to inform priorities and goals for all planning documents for the district • Implement district-wide plans • Provide the district and colleges with information and research to support planning, assessment, accreditation, policy formation, and decision-making • Provide leadership in organizing research and planning of key state and district initiatives (e.g., California Promise, Guided Pathways, Integrated Planning, and AB 705). • Provide IPEDS data to colleges • Coordinate with colleges on the submission of key state and federal reports (e.g., CCFS 320, MIS, SCFF, IPEDS, Project Success). 	<ul style="list-style-type: none"> • Create college-level planning, assessment, accreditation, policy formation, and decision-making. • Shepherd input from participatory governance related to goals and planning for college • Provide data and evidence to inform priorities and goals for all planning documents for college • Evaluating the goals as in institutional effectiveness • Align college-planning with district planning, priorities, and goals • Validate MIS data, 320 data, SCFF data, IPEDS data entry, bond reports • Implement plans at college level (*Directors) • Manage website – Dashboards, Accreditation, Guided Pathways • Chair Participatory Governance Committees as Institutional Effectiveness (such as when developing institution-set standards) 	<ul style="list-style-type: none"> • Gap- functional analyst to bridge with IT to map data and liaison between IT and someone who understands the system and allow IR to access data • GAP - orient and train (particularly new people) on the backbone – basic training for everyone at Peralta in PeopleSoft (HR function) • GAP- describe and understand institutional effectiveness and the responsible party • Issues – review job descriptions, roles, and expectations among the colleges; asymmetry makes unclear boundaries • Issues – leadership



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PCCD District Functional Map

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	<ul style="list-style-type: none"> Develop and maintain Oracle BI dashboard reports and PBI reports. Provide data for Program and Annual Reviews Designs, maintains, manipulates, and queries specialized databases and information systems to support research. Collaborates with IT, Financial Aid, Admissions and Records, Finance, and Human Resources to ensure maintenance of data research, data warehouse systems, assist in developing data and report quality assurance processes and procedures. Collaborates with HR, Financial Aid, Student Finance, Curriculum and Admission and Record for data validation. * Develop and monitor external research request policies and protocols Integrate and maintain Data Warehouse Develop Official IRB process Report Citizens Oversight Committee for bond measures <p>*Note: This is a cross-reference for data validation provided by other district depts like Student Finance, Finance, Financial Aid, and HR and it should also be documented as their functions in their perspective sections in this document. Enrollment data and tax reports require subject matter experts to initiate reports</p>	<ul style="list-style-type: none"> Assess progress on Institutional-Set Standards and Stretch Goals and reports figures on ACCJC Annual Report. Generate college-level student data queries and reports such as enrollment and contact lists Develop, administers, analyze and report surveys Direct and Complete/Support Admin in charge Comprehensive Program Review and Annual Program Updates (template design, training, committee work, provide college-specific data, consolidate resource requests) Prepare and deliver planning retreats Provide campus requirements and user community feedback on research data elements in Data Warehouse Provide college end-user support for data systems Initiate, plan, evaluate and produce required reports for all college level initiatives and grants. Contribute to and implement IRB process Prepare of planning and reports for Citizens Oversight Committee for bond measures Review and manage college-level external research requests. Serve as point of contact for college-level data requests 	<p>roles for planning are still unclear – due to understaffing</p> <ul style="list-style-type: none"> Issue – clarify website responsibilities GAP- access to data for Bond reporting is an issue



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PCCD District Functional Map

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	Associate Vice Chancellor for Planning & Institutional Research	<ul style="list-style-type: none"> Ensure local processes conform to district data quality standards Align local data with district-wide definitions Define local roles and access rules in alignment with district-wide standards. Develop data and process standards to ensure proper documentation of accreditation requirements Support learning communities to analyze outcome data for continuous improvement and innovation Provides training on utilization of data sources for addressing program planning needs Keeps the College and administration informed of research communications or studies pertaining to state, district, or College policies <p>Director of College Research and Planning, Senior Research and Planning Analyst, Research and Systems Technology Analyst</p>	
International Students (AP 4026, 5012,5020, 5030, 5055)	<ul style="list-style-type: none"> Acts as a liaison between state and federal agencies such as DSH, USCIS, SEVP, DoS, etc Create, maintain, and update technologies specific to the international student program Ensure international student compliance for F-1 international students Directly recruit international students (internationally and domestically) and identify potential agency partnerships 	<ul style="list-style-type: none"> Provide support and instruction for international students as requested and upon demand <p>Vice President of Instruction Vice President of Student Services</p>	<ul style="list-style-type: none"> Gap: Lack of connection between International Services Office and campuses GAP/Recommendation: (Fiscal Services and International Student Program):FTES colleges generate to serve international



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	<ul style="list-style-type: none"> • Provide admissions, orientations, advising, counseling, activities, workshops, and other services for F-1 international students • Oversee and manage Study Abroad programs • Act as a liaison between the colleges and district as it relates to international students and study abroad programming • Identify and coordinate international contract education opportunities • Review and update policies such as tuition fees, health insurance, study abroad processes, etc <p>Director of International Education Vice Chancellor of Academic Affairs and Student Success</p>		<p>students are supporting 100% of the operation of the international student program.</p> <ul style="list-style-type: none"> • Consider share % of FTES generated funds to be shared with the colleges.
<p>Legal Contracts (See BP 6100 6340, 6345, AP 6100, 6340, 6345, 6350)</p>	<ul style="list-style-type: none"> • Contracts for the District are currently monitored through the Contract Tracking System (CTS). The CTS system is currently monitored by the Legal Coordinator. Peralta does not currently have an internal General Counsel. • The CTS system is an IT Ticketing system. It was implemented as a temporary solution until PeopleSoft 9.2 is fully implemented. <p>Currently there is only one legal employee who reports directly to the Chief of Staff.</p> <ul style="list-style-type: none"> • Upload contracts into the CTS 	<ul style="list-style-type: none"> • Colleges upload contracts into the CTS System • Respond to any questions presented by the legal team • Route contracts for final signatures once closed out in the CTS System. <p>Vice Presidents of Administrative Services</p>	<ul style="list-style-type: none"> • Gap: Need distinction between contracts for goods and services versus contracts for accepting funds for college operations



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	<ul style="list-style-type: none">SystemRespond to questions presented by legal team.Route contracts for final signatures once closed out in the CTS System. <p>Vice Chancellor of District General Services</p>		
Marketing, Communication and Public Relations	<ul style="list-style-type: none">Provide the marketing & communication platform for email to students, employees, and community members (currently HubSpot).Send email to students at all four colleges regarding special situations and emergencies (e.g. COVID testing policy, earthquake, air quality, power shutdowns, etc.)Provide the platform for SMS texting to students, employees, and community members (currently SMS Zap, integrated with HubSpot). Messages provided by Colleges are sent by district staff.Host, develop content and design District-branded websites including www.peralta.edu; https://safe.peralta.edu; https://build.peralta.edu; and https://gems.peralta.edu.Provide technical support for the colleges' WordPress websitesManage district-branded social media accounts.Produce district-wide advertising and promotions.	<p>Provide the content and use the system for emailing students.</p> <p>Provide the content for SMS texting to students.</p> <p>Host, develop content, and design of the college-branded websites.</p> <p>Manage college-branded social media accounts</p> <p>Produce college-branded advertising and promotions</p> <p>President</p>	



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	<ul style="list-style-type: none"> Assist colleges with college-branded advertising upon request. Provide District “talking points” for College-level communication with employees, students, and community members Assist with formatting and publish college catalogs (web and/or print) Verify accuracy of public information <p>Executive Director of Marketing, Public Relations & Communications</p>		
Payroll – Finance & Administration Chapter 6 Business and Finance BPs/APs	<ul style="list-style-type: none"> Create an integrated budget/financial calendar with all the budget outgoes (payroll deadline/dates, related report obligations such as Parcel Tax report) Automate updates and messaging Identify gaps in system control and reports that can be used for part-time budget/position control (push out status report) Validate, in collaboration with the colleges, part-time allocation from the District to the Colleges prior to distribution Produce finance dashboards for directing projections Resolve issues with PeopleSoft and ePAFS when hiring and budgets should provide information to create internal controls Enhance visibility through training for 	<ul style="list-style-type: none"> Align appropriate payroll with Budget cycle and budget development – Position control, validate budget source, percent, and available funding Clarify part-time workers and position control with budget source Solicit campus feedback from user groups on payroll processes. Field pay questions (i.e., submission of timesheets or workload) Schedule monthly timesheet deadlines Notify payroll of overpayment or underpayment Submit charge detail in the term workload (increase, decrease, late add, or cancel) assignment – part time faculty. Notify and ensure that staff are trained and competent <p>Vice President of Administrative Services</p>	<ul style="list-style-type: none"> Issue: the 5 pay periods makes it impossible to pay many part-time faculty accurately in the first check. It causes lots of problems and extra work on both the college and the district. Gap: need processes clearly written down so everyone knows timelines and responsibilities on these MANY issues Gap in General Finance operation: Budget development process – accurate and timely budget allocation to correct budget strings at each college. *Gap in ePAFs connected to Program 9 budget strings which causes deficits in fund



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	<p>admin to transfer funding from unfilled positions/release to part-time line items and create full accounting of resources (apply process consistently)</p> <ul style="list-style-type: none"> Identify proactive reporting areas to help stay within budgets Processes payroll from source documents provided by the campus Processes authorized payline updates to ProRata program for part time faculty Prepares monthly, quarterly, and annual federal, state, and district reports Runs and distributes ProRata program extract reports for part time faculty pay; Academic Affairs load the office hour before the extract for both spring and fall terms Monitors and adjusts employee wages Processes full in-house payroll, tax processing, deduction processing, net pay distribution (i.e. check printing, distribution of paychecks, direct deposit funding, etc.) Process pay adjustments, pay reconciliations, retro-active pay Respond to employee inquires – various in nature, some involve the college, and many do not (i.e., tax, deduction, garnishments, direct deposit, etc.) Replace lost paychecks and stale dated paychecks Plans and organizes payroll dates and flow for incoming, as well as outgoing 	<ul style="list-style-type: none"> Submit revised timesheets or revised faculty workload Submit approved source documents: classified and student worker timesheets, classified overtime on LARs, stipend timesheets for part time faculty and corresponding ePAFS. Submit ProRata program updates for part time faculty Review reports for accuracy: courses for each instructor, start & end dates, along with other relevant data and makes corrections in term workload and submits changes to Payroll for capture or possible adjustment Send banked load requests to the Chancellor for approval using right of assignment Create a report on faculty banked load Review/validate colleges' PT allocation with the District prior to distribution Review quarterly analysis of Part-time expenditures <p>Vice President of Instruction Vice President of Student Services</p>	<p>1 and necessitates end of term/year transfers.</p> <ul style="list-style-type: none"> GAP: PT faculty allocation to colleges are inadequate. Validation of the PT fund allocation is not in place. District's calculation of the PT faculty allocation needs to be transparent, consistent and clear. Colleges are accused of "overspending" but not enough funds are allocated from the beginning. (I.e. BCC receives 55 FT faculty backfill amount where we have 67 FT faculty: error with roughly \$450 – 500k not provided) GAP: PT faculty office hours, back-fill for sabbatical, banking and other categories are unclear as to how it is calculated. Needs transparency and consistency across colleges from the Fiscal Services/Payroll. GAP: Lack of coordination and collaboration between Academic and Student Affairs and Fiscal services regarding Parcel Tax report. GAP: Lack of clarity of Parcel Tax use expectations by the District. Does the district



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	<p>activities (i.e., monthly schedules, fiscal year deadlines)</p> <ul style="list-style-type: none">• Run PFT equated hours monthly report• Reconcile and attempt to collect overpayments. The Campus will decrease a workload or cancel a class after it has already been paid to the employee which will trigger this collection process.• Payroll tracks required payline activity per term, necessary to prevent overpayments. The ProRata program is flawed and in need of some program fixes. Until then, manual intervention has been the work-around. This process is very time consuming and detailed.• Train college personnel on payroll processes <p>VC of Finance and Administrative Services</p>		<p>direct the usage (in the past per the former chancellor) or do the colleges have the decision-making power to do what's right as part of the fiscal responsibility of the colleges? (meeting the regulation of Parcel Tax)</p> <ul style="list-style-type: none">• GAP/Recommendation: (Fiscal Services and International Student Program): FTES colleges generate to serve international students are supporting 100% of the operation of the international student program. Consider share % of FTES generated funds to be shared with the colleges. <p>Recommendation:</p> <ul style="list-style-type: none">• District makes clear of consistent calculation of PT faculty allocation during the budget development period for the subsequent year to the colleges.• Provide clear direction through orientation/training to the colleges regarding PT office hour, sabbatical, banking and other backfill needs/calculations/allocation



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PCCD District Functional Map

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Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
			during the budget development process for the subsequent year
Peralta Foundation (BP/AP 3600)	<ul style="list-style-type: none"> Coordinates district fundraising and approve fundraising events Provides accounting services for funds that are raised and/or spent from fundraising activities and Foundation programs Administers scholarship funds Coordinates donor communication Oversee and approve donor recognition across District and colleges <p>Chancellor Executive Director of the Peralta Foundation</p>	<ul style="list-style-type: none"> Executes fundraising events according to approved plan Implement programs and initiatives that are funded through the Foundation Report to District Foundation Office on use and impact of donor funds Colleges award scholarships and select student applicants in collaboration with Foundation Implement donor recognition on campus Update the Foundation on donor contacts and communications <p>President</p>	<ul style="list-style-type: none"> Gap: Greater coordination needed for fundraising efforts with Peralta Foundation, District, and campuses Recommendation: Develop closer collaboration with the Peralta Foundation and partner on programs and initiatives
Planning and Budget Integration Model (BP 6250 need 6200/ AP 6250 need 6200) (BP/AP 3250, 6300)	<ul style="list-style-type: none"> Organize planning meetings Integrate district and college mission, vision, and goals into planning Provide all updated plans <p>Chief of Staff</p> <ul style="list-style-type: none"> Identify and articulate priorities and goals for all planning documents Implement district-wide plans Provide the district and colleges with information and research to support planning, assessment, accreditation, policy formation, and decision-making 	<ul style="list-style-type: none"> Colleges conduct program review, program planning, and resource allocation processes. Colleges lead the planning on items listed in BP 3250 	<p>Comments from the Institutional Effectiveness Committee:</p> <p>Notes: Calling this a “model” is strange, it actually is a committee not a model.</p> <p>In district column, the chief of staff does not</p>



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PCCD District Functional Map

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	Associate Vice Chancellor for Planning & Institutional Research		<p>identify all priorities, this needs to be done collectively with input from the colleges.</p> <p>Gap: Where does the college give input on planning?</p> <p>Gap: Very unclear on how the plans feed into each other, they all seem to be done in vacuums.</p> <p>Missing from college column:ADDED</p> <ul style="list-style-type: none">• Colleges conduct program review, program planning, and resource allocation processes.• Colleges lead the planning on items listed in BP 3250• Gap: Lack of clarity on how this model connects to campus committees



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Professional Development (BP 7160, No AP)	<ul style="list-style-type: none"> Plan and coordinate district-wide PD Flex Days, twice a year. Curate and share PD opportunities including trainings, workshops, resources, etc. Provide support for college PD Committees. Support, review, and approve PD-based faculty column advancement requests. Organize and maintain records related to faculty participation in Professional Development Activities. <p>Staff Development Coordinator Vice Chancellor of Academic Affairs and Student Success</p>	<ul style="list-style-type: none"> Plan and coordinate College PD Flex Days, four times per year. Organize, curate, and promote College PD opportunities throughout the year. Promote, review, and recommend college Sabbatical Leaves each year. Establish and maintain college Professional Development Committees according to contract, <p>College Professional Development Committees</p>	<ul style="list-style-type: none"> Gap: Lack of Districtwide professional development coordination for Classified professionals. GAP Need: A mechanism to provide professional development funds and coordination to faculty and classified professionals on the campuses and district
Purchasing (BP 6330/AP 6330) (BP 6430/AP 6340) (BP 6345/AP 6345)	<ul style="list-style-type: none"> Plan, organize, coordinate, direct and evaluate a variety of purchasing services for the District including contract administration, development and coordination of the District's construction bids, and projects of Small Local Business Enterprise (SLBE) and Small Emerging Local Business Enterprise (SELBE), and train, supervise and evaluate the performance of purchasing staff. Direct the purchase, inventory control and storage of District equipment, services, supplies and material according to 	<ul style="list-style-type: none"> Develop and manage budgets for purchasing college items and services Entry and approval of purchase requisitions Communicates with employees and vendors regarding purchases Approves budget transfers, budget journals, vouchers, and requisitions Receives and documents goods at the campus Ensures adequate funds are available for purchasing Obtain bids, proposals, quotes for purchase requisition back-up 	<ul style="list-style-type: none"> DGS would like to propose a new structure for SLBEs SLBE Board Policy is needed Need to discuss and plan/restructure for sustainability Need to discuss and plan/restructure for sustainability e.g. align sustainability standards with the maintenance ramifications Consider Board Policy on sustainability planning Gap: Lack of clarity around



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	<p>established guidelines and legal requirements; ensures contractors meet the terms and conditions of contracts as agreed.</p> <ul style="list-style-type: none"> • Submit all purchases over \$50,000 to Trustees for approval. • Audit Calcard for compliance and adherence to AP 6330 • Review all purchasing every 60 days (BP6330) • Identify source funding for all contract extensions within the approved Annual Budget • Assess the impact of repurposing funds from originally approved budget line. • Ensure goods and services necessary for the operation of the District are obtained at competitive prices • Issue contracts and purchase orders goods, services, and supplies • Issue formal bids for contracts, goods, and services over \$92,600 and for construction contracts over \$200,000. • Analyze bids, request for qualifications (RPQ), request for quotes (RFQ) and request for proposals (RFP) from qualified contractors. <p>VC of Finance and Administrative Services</p> <ul style="list-style-type: none"> • Ensure goods and services necessary for capital outlay, maintenance and operations and related DGS support 	<ul style="list-style-type: none"> • Review ICC before forwarding to district • Monitor Cal Cards • Ensure financial controls and guidelines are followed (e.g. CAPs and limitations) • Train staff on financial guidelines for purchasing • Initiate contract review process • Develop RFP and review for construction and public bidding • Transmit department needs and specifications for purchasing • Upload and track purchase requisitions <p>Vice President of Administrative Services</p>	<p>the process, communication and timely payments.</p> <ul style="list-style-type: none"> • Gap: Lack of clarity of admin oversight of funding source for purchases using bond, categorical, grant dollars. • Gap: Lack of clarity on AECOM role for DGS related purchases. <p>(Fiscal Management)</p> <ul style="list-style-type: none"> • Gap: Lack of coordination and collaboration of district and Colleges' functions • Gap: Lack of support & services, as well as communication to colleges regarding RFP, bids, and other key district-wide processes. No consistent and current written procedure dissemination <p>Recommendation:</p> <ul style="list-style-type: none"> • District Fiscal services provides an annual training/orientation to the colleges re: a) new process if any, b) process clarification, and other key policy and processes. Provides annual timeline of key submission



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	<p>services are obtained at competitive prices</p> <ul style="list-style-type: none">• Facilitates planning services as it relates to new buildings and modernization of facilities• Prepare requisitions and specifications for processing informal purchase orders for items less than \$96,700 and for construction contracts over \$200,000• Prepare bids, request for qualifications (RPQ), request for quotes (RFQ) and request for proposals (RFP) from qualified contractors.• DGS reviews, interviews and recommends awarding the solicitation results based upon the solicitation criteria, assuring consistency with State and Board policies and requirements.• Prepares written recommendations (Board Agenda Item) for the Chancellor to present to the Board of Trustees.• Provide technical direction on procurement and contract bidding procedures to ensure compliance with all contract requirements and problem resolution.• Facilitate planning sessions with District executives & staff, college faculty & staff members as it relates to facilities.• Responsible for the development of the District-wide Facilities Masterplan.• Facilitates vendor outreach efforts.• Interface with consultants and		<p>timeline and share PCCD staff who deals with these areas to the colleges.</p>



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PCCD District Functional Map

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	<p>contractors for District facilities.</p> <ul style="list-style-type: none">• Coordinate the implementation of SLBE and SELBE outreach efforts with local associations, organizations, and agencies (local and state) through identification of sources, dissemination of information and follow-up. Participates in related fairs, symposia, and other committee meetings.• Assist with SLBE/SELBE goal setting for construction projects, promoting District's policy and programs relating to equal opportunity and non-discrimination objectives.• Propose changes to and maintain policy and procedure manuals for DGS systems• Training of department personnel in the use of computerized systems and other equipment as necessary. <p>VC District General Services</p> <ul style="list-style-type: none">• Provide training on purchasing software in ERP to all staff <p>Chief Technology Officer</p> <ul style="list-style-type: none">• Issue Calcards for qualified business transactions for authorized employees with minor purchases and travel expenditures• Determine spending limits for purchasing authority and a dollar limit per purchase and a monthly dollar limit		



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Risk Management	Chancellor or Designee <ul style="list-style-type: none">• Procure and maintain liability, property and other appropriate insurance and self-insured programs• Develop and implement systems, policies and procedures for the identification, collection, and analysis-of-risk related information.• Educate and train the leadership, staff, and business associates as to the risk management program, and their respective responsibilities in carrying out the risk management program• Lead, facilitate, and advise departments in designing risk management programs within their own departments• Collect, evaluate, and maintain data concerning patient injuries, claims, worker's compensation, and other risk-related data• Investigate and analyze root causes, patterns, or trends that could result in compensatory or sentinel events• Help identify and implement corrective action where appropriate• Serve as the organization's liaison to the insurance carrier• Assist in processing summons and claims against the facility by working with the General Counsel to coordinate the investigation, processing, and defense of claims against the organization	<ul style="list-style-type: none">• Submit claims along with all supporting documentation in a timely manner• Attend trainings for specific business units• Actively monitor and mitigate risk on campuses Vice Presidents of Administrative Services	<ul style="list-style-type: none">• Gap: Close the gap in communication between DGS and respective campuses. Increase the collaboration with the campuses on work orders• Recommendation: Ensure the respective campus engineering team and VPAS are tuned in to capital improvement, repairs, maintenance and other work to mitigate potential risks



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Safety	Chief of Staff <ul style="list-style-type: none"> Contract with safety contractors Conduct safety checks Report to police and file reports regarding safety incidents Communicate with presidents about safety incidences at the college Report crimes that occur on campus (Clery Act and Title IX) Vice Chancellor of District General Services	<ul style="list-style-type: none"> Follow safety protocols Alert DGS of any incidences or safety concerns Supply safety materials for students and staff as needed Vice President of Administrative Services	<ul style="list-style-type: none"> Evaluate community-based safety/security program Incorporate a holistic safety program Create a health safety and security committee and meet regularly Assess whether the current approach to public safety is addressing the needs of the district Recommendation: Continue to work with 3rd party vendor and ensuring staff is consistent and trained on the dynamic operational procedures
Strategic Enrollment Management (BP 4226, 5010, 5011, 5052 5055 AP4226, 5010, 5011, 5012, 5013, 5015, 5020, 5052, 5050, 5070)	<ul style="list-style-type: none"> Collaborate with colleges to develop annual targets for FTES and FTEF Submit the CCFS-320 Report Update the District SEM Plan to include college SEM goals for district wide collaboration Report data and analytics to support Enrollment Management (IR dept) Ensure compliance with District, state, and federal policies, rules, and regulations Verify reports Provide information to the Board Align planning with colleges 	<ul style="list-style-type: none"> Develop and follow a comprehensive process to achieve and maintain optimum recruitment, retention, and graduation rates of students Ensure compliance with District, state, and federal policies, rules, and regulations Collaborate with District to develop annual targets for FTES and FTEF Ensure strategic enrollment plans incorporate the Student-Centered Funding Formula Develop and maintain external partnerships 	<ul style="list-style-type: none"> GAP: Lack of easy access to data dashboard that can disaggregate student profiles by ethnicity, etc. GAP: Lack of easy access to flexible data dashboard that can let colleges project enrollment based on SCFF.



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PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	Associate Vice Chancellor for Planning & Institutional Research Vice Chancellor of Academic Affairs and Student Success	<ul style="list-style-type: none"> Validate CCFS-320 report data President	
Student Services (Chapter 5 Student Services BPs/APs)	<ul style="list-style-type: none"> Ensure BP/AP and CA Ed Code compliance on student admissions, enrollment, grades, record corrections, residency, and fees Support technological advancement and innovation in serving students at the colleges. Related to: <ul style="list-style-type: none"> Counseling Orientation Communication Categorical Programs Accessibility Discipline Develop partnerships that aid students Meet with Associated Student and Student Trustee leadership to support established goals Vice Chancellor of Academic Affairs and Student Services	<ul style="list-style-type: none"> Provide academic support such as tutoring & supplemental Instruction <ul style="list-style-type: none"> Recruit, hire and schedule tutors and SI leaders Track and report on student usage of services Direct and evaluate <i>Welcome Center</i> effectiveness Oversee Admissions & Records Strategize Outreach/Orientation - Targeted enrollment Oversee Financial Aid Manage, strategize, and evaluate effectiveness of Counseling Manage and train staff and faculty on Articulation Facilitate Student Life such as assisting in organizing and supporting student government and clubs Ensure Student Accessibility Services (SAS – aka DSPS) Manage and evaluate Extended Opportunities Programs & Services (EOPS/CARE) Ensure Wellness and Mental Health Services Facilitate Next Up (Foster Youth) Oversee and evaluate CalWORKs 	<ul style="list-style-type: none"> Gap: Lack of executive administrator for Student Services at the district level Lack of standardization of staffing for student services on different campuses Lack of support from District Finance due to limited staffing for student services in District finance



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
		<ul style="list-style-type: none"> Promote Student Equity (Sankofa/Umoja, Puente & FYE (First Year Experience) Oversee and facilitate services to Undocumented Community Resource Center, Veterans and Military Services, Student Basic Needs Facilitate and evaluate Career & Transfer Center Confirm Data for MIS Reporting <p>Vice President of Student Services</p>	
Technology Development and Planning	Infrastructure Technology <ul style="list-style-type: none"> Set standards for video-conferencing equipment in classrooms and conference rooms Evaluate recommendations for Software and platforms Integrate platforms with SIS, SSO, productivity tools Oversee District Strategic Plan for information technology Evaluate and deploy requested Learning Tools Interoperability (LTI) e.g. allows services like Voice Thread to integrate with LMS Conduct all setup and modifications to applications Decide on PeopleSoft platform changes requested through DTC and other committees Lead the District Technology Committee (DTC) with technology planning and 	Instructional Technology <ul style="list-style-type: none"> Recommend platforms and software via participatory governance for systems use and policies Communicate end-user feedback via participatory governance Inventory software and usage (e.g. zoom phone) Collaborate with other colleges to get better usage and coordination of software tools Install and implement... Recommend platforms and improvements based on faculty and student needs via College Technology Committee and college counsel for systems use and policies. Prioritize needs for the District Technology Committee for recommendation through Program Review and resource allocation. 	



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<ul style="list-style-type: none">recommends prioritiesCreate recommendations (as DTC District Technology Committee) to Planning Budget Committee (PBC) and to the Chancellor's Executive CabinetAlign with the College Technology Plans in creating and updating the Districtwide Technology PlanAutomatically generate permission listsAutomate forms for student services (45 forms but the next level is automating the process to guarantee timing and process consistency) Using e-forms – will require colleges to define and align forms <p>Chief Technology Officer</p> <p>Business Technology</p> <ul style="list-style-type: none">Identify missing processes that would bridge institutional gapsCreate solutions and address improvements in business processes, with District ITPropose new technology projects through the district and college participatory governance process.Evaluate and report in quarterly meetings on internal processing to IT e.g. cost centers and controlling transfer within budget fundsSuggested a subsidiary ledger for reconciliation of any other funding received (like the one we have for	<ul style="list-style-type: none">Vet technology requests through the appropriate participatory governance committees for transparency of recommendations to DTC.Contribute to and update the College Technology plan through the Technology planning committeeAlign to the timeline and support the District Master Technology planAssist departments to procure equipment for classroom useMaintain labs offices and classroom computer and A/V equipmentUpdate and issue laptops to employeesDispose of equipment as e-waste <p>Vice President of Instruction Vice President of Student Services Vice President of Administrative Services</p>	



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	student financial aid) <ul style="list-style-type: none"> Integrate and maintain platforms for online tutoring, online early alert, online counselling appointments (SARS) VC Finance & Administrative Service Interim Director of Fiscal Services & District Financial Aid Staff		
Technology Support Services and Applications PeopleSoft ERP Office365, password resets, and Helpdesk Counseling appointments (SARS) BI Tools CurriQunet Library Resources Maxient Conduct Manager Terradotta Campus Logic Connect Ed Handshake Credit for Prior Learning Peralta Apprenticeship AIM - Accessible Information Management	Infrastructure Technology <ul style="list-style-type: none"> Maintain, repair, install, and upgrade the infrastructure and data networks including the telephone network, the district servers, and Data Center. Administer mission critical business applications including enterprise resource planning (ERP) systems and other peripheral applications. Set the standards for video conferencing equipment, both in classrooms and conference rooms. Provide access for email Maintain the email systems Provide help desk services for LMS, SIS and other applications Develop and maintain resources on application use, policy, and procedures Conduct all setup and modifications to applications Provide technical support for students (helpdesk and phone support) Chief Technology Officer <ul style="list-style-type: none"> Provide the ERP business requirements to District IT. 	Instructional Technology <ul style="list-style-type: none"> Provide end user technical services including maintenance, repairs, installations, upgrades, etc. Carry out installation tasks Ensure maintenance of classroom technology equipment Provide computers to teaching staff as requested. Purchase, maintain and update, and secure College Servers (including active director servers for authentication and libraries) Provide helpdesk and in-person phone support to college community Provide ongoing technology training to employees on several software applications. Assess technology training and support Local College IT Department (not distributed the same on each college – sometimes siloed in other areas like a lab, library, business/accounting dept. etc – survey IT skills potential) <ul style="list-style-type: none"> Provide face-to-face sites where 	Add to college column: From IT Dept manager: ADDED <ul style="list-style-type: none"> Provide ongoing technology training to employees on several software applications. Assess technology training and support



Draft 2



PCCD District Functional Map

9/23/2021

Function	District Role	College Role	Feedback – identify inaccuracies, gaps or missing functions. Suggest needed functions and responsible parties and provide a contact email
	<ul style="list-style-type: none">Establish the development of requirementsProvide oversight for design, and ensure quality and standards meet defined expectationsCreate and execute test plansDevelop and maintain manuals and SOPs for Business processesUpdate District IT concerning changes and requirements in student financial aid business processes <p>VC Finance and Administration Services</p> <ul style="list-style-type: none">Update and inform District IT about new applications or data required to comply with state or federal regulations regarding LMS, student services or instruction.Update District IT concerning changes and requirements in student financial aid <p>VC Academic Services and Student Success</p> <ul style="list-style-type: none">Update and inform District IT about Human Resources regulations or requirements <p>VC Human Resources</p>	<p>students can get assistance with SSO, LMS, online courses and other IT issues</p> <p>Vice President of Student Services Vice President of Administrative Services</p>	

Chancellor's Work Group

- *Not a standing committee.*
- *Task Oriented – Active only when there are specific task(s) assigned.*

MEMBERSHIP

Member	Appointment
Chancellor	By position
Chief of Staff	By position
College President	Appointed by the Chancellor
2 Representatives from PGC	Appointed by PGC Committee Chair
2 Representatives from PBC	Appointed by PBC Committee Chair
2 Representatives from DFC	Appointed by DFC Committee Chair
2 Representatives from DTC	Appointed by DTC Committee Chair
2 Representatives from DAASSC	Appointed by DAASSC Committee Chair
1 Student Representative	TBD

** The Chancellor reserves the right of privilege to ensure that there is proper representation amongst constituencies, and may add at-large members, if necessary.*

CURRENT RESPONSIBILITIES

- 1 Look at a Budget Philosophy (CWG sends to PBC then to PGC)
- 2 Updating PBIM Structure/Manual
 - Tri-Chairs for PBIM Committees
 - Rotating PBIM management appointments from the College presidents (all attend/ex-officio, and only some voting)
 - Tool for committee assessment
 - Review how other committees fit into the PBIM Structure
 - Advisory Committee to look at Holistic Safety & Wellness Committee (name TBD) - (to go through the DFC to endorse to go back through the PGC)
 - District Strategic Enrollment Management Committee (continue as being rolled into DAASSC?)
 - Data Integrity Committee (DAASSC sub-committee?)



Higher Education Emergency Relief Funding (HEERF) Update for the Peralta Community College District

October 26, 2021

Presentation to the Board of Trustees by College Presidents:

Dr. Rudy Besikof, Laney College

Dr. Angélica Garcia, Berkeley City College

Dr. David M. Johnson, Merritt College

Dr. Nathaniel Jones III, College of Alameda

Overview of Federal Emergency Relief Funds

- Coronavirus Aid Relief & Economic Security (CARES) Act: July 2020- June 30, 2021
- Higher Education Emergency Relief Fund (HEERF) II: April 2021 - June 30, 2022
 - *Coronavirus Response & Relief Supplemental Appropriations Act (CRSSAA)*
- Higher Education Emergency Relief Fund (HEERF) III: May 2021 – June 30, 2022
 - *American Rescue Plan (ARP) Act*
- Collective work across the colleges/District
- Engaged in discussions across constituency groups as we progressed through HEERF

DISTRIBUTIONS TO THE COLLEGES

	HEERF I		HEERF II		HEERF III		Minority Serving Institution		
	Student	Institutional	Student	Institutional	Student	Institutional	Allocation I, II, III		
BCC	\$922,262	\$922,262	\$922,762	\$3,784,653	\$4,066,369	\$3,902,441	\$133,480	\$287,681	\$475,763
COA	\$524,585	\$524,585	\$524,585	\$2,647,686	\$2,942,770	\$2,622,312	\$76,184	\$198,064	\$338,340
Laney	\$1,656,735	\$1,656,735	\$1,656,735	\$7,197,348	\$7,793,550	\$7,519,837	\$13,604	\$33,194	NA
Merritt	\$748,641	\$748,641	\$748,642	\$3,485,082	\$3,902,466	\$3,646,066	\$108,884	\$264,130	NA

BREAKING DOWN THE ALLOCATIONS

College	DIRECT STUDENT SUPPORT (includes MSI funds)	TEACHING & LEARNING	RETURN TO CAMPUS/ SAFETY	TOTAL ALLOCATION
Berkeley City College	\$8,363,036	\$4,649,320	\$2,404,717	\$15,417,073
College of Alameda	\$6,009,922	\$1,122,062	\$3,292,501	\$10,424,485
Laney College	\$11,846,076	\$2,284,508	\$13,396,160	\$27,526,744
Merritt College	\$7,488,998	\$1,317,298	\$4,722,275	\$13,528,571
Totals	\$33,708,032	\$9,373,188	\$23,815,653	\$66,896,873

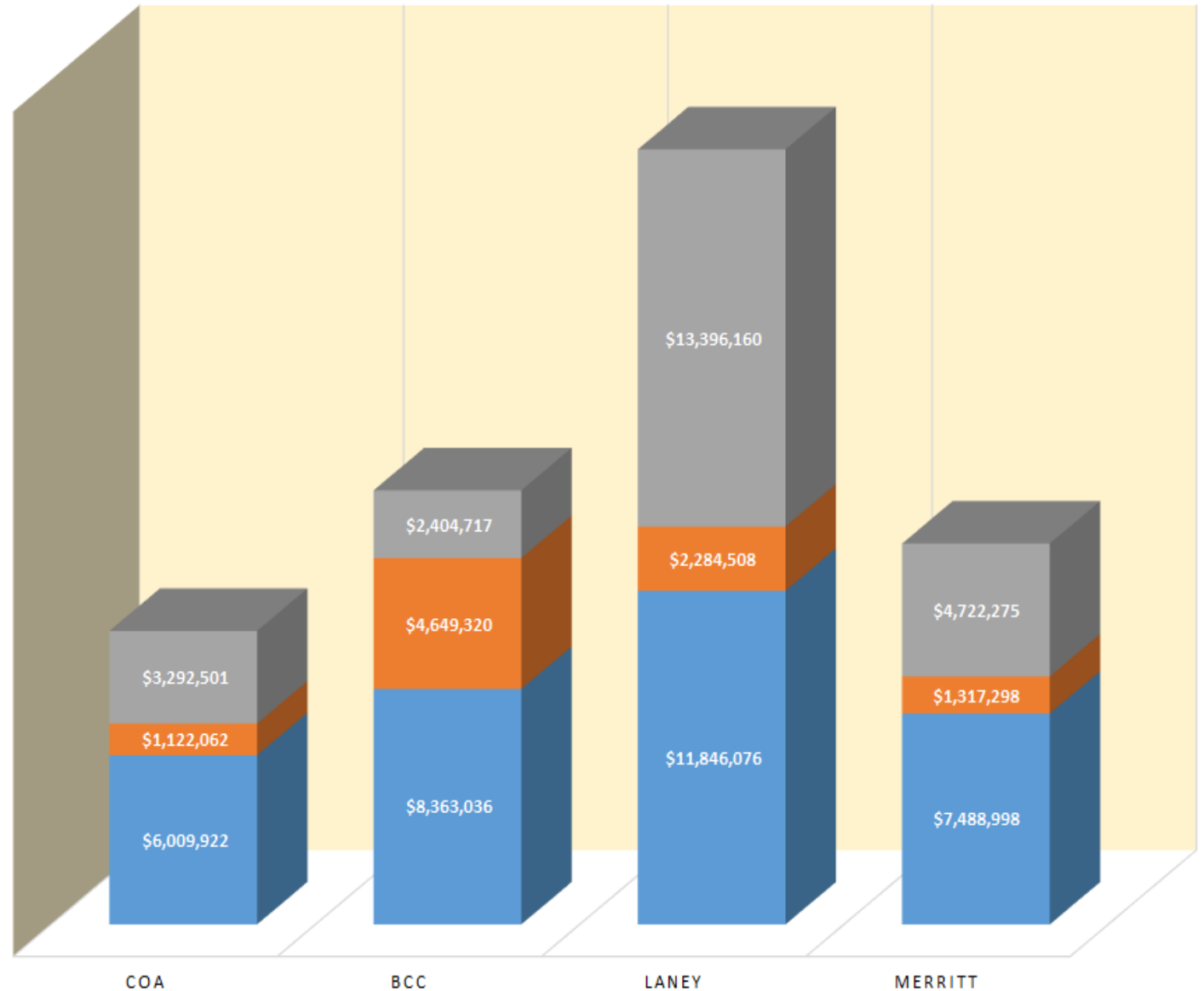
Planning Assumptions

Direct Student Support	Teaching & Learning	Return To Campus/Safety
<ul style="list-style-type: none">• Direct Student Aid- mandated minimum amounts• COVID-19 Debt Relief• Student Emergency Grants• Basic Needs• Technology (e.g., hotspots, laptops)	<ul style="list-style-type: none">• Campus Informed Needs/Requests• Distance Education Infrastructure• Faculty Stipends for Course Conversion• Classified Professionals COVID-19 Impact Pay• Academic Support (supplemental instruction, tutoring)• Counseling Support• Technology (e.g., hardware, software, learning tools interoperability)• Student Accessibility Services (formerly DSPS)	<ul style="list-style-type: none">• Personal Protective Equipment Security• Health Screening support• Facilities- Assessment & Remediation



BREAKDOWN OF ALLOCATIONS BY COLLEGE

■ Direct Student Support ■ Teaching & Learning ■ RTC/Safety



CARES/HEERF I- Expenditure Summary

College	Allocation	Status	Direct Student Support	Teaching and Learning	Return to Campus/Safety	Total
Berkeley City College	\$1,844,524	Expended	\$922,262	\$895,706	\$26,556	\$1,844,524
		Total	\$922,262	\$895,706	\$26,556	\$1,844,524
College of Alameda	\$1,049,170	Expended	\$578,975	\$386,957	\$83,238	\$1,049,170
		Total				\$1,049,170
Laney College	\$3,313,470*	Expended	\$1,656,735	\$701,841	\$447,856	\$2,806,432
		Planned	\$0	\$0	\$234,456	\$234,456
		Total	\$1,656,735	\$701,841	\$682,312	\$3,040,888
Merritt College	\$1,497,282	Expended	\$857,525	\$306,059	\$318,602	\$1,482,186
	\$4,689,350	Total	\$857,525	\$306,059	\$333,698	\$1,482,186

*Laney note - District has expended a portion of these funds (\$272,582). College planned expenses includes scheduling needs, direct aid/services to students, distance education related items.

HEERF II- Expenditure Summary & Plan

College	Allocation	Status	Direct Student Support	Teaching and Learning	Return to Campus/Safety	Total
Berkeley City College (42.4%)	\$4,706,915	Expended	\$1,600,260*	\$ 214,862	\$ 28,351	\$1,843,473
		Committed	\$ 877,321	\$1,662,472	\$323,649	\$2,863,442
		Total	\$2,477,581	\$1,877,334	\$352,000	\$4,706,915
College of Alameda (52.3%)	\$3,172,271	Expended	\$1,259,481*	\$115,911	\$137,040	\$1,512,432
		Committed	\$499,450	\$563,238	\$597,151	\$1,659,839
		Total	\$1,758,931	\$679,149	\$734,191	\$3,172,271
Laney College (51.1%)	\$8,887,277	Expended	\$2,128,316*	\$622,453	\$1,794,073	\$4,544,842
		Committed	\$267,475	\$1,009,254	\$3,065,706	\$4,342,435
		Total	\$2,395,791	\$1,631,707	\$4,859,779	\$8,887,277
Merritt College (60.6%)	\$4,497,854	Expended	\$1,744,214*	\$ 12,375	\$15,995	\$1,772,584
		Committed	\$734,015	\$428,958	\$1,562,297	\$2,725,270
		Total	\$2,478,229	\$441,333	\$1,578,292	\$4,497,854
TOTAL	\$21,264,317		\$9,110,532	\$4,629,523	\$7,524,262	\$21,264,317

*Included student debt relief: Laney--\$736,533; COA--\$317,481; BCC--\$732,959; Merritt--\$939,340

HEERF III- Expenditure Summary & Plan

College	STATUS	Direct Student Support	Teaching and Learning	Return to Campus/Safety*	TOTAL
Berkeley City College	Expended	\$0	\$0	\$0	\$0
	Committed	\$4,066,369	\$1,876,280	\$2,026,161	\$7,968,810
	Total	\$4,066,369	\$1,876,280	\$2,026,161	\$7,968,810
College of Alameda	Expended	\$0	\$0	\$0	\$0
	Committed	\$2,942,770	\$292,614	\$2,037,084	\$5,565,082
	Total	\$2,942,770	\$292,614	\$2,037,084	\$5,565,082
Laney College	Expended	\$0	\$0	\$0	\$0
	Committed	\$7,793,550	\$1,515,711	\$7,519,837	\$16,829,098
	Total	\$7,793,550	\$1,515,711	\$7,519,837	\$16,829,098
Merritt College	Expended	\$ 500	\$0	\$0	\$500
	Committed	\$3,901,966	\$0	\$3,646,066	\$7,548,032
	Total	\$3,902,466	\$0	\$3,646,066	\$7,548,532

*District DGS processing RTC expenditures

Return To Campus/Safety



HEERF III – College Institutional Portion Allocations

Colleges	Employee Impact Pay	RTC/Safety	Teaching & Learning	Totals
Berkeley City College	\$206,700	\$2,026,161	\$1,669,580	\$3,902,441
College of Alameda	\$190,400	\$2,431,912	\$0	\$2,622,312
Laney College	\$362,300	\$5,641,826	\$1,515,711	\$7,519,837
Merritt College	\$240,600	\$3,405,466	\$0	\$3,646,066
HEERF III PCCD TOTAL	\$1,000,000	\$15,021,076	\$3,185,291	\$17,690,656

HEERF III – Overall PCCD Square Footage

• Berkeley City College	165,690	15%
• College of Alameda	272,457	23%
• Laney College	389,454	34%
• Merritt College	263,280	23%
• DAC	56,752	5 %
HEERF III PCCD SQ. FT. TOTAL	1,147,633	100%

HEERF III Spending Plan for Return to Campus

- Return to Campus Shared Services Costs – Allocation by Square Footage (1,147,633 FT²)
 - Project Management
 - Healthy Buildings Science
 - Signage
 - Cleaning 30+ buildings (Vendor: Ray & Associates)
 - Personal Protective Equipment
 - Additional Security
 - Air Ventilation/Filter Replacement (HVAC) (Vendor: ACCO.)
 - Airflow Quantity Assessment (Vendor: Forensic Analytic.)
 - Water Testing, Filter Replacement

Phases

- Phase 1 – Transition and Cleaning
- Phase 2A – Further Cleaning and Preparation to Address Current Need
- Phase 2B – More Sustainable Allocations (PPE, Keyless Entry Capacity, Generators)

RTC Cost for PCCD – Phase I

Phase 1	Berkeley	COA	Laney	Merritt	DAC	HEERF III	HEERF III + DAC
%	15	23	34	23	5		
ACCO (HVAC Filter)	8,904	13,080	16,042	12,130	7,744	50,156	57,900
HPLC (Project mgmt.)	9,750	14,950	22,100	14,950	3,250	61,750	65,000
HBS (Surface Testing of buildings)	6,750	10,350	15,300	10,350	2,250	42,750	45,000
FAS (HVAC ASSESSMENT, Air circulation testing)	37,500	57,500	85,000	57,500	12,500	237,500	250,000
Ray & Associates (Cleaning)	86,072	131,978	195,098	131,978	28,691	545,126	573,817
Ray & Assoc. (Additional)	30,000	46,000	68,000	46,000	10,000	190,000	200,000
Signage	3,000	4,600	6,800	4,600	1,000	19,000	20,000
PPE (Personal Protective Equipment)	15,000	23,000	34,000	23,000	5,000	95,000	100,000
Security (Additional hours needed for COVID screening)	150,000	230,000	340,000	230,000	50,000	950,000	1,000,000
Phase 1 Cost	346,976	531,458	782,340	530,508	120,435	2,191,282	2,311,717
Net HEERF III Institutional Allocation	3,695,741	2,431,912	7,157,537	3,405,466		16,690,656	
	346,976	531,458	782,340	530,508	120,435	2,191,282	2,311,717
HEERF III Balance for Phase 2	3,348,765	1,900,454	6,375,197	2,874,958		14,499,374	14,499,374

RTC Cost for PCCD - Phase II

Phase 2A	Berkeley	COA	Laney	Merritt	DAC	HEERF III	HEERF III + DAC
%	15	23	34	23	5		
Cleaning (District-wide)	300,000	460,000	680,000	460,000	100,000	1,900,000	2,000,000
ACCO (HVAC Filter)	8,904	13,080	16,042	12,130	7,744	50,156	57,900
New HVAC	675,000	1,035,000	1,530,000	1,035,000	225,000	4,275,000	4,500,000
PM (Project mgmt.)	75,000	115,000	170,000	115,000	25,000	475,000	500,000
HBS (Surface Testing of buildings)	11,250	17,250	25,500	17,250	3,750	71,250	75,000
FAS (HVAC ASSESSMENT, Air circulation testing)	15,000	23,000	34,000	23,000	5,000	95,000	100,000
Water Filters	6,750	10,350	15,300	10,350	2,250	42,750	45,000
Phase 2A Totals	1,091,685	1,673,917	2,474,486	1,673,917	363,895	6,914,005	7,277,900
Phase 2B	Berkeley	COA	Laney	Merritt	DAC	HEERF III	HEERF III + DAC
%	15	23	34	23	5		
Emergency Generators	22,500	34,500	51,000	34,500	7,500	142,500	150,000
Fencing			300,000	0		300,000	300,000
PPE	15,000	23,000	34,000	23,000	5,000	95,000	100,000
Keyless Entry	550,000	950,000	2,000,000	1,250,000	250,000	4,750,000	5,000,000
Phase 2B Totals	587,500	1,007,500	2,385,000	1,307,500	262,500	5,287,500	5,550,000

HEERF III Cost for PCCD - Total

	Berkeley	COA	Laney	Merritt	DAC	HEERF III	HEERF III + DAC
%	15	23	34	23	5		
Phase1	346,976	531,458	782,340	530,508	120,435	2,191,282	2,311,717
Phase 2A	1,091,685	1,673,917	2,474,486	1,673,917	363,895	6,914,005	7,277,900
Phase 2B	587,500	1,007,500	2,385,000	1,307,500	262,500	5,287,500	5,550,000
Totals	2,026,161	3,212,875	5,641,826	3,511,925	746,830	14,392,787	15,139,617
HEERF III Allocation	3,695,741	2,431,912	7,157,537	3,405,466	0	16,690,656	16,690,656
TOTAL COST	2,026,161	3,212,875	5,641,826	3,511,925	746,830	14,392,787	15,139,617
BALANCE	1,669,580	(780,963)	1,515,711	(106,459)	(746,830)	2,297,869	

Appendices

- Appendix I: HEERF Resources Links for Reference (Slide 21)
- Appendix II: HEERF Guidelines for Allowable Expenses (Slides 22-24)
- Appendix III: HEERF Non-Allowable Expenses (Slide 25)
- Appendix IV: CARES Act 1932 Expenditures as of 9/30/2021 (Slide 26)
- Appendix V: College Contributions to District Expenditures (Slide 27)

Summary: College expenditures comply with federal guidelines.

- Allocation of resources reflect our priorities
 - Direct Student Aid
 - Teaching & Learning
 - Return to Campus/Safety
- Campus & District Engagement
 - Taskforces
 - Request for Proposal Processes/Mini-Grant Style Process
 - College Budget Committees
 - Consultation within Chancellor's Cabinet

END RESULTS:

- CARES/HEERF I has been expended
- HEERF II has been encumbered/expended
- HEERF III Institutional Funds allocated for safe facilities for return to campus and Classified Professional COVID Impact Pay
- All HEERF funds are in progress for full expenditure

Questions?



Appendices



Appendix I: HEERF Resources

HEERF I CARES Act: Higher Education Emergency Relief Fund

- Website: <https://www2.ed.gov/about/offices/list/ope/caresact.html>
- FAQ: <https://www2.ed.gov/about/offices/list/ope/heerffaqscrollup-crrsaadisclaimer.pdf>

HEERF II CRRSAA: Higher Education Emergency Relief Fund

- Website: <https://www2.ed.gov/about/offices/list/ope/crrsaa.html>
- FAQ: <https://www2.ed.gov/about/offices/list/ope/updatedfaqsfora1crrsaheerfii.pdf>

HEERF III ARP: American Rescue Plan

- Website: <https://www2.ed.gov/about/offices/list/ope/arp.html>
- FAQ: <https://www2.ed.gov/about/offices/list/ope/arpfaq.pdf>

Appendix II: Guidelines for allowable expenses

HEERF I – CARES

- The funds under Section 18004(a)(2) and Section 18004(a)(3) may be used for grants to students for any component of the student's cost of attendance, including tuition, course materials, and technology. However, to receive grants under these sections, students must be eligible to receive Federal financial student aid under Section 484 of the HEA. Students may demonstrate eligibility by completing a FAFSA, by having completed a FAFSA and received an ISIR in the past, or by completing an application designed by the institution in which the student attests under the penalty of perjury to meeting the requirements of Section 484 of the HEA.
- Institutions may also use these funds to defray institutional expenses, which under Section 18004(a)(2) and Section 18004(a)(3) may include lost revenue, reimbursement for expenses already incurred, technology costs associated with the transition to distance education, faculty and staff training, and payroll.
- Institutions may use the funds to provide student refunds and reimburse themselves for costs, on or after March 13, 2020, the date of the President's Proclamation, resulting from significant changes to the delivery of instruction, including interruption in instruction, due to the coronavirus, including:
 - Recipient's institutional costs to provide refunds for room and board, tuition, other fees
 - To make additional emergency financial aid grants to students for food, housing, course materials, technology, health care, and child-care
 - To award scholarships to provide payment for future academic terms
 - Purchase equipment or software, pay for online licensing fees, or pay for internet service to enable students to transition to distance learning
 - Purchase computers or other equipment to donate or provide to students

Guidelines for allowable expenses (Appendix II continued)

HEERF II – CRRSAA

- CRRSAA Expanded the allowable uses of grant funds: Congress expanded the allowable uses for supplemental awards and new awards made under section 314(a)(1) of the CRRSAA and for unspent CARES Act funds, subject to certain limitations.
- Institutions have expanded flexibility in their use of supplemental Institutional Portion funds (CFDA 84.425F). Under section 18004(c) of the CARES Act, institutions were required to use their Institutional Portion awards to cover any costs associated with significant changes to the delivery of instruction due to the coronavirus and/or for additional emergency financial aid grants, subject to certain limitations.
- In contrast, allowable uses under the CRRSAA for Institutional Portion awards include:
 - Defraying expenses associated with coronavirus (including lost revenue, reimbursement for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, and payroll);
 - Carrying out student support activities authorized by the Higher Education Act of 1965, as amended (HEA), that address needs related to coronavirus; and
 - Making additional financial aid grants to students

Guidelines for allowable expenses (Appendix II continued)

HEERF III – ARP

- The ARP has two new required uses of HEERF III Institutional Portion grant funds for public and private nonprofit institutions in which, if the Institutional Portion is not used entirely for emergency financial grants to students, a portion of funds must be used to: (a) implement evidence-based practices to monitor and suppress coronavirus in accordance with public health guidelines; and (b) conduct direct outreach to financial aid applicants about the opportunity to receive a financial aid adjustment due to the recent unemployment of a family member or independent student, or other circumstances, described in section 479A of the HEA.
- Under the ARP, similar to the CRRSAA, allowable uses under the HEERF III (a)(1) Institutional Portion awards include:
- Defraying expenses associated with coronavirus (including lost revenue, reimbursement for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, and payroll); and
- Making additional emergency financial aid grants to students.
- Grant expenses may be incurred back to March 13, 2020, the date of the declaration of the national emergency due to the coronavirus. Additionally, as mentioned above, the ARP has added two new required uses of HEERF III institutional portion grant funds for public and private nonprofit institutions. Namely, a portion of their institutional funds must:
- Implement evidence-based practices to monitor and suppress coronavirus in accordance with public health guidelines; and
- Conduct direct outreach to financial aid applicants about the opportunity to receive a financial aid adjustment due to the recent unemployment of a family member or independent student, or other circumstances, described in section 479A of the HEA.

Appendix III: Non-allowable expenses for HEERF I, II, III

- **HEERF grant funds must not be used for:**
 - Funding contractors for the provision of pre-enrollment recruitment activities;
 - Marketing or recruitment;
 - Endowments;
 - Capital outlays associated with facilities related to athletics, sectarian instruction, or religious worship;
 - Senior administrator or executive salaries, benefits, bonuses, contracts, incentives, stock buybacks, shareholder dividends, capital distributions, and stock options, or any other cash or other benefit for a senior administrator or executive;
 - Religious worship, instruction, or proselytization or equipment or supplies to be used for religious worship, instruction, or proselytization; or
 - Construction or purchase of real property

Appendix IV: CARES Act 1932 Expenditures as of 9/30/2021

CARES Act Project 1932 As of September 30, 2021						
Expenditure as of September 30, 2021	2020-2021 Actuals by Location					% of Revenues Expended
	District	Berkeley City College	College of Alameda	Laney College	Merritt College	
Revenues						
CARES Act Round 1 - Project 1932 Student Aid Portion	637,057	922,262	524,585	1,656,734	748,641	3,852,222
CARES Act Round 1 - Project 1932 Institutional Portion		922,262	524,858	1,656,735	748,641	3,852,496
HEERF Act Round 2 - Project 1932 Student Aid Portion	0	922,262	522,585	1,656,735	748,642	3,850,224
HEERF Act Round 2 - Project 1932 Institutional Portion		3,784,653	2,647,686	7,197,348	3,485,082	17,114,769
HEERF Act Round 3 - Project 1932 Student Aid Portion ⁶	0	4,066,369	2,942,770	7,793,550	3,902,466	18,705,155
HEERF Act Round 3 - Project 1932 Institutional Portion ⁶		3,902,441	2,622,312	7,519,837	3,646,066	17,690,656
Total Revenue	637,057	14,520,249	9,784,796	27,480,939	13,279,538	65,065,522
Expenses						
Salaries (Counselors, Librarians and Instructional Aides)	101,877	471,223	280,122	637,927	254,747	1,644,019
Benefits	16,143	69,669	37,754	97,224	21,637	226,284
Total Salaries & Benefits	118,020	540,892	317,876	735,152	276,384	1,870,303
						2.87%
Books, Supplies, Services ⁴	278,881	231,539	308,562	565,336	324,020	1,429,456
Equipment Cap Outlay ³	0	366,841	77,017	703,541	106,967	1,254,366
Total Other Operating Expense	278,881	598,380	385,579	1,268,876	430,987	2,683,821
						4.12%
Student Debt Wipe Out ⁷	0	732,948	363,818	736,761	939,330	2,772,857
Student Financial Aid ⁴	0	1,908,762	1,251,775	4,840,103	1,507,192	9,507,832
Total Other Outgo	0	2,641,710	1,615,593	5,576,864	2,446,522	12,280,689
						18.87%
Total Expenses as of September 30, 2021⁵	396,900	3,780,981	2,319,048	7,580,892	3,153,892	16,834,813
						25.87%
Overall Expense % by College	62.30%	26.04%	23.70%	27.59%	23.75%	25.87%

Round 1 Expense % by College	62.30%	100.00%	100.00%	100.00%	100.00%
Round 2 Expense % by College	0.00%	41.14%	40.05%	48.20%	39.7%
Round 3 Expense % by College	0.00%	0.00%	0.00%	0.00%	0.00%

Notes:

¹ CARES Act Round 1 Institutional Allocation was \$3.8m. The District retained \$600K and remaining balance of \$3.2m was allocated to the colleges by Executive Cabinet.

This amount was added on top of the student aid portion of \$3.8m already allocated to the campuses for a total of \$7.7m.

² Expenditures primarily consist of PPE supplies, license, Internet and subscriptions

³ Capital Outlay expenses consist of library databases, laptops, and computer peripherals.

⁴ Student Financial Aid - emergency grants to students.

⁵ The total expensed by each college represents the amounts applied only to Round 1 and 2 of CARES Act funding

Appendix V: College Contributions to District Expenditures

Institutional Portion of Colleges' Allocation	Colleges' contribution to District expenditures per Cabinet approval.				
	BCC	COA	Laney	Merritt	Total
	\$153,823	\$86,672	\$272,582	\$123,980	\$637,057

Expenditures to District allocated to Colleges based on BAM, not to exceed amount listed above amount

	BCC	COA	Laney	Merritt	Total
Salaries	\$21,058	\$19,397	\$36,910	\$24,512	\$101,877
Benefits	\$3,337	\$3,074	\$5,848	\$3,884	\$16,143
Book, Supplies	\$57,645	\$53,099	\$101,038	\$67,099	\$278,881
Total	\$82,039	\$75,570	\$143,797	\$95,494	\$396,900



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
PARTICIPATORY GOVERNANCE COUNCIL
Master Planning Calendar Academic Year 2021-22

Each meeting will include the following standing agenda items (20mins):

1. Chancellor's report back on any decisions made on PGC recommendations since the previous meeting - 5 minutes
2. Approval of previous meeting minutes - 2 minutes
3. Public Comments - 5 minutes
4. PBIM Committee Council Reports - 10 minutes
5. Accreditation Update - 5 minutes
6. Committee Business/Check-in on PGC Goals - 10 minutes

MEETING DATE	AGENDA ITEM(S)
September 10, 2021 2:00 - 3:00pm	<ul style="list-style-type: none"> Recommendation to Approve the Adopted 2021-22 Budget
September 24, 2021 2:00 - 3:00pm	<ul style="list-style-type: none"> Recommendation to Approve the PGC Goals for 2021-22 Recommendation to Approve the Accreditation Follow-up Reports
* Joint PBC/PGC Meeting October 1, 2021 9:00 - 11:00am	<ul style="list-style-type: none"> Recommendation to Approve the Budget Calendar (& Budget Assumptions) Recommendation to Approve Administrative Protocol 2410 (New Vaccination Policy Protocol) Presentation on Budget Allocation Model (SCFF Revision & Handbook)
October 29, 2021 9:00 - 11:00am	<ul style="list-style-type: none"> Recommendation to Approve the Updated Budget Development Calendar (First Read) PGC Master Planning Calendar for 2021-22 Review Delineation of Functional Document (Functional Map) Chancellor's Work Group Discussion on Budget Philosophy College Presidents Presentation on CARES/HEERF Funds Revise District operational targets based on prior year progress and budget projections, including enrollment targets
November 19, 2021 1:30 - 3:00pm	<ul style="list-style-type: none"> (First Read) FCMAT Report Review planning and budget timeline, budget development and PIO/AUO processes for colleges/community
December 17, 2021 9:00 - 11:00am	<ul style="list-style-type: none"> Recommendation to Approve the FCMAT Report

MEETING DATE	AGENDA ITEM(S)
January 28, 2022 9:00 - 11:00am	<ul style="list-style-type: none"> Review Governor's January Budget Proposal impacts
February 25, 2022 9:00 - 11:00am	<ul style="list-style-type: none"> Review Governor's January Budget Proposal impacts Review January Budget proposal impacts on strategic plan. Review / revise operational priorities. Provide guidance to Chancellor on annual resource priorities for fiscal year planning and budgeting including new faculty hires
March 25, 2022 9:00 - 11:00am	<ul style="list-style-type: none"> Recommendation to Approve the 2022-23 preliminary budgets submissions Review / approve policy changes for following FY recommended by PBIM committees based on analysis of program reviews
April 22, 2022 1:30 - 3:00pm	<ul style="list-style-type: none"> Launch PGC Assessment Review staff position requests forwarded by PBC and forward recommendations to the Chancellor
May 20, 2022 9:00 - 11:00am	<ul style="list-style-type: none"> Review Results from PGC End-of-the-Year Assessment Review progress made towards the PGC's 2021-22 Goals (First Read) PGC Goals for 2022-23 (First Read) PGC Master Planning Calendar for 2022-23 Recommendation to Approve the Tentative Budget for 2022-23 Review/update targets, constraints, and criteria for three-year cycle.