



College Coordinating Council Meeting Via Zoom

May 13, 2020

A140 – President’s Conference
Room 9:30 a.m. – 10:30 a.m.
(Less than 10 people)

Type of Meeting: Regular
Note Taker: Patty McClure
Please Review/Bring: Agenda, Minutes

Committee Members:

Dr. Jessica Harper, Academic Senate
Cameron Zappetta ASO
Bridget Cook, General Counsel
Pamela Ford & Wade Saari, Classified Union
Michelle Hernandez, Confidential/Management/Supervisory/Administrators
LaDonna Trimble, Deans
Dr. Scott Lee & Dr. Aurora Burd, Faculty Union
Dr. Les Uhazy, Interim Vice President of Academic
Jenn Burchett, Vice President of Human Resources
Dr. Erin Vines, Vice President of Student Services

MEETING

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of April 22, 2020.	All		
II. Constituent Reports	All		
INFORMATION/DISCUSSION/ACTION ITEMS:			
III. BP & AP 7100 – Commitment to Diversity	Jenn	1 minute	
IV. AP 7121 – Faculty Internship	Jenn	1 minute	
V. BP 7140 – Collective Bargaining	Jenn	1 minute	
VI. BP & AP 7370 – Employee Political Activity	Jenn	1 minute	
VII. BP & AP 2360 – Minutes	Bridget	1 minute	

VIII.	AP 3750 – Use of Copyrighted Material for Educational Purposes	Bridget	1 minute	
IX.	BP & AP 3820 – Gifts	Bridget	1 minute	
X.	AP 6750 – Parking	Bridget	1 minute	
XI.	BP & AP 5030 - Fees	Erin	1 minute	
XII.	AP 5055 – Enrollment Priorities	Erin	1 minute	
XIII.	BP & AP 5420 – Associated Student Finance	Erin	1 minute	
XIV.	BP & AP 5800 – Prevention of Identity Theft in Student Financial Transactions	Erin	1 minute	
FUTURE AGENDA ITEMS:				
NEXT MEETING DATE: May 27, 2020				

Zoom Meeting Info

Join from PC, Mac, Linux, iOS or Android: <https://cccconfer.zoom.us/j/93535497400>

Or iPhone one-tap (US Toll): +16699006833,93535497400# or +12532158782,93535497400

Or Telephone:

Dial:

+1 669 900 6833 (US Toll)

+1 253 215 8782 (US Toll)

+1 346 248 7799 (US Toll)

+1 646 876 9923 (US Toll)

+1 301 715 8592 (US Toll)

+1 312 626 6799 (US Toll)

Meeting ID: 935 3549 7400

International numbers available: <https://cccconfer.zoom.us/j/93535497400>

Or Skype for Business (Lync):

<SIP:93535497400@lync.zoom.us>



College Coordinating Council MINUTES

April 22, 2020
A140 – President’s Conference
Room 9:30 a.m. – 10:30 a.m.
(Less than 10 people)

Type of Meeting: Regular Note
Taker: Patty McClure
Please Review/Bring: Agenda, Minutes

Committee Members:

- Dr. Jessica Harper, Academic Senate
- Jack Danielson, ASO
- Bridget Cook, General Counsel
- Pamela Ford & Wade Saari, Classified Union
- Michelle Hernandez, Confidential/Management/Supervisory/Administrators
- LaDonna Trimble, Deans
- Dr. Scott Lee & Dr. Aurora Burd, Faculty Union
- Dr. Les Uhazy, Interim Vice President of Academic
- Jenn Burchett, Vice President of Human Resources
- Dr. Erin Vines, Vice President of Student Services

MINUTES

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of November 13, 2019 & April 8, 2020.	All		Pamela asked that the minutes reflect her full name and with that revision, the minutes were approved as presented.
II. Constituent Reports	All		No reports.
INFORMATION/DISCUSSION/ACTION ITEMS:			
III. BP & AP 6300 – Fiscal Management	Diana	1 minute	It was agreed to go forward to the May 11, 2020 board meeting.
IV. NEW AP 6305 - Reserves	Diana	1 minute	There was some discussion on changing language to “goal” vs. minimum and with this minor change, agreed to to go to the May 11, 2020 board meeting.
V. AP 6307 - Debt Issuance and Management	Diana	1 minute	It was agreed to go forward to the May 11, 2020 board meeting.
VI. AP 6310 – Accounting	Diana	1 minute	It was agreed to go forward to the May 11, 2020 board meeting.
VII. AP 6322 – Employee Indemnity Bonds	Diana	1 minute	It was agreed to go forward to the May 11, 2020 board meeting.
VIII. BP & AP 6340 – Bids and Contracts	Diana	1 minute	It was agreed to go forward to the May 11, 2020 board meeting.
IX. BP & AP 4100 – Graduation Requirements for Degrees and Certificates	Les	1 minute	There was some discussion on consistency of language, cross referencing with course catalog and was

			decided to bring back to another meeting to discuss further.	
X.	BP & AP 7100 – Commitment to Diversity	Jenn	1 minute	Ran out of time – will continue the following items on the May 13, 2020 meeting agenda.
XI.	AP 7121 – Faculty Internship	Jenn	1 minute	
XII.	BP 7140 – Collective Bargaining	Jenn	1 minute	
XIII.	BP & AP 7370 – Employee Political Activity	Jenn	1 minute	
XIV.	BP & AP 2360 – Minutes	Bridget	1 minute	
XV.	AP 3750 – Use of Copyrighted Material for Educational Purposes	Bridget	1 minute	
XVI.	BP & AP 3820 – Gifts	Bridget	1 minute	
XVII.	AP 6750 – Parking	Bridget	1 minute	
FUTURE AGENDA ITEMS:				
NEXT MEETING DATE: May 13, 2020				

Zoom Meeting Info

Join from PC, Mac, Linux, iOS or Android: <https://cccconfer.zoom.us/j/95507393791>

Or iPhone one-tap (US Toll): +16699006833,95507393791# or +13462487799,95507393791#

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Dial:

+1 669 900 6833 (US Toll)

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+1 301 715 8592 (US Toll)

+1 312 626 6799 (US Toll)

+1 646 876 9923 (US Toll)

+1 253 215 8782 (US Toll)

Meeting ID: 955 0739 3791

International numbers available: <https://cccconfer.zoom.us/u/aoCBS4CTI>

Or Skype for Business (Lync):

<SIP:95507393791@lync.zoom.us>

BP 7100 Commitment to Diversity

References:

Education Code Sections 87100 et seq.;
Title 5 Sections 53000 et seq.

The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success. The Board of Trustees recognizes that diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students. The Board of Trustees is committed to hiring and staff development processes that support the goals of equal opportunity and diversity, and provide equal consideration for all qualified candidates.

~~Refer to Chapter 3, AP 3420 for Equal Employment Opportunity practices. Also see AP 7100 Commitment to Diversity and BP/AP 3420 Equal Employment Opportunity.~~

Adopted: 5/8/06
Revised: 6/8/20

AP 7100 Commitment to Diversity

References:

Education Code Sections 87100 et seq.
Title 5 Sections 53000 et seq.

The District demonstrates its commitment to diversity by complying with all federal, state, and local laws and regulations regarding equal employment and nondiscrimination in employment, and by maintaining an Equal Employment Opportunity Plan. It also maintains a Student Equity Plan that addresses issues related to the student's access to educational opportunities and their academic environment.

Also see BP/AP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, and AP 3435 Discrimination and Harassment Complaints and Investigations.

Approved: 7/13/20

~~AP 7121 Faculty Internship (Suspended 11/14/11)~~

~~ANTELOPE VALLEY COLLEGE FACULTY INTERNSHIP PROGRAM~~

~~The Faculty Internship Program at Antelope Valley College offers the opportunity to increase the recruitment of new instructors and also enhance efforts to build a diverse and representative faculty. The program introduces a faculty intern to the community college campus environment through a partnership with a tenured faculty member who acts as a mentor, providing a positive learning experience for the development of a faculty intern. During an academic year, the program offers faculty interns the full range of faculty activities and experiences necessary to acquire the tools to become a successful community college instructor, counselor, librarian, or other faculty assignment.~~

~~California Code of Regulations (Subchapter 5) states that the governing board of any community college district may establish a faculty internship program pursuant to the provisions of the Subchapter and Section 87487 of the Education Code. In accordance, governing boards may employ, as faculty interns within the program, graduate students enrolled in the California State University, the University of California, or any other accredited institution of higher education or in vocational and technical fields where a master's degree is not generally expected or available, persons who are within one year of meeting the regular faculty minimum qualifications. Persons who meet the regular faculty minimum qualifications but who lack teaching, counseling, library, or other community college faculty experience may also be included in the internship program. The purpose is to enhance community college efforts toward building a diverse and representative faculty. In order to accomplish this, the internship program shall place special emphasis on locating and attracting qualified graduate students who are members of underrepresented groups.~~

~~A person employed as a faculty intern shall be employed as a temporary faculty member under Section 87482.5 of the Education Code and shall meet the minimum qualifications specified in Section 53502 of Title 5. A faculty intern shall be limited to two years of participation in the program.~~

~~For purposes of this Subchapter, the term "faculty intern" does not include any person, no matter how designated, who only assists in a class taught by a regularly qualified member, and who has no independent responsibility for instruction or supervision of students. Such a person may be termed an "intern," and may serve as a volunteer or receive a stipend according to policies established by the district.~~

~~Those individuals interested in being considered for the faculty internship program will obtain an application from the Human Resource and Employee Relations Office. The applicant will provide the number of units required for their current university degree/vocational program and evidence (i.e. transcripts) to demonstrate that they are at least mid-way toward meeting the minimum qualifications for a full-time faculty member. The faculty intern hiring process will include faculty from the discipline area, division/area dean, and one member from the Faculty Internship Steering Committee.~~

~~The Steering Committee, comprised of faculty and administrators, will oversee the program. With the leadership of a faculty coordinator, the committee will provide campus activities, train mentors, train faculty interns, and match faculty mentors with faculty interns. The overall responsibility of the Steering Committee is as follows:~~

- ~~• Recruit and select mentors from different disciplines~~
- ~~• Participate in the review and selection of faculty intern applications~~
- ~~• Inform mentors and interns on program requirements and responsibilities~~
- ~~• Organize and host campus activities; train mentors and faculty interns~~
- ~~• Maintain the current status of each faculty intern's progress~~
- ~~• Advise faculty interns on job application procedures to AVC and other community colleges~~
- ~~• Advocate the Faculty Internship Program to local higher education institutions~~

~~At the start of their internship, newly selected faculty interns will be given information and training to begin their teaching, counseling, or other faculty assignment. Faculty interns and mentors will meet and begin reviewing their intern assignment and determine which of the mentor's college responsibilities the faculty intern can participate in during an academic year. (The Faculty Internship Program does not operate during the summer months or intersession.) A tenured faculty mentor is assigned one faculty intern per academic year. In turn, faculty interns are limited to one teaching, counseling, or other faculty assignment per semester.~~

- ~~• Faculty interns who have not had teaching experience in their educational programs must begin their internship at AVC with the first semester activities.~~
- ~~• Faculty interns who have had teaching experience within their educational programs, may be permitted by the Steering Committee to start their internship at AVC with the second semester activities. (Documentation of teaching is required.)~~

~~Academic Year Activities~~

~~First Semester~~

~~During the *first half of the semester*, faculty interns observe mentors in their classrooms, counseling offices, or other faculty assignments. Faculty interns observe teaching, classroom management, or counseling techniques, etc., review course outlines of record, syllabi, handouts, or other instructor/counselor/faculty materials. Faculty interns are expected to attend college meetings, FLEX activities, area/division meetings, and other college responsibilities of their mentors as agreed upon.~~

~~During the *second half of the semester*, the mentor and faculty intern agree to a specific unit that the intern is responsible to instruct/counsel, etc. Mentors provide immediate feedback once the activity is completed. Additional faculty activities can be performed if the mentor determines that the faculty intern is able and agrees.~~

~~At the end of the semester, the mentor writes a summary of the faculty intern's development and makes one of the following recommendations to the Steering Committee: (1) The intern can be offered a course/or other faculty assignment for the next semester (depending on the availability of assignment); (2) The intern can be assigned additional direct mentoring for the next semester, in which the first semester activities are repeated.~~

Second Semester

~~During the semester, when the faculty intern has been assigned a class as the faculty member of record, he/she will review the course outline of record and create a syllabus, develop handouts, exams, and all materials related to that class assignment with assistance from the mentor. When the faculty intern has been assigned counseling duties or another faculty assignment, he/she will assemble materials to conduct workshops, counsel and advise students, refer students to appropriate services, administer assessments, assist students with planning and decision-making, and/or refer students to relevant informational resources. In both instances, the mentor will observe the faculty intern at least four times during the semester. Feedback will be offered both orally and in writing. The mentor will be available to discuss any work performance concerns with the faculty intern.~~

~~At the end of the semester, the mentor writes an evaluation of the faculty intern's development, including what he/she has mastered in understanding the role of teaching, counseling, and other faculty duties in the community college environment. The evaluation will be forwarded to the Steering Committee.~~

~~Once the faculty intern successfully completes the second semester activities of the AVG Internship Program and meets the minimum qualifications for the discipline, he/she may apply for an adjunct faculty position.~~

FACULTY INTERNSHIP TERMS AND CONDITIONS

Faculty Intern Agreement

Faculty interns will be expected to:

- ~~1. Meet with the mentor at regularly scheduled times.~~
- ~~2. Attend regularly scheduled class, counseling, or other faculty duty hours.~~
- ~~3. Call upon the mentor as needed with respect to his/her schedule~~
- ~~4. Carry out specific assignments made by the mentor~~
- ~~5. Meet with and assist students during office hours, as directed by the mentor~~
- ~~6. Share ideas with mentor~~
- ~~7. Receive and discuss appropriate criticism~~
- ~~8. Discuss needs/ideas with the mentor to help with success as an intern.~~
- ~~9. Develop sample course or faculty assignment materials~~

10. ~~Seek out advice from Steering Committee~~
11. ~~Participate in the activities, workshops, training, area/division meetings, FLEX activities, and overall college activities as agreed with mentor.~~
12. ~~Develop appropriate course/counseling/other faculty assignment materials and methods that include a multicultural perspective.~~
13. ~~Participate in the evaluation of the AVC Internship Program~~

~~I certify that I have read and understand the terms and conditions of this agreement and agree to abide by them.~~

~~Faculty Intern~~ _____ ~~Date~~ _____

~~Steering Committee Chair~~ _____ ~~Date~~ _____

~~FACULTY INTERSHIP PROGRAM~~

~~Faculty Mentor Agreement~~

~~The faculty mentor assigned to a faculty intern is expected to:~~

1. ~~Provide the intern with a campus tour identifying~~
 - ~~Division/Area offices and staff~~
 - ~~Mailroom~~
 - ~~Duplication~~
 - ~~Location of equipment and supplies~~
 - ~~Academic Senate Office~~
 - ~~Student Support Services, IMC, and Library~~
2. ~~Meet the faculty intern prior to the beginning of the semester to set up the following~~
 - ~~Regular meeting times~~
 - ~~Review of text(s) and related teaching/counseling/other faculty assignment materials~~
 - ~~Review of Course Outline of Record and course syllabus~~
 - ~~Discuss absence reporting and support personnel~~
 - ~~Discuss campus safety~~

- ~~Discuss Student Code of Conduct~~
 - ~~Discuss Faculty Code of Ethics, Academic Freedom Policy~~
3. ~~Meet with the faculty intern regularly; visit classroom, counseling, or other faculty assignment at least four times during the semester~~
 4. ~~Respond promptly to the faculty intern's questions or concerns~~
 5. ~~Introduce the faculty intern to other faculty and staff~~
 6. ~~Define the faculty intern's role in faculty office hours~~
 7. ~~Assist the faculty intern when he/she develops course material, syllabi, assignments, exams, handouts and workshop, assessment and other faculty materials.~~
 8. ~~Share counseling, teaching and other faculty responsibility by allowing the faculty intern to take an active role in evaluations, classroom presentations, workshops, advisement, etc. when the faculty intern is ready.~~
 9. ~~Provide learning experiences for the faculty intern (being sure not to overextend responsibilities)~~
 10. ~~Help the faculty intern understand faculty responsibilities beyond the classroom or primary faculty assignment by discussing shared governance, tenure and evaluation, faculty development, division/area meetings, service to the college, etc.~~
 11. ~~Provide and receive appropriate criticism~~
 12. ~~Conduct evaluation of faculty intern's development~~
 13. ~~Provide assistance in job seeking skills~~
 14. ~~Assist the faculty intern in developing curriculum and approaches for teaching, counseling, and other faculty assignments that include diversity and multicultural perspectives.~~
 15. ~~Participate in the evaluation of the AVC Faculty Internship Program~~

Faculty Mentor

Date

Steering Committee Chair

Date

Faculty Coordinator, Faculty Mentor, and Faculty Intern will receive some compensation, per faculty union and administrative agreement.

5/8/06

Suspended: ~~11/14/11~~

BP 7140 Collective Bargaining

References:

Government Code Sections 3540, et seq.

If eligible employees of the District select an employee organization as their exclusive representative, and if after recognition by the District or after a properly conducted election, an exclusive representative is certified as the representative of an appropriate unit of employees under the provisions of the Educational Employment Relations Act, Government Code Sections 3540 et seq., the District will meet and negotiate in good faith on matters within the scope of bargaining as defined by law.

Academic personnel (faculty) are subject to terms and conditions as outlined in the current academic collective bargaining agreement.

Classified Service personnel are subject to terms and conditions as outlined in the current classified collective bargaining agreement.

Also see BP/AP 2610 Presentation of Initial Collective Bargaining Proposals.

Adopted: 5/8/06
Revised: 7/13/20

BP 7370 Employee Political Activity

References:

Education Code Sections 7054 and 7056;
Government Code Section 8314

Employees shall not use District funds, services, supplies, or equipment to urge the passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the governing Board of Trustees. This policy prohibits political activity during an employee's working hours, but shall not be construed to prohibit an employee from urging the support or defeat of a ballot measure or candidate during nonworking time.

Refer to Antelope Valley College Faculty collective bargaining agreement, Article VII.

~~See Administrative Procedure #7370~~ Also see BP 2716 Board Political Activity and AP 7370 Employee Political Activity.

Approved: 5/8/06

Revised: 7/13/20

AP 7370 **Employee Political Activity**

References:

Education Code Sections 7050 **through** - 7058 et seq.

No restriction shall be placed on the political activities of any employee of the District except as provided in **board policy BP 7370 Political Activity** and these procedures.

No District funds, services, supplies, or equipment may be used to urge the support or defeat of any ballot measure or candidate, including but not limited to any candidate for election to the **governing Board of Trustees**.

District resources may be used to provide information to the public about the possible effects of a bond issue or other ballot measure if both the following conditions are met:

- The informational activities are otherwise authorized by the Constitution or laws of the State of California; and
- The information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

Any administrator or board member may appear before a citizens' group that requests the appearance to discuss the reasons why the **Board of Trustees** called an election to submit to the voters a proposition for the issuance of bonds, and to respond to inquiries from the citizens' group.

An officer or employee of the District may solicit or receive political funds or contributions to promote the support or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service, or other working conditions of officers or employees of the **District**. Such activities are prohibited during working hours, and entry into buildings and grounds of the District during working hours is prohibited. Such activities are permitted during nonworking time. "Nonworking time" means time outside an employees' working hours, whether before or after the work-day or during the employees' lunch period or other breaks during the day.

Also see BP 2716 Board Political Activity and BP 7370 Political Activity.

Approved: 5/8/06

Revised: 7/13/20

BP 2360 Minutes

References:

Education Code Section 72121(a);
Government Code Section 54957.5

The Superintendent/President shall cause minutes to be taken of all meetings of the Board of Trustees. The minutes shall record all actions taken by the Board of Trustees. The minutes shall be public records and shall be available to the public. If requested, the minutes shall be made available in appropriate alternative formats so as to be accessible to persons with a disability.

The Superintendent/President, acting in his/her capacity as Secretary to the Board of Trustees, shall be responsible for keeping minutes of all meetings of the Board of Trustees.

The minutes shall also record motions or resolutions as having passed or failed. Individual votes shall be recorded unless the action was unanimous. All matters transacted by the Board of Trustees shall be recorded in the official minutes in the form of a complete resolution, together with the accompanying vote. Minutes are to be concise, clear and accurate.

Also see BP 2310 Regular Meetings of the Board, BP/AP 2320 Special and Emergency Meetings, BP/AP 2340 Agendas, BP/AP 2345 Public Participation at Board Meetings, BP/AP 2350 Speakers, AP 2360 Minutes, BP/AP 2365 Recording, and BP/AP 3300 Public Records.

Adopted: 7/5/05
Revised: 11/7/05
Reviewed: 8/8/16
Revised: 5/11/20



AP 2360 Minutes

Reference:

Education Code Section 72121(a)

The President's Office is responsible for maintaining minutes of Board meetings according to current law and the provisions of the Brown Open Meetings Act. The minutes shall be written to include only actions proposed and/or approved by the Board of Trustees.

Public comments will be summarized in the Board meeting minutes. Upon request by a speaker who is addressing the Board, a "for-the-record" statement shall be included in the Board Meeting Supplemental Minutes, with the understanding that the speaker will provide a written copy of the statement at the time it is presented.

Also see BP 2220 Committees of the Board, BP 2310 Regular Meetings of the Board, BP/AP 2320 Special and Emergency Meetings, BP/AP 2340 Agendas, BP/AP 2345 Public Participation at Board Meetings, BP/AP 2350 Speakers, BP 2360 Minutes, BP/AP 2365 Recording, and BP/AP 3300 Public Records.

Adopted: 11/12/19

Revised: 5/11/20

AP 3750 Use of Copyrighted Material for Educational Purposes

References:

Education Code Sections 32360 and 67302
U. S. Code Title 17, Copyright Act of 1976

Employees and students shall not reproduce copyrighted materials without prior permission of the copyright owner, except as allowed by the “fair use” doctrine.

Fair Use

Reference:

Copyright Act, Section 107

The “fair use” doctrine permits limited use of copyrighted materials in certain situations, including teaching and scholarship. In some instances, copyright may be required for works that fall within “fair use.”

Note: *The following is excerpted from the legislative history of the 1976 Copyright Act, which established congressionally endorsed guidelines related to classroom copying for educational use.*

I. Single Copying for Teachers

Single copy may be made of any of the following by or for a teacher at his/~~er~~ her individual request for his/~~er~~ her scholarly research or use in teaching or preparation to teach a class:

- A. A chapter from a book
- B. An article from a periodical or newspaper
- C. A short story, short essay or short poem, whether or not from a collective work
- D. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper

II. Multiple Copies for Classroom Use

Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:

- A. The copying meets the tests of brevity and spontaneity as defined below; and

- B. Meets the cumulative effect test as defined below; and
- C. Each copy includes a notice of copyright

Definitions

Brevity:

- i. **Poetry:** (a) A complete poem if less than 250 words and if printed on not more than two pages or (b) from a longer poem, an excerpt of not more than 250 words.
- ii. **Prose:** (a) Either a complete article, story or essay of less than 2,500 words, or (b) an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words. (Each of the numerical limits stated in "i" and "ii" above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.)
- iii. **Illustration:** One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue.
- iv. **"Special" works:** Certain works in poetry, prose, or in "poetic prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Paragraph "i" above notwithstanding such "special works" may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof may be reproduced.

Spontaneity:

- i. The copying is at the instance and inspiration of the individual teacher; and
- ii. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

Cumulative Effect:

- i. The copying of the material is for only one course in the school in which the copies are made.
- ii. Not more than one short poem, article, story, essay or two (2) excerpts may be copied from the same author, nor more than three (3) from the same collective work or periodical volume during one (1) class term.
- iii. There shall not be more than nine (9) instances of such multiple copying for one (1) course during one (1) class term. (The limitations stated in "ii" and "iii" above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.)

III. Prohibitions

Notwithstanding any of the above, the following shall be prohibited:

- A. Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts there-from are accumulated or are reproduced and used separately.
- B. There shall be no copying of or from works intended to be "consumable" in the course of study or teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable material.
- C. Copying shall not:
 - i. substitute for the purchase of books, publisher's reprints or periodicals
 - ii. be directed by higher authority
 - iii. be repeated with respect to the same item by the same teacher from term to term.
- D. No charge shall be made to the student beyond the actual cost of the photocopying.

MATERIALS PLACED ON RESERVE

General Guidelines

Policies for placing materials on reserve in the library are based on "fair use" guidelines (17 ~~USC~~ **U.S. Code Section** 107).

The amount of materials placed on reserve should be reasonable and not have adverse impact on the market for such materials. Reserve materials should make up only a small portion of the instructional materials used in the class.

What can be put on reserve?

- An article from a journal (3-6 copies of the article if class size warrants)
- A chapter from a book (3-6 copies of the chapter if class size warrants)
- A short story, essay or poem (3-6 copies of the material if class size warrants)
- A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper (3-6 copies of the material if class size warrants)
- Materials from the library collections including government publications
- Student papers
- Exams
- Lecture notes

What cannot be put on reserve?

- Interlibrary loan books
- Course packs
- Consumables (workbooks, exercises, standardized tests, test booklets, answer sheets, etc.)

How long can materials remain on reserve?

- Materials may only be placed on reserve for one semester.
- At the end of the semester, library materials will be re-shelved.
- Items owned by instructors will be returned to those instructors.

When is copyright permission needed?

- If the same material will be used by the same instructor for the same class for more than one semester
- If more than one article from a particular journal is needed for one particular course
- If more than one chapter of a book is needed for one particular course
- If an out of print book is to be used Copyright Notice
- A notice of copyright must appear on all reserve materials.

Faculty Responsibility

- Materials on reserve are to be used for solely educational purposes.
- The faculty member placing the item on reserve must have legal possession of said item.
- The responsibility for legally possessing an item lies with the faculty member.
- A signed reserve request form is required wherein the faculty member acknowledges responsibility for compliance with copyright laws.
- If the faculty member wishes to place materials on reserve in excess of one semester, permission must be obtained from the copyright holder.

Compilations

Reference:

Basic Books, Inc. v. Kinko's Graphics Corp. (S.D.N.Y. 1991) 758 F.Supp. 1522; and Princeton University Press v. Michigan Document Services, Inc. (6th Cir. 1996) F.3d 1381-

Permission from the copyright owner should be obtained when using excerpts of copyrighted work to create anthologies or “course packs,” even if the excerpts fall under the definitions in the “fair use” doctrine.

HOW TO OBTAIN COPYRIGHT PERMISSION

Permission to use copyright-protected materials, when required, should be obtained prior to using those materials. It is best to obtain permission in writing (including e-mail) and to ensure that the Copyright Officer has a copy of each permission form or letter.

The time to obtain permission may vary and, where possible, it is recommended to start the permissions procedure at least six months prior to the time that you wish to use the materials. If you need a quicker permission, let the copyright owner know this and he/she may be able to get back to you more quickly. Often, Copyright Clearance Center is your quickest one-stop resource for obtaining copyright permission.

Fact Finding Questions

Once you have identified the materials you want to use and determined that copyright permission is required, you must locate the copyright holder. If the copyright holder is not listed on the work, locating the appropriate person or entity to grant permission may take some investigative and creative work.

The Copyright Office of the Library of Congress (www.loc.gov) may be of assistance in locating a copyright owner if the work is registered. Note, however, that copyright is automatically granted to all works upon their being written down and that registration with the Copyright Office is not required.

There are two primary options for obtaining permission to use the work. You may contact the copyright holder directly or you may contact Copyright Clearance Center. Check with your department manager to determine if your institution already has an established process for obtaining copyright permission through Copyright Clearance Center. If your department or campus does not have a centralized location or process for obtaining copyright permission, you may create an account with Copyright Clearance Center at www.copyright.com.

Information in your Permission Request

The copyright holder or its agent will require the following information in order to provide you with permission:

- Title of the material
- Creator/author of the material
- Publisher of the material
- Description of material

- ISBN or ISSN, if applicable
- Date of publication, if applicable
- Purpose for which you wish to reproduce the item (research, commercial, educational, etc.)
- How the material is to be reproduced (e.g., photocopied, digitized)
- Where the reproduced material will be used or will appear and for how long

(Note: This area will be drafted after the Distance Education Task Force makes its recommendations.)

Online Courses

Reference:

The TEACH (Technology, Education and Copyright Harmonization) Act,
~~USC~~ **U.S. Code** 17, Copyright Act, Sections 110(2) and 112

The Teach Act provides instructors greater flexibility to use third party copyrighted works in online courses. An individual assessment will be required to determine whether a given use is protected under the Act. The following criteria are generally required:

- The online instruction is mediated by an instructor.
- The transmission of the material is limited to receipt by students enrolled in the course.
- Technical safeguards are used to prevent retention of the transmission for longer than the class session.
- The performance is either of a non-dramatic work or a “reasonable and limited portion” of any other work that is comparable to that displayed in a live classroom session.
- The work is not a textbook, course pack, or other material typically purchased or acquired by students for their independent use and retention, including commercial works that are sold or licensed for the purposes of digital distance education.
- The **De**istrict does not know, or have reason to know, that the copy of the work was not lawfully made or acquired.
- The **De**istrict notifies students that the works may be subject to copyright protection and that they may not violate the legal rights of the copyright holder.

Also see BP/AP 3710 Securing of Copyright, BP/AP 3715 Intellectual Property, and BP/AP 3720 Computer and Network Use.

Approved: 11/7/05

Revised: 5/11/20

BP 3820 Gifts

Reference:

Education Code Section ~~72122~~ 72205

The Internal Revenue Code 170(c)(1) includes within its list of qualified donees for charitable deduction purposes "a state, a possession of the United States, or any of the political subdivisions thereof." Therefore, the Antelope Valley Community College District qualifies as a donee because it is a subdivision of the state. Consequently, a gift can be donated directly to the District rather than the Antelope Valley College Foundation.

The Board of Trustees requires that gifts, donations, and bequests be made to the Antelope Valley College Foundation and that the Foundation's policies and procedures be followed, except gifts that the Superintendent/President determines should be accepted directly by the District. **The Board of Trustees shall consider all gifts, donations, and bequests made to the District.** The Board of Trustees reserves the right to refuse to accept any gift which does not contribute toward the goals of the District, or the ownership of which would have the potential to deplete resources of the District.

The District and the Antelope Valley College Foundation shall assume no responsibility for appraising the value of gifts made to the District.

All fundraising activities shall be coordinated by the Antelope Valley College Foundation and approved by the Superintendent/President.

Solicitation of gifts, funds, or property shall not be made by anyone in the name of or for any benefit for Antelope Valley College without communication with and approval of the Foundation.

In the case of fundraising activities sponsored by the Associate Students Organization or by other student groups, prior approval of the Dean of Student Services is required as well as notification to the Foundation.

Acceptance of a gift shall not be considered endorsement by the District of a product, enterprise or entity.

In no event shall the District accept a donation from any donor who engages in practices or policies which discriminate against any person on the basis of nationality, religion, age, ~~veteran status~~, gender, gender identity, gender expression, race or ethnicity, medical condition, genetic information, ancestry, sexual orientation, marital status, ~~military or veteran status~~, or physical or mental disability; or when the stated purposes of the donation are to facilitate such discrimination in providing educational opportunity.

~~See Administrative Procedure #3820~~ Also see AP 3820 Gifts.

Adopted: 11/7/05
Revised: 8/13/12
Revised: 5/9/16
Reviewed: 3/13/17
Revised: 5/11/20

AP 3820 Gifts

Reference:

Education Code Section 72122

Anyone who wishes to give a gift, develop a fundraising program, or solicit a gift on behalf of the college must first consult with the Antelope Valley College Foundation, to determine the appropriate procedures and necessary forms. Exceptions for gifting directly to the District must be approved by the Superintendent/President.

Also see BP 3820 Gifts.

Approved: 11/7/05

Revised: 3/13/17

Revised: 5/11/20

AP 6750 Parking

References:

Education Code Section 72330 and 76360;
Vehicle Code Sections 21113 and 40220

These procedures are intended to promote safe and orderly movement of traffic within District property for the safe and orderly parking of vehicles and bicycles.

All applicable provisions of the California Vehicle Code are expressly applicable both on and off paved roadways.

Parking of motor vehicles and bicycles is limited to specially designated areas. Fee permits are required. Vehicles or bicycles parked in violation of the provisions of this code are subject to fines, towing, or impoundment.

All persons who enter on the college are charged with knowledge of the provisions of this procedure and are subject to the penalties for violations of such provisions.

In accordance with California Vehicle Code Section 21113, the District will enforce these procedures by issuing citations.

Also refer to ~~Antelope Valley College Parking Regulations~~
<https://www.avc.edu/administration/police>. ~~which can be obtained from the Director of Campus Security.~~

Approved: 5/8/06
Revised: 5/11/20

BP 5030 Fees

References:

Education Code Sections 76300, et seq.
Title 5 Section 58520;
Accreditation Standard I.C.6

The Board of Trustees authorizes the following fees. The Superintendent /President or designee shall establish procedures for the collection, deposit, waiver, refund, and accounting for fees as required by law.

The procedures shall also assure those who are exempt from or for whom the fee is waived are properly enrolled and accounted for. Fee amounts shall be published in the college catalogs.

Enrollment fee:

Education Code Section 76300

Each student shall be charged a fee for enrolling in credit courses as required by law.

Baccalaureate Degree Pilot Program Fees:

Title 5 Section 58520

Each student shall be charged a fee in addition to an enrollment fee for upper division coursework in a baccalaureate degree pilot program.

Course Auditing fees:

Education Code Section 76370

Persons auditing a course shall be charged a fee of not more than fifteen (\$15.00) per unit per semester. The fee amount shall be adjusted proportionally based upon the term length. Students enrolled in classes to receive credit for ten (10) or more semester credit units shall not be charged this fee to audit three (3) or fewer units per semester.

Health fee:

Education Code Section 76355

The Superintendent/President or designee shall present to the Board of Trustees for approval a fee to be charged to each full-time and part-time student for student health services.

Parking fee:

Education Code Section 76360

The Superintendent/President or designee shall present for to the Bboard of Trustees for approval fees for parking for students and/or employees. A discount may be received if the parking fee is purchased with the Associated Student Organization (ASO) sticker each semester.

Instructional materials:

Education Code Section 76365;
Title 5, Sections 59400, et seq.

Students may be required to provide required instructional and other materials for a credit or non-credit course, provided such materials are of continuing value to the student outside the classroom and provided that such materials are not solely or exclusively available from the District.

Physical education facilities:

Education Code Section 76395

Where the District incurs additional expenses because a physical education course is required to use non-District facilities, students enrolled in the course shall be charged a fee for participating in the course. Such fee shall not exceed the student's calculated share of the additional expenses incurred by the District.

Student Representation Fee:

Education Code Section 76060.5

Students will be charged a one dollar (\$2) fee per semester to be used to provide support for student governmental affairs representation. A student may refuse to pay the fee for and shall submit such refusal On a form provided by the District to collect fees.

Transcript Fees:

Education Code Section 76223

The District shall charge a reasonable amount for furnishing copies of any student record to a student or former student. The Superintendent/President is authorized to establish the fee, which shall not exceed the actual cost of furnishing copies of any student record. No charge shall be made for furnishing up to two (2) transcripts of students' records, or for two (2) verifications of various records. There shall be no charge for searching for or retrieving any student record.

International Students Application Processing Fee:

Education Code Section 76142

The District shall charge students who are both citizens and residents of a foreign country

a fee to process his/ or her application for admission. The Superintendent/President may establish this processing fee and regulations for determining economic hardship. The fee shall not exceed the lesser of 1) the actual cost of processing an application and other documentation required by the U.S. government; or 2) one hundred dollars (\$100), which shall be deducted from the tuition fee at the time of enrollment.

~~See Administrative Procedures #5030 and 5031~~ Also see AP 5030 Fees, AP 5031 Instructional Materials, BP/AP 5200 Student Health Services, BP/AP 4070 Course Auditing and Auditing Fees, and BP/AP 6750 Parking.

Adopted: 2/6/06
Revised: 7/13/20

AP 5030 Fees

References:

Education Code Sections 70902 **subdivision (b)(9)**, 76300, **76300.5**, 66025.3, and **68120**;
Title 5, Sections **51012**, **58520**, and **58629**;
California Community Colleges Chancellor's Office (CCCCO) Student Fee Handbook;
Accreditation Standard I.C.6

Required fees include:

Antelope Valley College will collect an enrollment fee (**E.C. Education Code Section 76300**; **5CCR Title 5 Sections 58500-58509**) from each student to help defray the cost of education and instructional materials each semester and session. The enrollment fee may change without notice, subject to mandates issued by the State of California.

Additionally, nonresident students will be charged the enrollment fee plus tuition each semester and session. The Board of Trustees will establish this fee and publish the amount in the College Catalog and/or Class Schedule. The tuition fee may be changed without notice.

Antelope Valley College is permitted by law to charge for any of the fees listed below if approved by the Board of Trustees. The cost for each of these fees will be listed in the College Catalog and/or Class Schedule and can be obtained from the appropriate on-campus office.

All fees are subject to change without notice.

Required fees include:

- Enrollment (Education Code Sections 76300 and 76300.5; Title 5 Sections 58500 and 58509)
- Baccalaureate degree pilot program fees (Title 5 Section 58520)
- Nonresident tuition with these permissive exemptions (Education Code Sections 76140 and 76140.5):
 - All nonresident students enrolling for 6 or fewer units; or
 - A student who is a citizen and resident of a foreign country who demonstrates financial need and this required exemption (Education Code Section 68130.5);
 - All students, other than nonimmigrant aliens under 8 U.S. Code Section 1101 subdivision (a)(15), who meet the following requirements:
 - high school attendance in California for three (3) or more years;

- graduation from a California high school or attainment of the equivalent thereof;
- registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
- completion of a questionnaire form prescribed by the California Community Colleges Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
- 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.

Fees authorized by law include:

- Non-District physical education facilities (~~E.C.~~ Education Code Section 76395)
- Noncredit courses (~~E.C.~~ Education Code Section 76385)
- Community service courses (~~E.C.~~ Education Code Section 78300)
- Auditing of courses (~~E.C.~~ Education Code Section 76370)
- Instructional materials (~~E.C.~~ Education Code Sections 73365, 81457, and 81458; ~~5 CCR 59400-59408~~ Title 5 Sections 59400 and 59408)
- Athletic insurance (~~E.C.~~ Education Code Section 70902 subdivision (b)(9))
- Cross-Enrollment with ~~CSU or UC~~ the California State University (CSU) or University of California (UC) (~~E.C.~~ Education Code Section 66753)
- Health (~~E.C.~~ Education Code Section 76355)
- Parking (~~E.C.~~ Education Code Section 76360)
- Transportation (~~E.C.~~ Education Code Sections 76361; and 82305.6)
- Student Center (~~E.C.~~ Education Code Section 76375; ~~5 CCR~~ Title 5 Section 58510)
- Copies of student records (~~E.C.~~ Education Code Section 76223)
- Dormitory (~~E.C.~~ Education Code Section 81670)
- Child care (~~E.C.~~ Education Code Sections 79121 et seq., and 66060) (79121 et seq. 66060)
- Nonresident capital outlay (~~E.C.~~ Education Code Section 76141)
- Nonresident application processing (~~E.C.~~ Education Code Section 76142)
- Credit by Examination (~~E.C.~~ Education Code Section 76300; ~~5 CCR 55753~~ Title 5 Section 55050)
- Use of facilities financed by revenue bonds (~~E.C.~~ Education Code Section 81901 subdivision (b)(3))
- Refund processing (~~5 CCR~~ Title 5 Section 58508)
- Telephone registration (~~E.C.~~ Education Code Section 70902 subdivision (b)(9))
- Physical fitness test (~~E.C.~~ Education Code Section 70902 subdivision (b)(9))

- Instructional Tape Lease/Deposit (~~E.G.~~ Education Code Section 70902 subdivision (b)(9))
- Credit Card Use (~~E.G.~~ Education Code Section 70902 subdivision (b)(9))
- International Student Medical Insurance (~~E.G.~~ Education Code Section 70902 subdivision (b)(9))

Antelope Valley College is ***not permitted*** by law to charge for any of the fees listed below:

Prohibited fees include:

- Late application (CCCCO Student Fee Handbook)
- Add/drop (CCCCO Student Fee Handbook)
- Mandatory student activities (CCCCO Student Fee Handbook)
- Student Identification Cards (CCCCO Student Fee Handbook)
- Student Body Organization (CCCCO Student Fee Handbook)
- Nonresident application (CCCCO Student Fee Handbook)
- Field trip (~~5 CCR 55450, 55451~~ Title 5 Sections 55450 and 55451)
- For dependents of certain veterans (~~E.G. 66025.3~~ Education Code Section 66025.3)
- For dependents of certain victims of the September 11, 2001, terrorist attacks. (CCCCO Student Fee Handbook)
- For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor (~~E.G. 66025.3~~ Education Code Section 66025.3)
- For surviving spouses and children of a firefighter employed by the federal government whose duty assignment involved the performance of firefighting services in California (Education Code Section 68120)
- For students who have been exonerated of a crime though writ of habeas corpus or pardon that meet certain conditions (Education Code Section 69000)
- Required or funded services (CCCCO Student Fee Handbook)
- Refundable deposits (CCCCO Student Fee Handbook)
- Distance education (other than the statutorily authorized enrollment fee) (CCCCO Student Fee Handbook)
- Mandatory mailings (CCCCO Student Fee Handbook)
- Rental of practice rooms (CCCCO Student Fee Handbook)
- Apprenticeship courses (~~E.G.~~ Education Code Section 76350)
- Technology fee (CCCCO Student Fee Handbook)
- Late payment fee (~~5 CCR 58502, 59410~~ Title 5 Sections 58502 and 59410)
- Nursing/healing arts student liability insurance (~~5 CCR~~ Title 5 Section 55234)
- Cleaning (CCCCO Student Fee Handbook)
- Breakage (CCCCO Student Fee Handbook)

- Test proctoring (CCCCO Student Fee Handbook)

Collection and Refund of Fees

Antelope Valley College will refund student fees for the following reasons:

- Fees to be collected when enacted by the Legislature following registration by the student
- Fees collected in error
- Fees refundable because of a reduction in the educational program of the District
- Fees refundable because of the student's reduction in units or withdrawal from an education program
- Fees refundable because of changes in law or regulation authorizing and establishing enrollment fees
- **Notice to students of availability of exemptions from certain mandatory and authorized fees**

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.

Antelope Valley College shall determine a refund policy for the following fees and publish the dates in the Schedule of Classes:

Enrollment Fee refunds for full-term length classes dropped during the first two weeks of instruction only. The first week of instruction is the first week of the semester. For short-term classes, summer and intersession the refund period is shorter and the time line is available from the Admission and Records Office.

Nonresident tuition fee refunds will be made only when the student totally withdraws from the College. The request must be in writing accompanied by the registration receipt. Refunds of the basic tuition fee will be made according to the following schedule:

Regular Semesters

End of 1st week of instruction **ninety percent (90%)** of the tuition fee and enrollment fee

End of 2nd week of instruction **seventy-five percent (75%)** of the tuition fee and enrollment fee

End of 3rd week of instruction **fifty percent (50%)** of the tuition fee

End of 4th week of instruction **twenty-five percent (25%)** of the tuition fee

Summer and Intersessions

End of 1st week of instruction **ninety percent (90%)** of the tuition fee and enrollment fee

End of 2nd week of instruction **seventy-five percent (75%)** of the tuition fee and enrollment fee

End of 3rd week of instruction **fifty percent (50%)** of the tuition fee

Instructional materials fee refunds are on a prorated basis. Requests for refunds must be in writing accompanied by a drop slip signed by the instructor with the amount of the material fees to be refunded. This is based on the date and the amount of the materials used.

Parking fees will be refunded in full to those students who totally withdraw from the semester within the first two **(2)** weeks of instruction, shorter for summer and intersession. Requests must be in writing and accompanied by the student's parking permit, the receipt and drop slip. The request must be received by the Cashiers Office no later than the end of the 2nd week of instruction.

Associated Student Representation Fee will be refunded in full for students who in full-term length classes dropped during the first two **(2)** weeks of instruction only. The first week of instruction is the first week of the semester. For short-term classes, summer and intersession the refund period is shorter and the time line is available from the Admission and Records Office.

Associated Student Organization Sticker will be refunded in full to students who totally withdraw from the college within the first two weeks of instruction and request a refund in writing. Requests must be accompanied by the Student's ASO sticker, the receipt and drop slip.

All refunds will be mailed to the student's address on file with the Admission and Records Office.

Students receiving Title IV Federal Financial Aid may be required to repay a portion of the funds received based upon the withdrawal date from all classes. Students who owe a repayment to the Title IV programs are not eligible for funding at AVC or any other college or university. Contact the Financial Aid Office for additional information.

Also see BP 5030 Fees and BP/AP 5031 Instructional Materials.

Approved: 2/6/06
Revised: 5/8/06
Revised: 1/8/07
Revised: 9/10/07
Revised: 7/13/20

AP 5055 Enrollment Priorities

References:

Education Code Sections 66025.8, ~~66025.9~~, and 66025.092;
Title 5 Sections 58106 and 58108

Enrollment in courses and programs may be limited to students meeting properly established prerequisites and co-requisites. (See ~~Board Policy and Administrative Procedure BP/AP 4260 Prerequisites, Co-requisites, Advisories, and Limitations on Enrollment regarding pre-and-co-requisites.~~)

Enrollment may be limited due to the following:

- health and safety considerations
- facility limitations
- faculty workload
- availability of qualified instructors
- funding limitations
- regional planning
- legal requirements
- contractual requirements

The District will provide priority registration for students who enroll in a community college for the purpose of degree or certificate attainment, transfer to a four-year college or university, or career advancement.

The District will grant registration priority for each term the registration priority system is administered to students who are:

- are first time students within the meaning of ~~Title 5 S~~ection 55530 ~~subdivision~~ (c) and have completed orientation, assessment, and developed student education plans; or
- are not first time students within the meaning of ~~Title 5 S~~ection 55530 ~~subdivision~~ (c) and have not lost registration priority pursuant to subdivision (h).
- who are continuing students not on academic or progress probation for two consecutive terms as defined in ~~Title 5 S~~ection 55031 and first time students who have completed orientation, assessment, and developed student education plans.

The ~~D~~istrict shall provide highest and equal priority to students eligible for registration priority who are:

- a member of the armed forces or a veteran ~~pursuant to Education Code Section~~

66025.8

- a foster youth, ~~or~~ former foster youth, homeless youth, or former homeless youth pursuant to Education Code Section 66025.9
- determined to be eligible for accommodation through the Office for Students with Disabilities
- receiving services through the Extended Opportunity Programs
- receiving aid from California Work Opportunity and Responsibility to Kids Program
- A student who is receiving services through CalWORKs.
- A student who is a Tribal TANF recipient

These registration priorities apply to courses offered during all terms.

Registration priority specified above shall be lost at the first registration opportunity after a student:

- Is placed on academic or progress probation or any combination thereof as defined in ~~this Board Policy and Administrative Procedure BP/AP 4250 Probation~~ for two (2) consecutive terms: or
- Has earned one hundred (100) or more degree-applicable semester equivalent units at the ~~De~~istrict.

Foster youth, ~~or~~ former foster youth, or homeless youth who ~~that~~ are granted registration priority shall not lose registration priority if placed on academic or progress probation or any combination thereof for two (2) consecutive terms or if more than one hundred (100) degree applicable semester equivalent units are earned at the ~~De~~istrict.

For purposes of this section, a unit is earned when a student receives a grade of A, B, C, D or P as defined in ~~Board Policy and Administrative Procedure BP/AP 4230 Grading and Academic Record Symbols~~. The one hundred (100)-unit limit does not include units for non-degree applicable English as a Second Language, basic skills courses, or credit earned through credit by exam, advanced placement, or other similar programs as defined by the Vice President of Academic Affairs.

The ~~De~~istrict has established orientation, assessment, and education plans or any combination thereof as a condition for registration priority for continuing students. Local priorities are based on the following approaches:

- limiting enrollment to first come, first served, or other non-evaluative selection techniques;
- in the case of intercollegiate completion, honors courses, or public performance courses, allocating available seats to those students judged most qualified;
- limiting enrollment to any selection procedure expressly authorized by statute;

- limiting enrollment in one or more sections to students enrolled in one or more other courses, provided that a reasonable percentage of all sections of the course do not have such restrictions.

Additional registration priorities for students with priority lower than student groups covered already shall be provided to students that have completed orientation, assessment, and developed student education plan who are:

- STAR students and First Year Experience students
- Honors Students
- AVC Graduate Candidates
- Athletes, SOAR High School, ASO Officers, Student Trustee
- Paraprofessionals/AVC Employees
- High School Seniors that attend the Student Success Kick off (Summer/Fall semesters only)
- Continuing AVC Students
- New and Returning AVC Students

Registration priority specified above shall be lost at the first registration opportunity after a student:

- Is placed on academic or progress probation or any combination thereof as defined in ~~these Board Policy and Administrative Procedure BP/AP 4250 Probation~~ for two (2) consecutive terms; or
- Has earned one hundred (100) or more degree-applicable semester equivalent units at the district.

Students will have a higher enrollment priority when orientation, assessment, and developed student education plans are confirmed at the time registration appointments are assigned. Students that do not have confirmed completion will have a lower enrollment priority.

All priority groups will have priority enrollment based on total units completed in descending order then alphabetically (rotating each term).

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

Students will not be required to participate in any preregistration activity not uniformly required; nor shall the District allow anyone to place or enforce nonacademic requisites that are not expressly authorized or in state law as barriers to enrollment in or the successful

completion of a class.

With respect to accessibility to off-campus sites and facilities, no student is to be required to make any special effort not required of all students to register in any class or course section. Once enrolled in the class, all students must have equal access to the site.

The District shall notify students who are placed on academic or progress probation, of the potential for loss of enrollment priority. The District shall notify the student that a second consecutive term on academic or progress probation will result in the loss of priority registration as long as the student remains on probation. The District shall notify students or who have earned seventy-five percent (75%) or more of the unit limit, that enrollment priority will be lost when the student reaches the unit limit.

Appeal procedure for loss of priority enrollment

Submit Loss of Priority Enrollment form to the Dean of Student Services (Enrollment Services) within two (2) weeks of enrollment priority assignment. One circumstance shall be verifiable on the appeal form:

- Verified extenuating circumstances of cases of accident, illnesses, or other circumstances beyond the control of the student.
- Student with a disability applied for, but did not receive, reasonable accommodation in a timely manner.
- Academic or progress probation or dismissal status recalculated to less than two (2) semesters of consecutive semesters on probation.
- One hundred (100) unit limit for degree-applicable semester equivalent units at the District recalculated to less than one hundred (100) degree-applicable semester equivalent units at the district.
- Other verifiable circumstances as deemed appropriate by the Dean of Student Services (Enrollment Services).

Loss of priority enrollment denial procedure

Denied loss of priority enrollment requests by the Dean of Student Services (Enrollment Services) may be submitted for final review to the Vice President of Student Services when information not already presented in the appeal for priority enrollment exists.

Also see BP 5055 Enrollment Priorities and BP/AP 5052 Open Enrollment.

Approved: 2/6/06
Revised: 5/12/08
Revised: 1/12/15
Revised: 7/13/20

BP 5420 Associated Students ~~Organization~~ Finance

References:

Education Code Sections 76063–76065

The Associated Student Organization ~~and student club~~ funds shall be deposited with and disbursed by the ~~District through the Dean of Student Services or designee~~ Superintendent/President.

The funds shall be deposited, loaned, or invested in one or more of the ways authorized by law.

All funds shall be expended according to procedures established by the Associated Students Organization ~~and student club~~, subject to the approval of each of the following three (3) persons, which shall be obtained each time before any funds may be expended:

- the Superintendent /President or designee;
- the employee who is the designated advisor of the Associated Student Organization ~~or designee; and the particular student club, if using club funds,~~ and
- a representative of the ~~student club and/or~~ Associated Students Organization.

The funds of the Associated Student Organization ~~and student clubs~~ shall be subject to an annual audit.

~~See Administrative Procedure #5420~~ Also see BP/AP 5400 Associated Student Organization and Student Clubs, BP/AP 5410 Associated Student Organization Elections, and AP 5420 Associated Student Organization Finance.

Adopted: 2/6/06
Revised: 7/13/20

AP 5420 Associated Student Finance

References:

Education Code Sections 76063-76065

The Associated Student Funds are maintained in accordance with the following procedures:

- **Associated Student Organization Fund books, financial records and procedures are subject to annual audit.**
- Reports of the annual audit of the AS funds are submitted to the Dean of Life and Services and Executive Director of Business Services.
- Audit information, except that which contains personnel or other confidential information, shall be released to the ASO by the Executive Director of Business Services.
- ASO funds shall be deposited with and disbursed by the District's Dean of Student Life and Services through the Accounting Assistant in Student Development and College Activities Office.
- The funds shall be deposited, loaned, or invested in the following ways:
 - Deposits in trust accounts of the centralized State Treasury system pursuant to **Government Code** Sections 16305 to 16305.7, inclusive, ~~of the Government Code~~ or in a bank or banks whose accounts are insured by the Federal Deposit Insurance Corporation.
 - Investment certificates or withdrawable shares in state-chartered savings and loan associations and savings accounts of federal savings and loan associations, if the associations are doing business in this state and have their accounts insured by the Federal Savings and Loan Insurance Corporation and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.
 - Purchase of any of the securities authorized for investment by **Government Code** Section 16430 ~~of the Government Code~~ or investment by the Treasurer in those securities.
 - Participation in funds that are exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code and that are open exclusively to nonprofit colleges, universities, and independent schools.
 - **Investment certificates or withdrawable shares in state-chartered savings and loan associations and savings accounts of federal savings and loan**

associations, if the associations are doing business in this state and have their accounts insured by the Federal Savings and Loan Insurance Corporation and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.

- Investment certificates or withdrawable shares in federal or state credit unions, if the credit unions are doing business in this state and have their accounts insured by the National Credit Union Administration and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.
- Loans, with or without interest, to any student body organization established in another community college of the District for a period not to exceed three (3) years.
- Investment of money in permanent improvements to any community college District property including, but not limited to, buildings, automobile parking facilities, gymnasiums, swimming pools, stadium and playing fields, where those facilities, or portions thereof, are used for conducting student extracurricular activities or student spectator sports, or when those improvements are for the benefit of the student body.

All funds shall be expended subject to such procedures as may be established by the Associated Student Organization subject to the approval of each of the following three (3) persons. Approval from all three (3) persons shall be obtained each time before any funds may be expended.

1. The **Superintendent**/President or designee;
2. The officer or employee of the District who is the designated advisor of the particular club and/or the designated advisor of the ASO; and
3. A representative of the ASO or the student club or organization whose funds are being expended.

Also see **BP/AP 5400 Associated Student Organization, BP/AP 5410 Associated Student Organization Elections, and BP 5420 Associated Student Organization Finance.**

Approved: 2/6/06
Revised: 4/11/16
Revised: 7/13/20

BP 5800 Prevention of Identity Theft in Student Financial Transactions

Reference:

~~Fair and Accurate Credit Transactions Act~~, 15 U.S. Code Section 1681m subdivision (e), Fair and Accurate Credit Transactions Act, (FACT Act or FACTA)

The District is required to provide for the identification, detection, and response to patterns, practices, or specific activities (“Red Flags”) that could indicate identity theft of students when the District serves as a creditor in relation to its students. When applicable, the Superintendent/President is directed to develop procedures to implement an Identity Theft Prevention Program (ITPP) to control reasonably foreseeable risks to students from identity theft.

~~See Administrative Procedure #5800~~ Also see AP 5800 Prevention of Identity Theft in Student Financial Transactions.

Adopted: 11/14/11
Revised: 7/13/20



AP 5800 Prevention of Identity Theft in Student Financial Transactions

Reference:

15 U.S. Code Section 1681m(e) (Fair and Accurate Credit Transactions Act (FACT ACT or FACTA))

I. The Purpose of the Identity Theft Prevention Program

The purpose of this Identity Theft Prevention Program (ITPP) is to control reasonably foreseeable risks to students from identity theft, by providing for the identification, detection, and response to patterns, practices, or specific activities (“Red Flags”) that could indicate identity theft.

II. Definitions

“Identity theft” is a fraud attempted or committed using identifying information of another person without authority.

A “creditor” includes government entities who defer payment for goods (for example, payment plans for bookstore accounts or parking tickets), issued loans or issued student debit cards. Government entities that defer payment for services provided are not considered creditors for purposes of this ITPP.

“Deferring payments” refers to postponing payments to a future date and/or installment payments on fines or costs.

A “covered account” includes one that involves multiple payments or transactions.

“Person” means any individual who is receiving goods, receives a loan, and/or is issued a debit card from the District and is making payments on a deferred basis for said goods, loan, and/or debit card.

Detection or discovery of a “Red Flag” implicates the need to take action under this ITPP to help prevent, detect, and correct identity theft.

III. Detecting “Red Flags” For Potential Identity Theft

A. Risk Factors for Identifying “Red Flags”

The District will consider the following factors in identifying relevant “Red Flags:”

- 1) the types of covered accounts the District offers or maintains;
- 2) the methods the District provides to open the District’s covered accounts;
- 3) the methods the District provides to access the District’s covered accounts; and
- 4) the District’s previous experience(s) with identity theft.

B. Sources of “Red Flags”

The District will continue to incorporate relevant “Red Flags” into this ITPP from the following sources:

- 1) incidents of identity theft that the District has experienced;
- 2) methods of identity theft that the District identifies that reflects changes in identity theft risks; and
- 3) guidance from the District’s supervisors who identify changes in identity theft risks.

C. Categories of “Red Flags”

The following Red Flags have been identified for the District’s covered accounts:

Alerts, Notifications, or Warnings from a Consumer Reporting Agency:

- 1) A fraud or active duty alert is included with a consumer report the District receives as part of a background check.
- 2) A consumer reporting agency provides a notice of credit freeze in response to a request for a consumer report.
- 3) A consumer reporting agency provides a notice of address discrepancy. An address discrepancy occurs when an address provided by a student substantially differs from the one the credit reporting agency has on file. See Section (V)(9) for specific steps that must be taken to address this situation.
- 4) A consumer report indicates a pattern of activity that is inconsistent with the history and usual pattern of activity of an applicant, such as:
 - (a) A recent and significant increase in the volume of inquiries;
 - (b) An unusual number of recently established credit relationships;
 - (c) A material change in the use of credit, especially with respect to recently established credit relationships; or
 - (d) An account that was closed for cause or identified for abuse of account privileges by a creditor or financial institution.

Suspicious Documents:

- 5) Documents provided for identification appear to have been forged or altered.
- 6) The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.
- 7) Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.

- 8) Other information on the identification is not consistent with readily accessible information that is on file with the District, such as a signature card or a recent check.
- 9) An application appears to have been altered or forged or gives the appearance of having been destroyed or reassembled.

Suspicious Personally Identifying Information:

- 10) Personal identifying information provided is inconsistent when compared against external information sources used by the District.

For example:

- (a) The address does not match any address in the consumer report; or
 - (b) The Social Security Number (SSN) has not been issued or is listed on the Social Security Administration's Death Master File.
- 11) Personal identifying information provided by a person is not consistent with other personal identifying information provided by the person. For example, there is a lack of correlation between the SSN range and date of birth.
 - 12) Personal identifying information is associated with known fraudulent activity as indicated by internal or third-party sources used by the District. For example:
 - (a) The address on an application is the same as the address provided on a fraudulent application;
 - (b) The phone number on an application is the same as the phone number provided on a fraudulent application;
 - 13) Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the District. For example:
 - (a) The address on an application is fictitious, a mail drop, or a prison; or
 - (b) The phone number is invalid or is associated with a pager or answering service.
 - 14) The SSN provided is the same as that submitted by other persons currently being served by the District.
 - 15) The address or telephone number provided is the same or similar to the account number or telephone number submitted by an unusually large number of other persons being served by the District.
 - 16) The person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
 - 17) Personal identifying information provided is not consistent with personal identifying information that is on file with the District.
 - 18) The person opening the covered account cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.

Unusual Use Of – Or Suspicious Activity Relating To – A Covered Account:

- 19) A new covered account is used in a manner that is commonly associated with known patterns of fraud patterns. For example, a person makes a first payment, but there are no subsequent payments made.
- 20) A covered account is used in a manner that is not consistent with established patterns of activity on the account. For example, there is:
 - (a) Nonpayment when there is no history of late or missed payments; or
 - (b) A material change in electronic fund transfer patterns in connection with a payment.
- 21) A covered account that has been inactive for a reasonably lengthy period of time is suddenly used or active.
- 22) Mail sent to the person holding the covered account is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the person's covered account.
- 23) The District is notified that the person is not receiving paper account statements.
- 24) The District is notified of unauthorized transactions in connection with a person's covered account.

Notices from Customers/Persons, Victims of Identity Theft, Law Enforcement Authorities, or Other Businesses About Possible Identity Theft in Connection with Covered Accounts:

- 25) The District is notified by a person with a covered account, a victim of identity theft, a law enforcement authority, or any other person, that it has opened a fraudulent account for a person engaged in identity theft.

IV. Measures to Detect “Red Flags”

The District shall do the following to aid in the detection of “Red Flags:”

- 1) When a new covered account is open, the District shall obtain identifying information about, and information verifying the identity of, the student or other person seeking to open a covered account. Two forms of identification shall be obtained (at least one of which must be a photo identification).

The following are examples of the types of valid identification that a person may provide to verify the identity of the person seeking to open the covered account: valid state-issued driver's license, valid state-issued identification card, current passport, a Social Security Card, current residential lease, or copy of a deed to the person's home or invoice/statement for property taxes.

- 2) Persons with covered accounts who request a change in their personal information on file, such as a change of address, will have the requested changes verified by the District.

The person shall provide at least one written form of verification reflecting the requested changes to the personal information. For example, if an address

change is requested, then documentation evidencing the new address shall be obtained. If a phone number change is requested, then documentation evidencing the new phone number, such as a phone bill, shall be obtained.

V. Preventing and Mitigating Identity Theft

One or more of the following measures, as deemed appropriate under the particular circumstances, shall be implemented to respond to “Red Flags” that are detected:

- 1) Monitor the covered account for evidence of identity theft;
- 2) Contact the person who holds the covered account;
- 3) Change any passwords, security codes, or other security devices that permit access to a covered account;
- 4) Reopen the covered account with a new account number;
- 5) Not open a new covered account for the person;
- 6) Close an existing covered account;
- 7) Not attempt to collect on a covered account or not sell a covered account to a debt collector;
- 8) Notifying law enforcement;
- 9) Where a consumer reporting agency provides an address for a consumer that substantially differs from the address that the consumer provided, the District shall take the necessary steps to for a reasonable belief that the District knows the identity of the person for whom the District obtained a credit report, and reconcile the address of the consumer with the credit reporting agency, if the District establishes a continuing relationship with the consumer , and regularly, and in the course of business, provides information to the credit reporting agency; or
- 10) Determine that no response is warranted under the particular circumstances.

VI. Updating the ITPP

The District shall update this ITPP on an annual basis to reflect changes in risks to persons with covered accounts, and/or to reflect changes in risks to the safety and soundness of the District from identity theft, based on the following factors:

- 1) The experiences of the District with identity theft;
- 2) Changes in methods of identity theft;
- 3) Changes in methods to detect, prevent and mitigate identity theft;
- 4) Changes in the types of covered accounts that the District maintains;
- 5) Changes in the business arrangements of the District, including service provider arrangements.

VII. Methods for Administering the ITPP

A. Oversight of the ITPP

Oversight by the District’s **[designate position]** shall include:

- 1) Assigning specific responsibility for the ITPP’s implementation;
- 2) Reviewing reports prepared by the staff regarding compliance of the ITPP; and
- 3) Approving material changes to the ITPP as necessary to address changing identity theft risks.

B. Reports

- 1) ***In General.*** Staff responsible for the development, implementation, and administration of this ITPP shall report to the Board of Trustees on an annual basis.
- 2) ***Contents of Report.*** The report shall address material matters to the ITPP and evaluate the following issues: the effectiveness of the policies and procedures in addressing the risk of identity theft in connection with opening new covered accounts and with respect to existing covered accounts; service provider arrangements; significant incidents involving identity theft and management's response; and recommendations for material changes to the ITPP.
- 3) ***Oversight of Service Provider Arrangements.*** Whenever the District engages a service provider to perform an activity in connection with one or more covered accounts the District shall take steps to ensure that the activity of the service provider is conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. To that end, the District shall require our service contractors, by contract, to have policies and procedures to detect relevant "Red Flags" that may arise in the performance of the service provider's activities, and either report the "Red Flags" to the District, or to take appropriate steps to prevent or mitigate identity theft.

Approved: 7/13/20