



College Coordinating Council Meeting

May 25, 2022
 9:30 a.m. – 10:30 a.m.
 SSV 151 – Board Room

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

Committee Members:
 Van Rider, Academic Senate
 Nhe’Zhem Peoples, ASO
 Pamela Ford, Classified Union
 Michelle Hernandez, Confidential/Management/Supervisory/Administrators
 LaDonna Trimble, Deans
 Dr. Aurora Burd, Faculty Union

Shami Brar, Vice President of Administrative Services - **CHAIR**
 Bridget Cook, General Counsel
 Howard Davis, Interim Vice President of Academic Affairs
 Harmony Miller – Interim Executive Director of Human Resources
 Jose Rivera, Interim Vice President of Student Services

MEETING

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of April 27, 2022	All	1 minute	
II. Constituent Reports	All	5 minutes	
DISCUSSION/ACTION ITEMS:			
I. BP/AP 7130 – Compensation	All	5 minutes	
II. Committee Membership – Call for Committee Information Sheet Updates	All	15 minutes	
III. AP 6370 – Contracts – Personal Services	Shami	5 minutes	
IV. BP/AP 3720 Computer Network	Shami	5 minutes	Returned from March 23, 2022, CCC meeting.
V. BP/AP 6700 – Civic Center and Other Facilities Use	Shami	3 minutes	Returned from March 23, 2022, CCC meeting and constituent review.
VI. College Meeting Calendar	Shami	3 minutes	
VII. Meeting During the Summer	Shami	10 minutes	

FUTURE AGENDA ITEMS:

NEXT MEETING DATE: ?			
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College Coordinating Council Minutes

April 27, 2022
9:30 a.m. – 10:30 a.m.
SSV 151 – Board Room

Type of Meeting: Regular
Note Taker: Patty McClure (ABSENT), Megan Aceves, Amanda Khatib
Please Review/Bring: Agenda, Minutes

Committee Members:

Van Rider, Academic Senate
Nhe'Zhem Peoples, ASO -**ABSENT**
Pamela Ford, Classified
Union
Michelle Hernandez, Confidential/Management/Supervisory/Administrators
LaDonna Trimble, Deans
Dr. Aurora Burd, Faculty Union
~~~~~  
Shami Brar, Vice President of Administrative Services - **CHAIR**  
Bridget Cook, Interim General Counsel  
Howard Davis, Interim Vice President of Academic  
Affairs VACANT - Vice President of Human Resources  
VACANT, Vice President of Student Services

## MINUTES

| Items                                             | Person(s)<br>Responsible | Time      | Action                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------|--------------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>STANDING ITEMS:</b>                            |                          |           |                                                                                                                                                                                                                                                                                                                                                                             |
| I. Approval of Previous Minutes of March 23, 2022 | All                      | 1 minute  | The minutes were approved as presented.                                                                                                                                                                                                                                                                                                                                     |
| II. Constituent Reports                           | All                      | 5 minutes | There were no reports from the Constituent Groups.                                                                                                                                                                                                                                                                                                                          |
| <b>DISCUSSION/ACTION ITEMS:</b>                   |                          |           |                                                                                                                                                                                                                                                                                                                                                                             |
| I. BP/AP 7130 – Compensation                      | Shami                    | 5 minutes | <b>Harmony</b> stated we need more time to address questions/concerns from the District.<br><b>Shami</b> stated there is an inconsistency between the current policy and the District's current procedure so we want to pull it for further review.<br><b>Pamela</b> stated that she wanted to see the language that was negotiated regarding anniversaries to be included. |

|                                                                         |          |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------|----------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                         |          |            | <p><b>Bridget</b> stated that what was negotiated does not match the policy, and we want to make it more generalized.</p> <p><b>Aurora</b> asked if Constituent Groups will have time to review after the changes are made. It was agreed upon for review after changes are made.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| II. Committee Membership – Call for Committee Information Sheet Updates | Michelle | 15 minutes | <p><b>Shami</b> stated that Patty is working on compiling all the information for the Committees.</p> <p><b>Michelle</b> stated that she will share the information she has gathered with Patty. Announced Greg Bormann as her replacement after he sits in for a couple of meetings.</p> <p><b>Aurora</b> stated she would like to see a “Master Calendar” will all Committees.</p> <p><b>Shami</b> stated that we should build something like a Google Sheet or calendar that is updated with membership and meetings for the Committees.</p> <p><b>Greg</b> suggested that all of this information go out in Summer in preparation for Fall.</p> <p><b>Van</b> suggested adding this information to the CCC webpage so this committee could act more as a resource to Deans, Directors, etc. with that repository.</p> <p>There was discussion about CCC responsibilities.</p> |
| III. BP/AP 6340 – Bids and Contracts                                    | Shami    | 5 minutes  | <p><b>Shami</b> stated that this item has been pulled and will return at another meeting.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

|                                               |       |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------|-------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IV. AP 6370 – Contracts for Personal Services | Shami | 5 minutes  | <p><b>Shami</b> stated that the language that was crossed out on this policy will go back in. There were a few minor changes.</p> <p><b>Aurora</b> asked if the Constituent Groups could review it after those changes were made to see the final version.</p> <p><b>Shami</b> stated the final version will be emailed for review shortly and approval/consent from the group shall be provided back in email or the policy will return to CCC for approval.</p> |
| V. BP 6900 - Bookstores                       | Shami | 5 minutes  | <p><b>Shami</b> stated minor changes to this policy version to reflect option 1 (Bookstore ran by District) or option 2 (Bookstore ran by vendor) in the CCLC’s version, not both options. The final version will be emailed for review shortly and approval/consent from the group shall be provided back in email or the policy will return to CCC for approval.</p>                                                                                            |
| VI. Meeting During the Summer                 | Shami | 10 minutes | <p>There was discussion regarding meeting only if it’s critical. There was concern with 25-30 new policies that were received in the last week and not falling behind on that with Accreditation coming up. It was agreed upon to cancel May 11<sup>th</sup>. The next scheduled meeting will be May 25<sup>th</sup> and possibly one in July when the new President starts.</p>                                                                                  |

**FUTURE AGENDA ITEMS:**

**NEXT MEETING DATE: May 25, 2022**

## BP 7130 Compensation

### References:

Education Code Sections 70902(b) (4); 72411; 87801; and 88160;  
Government Code Section 53200

34 Code of Federal Regulations Part 668 (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended)

Salary schedules, compensation and benefits, including health and welfare benefits, for all classes of employees and each administrator employed pursuant to a contract under Education Code Section 72411 shall be established by the Board of Trustees.

### Prohibition of Incentive Compensation

The District shall not provide any commission, bonus, or other incentive payment based, directly or indirectly, on the success in securing enrollments or financial aid, to any person or entity engaged in any student recruiting or admission activities or admission activities or in making decisions regarding the award of student financial assistance. Employees covered by this ban shall be referred to as "covered employees" for purposes of this policy.

For specific compensation-related details, also see AP 7130 Compensation as well as the applicable collective bargaining agreements.

Adopted: 5/8/06

Revised: 5/9/16

Revised: 3/14/22

# AP 7130 Compensation

## References:

Education Code Sections 87801 and 88160;  
Government Code Section 53200;  
U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under TitleIV of the Higher Education Act of 1965, as amended.

## Classified Compensation

### Full Time Employees

The District shall maintain a single salary schedule for all regularly employed classified employees. The salary schedule for classified personnel on a full-time basis is based on a standard eight (8) hour per day, forty (40) hour workweek.

### Part Time

Employees assigned to work less than the number of hours prescribed for full-time employees will be paid at the rate their employment bears to full-time service. This provision does not apply to short-term hourly or student employees.

### Pay for Holidays (~~EG~~ Education Code Section 88029)

If a person serving in an exempt position is required to work on a holiday, he/she shall be compensated, in addition to his/her regular pay for the holiday, at a rate not less than his/her normal rate of pay.

## Pay Periods

### Regular Employees

Time of payment for classified employees shall be established by the Board of Trustees providing that such payment is made at least once during each calendar month.

Regular classified employees of the District shall be paid on the 10th and 25th of each calendar month. Nothing contained in the foregoing provisions shall be construed as prohibiting the Board of Trustees from making payment of earned salary prior to the aforementioned pay period.

### Substitute Employees

Substitute employees of the District shall be paid on or about the tenth (10) working day of the month following the month in which the services were performed.

### Overtime

Overtime pay will be included in the salary warrant that is issued on the tenth (10<sup>th</sup>) of the month following that in which such overtime pay was earned.

### Error in Compensation (~~EG~~ Education Code Section 88166)

Whenever it is determined that an error has been made in the calculation of a classified employee's salary, the Board of Trustees shall, within five (5) workdays following the discovery of the error, provide the employee with a statement of the correction and supplemental payment drawn against any available funds of the District.

## Salary Deductions

### Deductions Required by Law

Deductions from the employee's wage, mandated by law, shall be made for the following reasons:

- State and Federal Income Tax
- Public Employees Retirement (PERS)
- Old Age, Survivors and Disability Insurance (OASDI)
- Medicare

### Dues (~~GC~~ Government Code Section 3543.1) (E.C. 87833 and 88167)

Refer to Section 7.12 of the Antelope Valley College Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement for information regarding dues and other payroll deductions.

### Salary Advances

This District does not allow salary advances.

### Authorization

The Board of Trustees shall, not later than the date prescribed by law for approval of the budget, fix salaries for the ensuing ~~school~~ academic year for all persons employed by the District in classified positions. The Board of Trustees may, at that time, include an increase in annual salaries, all or part of which is conditioned upon actual receipt by the District of anticipated revenue from all sources. If the revenue actually received is less than anticipated, the Board of Trustees may, at any time during the ~~school~~ academic year, reduce the annual salaries by an amount not to exceed the amount which was granted due to the anticipated revenue from all sources. The Board of Trustees may, at any time during the ~~school~~ academic year, increase the salaries of persons employed by the District in non-academic positions for the remainder of the year.

### Differential Compensation (~~EG~~ Education Code Section 88180)

Refer to Sections 12.7, 12.7.1, and 12.7.2 of the Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement for information regarding differential compensation.

### Paid Holidays (~~EG~~ Education Code Section 88203)

General Provisions Refer to Article VIII of the current Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement.

Restrictions Refer to Article VIII of the current Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement.

### Substitute Holiday

Any classified employee required to work a workweek other than Monday through Friday, and as a result thereof loses a holiday, shall be compensated in the amount to which the employee would have been entitled had the holiday fallen within his/her normal work schedule, or provided a substitute holiday.



### **Paid Vacations**

Refer to Article VIII of the current Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement.

## **Salary Schedules**

### **Provisions of Salary Schedule**

The basic or minimum salary for those who meet the minimum requirements for training and experience is indicated on the schedule for each position listed, together with other salaries.

A full year of classified service is required to progress from one step to another.

All salaries on the schedule are full-time salaries intended for full-time service except as noted in the schedule (Refer to Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement/Exhibit A). Salaries for part-time service shall be pro-rated in relation to full-time service.

No classified employee in the service of the District shall be reduced in salary as the result of the adoption of a new schedule.

### **Placement**

All new probationary employees shall be placed on Step 1 and shall remain at this initial step until the anniversary date is attained.

Additional salary increments shall occur on the annual anniversary of the first (1<sup>st</sup>) increment until the maximum is reached.

### **Anniversary Date**

The anniversary date for classified employees shall be established at the time of appointment as a regular member of the classified service. If that date upon which an employee first performs any and all duties required falls between the first (1<sup>st</sup>) and the fifteenth (15<sup>th</sup>) of a month, the anniversary date shall be designated as the first (1<sup>st</sup>) of the month in which service is so rendered; if the date of first service is between the sixteenth (16<sup>th</sup>) day and the last day of a month, the anniversary date shall be designated as the first (1<sup>st</sup>) day of the following or subsequent month in which service is so rendered.

### **Adopted Schedule**

The salary schedule will be adopted by the Board of Trustees annually and shall be published, with acopy provided to the bargaining unit and any employee who requests one.

## **Unemployment Compensation**

### **Eligibility**

Every regularly employed classified employee of the dDistrict, except those listed below, shall be protected by unemployment insurance pursuant to Sections 605 and 802 of the Unemployment Insurance Code Sections 605 and 802.

**Exempt Employees**

Students employed part-time and enrolled in college classes offered by the District, apprentices, temporary professional experts, emergency, limited term, or provisional employees or volunteers are excluded from unemployment insurance.

It shall be the responsibility of the Human Resources Office thereof to inform classified employees of their rights in the event of unemployment.

**Academic Personnel Compensation and Related Benefits****Salary Schedule**

See current Antelope Valley College Federation of Teachers Collective Bargaining Agreement.

**General Provisions**

Salaries of individual academic personnel will be established in accordance with the schedules and the provisions under which they are administered.

For academic personnel new to the District, credit for appropriate previous teaching experience will normally be allowed up to a maximum of five (5) years. For disciplines in which a master's degree is not generally expected or available, partial credit toward the five (5)-year maximum may be allowed for appropriate work experience in related professions and industries upon the recommendation of the Superintendent/President or designee.

Refer to Article IX in the current Antelope Valley College Federation of Teachers Collective Bargaining Agreement.

Request for Approval of Units for Advancement

Refer to Article IX in the current Antelope Valley College Federation of Teachers Collective Bargaining Agreement.

**Pay Periods**

Refer to Article X in the current Antelope Valley College Federation of Teachers Collective Bargaining Agreement.

**Related Benefits**

Related benefits shall be those established by the collective bargaining process and as approved by the governing Board of Trustees on an annual basis.

**Salary Advances**

This District does not allow salary advances.

## **Prohibition of Incentive Compensation**

Senior managers and executive level employees who are only involved in the development of policy and do not engage in individual student contact or the other covered activities will not generally be subject to the incentive compensation ban.

Although athletic coaches may be covered employees, subject to certain limitations, and, based upon the District's determination on a case-by-case basis [after consulting with exclusive representatives, if any], coaching staff and other athletic personnel may be exempt from the prohibition of incentive compensation.

The Superintendent/President or designee shall identify any covered employees of the District and determine whether the District's compensation arrangements comport with the prohibition on incentive compensation, and to the extent that they do not, make necessary modifications to comply. Similarly, the Superintendent/President or designee shall identify any covered service providers, evaluate whether the contract pricing structure is consistent with the prohibition on incentive compensation, and if not, determine what modifications the District can make to any applicable contract.

Antelope Valley  
College  
Tablet Stipend

~~Your position with the College, or Board of Trustees, has been identified by the Office of the President as requiring access to a personal tablet device in order to fulfill your day-to-day responsibilities to the Board of Trustees, and/or the College. To facilitate fulfillment of this requirement, and alleviate institutional responsibility due to loss or damage, a one-time stipend of \$1,275 will be awarded to cover the expense of acquisition. Upon request, this stipend will be provided every 4 (four) years in order to ensure that the technology is updated in a timely manner. The following standard components are recommended and will officially be supported by Information Technology Services:~~

- ~~• One (1) Apple iPad with 16 GB Memory, a Retina Display, and wireless capacity, and AppleCare extended warranty protection.~~
- ~~• One (1) Protective Cover (Targus Versavu Carrying Case is recommended)~~
- ~~• One (1) Protective Screen Film (Zagg InvisibleSHIELD is recommended)~~
- ~~• GoodReader for iPad — for document management/viewing from cloud storage (available through the Apple App Store)~~

~~Your acceptance of this stipend, and signature below, signals acceptance of the following terms:~~

- ~~• Stipend is a one-time funding for purchase.~~
- ~~• Stipend is taxable income and will be reflected within your annual tax documentation.~~
- ~~• Equipment purchased is recognized as is your personal property and the college has no responsibility for maintenance or repair in the event of damage.~~
- ~~• Equipment is required for fulfillment of duties of your office and it is your responsibility to insure its availability and good condition to execute those duties.~~
- ~~• Information Technology Services will provide basic training and support for the device's use, as an established standard for Tablet Computing for the college. That support will be limited to basic support of: Apple's IOS on the device; AVC/Gmail electronic mail configuration; access to AVC Wireless; web access to BoardDocs; Skype & FaceTime for video conferencing; access to GoogleDrive; and use of GoodReader. (All other support needs should be directed to the manufacture and their support services.)~~

IDENTIFIED POSITIONS  
FOR ACCESS TO A  
PERSONAL TABLET  
DEVICE

~~Five (5) Board Members~~  
~~Superintendent/President~~  
~~Executive Assistant to the~~  
~~Superintendent/President~~~~Administrative Assistant~~  
~~—President’s Office~~  
~~Vice President Human~~  
~~Resources~~~~Vice President~~  
~~Student Services~~~~Vice~~  
~~President Academic Affairs~~  
~~Executive Director of Facilities, Planning & Campus~~  
~~Development~~~~Executive Director of Information Technology~~  
~~Services~~  
~~Executive Director of Public & Governmental Relations~~  
~~Antelope Valley College Confidential/Management/Supervisory~~  
~~Employee~~~~President Antelope Valley College Federation of Teachers~~  
~~Antelope Valley Federation of Classified~~  
~~Employees~~~~Executive Director of Business~~  
~~Services~~  
~~Academic Senate President~~  
~~Executive Director of Advancement & Foundation~~

4/14/08

Revised: 9/10/12

Revised: 4/15/13

Revised: 4/11/16

Revised: 3/14/22

## AP7130 Compensation – Anniversary Date Language

### A. Recommended District Language

The anniversary date for classified employees shall be established at the time of appointment as a regular member of the classified service. If that date upon which an employee first performs any and all duties required fall between the first (1<sup>st</sup>) and the fifteenth (15<sup>th</sup>) of a month, the anniversary date shall be designated as the first (1<sup>st</sup>) of the month in which service is so rendered; if the date of first service between sixteenth (16<sup>th</sup>) day and the last day of a month, the anniversary date shall be designated as the (1<sup>st</sup>) day of the following month or subsequent month in which the service is so rendered.

### B. Negotiated Federation/District Language

Starting with the 2020-2021 fiscal year, all employees eligible for step or longevity increases during any subsequent fiscal year shall receive such increase on July 1 of the start of the fiscal year in which they are eligible for such increase. Thus, by having the anniversary date on July 1 of each year, each classified employee shall receive his/her step and/or longevity increase in advance of their hire date (except those with a hire date of July 1, for whom the anniversary date and hire date shall be the same. The change to anniversary date shall be for the purpose of step increases and longevity only and shall not constitute a change in actual hire/seniority date or be used for any other purpose, including layoff purposes or evaluation.

## AP 6370 Contracts – Personal Services

### References:

Education Code Section 88003.1;  
Government Code Section 53060;  
Labor Code Section 3353;  
Public Contract Code Section 10335.5, 20651  
**Assembly Bill 5 (AB5) and related legal authority**

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

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

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

- the contract is for new functions mandated or authorized by Legislature to be performed by independent contractors;
- the services are not available within the District or cannot be satisfactorily performed by District employees;
- the services are incidental to a purchase or lease contract;
- the policy, administrative, or legal goals and purposes of the District cannot be

accomplished through the regular or ordinary hiring process;

- the work meets the criteria for emergency appointment equipment, materials, facilities, or support services could not feasibly be provided by the District; or
- the services are of an urgent, temporary, or occasional nature.

### **Professional Experts**

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

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

### **Independent Contractors**

To be an independent contractor, substantial conformance with the following conditions must exist:

- The contractor is free from the control and direction of the District in connection with the performance of the work, both under the contract for the performance of the work and in fact;
- The contractor performs work that is outside the usual course of the District’s business; and
- The contractor is customarily engaged in an independently established trade, occupation, or business of the same nature as that involved in the work performed.
- Contractors can’t be ~~fire~~terminated ~~seas~~ long as they produce a result that meets the contract specifications, **– unless specified otherwise in the contract document.** Contractors may not be a current employee of the Antelope Valley



Community College District.

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

### **Consultants**

Consulting services contracts refer to all services that:

- are of an advisory nature,
- provide a recommended course of action or personal expertise,
- have an end product which is basically a transmittal of information either written or verbal, and,
- are obtained by awarding a procurement-type contract, a grant, or any other payment of funds for services of the above type.

The product may include anything from answers to specific questions to design of a system or plan, and includes workshops, seminars, retreats, and conferences for which paid expertise is retained by contract.

Also see BP/AP 6330 Purchasing, BP/AP 6340 Bids and Contracts, AP 6345 Bids and Contracts Under the UPCCAA, AP 6350 Contracts – Construction, AP 6355 Contracts – Job Order Contracts, AP 6360 Contracts – Electronic Systems and Materials, AP 6365 Contracts – Accessibility of Information Technology, and BP/AP 6380 Vendors.

Approved: 5/8/06

Revised: 1/11/21

Revised: 4/15/22

## BP 3720 Computer and Network Use

### References:

~~Education Code Section 70902; 17 U.S.C. Section 101 et seq.;~~

Government Code Section 3543.1 Subdivision 1(b)

~~Penal Code Section 502;~~

~~Cal. Const., Art. 1 Section 1;~~

~~Government Code Section 3543.1(b)~~

17 U.S.C. Section 101 et seq.

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position

~~It shall be the policy of~~ Antelope Valley Community College District ~~to shall~~ keep employees, students and community members apprised of their rights and responsibilities as users of the information technology services provided by the college. These rights and responsibilities will be incorporated into guidelines and disseminated to all users.

The Board of Trustees recognizes that computers and networks can provide access to resources on and off campus, as well as the ability to communicate with other users worldwide. Such open access requires that individual users act responsibly. Computer and information technology services users must respect the rights of other users, respect software copyrights and licenses, respect the integrity of the systems and related physical resources, refrain from seeking to gain unauthorized access, and observe all relevant laws, regulations, contractual obligations and District and college policies.

Employees and students who use District computers and networks and the information they contain, and related resources have a responsibility not to abuse those resources and to respect the rights of others. The Superintendent/President shall establish procedures that provide operational standards to students and employees for the appropriate use of information technologies. The procedures shall include that users must respect software copyrights and licenses, respect the integrity of computer-based information resources, refrain from seeking to gain unauthorized access, and respect the rights of other computer users.

See Administrative Procedures #3720, and Standards of Operation. ~~3721, and 3722~~

Adopted: 11/7/05

Revised: 1/8/07

Revised: 5/11/09

Revised: 4/11/22

# AP 3720 Computer, Network and Telecommunications Use

## References:

*15 U.S. Code Sections 6801 et seq.;\_17 U.S.C. Section 101 et seq.;*  
*Penal Code Section 502;\_Cal. Const., Art. 1 Section 1;*  
*Government Code Section 3543.1(b);\_16 Code of Federal Regulations*  
*Parts 314.1 et seq.;\_Federal Rules of Civil Procedure, Rules 16, 26, 33,*  
*34, 37, 45*

The District Computer, Network and Telecommunications systems, and the data that resides upon them, are the sole property of Antelope Valley Community College District; except where explicitly addressed by collective bargaining agreements. The Computer, Network and Telecommunications systems are for District instructional and ~~work-related~~work-related purposes only.

This procedure applies to all District students, faculty, and staff, and to others granted use of District information resources. A user is defined as any individual or group who uses ~~college~~District technology or computing facilities resources.

This procedure refers to all District information resources whether individually controlled or shared, stand-alone or networked. It applies to all computer and telecommunication facilities owned, leased, operated, or contracted by the District. This includes, but is not limited to, personal computers, personal mobile devices, computing or telecommunications devices, workstations, mainframes, minicomputers, ~~cloud or contracted services~~, and ~~any~~ associated peripherals, software, networks, telephone and telecommunications equipment, including cellular telephones, and information resources, regardless of whether used for \_\_administration, research, teaching or other purposes.

### **AVC Information Technology ~~Resource-Guidelines Standards of Operation~~**

The District shall produce and maintain ~~guidelines~~Standards of Operation that ~~clarify~~establish procedures or processes relating to the use of District information technologies. These ~~guidelines~~standards shall be reviewed regularly for relevance and made available to the public.

### Conditions of Use

Individual units within the District may define additional conditions of use for information resources under their control. These ~~statements~~conditions must be consistent with this overall procedure, ~~and standards of operation~~, but may provide additional detail; or ~~guidelines and/or~~ restrictions.

## Account Provisioning and Deprovisioning

All employees and students are assigned an email account upon joining the college. Email is the official channel for all communications from the college. All employees and students are encouraged to check ~~if their account~~ regularly to stay current on all issues related to instruction and services. ~~Upon departure from the college, all students, retirees, and emeriti may retain their email account. Employee access that does not meet the above criteria may be deprovisioned upon separation.~~ Access to services within myAVC will be deprovisioned two-years after departure. ~~Accounts for persons no longer actively affiliated with the District will be disabled after one year of inactivity. If you need access to records that are within myAVC, please contact the appropriate office directly.~~

## Legal Process

This procedure exists within the framework of the District Board Policy and state and federal laws. A user of District information resources who is found to have violated any of these ~~procedures and related~~ policies will be subject to disciplinary action up to and including but not limited to loss of information resources privileges; disciplinary suspension, ~~or~~ termination ~~from of~~ employment or expulsion; and/or civil or criminal legal action.

## Copyrights and Licenses

Users must respect copyrights and licenses to software and other on-line information. ~~Users will comply with the Standards of Operation for all licensed software and digital materials provided by the college. In addition to software, all other copyrighted information (text, images, icons, programs, audio, video, etc.) retrieved from computer or network resources must be used in conformance with applicable copyright and other law. Copied material must be properly attributed. Plagiarism of computer information is prohibited in the same way that plagiarism of any other protected work is prohibited.~~

## Copying

Software protected by copyright may not be copied ~~or distributed~~ except as expressly permitted by the owner of the copyright, ~~licensing~~, or otherwise permitted by copyright law. Protected software may not be copied into, from, or by any District facility or system, except pursuant to a valid license or as otherwise permitted by copyright law.

## Number of Simultaneous Users

The number ~~of copies~~ and distribution of ~~licensed software copies~~ must be handled ~~in such a way that the number of simultaneous users does not exceed the number of original copies~~ in accordance with licensing purchased by the District, ~~or provided by the publisher~~, unless otherwise stipulated in the purchase contract. ~~Licensing and distribution is managed by ITS.~~

## Copyrights

~~In addition to software, all other copyrighted information (text, images, icons, programs, audio, video, etc.) retrieved from computer or network resources must be used in conformance with applicable copyright and other law. Copied material must~~

~~be properly attributed. Plagiarism of computer information is prohibited in the same way that plagiarism of any other protected work is prohibited~~

### **Integrity of Information Resources**

Users must respect the integrity of computer-based information resources.

### **Modification or Removal of Equipment**

~~Computer and telecommunications users must not attempt to modify or remove computer, network or telecommunications equipment, software, or peripherals that are allocated to other District users without proper authorization.~~ Users must not attempt to modify or remove computer equipment, software, or peripherals that are owned by others without proper authorization.

### **Unauthorized Use**

Users must not interfere with others' access and use of the District computers ~~or resources~~. This includes but is not limited to: the sending of chain letters or excessive messages, ~~either locally or off campus~~; printing excess copies of documents, files, data, ~~or programs~~, running inefficient ~~programs~~ software that adversely impact performance of the network, ~~or is intentionally designed to disrupt network performance~~; unauthorized modification of ~~system~~ facilities, operating systems, ~~or disk partitions~~; and damaging or vandalizing District computing facilities, equipment, software or computer files.

### **Unauthorized or Malicious Programs**

Users must not intentionally develop or use programs which disrupt other users, or which access private or restricted portions of ~~the~~ systems, or which damage ~~the software or hardware components of the~~ systems or services. Users must ensure that they do not use programs or utilities that interfere with other users or that modify normally protected or restricted portions of the system or user accounts. The use of any unauthorized or destructive program will result in disciplinary action as provided in this procedure and may further lead to civil or criminal legal proceedings.

### **Unauthorized Access**

Users must not seek to gain unauthorized access to information resources and must not assist any other persons to gain unauthorized access.

### **Abuse of Computing Privileges**

Users of District information resources must not access computers, computer software, computer data or information, or networks without proper authorization, or intentionally enable others to do so, ~~regardless of whether the computer, software, data, information, or network in question is owned by the District~~. For example, abuse of the networks to which the District belongs or the computers at other sites connected to those networks will be treated as an abuse of District computing privileges.

## Reporting Problems

Any defects discovered in system accounting or system security must be reported promptly to the ~~appropriate administrator~~ Executive Director of Technology so that steps can be taken to investigate and solve the problem.

## Password Protection

A user who has been authorized for password-protected accounts may be subject to both civil and criminal liability if the user discloses their password or otherwise makes the account available to others. Password access and authorization standards are outlined in the Standards of Operations.

## Usage

~~Users must respect the rights of others. Attempts to circumvent these mechanisms in order to gain unauthorized access.~~ Computer Users must respect the rights of other computer users. Attempts to circumvent these mechanisms in order to gain unauthorized access to the system or to another person's information are a violation of District procedure and may violate applicable law.

## Unlawful Messages

Users may not use electronic communication facilities to send defamatory, fraudulent, harassing, obscene, threatening, malicious, or other messages that violate applicable federal, state or other law or District policy, or which constitute the unauthorized release of confidential information.

Electronic communication facilities may not be used to transmit commercial or personal advertisements, solicitations, ~~or~~ promotions or personal gain. District information resources may not be used for commercial purposes. Users are also reminded that ~~the ".cc" and~~ ".edu" domains on the Internet have rules restricting or prohibiting commercial use.

## Information Belonging to Others

Users must not intentionally seek or provide information on, obtain copies of, or modify data files, programs, or passwords belonging to other users, without the permission of those other users.

## Rights of Individuals

Users must not release any individual's (student, faculty, and staff) personal information to anyone without proper authorization.

## User Identification

Users shall not send communications or messages anonymously or without accurately identifying the originating account or station.

## **Personal and Commercial Use**

The District is a non-profit, tax-exempt organization and, as such, is subject to specific federal, state and local laws regarding sources of income, political activities, use of property and similar matters. Use of District resources for personal gain is expressly prohibited.

### ~~Political Use~~

~~District information resources must not be used for political activities where prohibited by federal, state or other applicable laws.~~

### **Personal Use**

District information resources should not be used for personal activities ~~beyond~~~~not related to appropriate~~ District functions, except in a purely incidental manner. ~~If the District otherwise grants access to the District's email system for personal use, employees may use the District's email system to engage in protected concerted activity during non-work time.~~

### **Political Use**

~~District information resources must not be used for political activities where prohibited by federal, state or other applicable laws.~~

## **Nondiscrimination**

All users have the right to be free from any conduct connected with the use of Antelope Valley Community College District network, telecommunications and computer resources which discriminates against any person in violation of ~~Board Policy~~BP 3410. No user shall use the District network, telecommunications or computer resources to transmit any message, create any communication of any kind, or store information which violates any District procedure regarding discrimination or harassment, or which is defamatory or obscene, or which constitutes the unauthorized release of confidential information.

## ~~Disclosure~~**DISCLOSURE**

### **No Expectation of Privacy**

The District reserves the right to monitor all use of the District network and computer resources to assure compliance with these policies. Users should be aware that they have no expectation of privacy in the use of the District network and computer resources. The District will exercise this right only for legitimate District purposes, including but not limited to ensuring compliance with this procedure and the integrity and security of the system.

### **Possibility of Disclosure**

Users must be aware of the possibility of unintended disclosure of communications.

## Retrieval

It is often possible for information entered on or transmitted via computer and communications systems to be retrieved, even if a user has deleted such information.

## Public Records

The California Public Records Act (Government Code Sections 6250 *et seq.*) includes computer transmissions in the definition of “public record” and nonexempt communications made on the District network and computer must be disclosed if requested by a member of the public, in accordance with BP/AP 3300 & ~~AP3300~~ **Public Records**.

## Litigation

Computer transmissions and electronically stored information may be discoverable in litigation.

## Dissemination and User Acknowledgment

All users shall be provided access to these procedures, **standards of operation**, and be directed to familiarize themselves with them. Periodically users will be reminded of these procedures.

Users shall acknowledge **annually** that they have reviewed BP/AP 3720 and the associated **Standards of Operation ~~procedures and guidelines in the manner and frequency as specified in the IT Resource Guidelines~~**. This acknowledgement is a condition of use of any District information technology resource.

11/7/05

Revised: 1/8/07

~~Revised:~~ 9/10/07

~~Revised:~~ 4/8/19

~~4/11/22~~



# Information Technology Standards of Operation

Antelope Valley College District  
**DRAFT May 2, 2022**

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## **1. Introduction**

- 1.1. This Standards of Operation document is intended to meet the requirement specified in Administrative Procedure BP/AP 3720, establishing Standards of Operation and practices for use of District technology resources.
- 1.2. The District recognizes that principles of academic freedom and participatory governance, freedom of speech and privacy of information hold important implications for computer use, particularly the use of electronic mail and electronic mail services. The District affords computer file and electronic mail privacy protections in accordance with existing law and as expanded by this document.

## **2. Access Authorization and Privacy**

- 2.1. Users are reminded that personal use of District technology resources should be limited to incidental needs. Except where excluded by law or by negotiated agreements, all data generated or stored on District systems is property of the District.
- 2.2. No Expectation of Privacy – The District reserves the right to monitor all use of the District network and computers to assure compliance with these policies. Users should be aware that they have no expectation of privacy in the use of the District network and computer resources. The District will exercise this right only for legitimate District purposes, including but not limited to ensuring compliance with this procedure and the integrity and security of the system.
- 2.3. Access to data stored on District property is granted or revoked by the authorization of the administrator or unit supervisor responsible for the District data in question.

## **3. Information Technology Allocation Standards**

- 3.1. The District shall define a standard for the IT resources assigned to users. This standard may be based on job function or classification. This will include any District resource that is assigned to an employee for the use in the performance of their jobs. Current standards can be found online here:  
<https://www.avc.edu/administration/its/standards>.
- 3.2. The Executive Director of Information Technology Services shall be responsible for developing and enforcing this standard. Development and implementation of standards shall be in accordance with the District's participatory governance processes.
- 3.3. These Standard of Operation will be made available to all online, and in print upon request.

## 4. Licensed Software and Services Access/Use

### 4.1. Email Accounts:

#### *Employees*

Email services are available for faculty and staff to conduct and communicate the business of the college. Incidental personal use of email is allowed with the understanding that the primary use be job-related, and that occasional use does not adversely impact work responsibilities or the performance of the network.

Email services are provided only during employment by the District. At separation, employee's email service will be deactivated; unless specifically requested by the employee and approved by the employee's respective vice-president or director. Extended accounts will remain active as long as they continue to serve the business needs of the District.

Individuals using the District email resources after separation shall not represent themselves as an employee of the District, or otherwise make statements on behalf of the District, or any unit of the District, unless appropriately authorized (explicitly or implicitly) to do so.

Employees are reminded that electronic data (and communications using the District network for transmission or storage) is viewed as property of the college and may be accessed and/or reviewed by authorized District officials for purposes related to college business. The District has the authority to access and inspect the contents of any equipment, files, or email on its electronic systems. Such access requires the authorization of the President / Superintendent, a Vice President / Assistant Superintendent, or the Executive Director of Technology.

#### *Students*

Email services are available to students to support learning and for communication by and between the District and themselves. The service are provided only while a student is enrolled in the District. Recognizing that students often opt out for a term and then continue their education at Antelope Valley College, student accounts will be discontinued only after a student has not registered for enrollment for one year.

Enrollment is determined by enrolled-in course(s) by the census date of a Fall or Spring term. Students are encouraged to migrate their email to an alternate account when they complete their studies with AVC. When students are no longer enrolled, the account will be removed, and students may no longer access the contents of their mailboxes, or associated services.

Students are advised that electronic data (and communications using the District network for transmission or storage) may be accessed and/or reviewed in accordance with the District's Acceptable Computer Use Procedure and

Regulation. The District has the authority to access and inspect the contents of any equipment, files, or email on its electronic systems.

#### *Retirees*

Employees who have retired with ten or more years of service to the District will be permitted to retain their email account.

#### *Alumni and Others*

Individuals with special relationships with the District, such as alumni, contractors, or official visitors, may be granted limited email privileges, including an email address, commensurate with need. The District is free to discontinue these privileges at any time.

### 4.2. Licensed Software Access

As an incentive when negotiating enterprise-wide licenses, or site licenses, vendors extend use of these packages to employees and/or students for use beyond the college on personal devices. Within the conditions of those licenses, which varies between vendors, the college may extend access to those packages.

Use of these packages is contingent upon a continued affiliation with the college. A list of these packages and their specific terms of use is available on the ITS homepage <https://www.avc.edu/administration/its>. The District may also institute storage quotas consistent with a person's affiliation in order to stay within the limits of their external service agreements.

At the end of a person's active affiliation with the District, except as described below, the person will uninstall and remove any software installed on personal devices obtained using a license from the District and ensure any data they have the right to retain and want to keep are copied to personal storage. The District will implement processes to remove any data left behind in discontinued District accounts.

#### *Employees*

Unless retiring, the employee will remove all district licensed software upon separation. Where software is accessed using any District account, the District will remove access to resources the employee is no longer entitled to.

#### *Students*

Access to Licensed Software Services will be linked to enrollment. Permissions will be retained until census date following their last full term of enrollment. Where software is accessed using any District account, the District will remove access to resources the student is no longer entitled to.

### *Retirees*

Employees who have retired, with ten or more years of service to the college, will be permitted to retain access to Licensed Software Services, where the vendor licensing permits, until age 65, or for three years past retirement, whichever is greater. Where software is accessed using any District account, the District will remove access to resources the retiree is no longer entitled to.

### *Alumni and Others*

Individuals with special relationships with the District, such as alumni, contractors, or official visitors may be granted limited email privileges, including an email address, commensurate with need. The District may discontinue these privileges at any time.

## **5. Cyber Security Training**

- 6.1 The Executive Director of Information Technology Services, or designee, shall be responsible for assigning and monitoring annual training.
- 6.2 The college will provide a minimum of one (1) hour of online cyber security training within an academic year for all employees. Training may be split equally between Spring and Fall semesters.
- 6.3 At a minimum, materials shall include modules on, cyber security, password security, personal information security, browser security, malware protections, and email security.
- 6.4 All employees are required to complete the training annually.

## **6. Acceptable Use Agreement and User Acknowledgement**

- 6.1. The District shall provide each user with an electronic copy, or a reasonable means to obtain a copy, of BP & AP 3720, and all related Administrative Procedures and Operational Standards.
- 6.2. Users will be presented electronically with the Acceptable Use Agreement annually. The user must acknowledge their agreement as a condition of the continued use of District information technology resources.
- 6.3. This document shall be included, within the activation process for student accounts upon admission, and in all new employee hiring packets.
- 6.4. AVC Acceptable Use Agreement

The Antelope Valley Community College District (AVC) provides access to its computing, communications and information resources. These resources, physical and electronic, whether owned or operated by the District, are the

property of AVC. Support and delivery of these resources is done in support of the District's mission and accordingly, they should be used responsibly. These resources include the physical data communications network and all computers, printers, scanners and other hardware attached to that network, as well as all system software, telephone systems, and means of access to the Internet. This includes information the District is responsible for, including student records, information used in the day-to-day operations of the District, and email and other user accounts provided for use by the District.

Regarding use of computing, communications and information technology resources of AVCCD, all users understand and agree to the following provisions:

- District computing, communication and information resources are provided for the support of its educational and service goals and the use of such resources for other purposes is prohibited.
- In conducting the business of the District via email, all employees shall use their AVC.EDU email account.
- To protect the integrity of computing resources, passwords, access codes, or account names must not be shared with others. Additionally, passwords will be subject to complexity requirements and users will be required to change their passwords regularly. <https://www.avc.edu/administration/its/password>
- Two-Factor Authentication (2FA) shall be used on all accounts, where applicable.
- Incidental personal use is permissible where it:
  - does not violate state or federal law or AVC policy
  - does not consume more than a trivial amount of system resources, to avoid inappropriate use of public resources
  - does not interfere with productivity of students or District employees
  - does not preempt any District activity
- Users are prohibited from the use of District resources for conducting a private business or for personal financial gain.
- Most educational materials (both commercial and District employee created, including software) are protected under copyright. Any violation of the rights of a person or entity protected by copyright law is prohibited.
- The unauthorized duplication, installation, or distribution of computer software utilizing the District's computing, communications and information resources is specifically prohibited.
- Users may not connect any system/equipment or install software which could allow any user to gain access to the District's system and information without coordinating with Information Technology Services (ITS). Software installed

without authorization on District owned computers will be removed.

- Intentionally sending or accessing pornography or patently obscene material other than for authorized research or instructional purposes is prohibited. The definition of 'pornography' and 'obscene' shall be as determined by law.
- Computer and information technology users should remain mindful of the nature of information transferred electronically and under no circumstances should Personally Identifiable Information be transmitted in email. The District provides the highest degree of security possible when transferring data but disclaims responsibility if these security measures are circumvented and the information is compromised.
- The District is not responsible for loss of data, time delay, system performance, software performance, or any other damages arising from the use of District computing resources.
- Activities that place excessive strain on network resources should be avoided. Conducting activities such as Peer-to-peer (P2P) file sharing or use of any other similar technologies is prohibited and subject to disciplinary action.
- The confidentiality of student and employee information is protected under federal and state law and/or regulations. Any information regarding students or employees that might be accessed while using an AVC computer may only be shared with those who are authorized to have such information. Employees and students may not change, alter, copy, or divulge any such information except in execution of their assigned duties.
- Employees and students should ensure that their workstation is logged off or locked before stepping away from the computer.

Users found in violation of the District's Standards of Operation may be subject to disciplinary action, up to and including dismissal, and possible referral to law enforcement for legal action, as described in the enforcement section of this document.

#### 6.5. Examples of Unacceptable or Prohibited Use

- Revealing passwords to others, allowing someone else to use your account.
- Using someone else's account. Utilizing network or system id numbers/names that are not assigned for one's specific use on the designated system.
- Attempting to authorize, delete, or alter files or systems not created by oneself without proper authorization.
- Not complying with requests from District personnel to discontinue activities

that threaten the integrity of computing resources.

- Attempting to defeat data protection schemes or to uncover security vulnerabilities.
- Connecting unauthorized equipment to the campus network without coordinating with ITS.
- Registering an AVC IP address with any other domain name or registering a domain name on behalf of the District.
- Unauthorized network scanning or attempts to intercept network traffic.
- Deliberate malicious disruptions, such as introducing a computer virus to the campus network.
- Harassing or threatening other users of the campus network.

To ensure the integrity and reliability of computer and communications resources, all users are encouraged to report improper use and violations of this agreement. Individuals may report suspected violations of this agreement to an AVC faculty member, supervisor, or administrator as appropriate.

## **7. Enforcement**

- 7.1. Individuals should report suspected violations of these Standards of Operation to the Executive Director of Technology. Reports of violations that are received will be responded to as appropriate.
- 7.2. Disciplinary action may be taken in accordance with AVC policy, state, or federal statutes. Minor infractions of these Standards of Operation, or those that appear accidental in nature, are typically handled internally by the appropriate supervisor or administrator, in consultation with ITS. In some situations, it may be necessary, however, to suspend account or computer access to prevent ongoing misuse while the situation is under investigation.
- 7.3. Serious infractions, such as unauthorized use, attempts to steal passwords or data, unauthorized use or copying of licensed software, violations of District policies or repeated violations of minor infractions may result in the temporary or permanent loss of access to computing facilities.
- 7.4. Offenses that are in violation of policy, local, state or federal laws may result in the immediate loss of access to computing resources reported to the appropriate law enforcement authorities for action, and may result in disciplinary action, up to and including dismissal.



## **8. Procedure for Review**

- 8.1. To satisfy the requirement to review and maintain this document in support of AP 3720, the Information Technology Committee will solicit and review input from the campus community every two years, or as deemed necessary.
- 8.2. Changes in the Standards of Operation may be made by the Information Technology Committee in accordance with the District's participatory governance guidelines.

Antelope Valley Community College District prohibits discrimination and harassment based on sex, gender, race, color, religion, national origin or ancestry, age, disability, marital status, sexual orientation, cancer-related medical condition, or genetic predisposition. Upon request we will consider reasonable accommodation to permit individuals with protected disabilities to (a) complete the employment or admission process, (b) perform essential job functions, (c) enjoy benefits and privileges of similarly situated individuals without disabilities and (d) participate in instruction, programs, services, activities or events.

Send your comments regarding this document to  
any representative of the Information Technology Committee,  
or to the Executive Director of Technology  
Antelope Valley College  
3041 West Avenue K  
Lancaster, CA 93536



## BP 6700 Civic Center and Other Facilities Use

### References:

Education Code Sections 82537; 82542;  
Title 5 Sections 59601 et seq.

There is a Civic Center at the Antelope Valley Community College District. The Civic Center locations include: gymnasium, baseball field, softball field, stadium, tennis courts, track, Student Center, T-900 classrooms, and Board Room (SSV 151). Use of the Civic Center shall be granted as provided by law. The Superintendent/President shall establish procedures regarding the use of college property, including but not limited to facilities, equipment and supplies, by community groups and other outside contractors.

These administrative procedures shall reflect the requirements of applicable law, including Education Code Section 82537, regarding Civic Centers. The regulations shall include reasonable rules regarding the time, place and manner of use of District facilities. They shall assure that persons or organizations using college property are charged such fees as are authorized by law. Public use of District property shall not interfere with scheduled instructional programs or other activities.

No group or organization may use District property for purposes that discriminate on the basis of race, color, religion, ancestry, national origin, disability, sex (i.e., gender), or sexual orientation, or the perception that a person has one or more of the foregoing characteristics.

Use of the District's Civic Centers will be only for the purposes described by the California Legislature in Education Code Section 82537(a). These purposes include use by associations "formed for recreational, educational, political, economic, artistic, or moral activities of the public school districts" in order to "engage in supervised recreational activities" or "meet and discuss, from time to time, as they may desire, any subjects and questions which in their judgment appertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside." (Education Code Section 82537(a)) In granting permission to use the Civic Centers, the District will not discriminate on the basis of viewpoint with regard to organizations engaging in expressive activities on the topics and subject matters articulated above.

See Administrative Procedures #6700

Adopted: 5/8/06  
Revised: 4/11/22

## AP 6700 Civic Center and Other Facilities Use

### Reference:

Education Code Sections 82537, 82542; Public Resources Code § 42648.3

### General Provisions

District facilities identified as Civic Centers or as designated public forums are available for community use when such use does not conflict with District programs and operations. Facility use shall be limited to places and times identified by the **Facilities Management Team**, but shall be sufficiently frequent, and available on specific dates and times, so as to allow meaningful use by outside groups. Except as provided in these procedures, or as authorized by law, no organizations shall be denied the use of District facilities because of the content of the speech to be undertaken during the use.

The Facilities Management Team is responsible for the coordination and implementation of these procedures. The Facilities Management Team shall determine all applicable fees to be charged.

Outside the designated public forum areas, the following shall apply: All user groups shall be required to provide the District with a hold harmless and indemnification agreement acknowledging that they will be financially responsible for any losses, damages, or injuries incurred by any person as a result of their use of the facilities. All user groups shall also be required to provide a certificate of insurance with limits acceptable to the District and/or other proof of financial responsibility acceptable to the District. The forms for use can be found: <https://www.avc.edu/administration/facilities/fsforms>

### Civic Centers

Eligible persons or groups may use District buildings or grounds designated as the Civic Center for public, literary, scientific, recreational, or educational meetings, or for discussion of matters of general or the public interest, subject to this procedure.

The groups identified in Education Code Section 82542(a) will be permitted, “when an alternative location is not available,” as described in the statute, to use District facilities upon payment only of the following:

- the cost of opening and closing the facilities, if no District employees would otherwise be available to perform that function as a part of their normal duties;
- the cost of a District employee’s presence during the organization’s use of the facilities if it is determined that the supervision is needed, and if that employee would not otherwise be present as part of his/her/their normal duties;

- the cost of custodial services, if the services are necessary and would not have otherwise been performed as part of the custodian's normal duties; and
- the cost of utilities directly attributable to the organization's use of the facilities.

Except as provided herein, other groups shall be charged an amount not to exceed the direct costs of District facilities. Direct costs shall include costs of supplies, utilities, custodial services, services of any other District employees, and salaries paid District employees necessitated by the organization's use of District facilities. Additionally, except for classroom-based programs that operate after school hours and organizations retained by the college or District to provide instruction or instructional activities to students during school hours, direct costs shall also include the costs for maintenance, repair, restoration, and refurbishment of college facilities and grounds used by the group.

The District shall maintain a fee schedule adopted by the Board that includes the hourly fee for each specific school facility and grounds.

The following shall be charged fair rental value for the use of District facilities:

- Any church or religious organization for the conduct of religious services, which may be conducted for temporary periods where the church or organization has no suitable meeting place for the conduct of such services.
- Entertainment or meetings where admission fees are charged or contributions are solicited and the net receipts of the admission fees or contributions are not expended for the welfare of the students of the District or for charitable purposes.

The American Red Cross or other public agencies may use District facilities, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare, and the District will cooperate with these agencies in furnishing and maintaining services deemed by the Board of Trustees to be necessary to meet the needs of the community.

### **Rules for Facilities Use**

Requests for use of the District's Civic Center must be made at least 21 days in advance of the first date of use being requested. Requests shall be made to the **Facilities Management Team** on forms provided by the District. Authorization to use the Civic Center shall be based on a reservation system and the priorities for student and other use detailed at the end of this Section.

Permission to use District facilities shall not be granted for a period to exceed one fiscal year. No person or organization may be granted a monopoly on any facility.

Overnight camping on District facilities, including in the designated public forum areas, is prohibited. No person or organization may use any District facility for living

accommodation purposes such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings, or making any fire, or using any tents or other structure for sleeping, or doing any digging or earth breaking, or carrying on cooking activities.

All charges for the use of District facilities are payable prior to the event.

Any persons applying for use of District property on behalf of any groups shall be a member of the groups and, unless he/she/they is an officer of the group, must present written authorization to represent the group. Each person signing an application shall, as a condition of use, agree to be held financially responsible in the case of loss or damage to District property.

The District may require security personnel as a condition of use whenever it is deemed to be in the District's best interests.

No person applying for use of District property shall be issued a key to District facilities.

Future facility requests may be denied on grounds including, but not limited to, abuse or misuse of District property and failure to pay promptly for any damage to District property.

No alcoholic beverages, intoxicants, controlled substances, or tobacco *in any form* shall be brought onto the property of the District. Persons under the influence of alcohol, intoxicants, or controlled substances shall be denied participation in any activity.

No structures, electrical modifications, or mechanical apparatus may be erected or installed on District property.

All decorative materials, including but not limited to draperies, hangings, curtains, and drops shall be made or treated with flame-retardant processes approved by the State Fire Marshall.

### **Priority for the Use of District Facilities**

Priority for the use of District Civic Center facilities will be as follows:

1. Student clubs and organizations
2. Fundraising entertainment or meetings where admission fees charged or contributions solicited are expended for the welfare of the students of the District
3. Parent-teachers' associations
4. School-community advisory councils

Adopted: 5/8/06  
Revised: 12/11/17  
Reviewed: 4/11/22

| <b>GOVERNANCE COMMITTEES</b>            | <b>LEAD</b>                    | <b>MTG DAYS</b>                                         |
|-----------------------------------------|--------------------------------|---------------------------------------------------------|
| Academic Senate                         | Van Rider                      | 1 <sup>st</sup> & 3 <sup>rd</sup> Thursday (2:30 p.m.)  |
| Academic Policies & Procedures (AP & P) | Howard Davis & Scott Lee       | 2 <sup>nd</sup> & 4 <sup>th</sup> Thursday (3 p.m.)     |
| Budget                                  | Sarah Miller                   | 4 <sup>th</sup> Wednesday (2:30 p.m.)                   |
| Calendar                                | Howard Davis                   |                                                         |
| College Coordinating Council            | Shami Brar                     | 2 <sup>nd</sup> & 4 <sup>th</sup> Wednesday (9:30 a.m.) |
| Distance Education & Technology (DETC)  | Petty Jehlicka                 | 2 <sup>nd</sup> & 4 <sup>th</sup> Tuesday (3 p.m.)      |
| Enrollment Management                   | LaDonna Trimble                | Monthly                                                 |
| Faculty Professional Development        | Kathy Osburn                   | 2 <sup>nd</sup> & 4 <sup>th</sup> Wednesday (2:30 p.m.) |
| Outcomes                                | Gary Heaton-Smith & Meeta Goel | Monthly                                                 |
| Program Review                          | Stacey Adams & Meeta Goel      | 1 <sup>st</sup> & 3 <sup>rd</sup> Monday (3 p.m.)       |
| Safety Committee                        | Terry Cleveland                | 3 xs a year                                             |
| Strategic Planning (SPC)                | Meeta Goel & Van Rider         | Monthly                                                 |
| <b>ADVISORY COMMITTEE</b>               | <b>LEAD</b>                    | <b>MTG DAYS</b>                                         |
| Basic Skills                            | Riley Dwyer                    | 4 <sup>th</sup> Tuesday (3 p.m.)                        |
| Guided Pathways                         | Nate Dillon                    | 2 <sup>nd</sup> Tuesday (1 p.m.)                        |
| Honors Program                          | Towana Catley & Darcy Wiewall  | Last Monday (2:30 p.m.)                                 |
| Information Technology                  | Rick Shaw                      | 2 <sup>nd</sup> & 4 <sup>th</sup> Thursday (2 p.m.)     |
| Student Equity                          | Rashall Hightower              | Monthly                                                 |
| <b>PRESIDENT / LEADERSHIP</b>           | <b>LEAD</b>                    | <b>MTG DAYS</b>                                         |
| Executive Council                       | Ed Knudson                     | Monday (9-10:30 a.m.)                                   |
| Deans & Chairs                          | Howard Davis                   | Monthly (9-11 a.m.)                                     |
| Administrative Council                  |                                | 4 <sup>th</sup> Wednesday (10 a.m.)                     |
|                                         |                                |                                                         |