

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

December 5, 2017

Agenda Item: 8.3

Subject: Report of edits made to Board Policy and Administrative Procedure

Background

CLPCCD participates in the Policy and Procedure Service (PPS) of the Community College League of California. The service is offered in partnership with the law firm of Liebert Cassidy Whitmore. All but one of the California Community Colleges participate in this service.

Twice per year, generally in April and October, the PPS issues an update in response to new laws and regulations, legal opinions, and clarifications requests that have occurred since the previous update.

Board Policy Edits

Board Policy edits made to correct wordprocessing errors, make minor nonsubstantive wording changes, change or add citations, add an advisory reference note, or add a legally required statement that is in keeping with the existing content of the Policy, do not require Board of Trustees approval. However, these changes are reported as an information item when they occur, so that the Board and public are aware of the changes. The edits will be shown on policies attached to the informational report, with underline for additions and strike-through for deletions highlighted. Moreover, any Policy that is edited will be so noted, with the date the change was made, and posted on the CLPCCD website.

Administrative Procedure Edits

In similar fashion, when edits are made to APs, to address wordprocessing errors, make minor nonsubstantive wording changes, change or add citations, add an advisory reference note, or add a legally required statement that is in keeping with the existing content of the Policy, the changes are made without the usual review and input process. While Administrative Procedures are not approved by the Board of Trustees, the edits are reported so as to provide notice to the Board and the public of changes that have been made. Any Administrative Procedure that is edited will be so noted, with the date the change was made, and posted on the CLPCCD website.

Report on November 2017 Edits to Board Policy

BP 2340 Agendas – This policy was updated to reflect the new requirement that districts post board meeting agendas on the District’s website, which will be effective on January 1, 2019. This requirement is found in Government Code Section 54954.2.

BP 2350 Speakers – This policy was updated to add a note to remind districts of the new requirement in Government Code Section 54954.3 that if the District has a time limit for each public speaker, then double the amount of time must be provided to those speakers who use a translator.

BP 2735 Board Member Travel – This policy was updated to include a reference to Government Code Section 11139.8, which was enacted by AB 1887.

BP 3430 Prohibition of Harassment – This policy was updated to incorporate the new requirement that districts post their sexual harassment policies on their website.

BP 3820 Gifts – This policy was updated to correct a typographical error in the legal citation for the Education Code.

BP 4020 Program, Curriculum, and Course Development – This policy was updated to include a reference to Title 5 Section 55002.5 and specify that the CEO will establish procedures which prescribe the definition of credit hour consistent with Title 5 in addition to federal regulations.

BP 4300 Field Trips and Excursions – This policy was updated to include a reference to Government Code Section 11139.8, which was enacted by AB 1887.

BP 6450 Wireless or Cellular Telephone Use – This policy was updated to clarify the legal citation to 26 U.S. Code Sections 274(d)(4) and 280F(d)(4).

BP 7330 Communicable Disease – This policy was updated to reflect changes to the tuberculosis screening requirements for newly hired academic and classified employees under Education Code Section 87408.6.

BP 7340 Leaves – This policy was updated to add new legal citations (Education Code Sections 87780.1 and 88196.1) which make differential pay available to employees who are on parental leave.

BP 7400 Travel – This policy was updated to include a reference to Government Code Section 11139.8, which was enacted by AB 1887.

Recommended Action: Information item; no action required.

Report on November 2017 Edits to Administrative Procedure

AP 3300 Public Records – This procedure was updated to include as examples of items that are not public records, the cell phone and personal email addresses of employees, and unique identifying numbers for vendors and contractors.

AP 3435 Discrimination and Harassment Complaints and Investigations – This procedure was updated to reflect the withdrawal of a U.S. Department of Education Office for Civil Rights (OCR) guidance document and the issuance of interim guidance by the OCR.

AP 3570 Smoking on Campus – This procedure was updated to add a restriction on the use of tobacco products within 250 feet of a youth sports event.

AP 4050 Articulation – This procedure was updated to add a reference to Title 5 Section 55051.

AP 4227 Course Repetition – This procedure was updated to include current requirements under Title 5 for course repetition.

AP 4227 Repeatable Courses – This procedure was updated to conform to the current Title 5 requirements governing repeatable courses.

AP 4228 Course Repetition – Significant Lapse of Time – This procedure was updated to conform to the current Title 5 requirements governing repeatable courses.

AP 4229 Course Repetition – Variable Units – This procedure was update to conform to the current Title 5 requirements governing repeatable courses.

AP 4230 Grading and Academic Record Symbols – This procedure was updated to incorporate newly revised Title 5 Regulations governing academic record symbols.

AP 4235 Credit by Examination – This procedure was updated to add references (Education Code Section 79500 and Title 5 Section 55052) and reflect the new policy from the California Community Colleges Chancellor’s Office regarding a College Board AP exam score of 3 or higher shall be awarded credit in a general education area.

AP 4300 Field Trips and Excursions – This procedure was updated to include a reference to Government Code Section 11139.8, which was enacted by AB 1887. A usage note was also added. Lastly, this procedure was updated to recommend that any locally developed language regarding travel limitations developed under Government Code Section 11139.8 be reflected in this procedure.

AP 5013 Students in the Military – This procedure was updated to reflect new and amended provisions addressed by Education Code Section 68075.7 pertaining to resident classification for certain individuals related to members of the uniformed service.

AP 5015 Residence Determination – This procedure was updated to reflect new and amended provisions addressed by Education Code Section 68075.7 pertaining to resident classification for certain individuals related to members of the uniformed service.

AP 5020 Nonresident Tuition – This procedure was updated to add special part-time students participating in a College and Career Access Pathways (CCAP) partnership program and enrolled in no more than 15 units per term to the list of exemptions from payment of nonresident tuition.

AP 5040 Student Records, Directory Information, and Privacy – This procedure was updated to delete a reference to Education Code Section 71091.

AP 5055 Enrollment Priorities – This procedure was updated to add homeless youth to the list of students who have priority enrollment. Note that under Education Code Section 66025.9, homeless youth will have enrollment priority until January 1, 2020.

AP 6400 Financial Audits – This procedure was updated to include references to Education Code Section 84040.5 and Title 5 Section 59102.

AP 6450 Wireless or Cellular Telephone Use – This procedure was updated to clarify the legal citation to 26 U.S. Code Sections 274(d)(4) and 280F(d)(4).

AP 6850 Hazardous Materials – This procedure was updated to add a reference to 29 U.S. Code Section 651

AP 7125 Verification of Eligibility for Employment – This procedure was updated to add clarification regarding the limitation on hiring and recruiting U.S. citizens and others legally authorized to be employed.

AP 7336 Certification of Freedom from Tuberculosis – This procedure was updated to reflect changes to the tuberculosis screening requirements for newly hired academic and classified employees under Education Code Section 87408.6.

AP 7343 Industrial Accident and Illness Leave – This procedure was updated to delete the travel restriction provision for academic employees. The same provision applicable to classified employees was previously deleted in Update #28 (disseminated to member districts in April 2016).

AP 7400 Travel - This procedure was updated to include a reference to Government Code Section 11139.8, which was enacted by AB 1887.

AP 7500 Volunteers – This procedure was updated to include a reference to Education Code Section 88249.

Recommended Action: Information item; no action required.