San Jose/Evergreen Community College District

Administrative Procedures
Chapter 6

Business & Fiscal Affairs

AP 6100  Delegation of Authority
AP 6100.1 Fraud
AP 6150  Designation of Authorized Signatures
AP 6200  Budget Preparation
AP 6250  Budget Management
AP 6300  Fiscal Management
AP 6300.1 Board Reports
AP 6300.2 Special Events
AP 6300.3 Revolving Cash
AP 6300.4 Travel Expense Claims
AP 6300.5 Office Expense Reimbursement
AP 6300.6 Gifts
AP 6300.7 Cafeteria Services
AP 6300.8 Telephone Usage
AP 6300.9 Solicitation of Funds or Services
AP 6300.10 Discriminating Organizations
AP 6305  Reserves
AP 6310  Accounting
AP 6315  Warrants
AP 6320  Investments
AP 6322  Employee Indemnity Bonds
AP 6325  Payroll
AP 6325.1 Payroll Periods and Frequencies
AP 6325.2 Pay Dates
AP 6325.3 Deadlines
AP 6325.4 Garnishment of Wages
AP 6325.5 Underpayment/Overpayment of an Employee
AP 6330 Purchasing
AP 6330.1 Conflict of Interest
AP 6330.2 Purchasing Calendar
AP 6330.3 Purchasing Procedures
AP 6330.4 Final Authority
AP 6330.5 Receiving Goods and Delivery of Materials
AP 6340 Bids and Contracts
AP 6340.1 Limits
AP 6340.2 Contract Approval Authority
AP 6340.3 Bid Specifications
AP 6340.4 Notice Calling for Formal Advertised Bids
AP 6340.5 Awarding of Bids and Contracts Awards (Formal Bids)
AP 6340.6 Purchase without Advertising for Bids (Informal Bids)
AP 6340.7 Duration of Continuing Contracts for Services and Supplies
AP 6340.8 Emergency Repair Contracts without Bid
AP 6340.9 Unlawful to Split Bids
AP 6340.10 Purchases Without Taking Estimates or Bids
AP 6350 Contracts - Construction
AP 6360 Contracts – Electronic Systems and Materials
AP 6365 Accessibility of Information Technology
AP 6370 Contracts – Personal Services
AP 6370.1 Personal Services Contracts - Conditions
AP 6370.2 Professional Experts
AP 6370.3 Independent Contractors
AP 6370.4 Consultants

Board Approved January 27, 2009
AP 6380  Vendors
AP 6400  Audits
AP 6500  Property Management
AP 6500.1  Capital Asset Inventory
AP 6500.2  Custodial Department Standards of Care
AP 6500.3  Maintenance Department Standards of Care
AP 6500.4  Grounds Department Standards of Care
AP 6520  Security for District Property
AP 6520.1  Care of Property
AP 6520.2  Loans of District Property
AP 6520.3  Keys
AP 6520.4  Police Department
AP 6530  District Vehicles
AP 6530.1  Restrictions on Use
AP 6530.2  Transportation of Students
AP 6535  Use of District Equipment
AP 6540  Insurance
AP 6540.1  Informed Consent/Hold-Harmless
AP 6540.2  Report of Injuries
AP 6550  Disposal of Property  (Revised 2/04)
AP 6550.1  Personal Property
AP 6550.2  Real Property
AP 6550.3  Abandoned Property
AP 6550.4  Property Purchased with Federal Funds
AP 6560  Gifts
AP 6600  Capital Construction
AP 6600.1  Building Modifications
AP 6600.2  District Energy Conservation
AP 6600.3  Neighborhood Outreach
AP 6620  Naming of Buildings
AP 6620.1  Bequest Not Involved
AP 6620.2  Bequest Involved
AP 6700  Civic Center and Other Facilities Use
AP 6700.1  General Provisions
AP 6700.2  Civic Centers
AP 6700.3  Rules for Facilities Use
AP 6700.4  Priority for the Use of District Facilities
AP 6700.5  Administration and Authority
AP 6700.6  Application for Use
AP 6700.7  Written Agreements
AP 6700.8  Operating Guidelines
AP 6700.9  Exercise of Free Expression
AP 6740  Citizens Oversight Committees
AP 6750  Parking
AP 6800  Safety
AP 6800.1  Definitions
AP 6800.2  Emergencies
AP 6800.3  Equipment and Sanitation
AP 6800.4  Crisis and Conflict Intervention
AP 6800.5  Restraining Orders/Court Orders
AP 6800.6  Emergency Preparedness Plan
AP 6850  Hazardous Materials
AP 6900  Bookstore
AP 6910  Housing
AP 6100    Delegation of Authority

Reference:  *Education Code Section 70902(d); 72287,81640, 81644, 81655, 81656, 81658*

The Vice Chancellor, Administrative Services (VCAS) is delegated authority from the Chancellor to supervise budget preparation and management; oversee fiscal management of the District; and contract for, purchase, sell, lease, or license real and personal property, in accordance with Board policy and law. Responsibility for the development of internal policies and procedures consistent with the provision of this regulation remains with the Chancellor. This delegated authority is subject to the condition that certain of these transactions be submitted to the Chancellor for review and approval from time to time as determined by the Chancellor.

When transactions do not exceed the dollar limits established in the Public Contracts Code, the Education Code or other laws pertaining to the taking of competitive bids, the VCAS may contract for goods, services, equipment and rental of facilities so long as the transactions comply with law and any limitations or requirements set forth therein. Furthermore, the VCAS may amend the terms and conditions of any contractual arrangement so long as the total expenditure of funds and period of contract do not exceed the limitations set forth in applicable law or regulations.

A campus President or the Controller may authorize and approve short term leases of campus facilities for periods of time less than six months, and may additionally approve independent contracts for amounts as specified in AP6340.
AP 6100.1 Fraud

Every new employee of the District shall be provided a copy of the Board’s Fraud Policy by the Human Resources Department.

In conjunction with the Fraud Policy, each District employee is required to report any instance of suspected fraud to the applicable Vice President of Administrative Services. If an instance of suspected fraud is reported instead to a supervisor, chairperson, director, dean, vice president, or other responsible person, that person is to report the instance to the Controller.

If presented with reasonable evidence of a suspected fraud, the applicable campus Business officer or the District Controller will conduct an audit to determine if the reported suspicions of fraud are valid. That officer will also inform the supervisor of any employee under investigation. If, based on the results of the audit, there is reason to believe that fraudulent activities have occurred, the officer will report the findings to the Vice Chancellor of Administrative Services.
AP 6150    Designation of Authorized Signatures

Reference: Education Code Section 85232, 85233

The Board President and Chancellor, as the Secretary of the Board of Trustees, are authorized to sign warrants. In addition, the VCAS, Controller and Assistant Controller are authorized to sign warrants on behalf of the District. Others may be authorized by Board resolution.

Proper documentation regarding signing District warrants shall be filed with the county superintendent of schools.

The VCAS will withhold approval of District warrants when:

- Disbursement of the funds will result in the total amounts expended in any major account classification to exceed the amount budgeted.
- Established procedures have not been followed to permit verification of authenticity of the expenditure.

With the exception of funds deposited with the County Treasurer, all checks shall be required to have two signatures.

Warrants on District funds may be signed by facsimile signature.
AP 6200  Budget Preparation

Reference: Accreditation Standard III.D; Education Code Section 70902(b)(5); Title 5, Sections 58300 et seq.

The annual budget shall support the District’s master plan and educational plans.

Assumptions upon which the budget is based shall be presented to the Governing Board for review.

Unrestricted general fund reserves shall be no less than the prudent reserve defined by the CCC Chancellor’s Office.

Material changes in any assumptions upon which the budget was based shall be reported to the Board in a timely manner.

Budget projections shall address long-term district goals and commitments.

A budget calendar shall be established by the VCAS, including presentation of a tentative budget to the Governing Board no later than July 1, and the final adoption budget no later than September 15. A public hearing on the budget shall be held on or before September 15.

Copies of the adopted budget shall be submitted to the CCC Chancellor’s Office before October 1.

The VCAS will involve the appropriate groups in defining a consultation process for budget development.

The VCAS shall be responsible for timely submission of all financial forms, such as the 311 form, required by the CCC Chancellor’s Office.
AP 6250    Budget Management

Reference: Title 5, Sections 58305, 58307, 58308

Budget management shall conform to the following standards:

- Total amounts budgeted as the proposed expenditure for each major classification of expenditures shall be the maximum expended for that classification for the school year, except as specifically authorized by the Board.

- Transfers may be made from the reserve for contingencies to any expenditure classification by written resolution of the Board, and must be approved by a two-thirds vote of the members of the Board.

- Transfers may be made between expenditure classifications by written resolution of the Board, and may be approved by a majority of the members of the Board.

- Excess funds must be added to the general reserve of the District, and are not available for appropriation except by resolution of the Board setting forth the need according to major classification.

- Transfers of money within the same major classification of accounts may be made without prior Board approval.

- During the final quarter of the fiscal year, budget categories shall be examined and the year-end status of each shall be estimated. Before the close of the fiscal year, appropriate amounts shall be transferred from those accounts in which a surplus is anticipated into those in which a deficit is anticipated. To expedite the year-end closing process, the VCAS may make such transfers without Board approval.

The District’s shared governance system has adopted the following budgetary principles:

1. The policy and governance roles of the Chancellor and the Board of Trustees in approving the allocation and use of district funds are clearly defined and understandable to the district at large.

2. The Board of Trustees vests in the Chancellor the authority and responsibility to implement the approved annual budget while exercising its appropriate oversight responsibilities.

3. The budgeting process must be transparent in design and application to include the district’s compliance with the 50% law, the 75/25 ratio for full time and adjunct faculty, and other required standards established by the state.

4. The budgeting process promotes the accomplishment of institutional goals and objectives, utilizing clearly defined metrics to evaluate outcomes whenever possible. There should be flexibility within clearly defined limits in this process to allow for changes and redeployment of funds.
5. Each college president, working within the college’s shared governance process, has full authority to propose a college budget to the Chancellor and Board of Trustees. Each college will ensure that an open and accountable process is developed to include the college budget committees as well as other relevant constituencies, incorporating clear guidelines and adequate training for those involved.

6. Each college will be held accountable for implementing its budget, with technical assistance provided by the District Office.

7. The process encourages communication and participatory governance at all organizational levels.

8. Resource allocation must include the stakeholders who participate in determining the relative contributions of the various programs toward college and district goals and objectives, including but not limited to enrollment growth or decline.

9. Carryover of unexpended discretionary account budgets is permitted for each college and the District Office (DO), for one year only. Any unexpended funds at the end of the fiscal year must re-circulate through the college budgetary processes to ensure open and transparent decision making; those processes may permit a division/program to carry over unexpended funds for one year. There is to be no continuing pool of unrestricted funds at the college level.

10. Any new programs and collective bargaining provisions approved by the Governing Board must be accompanied by adequate funding to the colleges to implement them.

11. All indirect overhead revenue associated with a grant or categorical program accrues to the college receiving the revenue. No indirect overhead is allocated to the DO unless required by the granting agency, or agreed to with the college.

12. All District-wide strategic plans empower each college, through its budgetary processes, to define, prioritize and fund its own needs within guidelines established by those strategic plans.

13. The budget process emphasizes planning first, and then budgeting, rather than being reactive to fiscal circumstances or environmental exigencies. Sound fiscal management requires the use of available resources to carry out the agreed upon budgetary plans and priorities of each campus and the district.

14. All offices and programs must be the subject of a program review process. Those which are not part of the college must be reviewed according to a methodology recommended by the District Budget committee and approved by the District Planning Council. This review would include board initiatives and all offices and departments.

Board Approved January 27, 2009
AP 6300    Fiscal Management

Reference:

Education Code Section 84040(c); Title 5 Section 58311; Accreditation Standard III.D.2
AP 6300.1 Board Reports

The VCAS shall submit the following periodic reports to the Chancellor for Governing Board information and approval:

- Financial reports of District funds, student body funds, cafeteria operations, and deposit accounts (trust funds).
- Reports of warrants and related purchase orders to be ratified
AP 6300.2 Special Events

The Governing Board authorizes the use of District funds for the purchase of food, non-alcoholic beverages, food services or other refreshments for the following activities:

- Functions for volunteers and retiring employees
- Activities honoring individuals in education
- Educational events sponsored by the District for non-employee groups.
- Board committee meetings
- Citizen advisory committees
- District employee-only committee meetings only when food is necessary to maximize the employees’ time on agenda items, and only if specifically authorized by a college president, or Chancellor for District Office or district-wide functions.

The following college-related cost items are permissible:

- Speakers’ fees
- Rental of space and equipment
- Framed certificates, plaques, trophies
- Flowers, commemorations

Activities and events qualifying under this section shall meet one of the following education purposes:

- Communicates the mission of the Governing Board
- Increases community awareness of educational programs
- Promotes individual and group support of local educational priorities.
- Improves time management and staff effectiveness
- Commands exemplary service to education
- Recognizes achievement of staff or students

The Chancellor, VCAS, and the college presidents, or their designees, are the only individuals authorized to approve the events or activities covered by this procedure.
AP 6300.3 Revolving Cash

The District’s Revolving Cash Fund shall total $25,000, which shall be deposited with a bank which is an FDIC member.

District expenditures shall normally be made by warrant issued by the regular procedure. Revolving Cash Funds may be expended for the following purposes:

- Reimbursement of conferences, travel expenses, and monthly expense stipends.
- Emergency conference and travel expenses.
- Mileage not in excess of $50 per month.
- Purchase orders requiring cash with the order.
- Small expenditures for which the formal warrant procedure would be excessively expensive.
- Postage due on incoming District mail.
- Approved claims for amounts required to be expended out of pocket.
- Establishment of an Imprest Cash Fund or such Revolving Petty Cash Funds as may be necessary to the efficient operation of the District.

Petty Cash Funds shall be established in the amount of $2,000 for each college and an Imprest Petty Cash Fund in the amount of $300 for the District Office. No payments in excess of $50 may be made from the Petty Cash Funds. Payments in excess of $50 shall be made by check on the Revolving Cash Account, or by warrant through the County treasury.
AP 6300.4  Travel Expense Claims

Members of the Governing Board and District employees shall be reimbursed for approved travel and conference expenses in accordance with the procedures in this section. An approved travel request is required prior to departure.

Air Transportation
Travel by air will be approved whenever it is found to be as economical as other allowable transportation and/or when the savings of time will be an advantage to the District. All air travel shall be by regularly scheduled airlines, coach class; chartered, private, or nonscheduled airlines may only be used upon approval of the Chancellor.

Automobile Transportation
Travel by District-owned automobile shall be approved by the college president, VCAS, or his/her designee; district vehicles shall only be used for business purposes. The standard size for automobile rental is a compact unless more than two employees share a single vehicle. The District recommends that the employee elect insurance coverage offered by the rental car agencies, unless a credit card containing collision coverage is used to pay for the rental.

Mileage reimbursement for an employee’s use of his/her own automobile on District business will be paid at the Internal Revenue Service rate at the time of travel. This rate is intended to cover all costs associated with operation of the vehicle, including insurance, repairs, fuel, and other operating expenses. When an employee elects to use a personal vehicle in lieu of air transportation, the employee will be limited to reimbursement at the economy airfare rate to/from that location, plus the estimated cost of a rental car at the destination point.

Meal Costs
Meal expense reimbursement (including gratuity), per employee, will be paid according to the following schedule, adjusted periodically as directed by the VCAS:

<table>
<thead>
<tr>
<th>Meal</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Breakfast</td>
<td>$10</td>
</tr>
<tr>
<td>Lunch</td>
<td>$15</td>
</tr>
<tr>
<td>Dinner</td>
<td>$30</td>
</tr>
<tr>
<td>Total</td>
<td>$55</td>
</tr>
</tbody>
</table>

Meal amounts exceeding the per-diem will not be reimbursed unless approved by a college president, Vice Chancellor, or the Chancellor. If a conference registration includes meals as part of the fee, no expenses for that meal or a substitute meal may be claimed. Meal reimbursements may be claimed if the criteria below are met:

For the first day of travel on a trip of 24 hours or more, if the trip begins:
- At/before 6 a.m.   Breakfast may be claimed
- At/before 11 a.m.  Lunch may be claimed
- At/before 5 p.m.   Dinner may be claimed
For the end of a trip of more than 24 hours, if the trip ends:

- At/after 8 a.m. Breakfast may be claimed
- At/after 2 p.m. Lunch may be claimed
- At/after 7 p.m. Dinner may be claimed

For trips of less than 24 hours, no reimbursement will be provided for breakfast; lunch will be reimbursed if the meeting requires departure before 11 a.m. and return is after 2 p.m.; dinner may be claimed for travel beginning at or before 5 p.m., returning after 7 p.m.

No meal reimbursement will be provided for meetings in which only district employees are present, unless approved by a college president, the Vice Chancellor of Administrative Services, or the Chancellor. Meal expenses claimed for others require a written justification for District reimbursement, including the names, titles, and affiliation of the other parties. Approval by a college president, the Vice Chancellor of Administrative Services, or the Chancellor is required.

**Hotel Expenses**

While traveling on district business, employees are encouraged to stay at moderately priced hotels, obtaining the government rate when possible. Hotel arrangements should only be sought when the hotel is outside a 45 mile radius from the place of employment. There may be exceptions as approved by the Chancellor, Vice Chancellor of Administrative Services, or college president. Expenses incurred by a partner/spouse while traveling with an employee are not reimbursable; any premium induced as a result of the partner (i.e., additional room charge) will be borne by the employee. No personal expenses including television/movie charges will be reimbursed from a hotel receipt. For room service, the detailed receipts must be submitted.

Other reasonable and necessary expenses attendant to participation in District-approved activities shall be itemized on the appropriate claim form and reimbursed. It is the District’s intent that no employee shall incur a personal financial gain as a result of traveling on district business.

**Receipts**

All claims for reimbursement must be accompanied by “original” receipts. In certain instances (toll, taxi, etc.) when receipts are not furnished, the reimbursement request must clearly explain the nature of the charge and why a receipt was not provided. Receipts submitted for meals paid by a credit card should be in a detailed receipt. If alcoholic beverages are included on the meal receipt, this expense must be removed along with the associated tax and tip, prior to submitting a claim.

**Claim Deadlines**

Claims for reimbursement are to be submitted within 90 calendar days following the trip. Claims for expenses incurred in the last month of the fiscal year must be submitted by June 30, claims submitted after June 30 may be expensed in the new fiscal year.
AP 6300.5 Office Expense Reimbursement

Purchases requiring reimbursement are discouraged; any purchase requiring reimbursement must be prior-approved by the supervising administrator.

Reimbursement for the following expenses will not be provided by the District unless approved by the Chancellor, the Vice Chancellor of Administrative Services, or college president:

- Office appreciation expenses, including food and mementos.
- Working lunches.
- Committee refreshments.
- Office refreshments such as bottled water, coffee/tea and snacks.
- Retreats on campus.
- Office decorations.
- Award banquets and trophies.
- Food/refreshments for Departmental meetings.
- Food/refreshments for meetings with students within a particular department, discipline, or program.

Food/refreshments for students or potential students are allowable for campus-wide events, recruitment, and orientation activities.

The intent of these guidelines is to convey to the public that the District, as a taxpayer-supported institution, uses its resources prudently. When a college is hosting a campus-wide event, conference or workshop, these guidelines may be waived upon the approval of the college president, or VCAS for District Office functions.
AP 6300.6  Gifts

All donations to the colleges shall receive prior approval of the college president; donations to the District Office shall be approved by the VCAS.

Donations to the District in excess of $500 shall be reported to the Board of Trustees.

The value of non-monetary gifts shall be established by the donor. Donation of services should be identified in writing with inclusion of responsibility in case of accident or loss. Excluded from this procedure are guest speakers and those approved for voluntary service by the Board of Trustees.

All cash contributions shall be in the form of a check made payable to the District, Foundation, or Associated Students. The purpose of the donation should be noted on the check or on a written statement from the donor.

All written acknowledgements of a gift to the District, Foundation, or Associated Students shall be signed by the Chancellor, and the college president as appropriate.
AP 6300.7 Cafeteria Services

A cafeteria account shall be established with a local bank or the Santa Clara County Office of Education. All revenues, payments, and reimbursements must be deposited into the cafeteria account and are to be used solely for the operation and improvement of the cafeteria. Cafeteria operation is intended to be self-supporting.
AP 6300.8 Telephone Usage

The District telephone system is provided for District business. Minimal use of the telephone system for emergency personal business during working hours is permitted if in the judgment of the supervisor the work routine is not disturbed. Using the District telephone system for personal long-distance calls is not permitted. An individual may make personal long distance calls from the telephone system by:

- Charging the call to his/her home telephone;
- Charging the call to his/her personal credit-debit card; or
- Reimbursing the charges with payment to the District.

The District has the right to create call reports of all telephone numbers made to or from a particular phone or to a particular number, including local, domestic long-distance and international, over any particular time period. In the event of perceived abuse, these records may be used to conduct appropriate investigations.
AP 6300.9 Solicitation of Funds or Services

Prior written approval of the College President is required for all college activities involving a solicitation of funds and/or the selling of tickets. No solicitation to pay for student travel or lodging may be conducted until such travel has been approved by the Governing Board.

All solicitation of students or employees by non-district organizations or persons, whether for funds or for other purposes, is prohibited except with the express approval of the Governing Board, the Chancellor, or his/her designee.

Solicitation of funds by student organizations shall be governed by the regulations of the colleges as to time, place and manner of public presentation.

Use of the names of the District, colleges, any department of the District, or any abbreviations of such names, in the solicitation of funds or property of other business uses shall not be allowed unless approved in writing by the Chancellor or designee.
AP 6300.10 Discriminating Organizations

No employee of the District shall use District funds to attend programs or activities sponsored by any agency, organization, group, club, foundation, fellowship or service organization, public or private, that discriminates against anyone for the reasons of race, ethnic group identification, color, language, accent, immigration status, ancestry, national origin, age, gender, religion, sexual orientation, transgender, marital status, veteran status, medical condition, and physical or mental disability consistent with applicable federal and state laws.
AP 6305  Reserves

Reference: Budget and Accounting Manual, Chapter 5; Appendix A

The District’s unrestricted General Fund reserve shall be maintained at a prudent level, defined as 5% of total budgeted annual expenditures in all unrestricted General Funds. Whenever the unrestricted General Fund reserve is projected to fall below the 5% level, the VCAS shall recommend a plan to restore the District’s unrestricted General Fund reserve to at least 5% of total budgeted annual expenditures in all unrestricted General Funds.
AP 6310  Accounting

Reference:  *Budget and Accounting Manual, Chapters 3 and 4*

The accounting system, including the uniform structure used to record the financial affairs of the District, shall be in accordance with the California Community Colleges Budget and Accounting Manual (BAM).

An accounting system shall be maintained that will provide necessary information for sufficient administration of the District financial information needs. The system shall be designed to give assurance to members of the Board of Trustees and citizens of the District of proper administration and stewardship of District funds. The Vice Chancellor of Administrative Services shall establish procedures to assure that the District’s fiscal management is in accordance with the principles contained in Title 5, Section 58311.

Financial statements will be prepared in accordance with generally accepted accounting principles (GAAP) and presented to the Board of Trustees as required by law.

As required by the BAM, expenditures shall be recognized in the accounting period in which the liability is incurred, and shall be limited to the amount budgeted for each major classification of accounts and to the total amount of the budget for each fund.
AP 6315  Warrants

Reference: Education Code Section 85230 et seq.

It shall be the responsibility of the controller to have warrants drawn on the county treasury against district funds for the payment of expenses of the district in a timely manner. Warrants for salary and other district expenses shall be charged against designated categories of expenditures.

Only authorized personnel may sign warrants, as identified in AP 6150.
The VCAS is responsible for investing the funds of the District that are not required for the immediate needs of the District. Funds so invested shall follow the investment policies approved by the Governing Board in accordance with the Government Code Sections 53600 et seq. and the following:

- Funds not required for the immediate needs of the District shall be prudently invested in order to earn a return on such investment.
- The preservation of principal is of primary importance. Each transaction shall seek to ensure that capital losses are avoided, whether from securities or erosion of market value.
- The investment program should remain sufficiently flexible to enable the District to meet all operating requirements that may be reasonably anticipated in any fund. After preservation of principal, liquidity is the objective.
- In managing District investments, District officials should avoid any transactions that might impair public confidence.
- Investments should be made with precision and care, considering the probable safety of the capital as well as the probable income to be derived.

District funds maintained by the County Treasurer that are not required for the immediate needs of the District may be invested as follows:

- County Treasurer's Investment Pool. Investment of District funds may be delegated to the County Treasurer. In accordance with county procedures, District funds may be pooled with other local agencies and invested by the County Treasurer in accordance with the investment guidelines specified by Government Code 53635 and investment policies adopted by the County Board of Supervisors.
- District funds not required for immediate needs of the District may be remitted to the State Local Agency Investment Fund (LAIF) for the purpose of investment (Government Code 16429.1). District funds deposited with the LAIF shall be invested by the State Treasurer in securities prescribed by Government Code 16430, or the Surplus Money Investment Fund and as determined by the Local Investment Advisory Board (Government Code 16429.2).
- Other Investments - Other investments as permitted by Government Code Section 53600 et seq., and in particular Government Code sections 53601 and 53635, may be made by the VCAS subject to prior approval of the Governing Board.
AP 6322  Employee Indemnity Bonds

Reference: Title 5, Section 58318

Each employee of the District whose duty it is to handle district funds shall be bonded under a suitable bond indemnifying the District against loss.

At the discretion of the Vice Chancellor of Administrative Services employees of the District whose duty it is to handle district property may be required to be bonded to indemnify the District against loss.
AP 6325       Payroll

Reference: Education Code Section 70902, 87040, 87815-87834, 88160-88167
AP 6325.1 Payroll Periods and Frequencies

The following payroll periods and frequencies apply for all District employees:

- 10 month employee – August 31 through May 31 (10 pays)
- 11 month employee – August 31 through June 30 (11 pays)
- 12 month employee – July 31 through June 30 (12 pays)
AP 6325.2  Pay Dates

The normal pay dates for all adjunct faculty and classified hourly staff are the tenth of each month. If the tenth falls on a weekend, the pay date is the preceding Friday. If the tenth falls on a District holiday, the pay date is the preceding workday.

The normal pay dates for all regular faculty, staff and administrators are the last working day of the month. If the last working day of the month falls on a Friday or a weekend, the pay date is the preceding Thursday. If the last working day of the month falls on a district holiday, the pay date is the preceding workday. December pay dates will normally occur prior to the winter holiday break.
AP 6325.3  Deadlines

Written authorization for payroll deductions from pay warrants paid on the tenth of the month must be received by the Payroll Office not later than the twenty-fifth day of the month prior to the deduction taking effect.

Written authorization for payroll deductions from warrants paid at the end of the month must be received by the Payroll Office not later than the tenth of the month prior to the deduction taking effect.
AP 6325.4 Garnishment of Wages

The District is required by law, when served with an income execution, wage assignment, Family Court Support Order, or Federal tax levy against a faculty of staff member, to make deductions from the individual’s wages until the debt has been satisfied, or as otherwise required by the order. Upon receipt of a garnishment order, the employee is sent notification of the order and a deduction schedule is established by the Payroll Office according to the terms contained in the order. Unless otherwise directed, the maximum deduction from an employee’s pay warrant will be 25% of net pay.
AP 6325.5  Underpayment/Overpayment of an Employee

Once an overpayment or underpayment has been substantiated, the Payroll Department will proceed according to the processes for correction as defined by the applicable union contract. An administrator’s wage payments will be corrected as soon as possible, in cooperation with the administrator.
AP 6330  Purchasing

Reference: *Education Code Section 70902*

The Purchasing Department shall conduct or supervise all purchases except for those made by the college bookstores. All contracts exceeding $750 and all purchase orders shall be presented to the Board of Trustees for approval no later than 60 days following administrative approval.

Contracts for products or services may only be approved by designated administrators as set forth in AP 6340.

Purchase orders exceeding the bid limit require approval by the Board of Trustees prior to payment.
AP 6330.1 Conflict of Interest

No employee shall state or imply to the public that the District has a preference for a certain product or service. Employees shall not profit from a sale to the District except in such instances where the employee has been instrumental in the production of the product apart from services due the District in the course of employment. An employee shall not attempt to personally benefit in any way through vendor purchases, such as accepting gifts, lunches, etc. Violation of this provision shall be grounds for disciplinary action.

Employees shall not use the District purchasing processes to make personal purchases unless such opportunity is approved by the Board of Trustees for every employee, nor shall there be any attempt to gain special treatment in a purchase due to the employee’s relationship in the District.
AP 6330.2 Purchasing Calendar

Annually, prior to July 1, the Purchasing Department shall establish a purchasing calendar. This calendar will establish year-end deadlines for Requisitions and Change Orders.

Claims for expenses incurred in the last month of the fiscal year must be submitted by June 30th; claims submitted after June 30th may be expensed in the next fiscal year.

All purchase requisitions for goods or services, other than perishables, conferences, construction contracts, and repairs, generally shall be processed before April 15th for the current fiscal year. All requisitions for equipment generally shall be processed before December 31st.
AP 6330.3 Purchasing Procedures

Annually, the Purchasing Department shall update and disseminate a “Purchasing Policies and Procedures” manual for use by District employees. All employees are expected to follow this manual for purchases, especially paying attention to deadlines and timelines necessary to receive purchased products and services by June 30th.

Requisitions

A requisition is required for all materials and services except:

- Petty Cash shall be used for any reimbursement $50.00 or less.
- A Request for Check shall be used for items or services $750.00 or less, or for conferences attended by employees, subscriptions, memberships, or yearly fees (not including license renewals) regardless of the dollar amount as specified on the Request for Check form.

All requests for supplies, services and equipment shall be forwarded through the District approval process.

All Requisitions for materials must be accompanied by a valid quote no more than 30 days old that includes shipping and handling, tax, and all other charges. A quote from a website is not acceptable unless pre-approved by Purchasing. The quote must match the requisition exactly except the tax percentage or the omission of tax on an out-of-state purchase. Back up information pertaining to the requisition must be forwarded to Purchasing with the requisition number referenced on it before the requisition will be processed.

Requisitions must include all receivable items as a separate line item. If it is possible for it to ship separately, it must be on a separate line item.

All charges (i.e.; shipping and handling, gasoline surcharges, art charges) must be included as a line item.

All receivable items on requisitions for Purchase Orders must be charged California Santa Clara County Sales Tax in the Requisition whether or not it is being charged on the quote or invoice even if the vendor is out of state and states no tax is required.

All commitments for repair service shall be made by the Purchasing Department or its designee.

Requisitions for Hazardous Materials must request a Material Safety Data Sheet (MSDS).

Requisitions for electric tools and equipment must meet Cal/OSHA safety standards and the specific compliance code must be referenced.
Selection of Material
Selection of the material needed is a prerogative of each using department. The Purchasing Department shall have the authority to question the specifications of material requested and to make recommendations relative to safety, health, economy, and the possible substitute materials. Disagreements over materials that cannot be reconciled between the Purchasing Department and the requisitioner will be forwarded to the administrative supervisors of the requesting department and the Purchasing Department.

Advance Payment
The Governing Board of the District may pay in advance for postage stamps, permits, and services provided by other governmental agencies, conference expense and admission fees, subscriptions to or purchases of rentals of newspapers, magazines, periodicals, single copies of books, films, filmstrips, recordings, and other publications for the maintenance of equipment under agreements not exceeding one year for the District, and for leases of real property when such action will result in a decrease in the cost to the District, or when such goods or services cannot be secured without payment in advance. Prepayments for materials are discouraged and need prior approval in writing by the Purchasing Supervisor or the Assistant Controller, and must be processed on a requisition.

All Furniture Requests for a new work space/classroom or to revise a current work space/classroom must go through the District's furniture consultant to maintain standards on functionality, safety, pricing, and maintainability. Charges to a facilities account must receive approval from the Facilities Department before contacting the consultant.

No services may be performed or materials shipped totaling over $750.00, prior to the Vendor having a hard copy Purchase Order signed by Purchasing, except for the Maintenance Department.

No changes are to be made to a Purchase Order without written authorization from Purchasing.

Blanket Purchase Orders
Blanket Purchase Orders should be requested if:

- More than two orders per year with the same vendor are expected,
- The requisition covers many items.
- Only an estimate of repair costs is available, or
- A number of changes in the order are anticipated.
AP 6330.4  Final Authority

It shall be the responsibility of the Purchasing Department to determine whether or not a requisition is in accordance with District policy and procedures. If disputes arise that cannot be settled by mutual agreement, the Vice Chancellor for Administrative Services shall make the final decision.
AP 6330.5 Receiving Goods and Delivery of Materials

A central warehouse shall be maintained under the direction of the Purchasing Department.

With the exception of mail delivery of books and periodicals, unless the items being requested are extremely heavy, being installed by the Vendor, contains hazardous chemicals, or unless otherwise specified, all materials shall be delivered to the District Receiving Department for inspection. District employees will not normally accept direct delivery from a vendor. The Receiving Department shall arrange for prompt delivery of materials.

Questions regarding incorrect quantities received, wrong items received, substitution of received materials, return of inadequate merchandise, etc., shall be referred to the Purchasing Warehouse for transmittal to the supplier.

No returns for items under $25.00 are permitted unless approved by the Warehouse.
AP 6340 Bids and Contracts

Reference: *Education Code Section 81641 et seq.; Public Contracts Code Sections 20112 and 20650 et seq.*
AP 6340.1 Limits

Bids or quotations shall be secured as may be necessary to obtain the lowest possible prices as follows:

- Purchase of goods or services up to the limits set out in the Public Contracts Code will require documented quotes.
- Purchase of goods or services in excess of the limits set out in the Public Contracts Code will require formal advertised bids.

Contracts involving expenditures that require competitive bidding require approval by the Board of Trustees prior to award.

Contracted services shall not be split into two or more contracts within one fiscal year for the purpose of avoiding the bid limit.

Purchase orders exceeding the bid limit require approval by the Board of Trustees prior to payment. The Purchasing Supervisor has authority to approve all Purchase Orders up to the bid limit without prior Board approval, and all Purchase Order’s exceeding the bid limit once approved by the Board.

All contracts not subject to prior Board of Trustees approval shall be presented to the Board for approval within 60 days of administrative authorization.

A district employee shall be personally liable for any monies of the District paid out as a result of malfeasance in office.
AP 6340.2  Contract Approval Authority

Contracts requiring prior Board approval may be signed by the Chancellor, Vice Chancellor of Administrative Services or the Controller upon Board approval.

Contracts up to the bid limit may be signed by the Chancellor or Vice Chancellor of Administrative Services.

Contracts up to one-half the bid limit may be signed by the campus president or any of those noted above.

Contracts up to 15% of the bid limit may be signed by the college business officer or any of those noted above.

Contracts should not be implemented in any manner until the appropriate signature approval is received and a purchase order is established in Datatel.
AP 6340.3   Bid Specifications

Bid specifications shall include a definite, complete statement of what is required and, insofar as practical, shall include pertinent details of size, composition, construction, and/or texture of what is specified, and minimum standards of efficiency, durability, and/or utility required of what is specified.
AP 6340.4   Notice Calling for Formal Advertised Bids

The VCAS or designee shall publish at least once a week for two weeks in a newspaper of general circulation circulated within the District or through an electronic portal, a notice calling for bids or proposals, stating the materials or supplies to be furnished and the time and place when bids will be opened. Bids submitted either electronically or on paper are acceptable.

Bid and contract forms shall be prepared and maintained by the Purchasing Office. All applicable statutory provisions and board policies shall be observed in preparation of the forms.

The VCAS or designee shall be responsible for insureing that the bid specifications are sufficiently broad to encourage and promote open competitive bidding.

All bid notices for work to be done shall contain an affirmative statement requiring compliance with California Labor Code Sections 1775 and 1776 governing payment of prevailing wages and California Labor Code Section 1777.5 governing employment of apprentices. All bid submissions shall contain all documents necessary to assure compliance with these California Labor Code Sections. Failure to provide such documentation shall cause any such bid to be deemed incomplete.

When required or determined to be appropriate, bids shall be accompanied by a certified or cashier's check, or bid bond, in the amount specified in the bid form, as a guarantee that the bidder will enter into contract and furnish the required contract bonds. When no longer required for the protection of the District, any certified or cashier's check received shall be returned to the respective bidder.

The VCAS or designee shall make available to the prospective bidders bid forms with sets of specifications and drawings and shall provide a convenient place where bidders, subcontractors, and materiel personnel may examine the specifications and drawings.

A deposit for sets of plans and specifications may be required and may be refunded when such documents are returned.
AP 6340.5  Awarding of Bids and Contracts Awards (Formal Bids)

The awarding of bids and contracts shall be subject to the following conditions:

- Any and all bids and contract proposals may be rejected by the District for good and sufficient reason.
- All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received.
- Bid and contract award recommendations to the Board shall show a tabulation of the bids received in reasonable detail.
- Bid and contract awards shall be made to the lowest responsible bidder substantially meeting the requirements of the specifications. The District reserves the right to make its selection of materials or services purchased based on its best judgment as to which bid substantially complies with the quality required by the specifications.
- Subject to the Board of Trustees’ subsequent action to adopt, modify or reject the disposition of a bid protest, the VCAS or designee is authorized to handle and dispose of bid protests arising out of the bidding of contracts.
- Except for bid protests arising during the bidding process, the VCAS or designee is authorized to handle and dispose of all other disputes or matters of controversy regarding the bidding of contracts without subsequent review, reconsideration or appeal of the decision to any other employee, officer of the District, or to the District’s Board of Trustees or any member(s) thereof.
AP 6340.6  Purchase without Advertising for Bids (Informal Bids)

The VCAS or designee is authorized to make purchases from firms holding county contracts without calling for bids where it appears advantageous to do so.

The VCAS or designee may, without advertising for bids within Santa Clara County, purchase or lease from other public agencies materials or services by authorization of contract or purchase order.

The VCAS or designee may make purchases through the State of California Cooperative Purchasing Program operated by the Department of General Services.
AP 6340.7  Duration of Continuing Contracts for Services and Supplies

Continuing contracts for work or services furnished to the District are not to exceed five years.

Contracts for materials and supplies are not to exceed three years.
AP 6340.8  Emergency Repair Contracts without Bid

When emergency repairs or alterations are necessary to continue existing classes or to avoid danger of life or property, the Vice Chancellor of Administrative Services or Executive Director of Facilities may make a contract in behalf of the District for labor, materials and supplies without advertising for or inviting bids, subject to ratification by the board.
AP 6340.9 Unlawful to Split Bids

It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of the Public Contract Code requiring work to be done by contract after competitive bidding.
AP 6340.10 Purchases Without Taking Estimates or Bids

The District may purchase supplementary textbooks, library books, periodicals, educational films, audio visual materials, test materials, instructional computer software packages, or workbooks in any amount needed for the operation of the colleges of the District without taking estimates or advertising for bids.
AP 6350 Contracts - Construction

Reference: *Education Code Section 81800; Public Contracts Code Sections 20650 et seq., 22000 et seq.*

The Executive Director of Facilities shall be responsible for the planning and programming of new construction, alterations and repairs of existing plants, and leasing of facilities that require state approval. This includes the planning and programming of college-initiated new construction, additions to existing plants, and major alterations and repairs of buildings and grounds.

The Executive Director shall be responsible for preparation of drawings and specifications for new buildings, leased facilities, additions, major alterations and improvements of buildings and grounds together with estimates of costs.

The preliminary drawings, which shall cover all proposed facilities together with construction cost estimates, shall be submitted to the Board for approval and authorization to proceed with the working drawings and specifications. Upon completion, the working drawings, specifications and revised cost estimates, if any, will be submitted for approval to the State Chancellor's Office and the State Department of General Services as required by statute in the name of the Board of Trustees.

The final working drawings and specifications, approved by the State Department of General Services and the State Chancellor's Office, together with revised estimates, if any, shall then be submitted to the Board of Trustees for adoption.

The letting of contracts for construction shall comply with procedures of the District regarding contracts that exceed the statutory minimums for competitive bidding. (See AP 6340)
AP 6360 Contracts – Electronic Systems and Materials

References: Education Code Sections 81641 et seq., and 81651; Public Contracts Code Section 20651 et seq.

The District may contract with any vendor who has submitted one of the three lowest responsible competitive proposals or competitive bids for the purchase or maintenance of electronic data-processing systems and equipment, electronic telecommunication equipment, supporting software, and related material, goods and services.

Except as otherwise stated here, bids shall be solicited and contracts shall be awarded in accordance with AP 6340.

Criteria to determine what constitutes a responsive bid shall be established by the Director of Information Technology Services & Support.

Supplemental instructional software packages may be purchased without taking estimates or advertising for bids.

Sale and leaseback of data-processing equipment or another major item of equipment is permissible if the purchaser agrees to lease the item back to the district for use by the district following the sale. The governing board shall first adopt a resolution finding that the sale or leaseback is the most economical means for providing electronic data-processing equipment or other major items of equipment to the district.
AP 6365      Accessibility of Information Technology

Reference: Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794d); 36 CFR 1194.1 et seq.; Government Code Section 11135; Title 5 Section 59300 et seq.

Whenever the district enters into a contract for the purchase, development, procurement, maintenance or use of any electronic or information technology, the vendor shall certify that it complies with the requirements of Section 508 of the Rehabilitation Act of 1973 and its related regulations. This requirement shall apply to software applications, operating systems, web-based intranet and internet information and applications, telecommunications products, video or multimedia products, self contained closed products such as copiers, and desktop and portable computers.

Each contract with such a vendor shall contain the following provision:

"The vendor hereby warrants that the products or services to be provided under this agreement comply with the accessibility requirements of section 508 of the Rehabilitation Act of 1973, as amended, and its implementing regulations. Vendor agrees to respond promptly to and resolve any complaints regarding accessibility of its products or services that are brought to its attention. Vendor further agrees to indemnify and hold harmless the San Jose/Evergreen Community College District from and against any claim arising out of its failure to comply with these requirements. Failure to comply with these requirements shall constitute a breach and be grounds for termination of this agreement."
AP 6370  Contracts – Personal Services

References:  Government Code Section 53060, Education Code Section 88003.1
AP 6370.1  Personal Services Contracts - Conditions

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;
- 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.
AP 6370.2  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.
AP 6370.3 Independent Contractors

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

- The contractor controls the way in which work is performed.
- The contractor sets his or her own hours.
- The contractor is not restricted from taking jobs from other businesses at the same time that they are doing work for the District.
- No district employees have duties similar to the independent contractor.
- The District does not provide assistants to the contractor.
- The duration of employment is for a specific job, not for a specified period of time.
- The District does not furnish tools, training, or equipment to the contractor. Contractors should be able to perform their services without the District’s facilities (e.g., equipment, office furniture, machinery).
- The contractor’s investment in his or her trade must be real, essential, and adequate.
- The contractor has employer identification numbers with the Internal Revenue Service and the California Employment Development Department for reporting employer payroll taxes and employee wages.
- The individual is not presently employed by the District to do the same type of work.
- Contractors are hired to provide a result and usually have the right to hire others to do the actual work.
- Contractors are hired for the final result, and therefore should not be asked for progress or interim reports.
- Contractors are generally responsible for their incidental expenses.
- Contractors should be able to make a profit or a loss. Five circumstances show that a profit or loss is possible:
  - If the contractor hires and pays assistants
  - If the contractor has his own office, equipment, materials, or facilities
  - If the contractor has continuing and reoccurring liabilities
  - If the contractor has agreed to perform specific jobs for prices agreed upon in advance
  - If the contractor's services affect his own business reputation
- Contractors can't be fired so long as they produce a result that meets the contract specifications.
- Contractors are responsible for the satisfactory completion of a job or they may be legally obligated to compensate the hiring firm for failure to complete.
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.
AP 6380  Vendors

The District’s goal is to remove any and all barriers to a full and equal opportunity for minority-owned or female-owned businesses to provide products and services to the District. The Vice Chancellor of Administrative Services shall collect information and annually report to the Board of Trustees on the proportion of minority-owned and female-owned businesses providing products and services to the District.

No vendor shall be excluded from consideration for, or award of, District purchases on the basis of ethnic group identification, race, color, language, accent, immigration status, ancestry, national origin, age, gender, religion, sexual orientation, transgender, marital status, veteran status, physical or mental disability, or on the basis of these perceived characteristics or association with a person or group with one or more of these characteristics.

All vendors must provide an IRS Form W-9 to the District prior to transacting any business with the District.

Sales representatives are not permitted on the campuses for the purpose of making unsolicited sales. (Refer to AP 6700)

No employee or office shall solicit funds or materials from vendors.
**AP 6400 Audits**

Reference: *Education Code Section 84040(b), 81644*

On or before April 1 of the fiscal year, the Board shall approve the selection of an auditor who shall be a certified public accountant licensed by the California State Board of Accountancy.

An auditing firm’s contract shall be for no longer than five years. The audit shall include all funds under the control or jurisdiction of the District. The audit shall identify all expenditures by source of funds and shall contain:

- A statement that the audit was conducted pursuant to standards and procedures developed in accordance with Education Code Section 84040.5, and
- A summary of audit exceptions and management recommendations.

Audit reports for the preceding fiscal year must be presented to the Board and submitted to the state Chancellor's Office by December 31.

The Chancellor or VCAS may call for a special audit whenever the best interest of the District will be served. The VCAS or his/her designee may independently spot audit any District account, including student organization and bookstore accounts and the revolving cash funds. Audit adjustments must be recorded in the accounting system and reflect what was reported on the CCFS-311.
The VCAS shall be responsible for supervising acquisitions of real property, including appraisals and valuations of real property and improvements; securing title insurance policies; dedications or conveyance of easements; vacation of streets and alleys, street lighting and other special assessments; and the condemnation of real property.
AP 6500.1  Capital Asset Inventory

The VCAS shall maintain an inventory of all district capital assets valued at more than $5,000, which shall be depreciated in accordance with Generally Accepted Accounting Principles and the California Budget and Accounting Manual.

The Executive Director of Facilities shall be responsible to implement the following standards for maintenance of buildings and grounds:
AP 6500.2 Custodial Department Standards of Care

Classrooms & Laboratories
Sweep & Spot Mop Floors - Daily
Clean Easer Trays & Replace Chalk - Daily
Empty Trash - Daily
Arrange Furniture - Daily
Sweep Carpet - Daily
Mop - Weekly
Vacuum Carpet - Weekly
Empty Pencil Sharpeners - Weekly
Dust Surfaces - Weekly
Spot Clean Carpet - Monthly
Spot Clean Walls & Doors - Monthly
Strip & Refinish Floors – Semi-Annually: January/August
Carpet Cleaning – Semi-Annually: January/August

Offices
Empty Trash - Daily
Sweep - Daily
Sweep Carpet - Daily
Vacuum Carpet - Weekly
Mop Floor - Weekly
Dust Surfaces - Weekly

Lobbies & Entrance Areas
Empty Trash - Daily
Vacuum - Daily
Sweep - Daily
Mop - Daily
Clean Glass Surfaces - Daily
Clean / Roll up Walk-off Mats - Daily
Strip & Refinish Floors - As Required
Clean Carpet - As Required
Dust Surfaces - Weekly

Restrooms
Full Service – Remove Trash / Clean / Mop / Restock Supplies - Daily

Cafeteria
Empty Trash Containers - Daily
Sweep/Dust Floors - Daily
Arrange Furniture - Daily
Spray-buff / Refinish Floors - Monthly
Library
Empty Trash - Daily
Vacuum Carpet - Daily
Arrange Furniture - Daily
Dust Surfaces - Weekly
Spot-Clean Carpet - As Necessary

Gymnasium
Sweep / Dust Floors - Daily
Damp Mop Floors - Weekly
Refinish Gym Floor - Buffing - Annually
Setups – Bleachers / Floor - As Required

Locker Room
Empty / Clean Trash Containers - Daily
Sweep/Dust Floors - Daily
Wet-Mop / Scrub Floors - Daily
Clean Locker & Benches - Weekly
AP 6500.3  Maintenance Department Stands of Care

PREVENTATIVE MAINTENANCE

**Primary System**
Foundation and Substructure Structural Systems – Annually: June
Structural System - Every 5 Years
Exterior Wall Systems – Annually: July
Exterior Doors and Frames, Stairs and Handrails - Semi-Annually: July/December
Entrances – Annually: July
Roof Systems – Annually: July

**Secondary Systems**
Ceilings - Semi-Annually: August/January
Floor Finishes / Covering – Annually: August
Interior Door and Frames, Stairs and Handrails - Semi-Annually: August/January
Restroom Accessories, Kitchen Equipment, Signage, Interior Controls – Annually: July
Fixed Seating – Annually: June

**Service Systems**
HVAC Boilers - Daily
Pumps, Primary Pumps, Vacuum Compressors, Air Handlers - Semi-Annually: May/November
Package Units – Rooftop - Semi-Annually: May/November
Package Units, Computer-Classroom Chillers - Semi-Annually: May/November
Cooling Towers - Daily
Fans - Monthly
Pneumatic Controls – Radiant Heaters - Monthly
Filters, Replaceable - Semi-Annually: May/November
Evaporator Coils - Monthly
Condensing Coils - Monthly
Heating Coils - Semi-Annually: May/November
Fan Coil Units - Monthly
Air Conditioner - Semi-Annually: May/November
Water Heater - Monthly

**Plumbing Systems**
Backflow Prevention Devices (PRV’s) - Semi-Monthly
Pumps - Monthly
Plumbing Fixtures - Monthly
Drinking Fountains - Monthly
Eye-Wash Stations - Monthly

**Septic Systems**
Swimming Pools - Daily
San Jose/Evergreen Community College District
Administrative Procedures
Chapter 6
Business & Fiscal Affairs

**Electrical Systems**
- Emergency/Exits Lights - Monthly
- Timers - Quarterly: January/April/August
- Motors: Controls, Starters - Monthly
- Controls Contractors, Lighting - Monthly
- Electrical Switchboard - Semi-Annually: April/September
- Motor Controls - Monthly
- UPS Power Back Up - Semi-Annually: April/September
- Emergency Generators (Diesel) - Semi-Annually: April/September
- Auto Transfer Switch - Semi-Annually: April/September

**Conveyance Systems**
- Elevators: Service Contracts - Monthly
- Fire Recall Switch - Semi-Annually: May/October

**Clocks**
- Parking Ticket Machines - Semi-Annually: January/August
- Scoreboards - Semi-Annually: January/August

**Safety Standards**
- Fire Alarm Annunciation Systems/Devices - Daily
- Fire Protection Standpipe - Monthly
- Fire Extinguishers - Monthly
- Smoke Containment Systems - Semi-Annually: January/August
- Fire Hoses / Cabinets - Annually
- Cafeteria Fire Protection Systems - Semi-Annually: January/August
- Fire Shunt - Semi-Annually: January/August

**Infrastructure**
- Site Work - Semi-Annually: January/August
- Paving: Parking Lots - Annually
- Paving: Roads - Annually
- Paving: Walkways - Semi-Annually: January/August
- Fencing - Semi-Annually: January/August

**Utilities**
- Gas Distribution - Semi-Annually: April/October
- Hot Water Distribution Loop - Quarterly: January/April/August
- Domestic Water - Quarterly: January/April/August
- Electrical Distribution - Quarterly: January/April/August
- Storm Drainage - Annually
- Sanitary / Sewage Systems - Semi-Annually: January/August
- Waste Disposal Equipment - Quarterly: January/April/August
- Trash Compactor Maintenance - N/A

Board Approved January 27, 2009
AP 6500.4  Grounds Department Standards of Care

Inner Campus, Parking Lots, Sidewalks & Roadways
Empty Trash Cans, Remove Paper & Debris, Blow Sidewalks - Daily
Blow & Clean Quad Areas, Mow Turf Areas, Maintain Sprinklers - Weekly
Edge Turf, Clean Around Foliage & Ground Cover - Monthly
Sweep Street & Driveways (Summer) - Weekly
Sweep Street & Driveways (Winter) - Weekly or Less
Exterior Weed Control - Chemical Application - Monthly
Tree Maintenance (up to 10 feet); Tree Wells; Weed Control - Quarterly:
   January/April/August
Aeration & Fertilization of Turf Areas - Quarterly: January/April/August
Maintain & Clear Storm Drains (Fall) - Annually
Rodent Control (Gophers; Squirrels; Rats/Mice) - Quarterly: January/April/August
Pesticides Application (Roaches; Ants) - Quarterly: January/April/August
Wash down Elevator – Parking Garage - Bi-Monthly

Athletic Facilities
Empty Trash Receptacles; Litter Removal - Daily
Mow Turf Fields; Drag & Line Fields; Irrigation & Watering Maintenance - Weekly
Aeration; Seeding & Top Dressing - Bi-Annually
Weed Control: Fertilizer & Herbicide Application - Quarterly: January/April/August
Wash down Playing Courts - Bi-Monthly
Rodent (Gopher/Squirrel) - Quarterly: January/April/August
Set Ups for Special Events - As Required

Landscaped Areas
Trim Shrubs; Maintain & Monitor Irrigation - Quarterly: January/April/August
Maintain Trimming; Lighting Clearance; Pest Control - Annually

Tree Care
Regular Trimming; Lighting Clearance; Pest Control - Emergencies
Dead Tree Removal & Stump Grinding - Emergencies

Campus Specific Tasks:

San José City College
Athletic Field Rental - As Needed
Public Event Set Ups: (Extra Trash Cans; Barricades; Damage Control) - As Needed
Groom Artificial Turf – Football Stadium - Quarterly: January/April/August

Evergreen Valley College
Service 3 Fountains - Semi-Annually: January/August
Groom Artificial Turf – Soccer Stadium - Quarterly: January/April/August
Maintain Lake - Quarterly: January/April/August
Public Event Set Ups: (Extra Trash Cans; Barricades; Damage Control) - As Needed
Athletic Rentals - As Needed
Maintain & Control Wild Grass; Fire Control - Quarterly: January/April/August

Board Approved January 27, 2009
AP 6520   Security for District Property

Reference: Accreditation Standard III.B.1
AP 6520.1 Care of Property

It shall be the responsibility of all staff members to help protect the District buildings, grounds and equipment. Any person who willfully damages or destroys any property belonging to the District shall be liable for the replacement or repair of such property.
AP 6520.2 Loans of District Property

No loan of any District property for activities unrelated to District business is permitted. Also refer to AP 6535.
Keys

Keys to District buildings and property will be assigned only to employees of the District or to personnel contracted for temporary administrative functions. Distribution of keys shall be the responsibility of the District Police Department. Employees shall not lend or issue keys to others. Upon termination of employment or leave of absence, keys issued to an employee shall be returned to the District Police Department.
AP 6520.4 Police Department

The District Police Department shall operate according to a manual of rules and regulations as amended from time to time by the Chief of Police.
AP 6530  District Vehicles

Reference:  Title 13, California Code of Regulations, Division 1, Chapter 1
AP 6530.1 Restrictions on Use

Only employees of the District are permitted to drive District vehicles.

All District vehicles and drivers must comply with the California Vehicle Code and Title 13 (Motor Carrier Safety).

All drivers of district-owned or leased vehicles, both on and off district property, must have a current license appropriate for the vehicle to be driven.

Any vehicle that carries ten or more persons including the driver is defined in the Vehicle Code as a bus. All operators of buses must have a current Class II license, a current medical certificate and a current First Aid Certificate.

All District facilities maintaining vehicles defined as buses must keep records of driver's hours, vehicle maintenance, and vehicle inspection records. All of these records must be made available to the California Highway Patrol. The CHP is required to inspect the records at least once every 13 months.

All District vehicles with equipment for transporting the disabled must comply with all applicable laws and regulations regarding such vehicles.

The district shall not operate or lease a 15-passenger van unless the driver holds both a valid class B driver's license, and an endorsement for operating a passenger transportation vehicle issued by the Department of Motor Vehicles.

Vehicles made available to the District personnel are for use in the conduct and operation of District business.

Regular or occasional garaging of district-owned vehicles at any location other than the one assigned is permitted only with prior written approval. Home garaging shall meet any one of the criteria listed below:

- Employees whose duties require regular or frequent reporting to locations other than their regular headquarters before or after regular working hours.
- Employees who are regularly or frequently subject to call before or after regular working hours.
- Employees with assigned vehicles who are headquartered at locations lacking secured overnight garaging facilities.

Any driver of a district vehicle shall be approved as to use by his/her supervisor, and shall certify in writing at the time of vehicle checkout that: his/her current driver's license is valid and appropriate for the vehicle to be driven; no alcohol will be consumed in excess of legal limits prior to use; the vehicle will not be used for personal business; speed limits will be observed at all times; and before/after vehicle mileage will be accurately reported.

Board Approved January 27, 2009
AP 6530.2 Transportation of Students

Travel via District-owned vehicles or other transportation shall be approved by the College President or designee after prior approval has been obtained from the appropriate Dean/Provost. Requests shall be submitted to the Dean/Provost at least two weeks in advance of the date of the proposed trip. A signed order shall accompany each vehicle.
AP 6535    Use of District Equipment

Reference: Education Code Section 70902

Each member of the District staff shall be responsible for equipment under his or her control. Loss of equipment and unauthorized removal of equipment should be reported immediately to the appropriate administrator.

Equipment that is lost or stolen may be replaced upon submission of a request through the appropriate administrative office. The request must include an explanation about the loss or theft of the equipment and a justification that replacement is essential to the activity served.

District equipment shall not be loaned to any person. Any loan of district equipment will be a personal liability of the District employee(s) involved.

Equipment removed from campus in the course of performing District business may be done only with proper authorization.

Any person who willfully damages or destroys any District property shall be liable for the cost of repair or replacement of such property.
Pursuant to Education Code Section 81603, the District shall be a member of one or more Joint Partnership Agreements (JPA) for the purpose of providing the following coverage:

- Liability insurance protecting the District, its employees, Board of Trustee members, Foundation Board directors, and Citizens' Bond Oversight Committee members, against liability for negligence while acting within the scope of their duties.

- Property insurance protecting the District’s Real Property, and Personal Property except automobiles, against loss suffered from fire, power failure, vandalism, and other sources, excepting damage caused by “acts of God” such as earthquake, flood, wear and tear, and similar causes as defined by the JPA.

- District vehicle insurance shall be provided under a General Comprehensive Liability Policy, with additional coverage as available through the JPA.

- Workers’ Compensation Insurance meeting all requirements of the State of California, for all district employees.

Student health insurance shall be available to cover student injuries incurred in the course of participation in district-sponsored activities including athletics.

Independent contractors must obtain their own insurance coverage; no insurance of any kind will be provided to independent contractors by the District.
AP 6540.1  Informed Consent/Hold-Harmless

The VCAS shall prescribe a hold harmless form. District employees facilitating district related activities involving any risk to non-employees shall require all participants to submit a signed hold-harmless form prior to the event. Completed forms shall be retained within the Divisional Administrator's office for a period of one and one-half years from the time of the end of the related activity.
AP 6540.2  Report of Injuries

Students
Student injuries shall be immediately reported by the instructor on District Accident Report Forms; or, if the student is sent to the administrative offices, by an administrator. The report shall be turned into the Fiscal Services Office at once and forwarded to District Administrative Services.

All injuries are to be reported regardless of severity.

District Employees
All injuries to District employees while on duty status shall be reported immediately to the Fiscal Services Office and forwarded to District Administrative Services.
AP 6550  Disposal of Property  (Revised 2/04)

Reference: Education Code Section 70902(b)(6), 81390 et seq., 81440 et seq. OMB Circular A-110

District can sell or lease real property belonging to the community college district if both of the following conditions are met:

- The property is sold or leased to another local governmental agency, or to a nonprofit corporation that is organized for the purpose of assisting one or more local governmental agencies in obtaining financing for a qualified community college facility; and

- The financial proceeds are expended solely for capital outlay purposes relating to a qualified community college facility
AP 6550.1  Personal Property

The district may sell for cash any district personal property if the property is not required for district purposes, or if it should be disposed of for the purpose of replacement, or if it is unsatisfactory or not suitable for use. Property cannot be sold until notice has been given. Notice must be posted in at least three public places in the district for not less than two weeks; notice can also be by publication for at least once a week for a period of not less than two weeks in a newspaper published in the district and having a general circulation. The VCAS shall sell the property to the highest responsible bidder, or shall reject all bids.

Personal property authorized for sale as surplus may also be disposed of by means of a public auction conducted by employees of the district, or by other public agencies, or by contract with a private auction firm. The personal property shall be sold or transferred to the highest responsible bidder upon completion of the auction and after payment has been received by the district.

The District can also exchange for value, sell for cash, or donate any personal property belonging to the district without complying with the preceding procedures if all of the following criteria are met:

- The district determines that the property is not required for district purposes, that it should be disposed of for the purpose of replacement, or that it is unsatisfactory or not suitable for school use.
- The property is exchanged with, or sold or donated to, a school district, community college district, or other public entity that has had an opportunity to examine the property proposed to be exchanged, sold, or donated.
- The receipt of the property by a school district or community college district will not be inconsistent with any applicable district wide or school site technology plan of the recipient district.

Any item or items of property having previously been offered for sale as provided above, but for which no qualified bid was received, may be sold by the VCAS at private sale without advertising.

The VCAS shall determine whether an article to be replaced should be traded in for the new item or be declared surplus property. District employees must have approval of the VCAS before discarding or selling any item they consider surplus. The VCAS shall determine when there is a sufficient volume of surplus property to require that a sales event be conducted to dispose of the property.

If the board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed in value the sum of five thousand dollars ($5,000), the property may be sold by the VCAS at private sale without advertising.

Any of the duties in this section can be assigned to a designee by the VCAS.

The VCAS shall report all sales proceeds to the Board of Trustees at least once annually.

Board Approved January 27, 2009
AP 6550.2  Real Property

The District can sell or lease real property belonging to the community college district if the provisions of the Education Code relating to such sale or lease are met.
AP 6550.3 Abandoned Property

The District may dispose, sell, or lease any abandoned property found within district if any of the following conditions are met:

- Notice to the apparent owner is reasonably attempted and no response was received.
- The property is reasonably deemed lost, neglected, or pose a safety concern.
- There is clearly no intention to recover the property by the apparent owner.
AP 6550.4 Property Purchased with Federal Funds

The Federal definition of equipment is: tangible nonexpendable personal property, including exempt property charged directly to the award having a useful life of more than one year and an acquisition cost of $5,000 or more per unit.

All property acquired by the District from federal funds must be inventoried, maintained, and disposed of in accordance with federal provisions.

Procedures for managing equipment purchased with federal funds, until transfer or disposition takes place, shall meet the following requirements:

- The recipient’s property management standards for equipment acquired with federal funds and for federally owned equipment should include all of the following:
  - A description of the equipment
  - Manufacturer’s serial number, model number, federal stock number, national stock number, or other identification number.
  - Source of the equipment, including the award number.
  - Whether title vests in the recipient of the federal government.
  - The information needed to calculate the federal share of the equipment.
  - Acquisition date and unit acquisition cost.
  - Location, use and condition of the equipment and the date the information was recorded.
  - Ultimate disposition data, including date of disposal and sales price or the method used to determine the current fair market value where a recipient compensates the federal awarding agency for its share.

- A physical inventory of equipment shall be taken and the results reconciled with the equipment records at least once every two years to verify the existence, current use and continued need for the equipment. Any differences between physical inventory and accounting records shall be investigated to determine the cause of difference. A statistical sampling basis is acceptable.

- A control system shall be in effect to insurance adequate safeguards against loss, damage, or theft of the equipment. Any loss, damage, or theft of equipment shall be investigated and fully documented. Adequate maintenance procedures shall be implemented to keep the equipment in good condition.
Any gift with an estimated value exceeding $5,000 shall be approved by the Vice Chancellor of Administrative Services before acceptance by the district. The gift shall be accompanied by a letter from the donor describing the item(s) and the estimate value. The Vice Chancellor of Administrative Services may request an independent assessment of the gift’s value, and shall acknowledge to the donor receipt of the gift and its value. A gift of equipment exceeding $5,000 shall be recorded as a capitalized asset and tagged.

For gifts under $5,000 in value, the college president or Vice Chancellor of Administrative Services shall approve its acceptance and issue a letter of acknowledgment to the donor.

No gift shall be accepted requiring structural modifications to a building or grounds without the prior approval of the Vice Chancellor of Administrative Services.
AP 6600   Capital Construction

Reference: *Education Code Section 81820; Title 5, Sections 57150 et seq.*

The Executive Director of Facilities will annually prepare a five year capital outlay program for review and approval by the Chancellor and Board. The Program will consist of the plans of the District concerning its future academic and student service programs, and the effects of such programs on construction needs.

Specifically, the five year capital outlay program will include the following:

- Statement of educational plans
- Statement of energy plans
- Statement of handicapped barrier removal plan
- Location of program delivery
- Location of other owned lands
- District-wide priority lists
- District-wide capacity/load ratios
- District-wide supporting detail

Construction contracts will be let in accordance with Administrative Procedure 6350 and will comply with applicable laws relating to public works.
AP 6600.1 Building Modifications

Employees desiring to modify the physical structure or characteristics of buildings, grounds, classrooms, storage areas, laboratory areas, etc., shall first receive written authorization from the Executive Director of Facilities and college president or Chancellor as appropriate. Employees who disregard such approval procedures may be held liable for all costs incurred by the District resulting from the modification and/or correction made.
AP 6600.2  District Energy Conservation

The District is committed to conservation of energy. The Chancellor and college presidents or designees, in cooperation with the Executive Director of Facilities, shall implement an energy conservation program at each District location. Periodic reports shall be made by the VCAS to the Chancellor and Board of Trustees.
AP 6600.3  Neighborhood Outreach

The Board of Trustees is committed to clear, proactive communication with the colleges’ neighbors regarding campus development. This procedure establishes a protocol for the dissemination of information related to capital projects and encourages early and frequent communication between District staff and the public.

Outreach Procedures
The campus will prepare a community outreach plan for each large capital project. The scale of the outreach effort will be designed to match the size and scope of the project and the likely level of community interest. In all cases, the California Environmental Quality Act (CEQA) requirements for notification will serve to denote the minimum level of effort.

Outreach Modes

1. **Web Site**
   All capital projects will be posted on the web site. When the project size warrants, electronic means may be used to provide ongoing updates to interested parties.

2. **Community Meetings**
   For projects that are exceptionally large or that may otherwise generate significant neighborhood interest, there should be at least one community meeting no fewer than 30 days prior to the end of the public review period as defined by CEQA. It is preferable to conduct the community meeting early in the CEQA process. Midweek evening meetings are preferred. A minimum of two weeks should be allowed for notifying the community of the meeting.

3. **Other Outreach**
   The minimum level of effort should include a letter to the campus neighbors outlining the purpose and composition of the project, the schedule of activities, and what construction activity may be expected. The convening of periodic community meetings is appropriate in the case of particularly large projects or those with significant neighborhood interest.
AP 6620   Naming of Buildings

All recommendations for naming buildings or facilities, including rooms, commons areas, and grounds, shall be submitted to the Board by the Chancellor for action.

All recommendations shall comply with the following criteria:

   Individuals or groups may receive recognition through the dedication of facilities and buildings;

   Proposals for recognition may originate from the Chancellor, a college, the District Foundation, or the community;

   Individuals need not be deceased to be honored.

   Once a building has been named to honor an individual, group, business or organization, the name will not be changed.
AP 6620.1 Bequest Not Involved

When a bequest or current gift is not involved, recognition by the dedication of a District building or facility may honor any person who has made a significant contribution to the advancement of the mission and goals of the District, or achieved unique distinction through campus leadership, service to students, or service to the community. A minimum of three years must elapse from the date of departure before a former employee’s name may be considered for dedication.

There should be an appropriate relationship between the use of the building or facility, including rooms, landscaped areas, trees, or similar areas, in honor of the person or group for whom it is being dedicated.

A suitable plaque shall be placed within the building or at the facility, including rooms, landscaped areas, tees, or similar areas, in honor of the person or group for whom it is being dedicated.
AP 6620.2  Bequest Involved

When a bequest or current gift of property or funds is involved, recognition by the naming of a District building or facility may honor a person, group, business, or organization that has made a significant contribution to the District. The following guidelines are provided, but not mandatory, for consideration of a recommendation to the Board of Trustees:

- the benefactor(s) has given at least 25 percent of the construction cost of a new facility or an existing facility;
- the benefactor(s) has given a minimum of 40 percent of the cost of a sub-unit of a building or facility, such as a classroom, lecture hall, etc.; or
- the benefactor(s) has given at least 100 percent of the cost of walkways, benches, gardens, etc.
San Jose/Evergreen Community College District
Administrative Procedures
Chapter 6
Business & Fiscal Affairs

AP 6700    Civic Center and Other Facilities Use

Reference: *Education Code Sections 76120, 82537, 82542; Public Resources Code § 42648.3*

Board Approved January 27, 2009
AP 6700.1 General Provisions

District facilities are available for community use when such use does not conflict with District programs and operations. District employees and Board members, and their relatives/friends, may not use District facilities for personal or business purposes without complying with the procedures specified here for other parties, including insurance and payment of rent. Except as provided in these regulations, no organizations shall be denied the use of district facilities because of the content of the speech to be undertaken during the use.

The VCAS is responsible for the coordination and implementation of these procedures, and shall determine all applicable fees to be charged in coordination with the college business offices.

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.
AP 6700.2  Civic Centers

Eligible persons or groups may use district buildings or grounds for public, literary, scientific, recreational, or educational meetings, or for discussion of matters of general or public interest, subject to these rules and regulations.

The groups identified in Education Code Section 82542(a) will be permitted to use District facilities upon payment of the following according to a fee schedule established by the VCAS:

- the cost of opening and closing the facilities, if no college employees would otherwise be available to perform that function as a part of their normal duties;
- the cost of a college 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 or her normal duties;
- the cost of janitorial services, if the services are necessary and would not have otherwise been performed as part of the janitor’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, janitorial services, services of any other district employees, and salaries paid community college district employees necessitated by the organization’s use of District facilities.

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 for temporary periods where the church or organization has no suitable meeting place for the conduct of such services.

- Entertainments 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.

Before rental fees (not direct costs) may be waived or reduced below the amount required by the fee schedule, the college president or designee must determine that the following conditions exist:

1. The activity relates directly to the District’s mission of education and training and will obtain a specific benefit from the activity.

2. The activity is not political.
3. The value or benefit received by the District is approximately equivalent to the amount being waived.

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 affect the public health and welfare, and the District will cooperate with these agencies in furnishing and maintaining services mutually deemed necessary to meet the needs of the community.

The San Jose/Evergreen Community College District Foundation is permitted to use district property in accordance with a master agreement approved by the Foundation's Board of Directors and the District's Board of Trustees.
AP 6700.3  Rules for Facilities Use

Requests for use of District facilities must be made at least ten (10) days in advance of the first date of use being requested. Requests shall be on forms provided by the District. Permission to use facilities shall be granted by the college president or designee for campus facilities and the VCAS for District Office facilities.

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.

All charges for the use of District facilities are payable five (5) days in advance of scheduled use. Notification of cancellation must be received 36 hours before the scheduled use or a cancellation fee will be assessed.

Any persons applying for use of District property on behalf of any groups shall be a member of the groups and, unless he or she 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, or controlled substances in any forms 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 without specific written approval by the Executive Director of Facilities.

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.
AP 6700.4  Priority for the Use of District Facilities

Priority for the use of District facilities will be as follows:
1. College educational programs and college events.
2. Student clubs and organizations.
3. Fundraising entertainments or meetings where admission fees charged or contributions solicited are expended for the welfare of the students of the district.
5. School-community advisory councils.
7. Senior citizens' organizations.
8. Other public agencies.
9. Organizations, clubs, or associations organized for cultural activities and general character building or welfare purposes (such as folk and square dancing).
10. Private organizations and religious groups for religious purposes.

Priority consideration will also be given to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.

Organizations within District boundaries will have priority over those outside the District.

Priorities will be maintained in a manner ensuring that no group monopolizes use of the facility.
AP 6700.5  Administration and Authority

The Vice Chancellor of Administrative Services is responsible for administrating procedures and applicable laws and SJECCD policies related to facilities use. Campus authority may be delegated by the College President to his/her assignee.

- All use of District facilities for activities other than regularly scheduled classes and standing committee meetings requires application to and review by the campus Events Advisory Group.

- The campus Events Advisory group will have the responsibility (after interaction with the appropriate Dean or manager) to determine if a particular facility is available, and to determine any charges and act on all requests. All facility requests which appear to be exigent will be referred to the college President or designee.

- The events Advisory Group will be comprised of representatives of the departments affected by facilities use (i.e. custodial, grounds, maintenance, business services, district police and student services).

- Any Non-SJECCD party wishing to use SJECCD facilities must sign a SJECCD-originated agreement specifying the terms of use. The party must sign and comply with that agreement, a copy of the “General Guidelines and Rules for Use” and the insurance requirements of this procedure regardless of whether or not they are paying fees.

- Vendor tables and spaces on campus are coordinated through the campus offices for Student Life and are not covered in this Procedure.

- Rental organizations may not assign or sublease any facility or grounds reserved or contracted for their use.

- A District employee shall be on duty whenever a facility is being used and shall be fully in charge of any facility being used.

- Keys to facilities may only be given to authorized college employees.

- No use shall be inconsistent with the intended use of the buildings or grounds, or for purposes other than that stated on the contract, or interfere with the regular conduct of instruction or other District/College business.

- Unauthorized groups will be required to leave the facilities and/or grounds, and face criminal/civil liability.

- Representatives who sign the facility request for internal or external organizations are responsible for the conduct of the participants, patrons, and guests and for enforcing all college and district policies. The representative must be authorized by the group to contract in their name.

- The campus Business Services office will maintain a calendar for facilities rental, and will assure that all information is communicated to the President's office and the college web site.

- The Events will decide how many staff members will be needed to adequately and safely provide support for any activity.
AP 6700.6  Application for Use

• Applications will be available on the college web sites and at the campus Business Services Offices

• All applications will be reviewed by the campus Events Advisory Group.

• Applications will be due no later than 10 days before the event for internal District groups.

• External Groups should submit applications at least 5 weeks before the event – earlier if the event is complex as determined by the Events Advisory Group

• Applications must include all requested facilities, equipment and set-up requirements. Facilities and equipment not listed may not be used.

• The Events Advisory Group reserves the right to reject, at any time, an application, or to terminate a contract for use of District facilities where the activity is not in the best interest of the District or Community, or in the Events Advisory Groups’ judgment the use of the facilities may place undo hardship on staff or over use of the facility. Denial in this case will be to prevent damage or loss to the District. Denial of use will be communicated to the campus President or his/her designee.
AP 6700.7 Written Agreements

- The SJECCD standard form “Facilities Use Contract and Permit” must be signed if the SJECCD facility will be used one time or for a limited amount of time during a year.

- For instances where the facility will be used for a significant amount of time during the year a lease agreement will be used and approved by the Vice Chancellor of Administrative Services.

- All rentals are contracted through campus business services, and require a supervisor’s signature. The campus business services office will contact the user; issue a contract, an estimated invoice, and a copy of the Guidelines/Rules for Use.
Lighted candles and devices having any form of open flame are prohibited; any material or device which constitutes a fire hazard is expressly prohibited.

The possession and carrying of firearms and weapons of any kind on District premises shall be prohibited except for peace officers and police when required by local policies.

No structures can be erected or assembled on District premises or may any electrical, mechanical or other equipment be brought on campus unless authorized in writing.

Any personal property brought to the College facilities or on College grounds will be kept at the risk of the person bringing it thereon. The District and college is not responsible for items damaged, left or lost on District property.

Permission to serve food or beverages must be requested and approved in advance on the facility request form. The college may have existing contracts with food vendors who have the right of first refusal to provide catering or canteen services. Food prepared on site will be in accordance with Santa Clara Board of Health regulations, and vendor must provide a copy of the permit with their application.

Campus staff is not authorized to sign for any deliveries for Facility Users. Items will not be stored at the campus without additional charges.

Applicants will become familiar with the physical condition of the College Facilities and grounds to be used. The college makes no representations of whatever nature in connection with the condition of the college facilities and grounds, and the college will not be held liable for any latent or patent defects therein. Authorization is given for entrance to specific areas only and for the use of specific facilities only.

Facility Users shall be charged for all damages resulting from negligence, abuse and/or theft, and may be denied subsequent use of facilities when such occurs.

Youth or children’s groups must be supervised at all times by responsible adults and in sufficient numbers provided by the rental organization. Presence of District employees does not constitute such supervision.

For large events (more than 300 participants or attendees) the applicant must have at least one site meeting with the Events Planning Group. The meeting shall be a minimum of 30 days in advance of the activity. The applicant will need to provide all details of the needs of the group and attend with all group coordinators.

Internal organizations – the facility request from college student organizations must be approved by the Director of Student Life, and if the activity is after regular school hours, the names of the advisors who will be in attendance must be provided.

Filming and recording on District property for commercial purposes only is subject to prior administrative approval and a fee may be assessed, understanding that students and classes must not be disrupted.
• Decorations, promotional advertising and directional signs to be posted on campus in conjunction with a rental event must be approved as to size, content and placement prior to their distribution, by either the Events Planning Group or Business Services. All materials must be removed after the event. In the case such materials are not removed additional fees for labor costs of clean-up will be assessed.

• College furniture and equipment will not be displaced, altered or removed without the permission of an authorized District employee.

• Organizations will not use the name of the District, college, facilities or its equipment to sell a commercial product or promote a personal service to gain financial or material advantage.

• All groups must pay parking fees, when applicable.

• The renting organization must indicate the name of person who will be its designee in charge of the event. That person must have the contract in his/her possession at all times while on the premises for the event.

• Information will be provided on the College web site as to all activities on campus. A contact name and number or web site address will be required from all users in order for interested parties to obtain additional information.
AP 6700.9 Exercise of Free Expression

The students of the District shall be permitted to exercise their rights of free expression subject to the time, place, and manner procedures contained below.

The colleges of the District are non-public forums, except for designated free speech assembly area(s) as designated by the college’s Office of Student Life.

1. In the event this area of campus becomes temporarily unavailable for use for any reason, campus officials shall designate one or more alternate free speech assembly area(s).

2. The designated free speech assembly area(s) are limited public forums. The District reserves the right to revoke that designation and apply a non-public forum designation at its discretion.

3. The District reserves the right to designate areas as non-public forums as necessary to prevent the substantial disruption of the orderly operation of the colleges. Areas of the colleges that are non-public forums specifically include, but are not limited to, campus offices, classrooms, warehouses, maintenance yards, and locker rooms.

4. Freedom of expression is guaranteed on college property where such expression does not violate District policy or create a clear and present danger of the commission of unlawful acts or the substantial disruption of the orderly operation of the college. In order to prevent obstruction of the free passage of students and staff and to avoid disturbing the regular instructional program of the college, campus persons or groups wishing to use the designated free speech assembly area(s) must adhere to the following regulations:

   a. Persons using the designated free speech assembly area(s) shall obtain a reservation from the college’s Office of Student Life, and the applicant must identify himself or herself as well as the group making the reservation and state the date, time, and duration of the proposed assembly and the possible number of people expected to attend. The purpose of this reservation system is not intended as a prior restraint, but rather a guarantee of equitable use of facilities. Reservations shall be denied only on the basis of overcrowding of the assembly area, of prior request being granted for the same time and location, or failure to comply with other provisions of this procedure.

   b. Persons using the designated free speech assembly area(s) and/or distributing material in the designated free speech assembly area(s) shall not impede the progress of passersby, nor shall they force passersby to take material.

   c. Persons using the designated free speech assembly area(s) shall not touch, strike, or otherwise impede the progress of passersby, except for incidental or accidental contact, or contact initiated by a passerby.
d. Persons using the designated free speech assembly area(s) shall not use any means of amplification that creates a noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes taking place.

e. Persons using the designated free speech assembly area(s) shall not solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he or she is using the designated free speech assembly area(s) on behalf of and collecting funds for an organization that is registered with the California Secretary of State as a nonprofit corporation or is an approved Associated Students Organization or club.

f. Persons using the designated free speech assembly area(s) shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within the designated free speech assembly area(s). Material distributed in the designated free speech assembly area(s) that is discarded or dropped in our around the designated free speech assembly area(s) other than in an appropriate receptacle must be retrieved and removed or properly discarded by those persons distributing the material prior to their departure from the designated free speech assembly area(s).

Students shall be provided with bulletin boards for use in posting student materials at campus locations convenient for student use. All materials displayed on a bulletin board shall clearly indicate the author or agency responsible for its production, the name of the person requesting the posting, and shall be dated and approved by the Office of Student Life, the site manager, or the college president. Materials displayed shall be removed after the passage of 21 calendar days.
AP 6740   Citizens Oversight Committees

Reference: Education Code Sections 15278, 15280, 15282

A Citizens’ Bond Oversight Committee (CBOC) is established pursuant to the approval of a Prop 39 ballot measure on November 2, 2004 and shall automatically terminate and disband 180 days following the date when all Measure G bond proceeds are spent.

The CBOC shall confine itself specifically to bond proceeds generated under Measure G. Regular and deferred maintenance projects and all monies generated under other sources shall fall outside the scope of the CBOC. To carry out its stated purposes, the CBOC shall perform only the following duties:

- The CBOC shall inform the public concerning the District’s expenditure of bond proceeds.
- The CBOC may review quarterly expenditure reports produced by the District to ensure that (a) bond proceeds were expended only for the purposes set forth in the Measure G; and (b) no bond proceeds are used for any teacher or administrative salaries or other operating expenses.
- The CBOC shall present to the Board, in public session, an annual written report which shall include the following:
  - A statement indicating whether the District is in compliance with the requirements of Article XIIIA, Section 12(b)(3) of the California Constitution; and
  - A summary of the CBOC’s proceedings and activities for the preceding year.
- The CBOC shall have no jurisdiction over the following types of activities: approval of construction contracts; approval of construction change orders; expenditure of construction funds; handling of all legal matters; approval of construction plans and schedules; approval of all deferred maintenance plans; and approval of the sale of bonds.

In order to perform the CBOC’s duties, it may engage in the following authorized activities:

- Receive and review copies of the District’s annual independent performance audit and annual independent financial audit, required by Article XIIIA of the California Constitution.
- Inspect college facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District’s Chancellor.
- Review copies of deferred maintenance proposal or plans developed by the District.
- Review efforts by the District to maximize bond proceeds by implementing various cost-saving measures.
The CBOC shall consist of a minimum of seven (7) members appointed by the Board of Trustees from a list of candidates, based on the following criteria:

- One student enrolled and active in a community college support group, such as student government;
- One member active in a business organization representing the business community located in the District;
- One member active in a senior citizens’ organization;
- One member active in a bona-fide taxpayers association;
- One member active in a support organization for either one of the two colleges, such as a foundation.
- Two members of the community at-large.

The CBOC may not include any employee, official of the District or any vendor, contractor or consultant of the District. Each member shall serve a term of two years, and no member may serve more than two (2) consecutive terms. The members shall not be compensated for their services.

The CBOC is required to meet at least once each year but may meet more often as the CBOC shall determine.
AP 6750    Parking

Reference: Education Code Section 76360; Vehicle Code Section 21113

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.

The District adopts the limits in Education code 76360(a)(1) and (b)(1) as its prescribed parking fee structure.

All parking fees relating to special events and/or athletics must be pre-approved by the college president.
AP 6800  Safety

Reference:  Cal/OSHA; Labor Code Sections 6300 et seq; Title 8, Section 3203; Code of Civil Procedure Section 527.8; Penal Code Sections 273.6; 626.9; 626.10; and 12021
AP 6800.1 Definitions

Prevention activities increase awareness and minimize the potential for crisis in the workplace. Training is essential for all staff to learn how to recognize early warning signs, so that appropriate intervention can be provided for identified areas of conflict in the workplace.

Crisis or conflict constitutes any inappropriate or unreasonable disruption that interferes with the normal functioning of your work.

Acts of violence include any physical action, whether intentional or reckless, that harms or threatens the safety of self, another individual or property.

A threat of violence includes any behavior that by its very nature could be interpreted by a reasonable person as intent to cause physical harm to self, another individual or property.

Workplace includes off-campus locations as well as college-sponsored activities where faculty, staff or student employees are engaged in college business or locations where incidents occur as a result of the person's relationship to the college community.
AP 6800.2  Emergencies

Any employee shall immediately report any situation that threatens life or property and demands an immediate response of police, fire or medical personnel by first dialing 911 and then notifying law enforcement.
AP 6800.3  Equipment and Sanitation

Should the duties of an employee require the use of equipment to ensure the safety of the employee, the District shall furnish such equipment. Complaints related to health safety, sanitation and working conditions shall be forwarded to Executive Director of Facilities for review and recommendation.
AP 6800.4  Crisis and Conflict Intervention

Any employee experiencing an unsafe work condition should immediately contact his/her supervisor or the Executive Director of Facilities. The supervisor shall immediately notify the Vice Chancellor of Human Resources about any acts or threats of violence. The employee will be provided consultation regarding resources available to resolve the unsafe work condition.

It is the responsibility of all employees to immediately report threats, acts of violence or any other behavior which deliberately hurts or harms another person at the college to their immediate supervisor and the District Chief of Police. Such reports will be promptly and thoroughly investigated.
AP 6800.5  Restraining Orders/Court Orders

An employee shall notify law enforcement of any restraining orders/court orders when named as a plaintiff, and provide a copy of the order to the District Chief of Police. In the event the supervisor is informed by an employee of a restraining order, the supervisor will contact the District Police Department, ensure they are aware of it, and that they have a copy of the restraining order on file.
AP 6800.6  Emergency Preparedness Plan

The Chancellor shall implement an emergency preparedness plan that contains an Incident Command System (ICS) for each college and the District Office. The plan will comply with federal (NIMS) and state (SEMS) requirements, and comprehensive training of staff will be provided as necessary.
AP 6850  Hazardous Materials

Reference: Title 8, Section 340 et seq.

The District must post at least one CAL/OSHA Notice in each location where business is conducted in a conspicuous place where notices to employees are customarily posted.

Where employers are engaged in activities that are physically dispersed such as construction or transportation, the notice required shall be posted at each location to which employees report each day.

Where employees do not usually work at, or report to, a single location the notice or notices shall be posted at the location or locations from which the employees operate to carry out their activities.

Each employer shall take steps to insure that such notices are not altered, defaced or covered by other material.

The notice shall inform employees that employers who use any substance listed as a hazardous substance by Cal/OSHA regulations must provide employees with information on the contents of material safety data sheets (MSDS) or equivalent information about the substance which trains employees to use the substance safely.

The notice must also state that the employer is required to make available on a timely and reasonable basis a MSDS on each hazardous substance in the workplace upon request of an employee, collective bargaining representative, or an employee's physician.

The notice must also state that employees have the right to see and copy the medical record and other records of employee exposure to potentially toxic materials or harmful physical agents.

If the District is required to conduct tests or to engage in monitoring or measuring to determine employee exposure to hazards by specific standards it shall notify the affected employee or employees or their representative, prior to commencement of the date, time and place of the testing, monitoring or measuring of employee exposure.

The District must provide the an employee or employees, or their representatives with the opportunity to observe the testing, sampling, monitoring or measuring undertaken pursuant to such standards.

Whenever any employee has been or is being exposed to toxic materials or harmful physical agents in concentrations or at levels exceeding those prescribed by applicable standard, order, or special order, the District must promptly notify any employee so affected in writing of the fact that the employee has been exposed, and of the corrective action being taken.
AP 6900  

Bookstore

Reference: *Education Code Section 81676.5.*

District Bookstore operations at all locations shall be directed by a Director of Bookstore Operations, who is responsible for all activities of the stores. The college bookstores shall be unsubsidized full-service retail operations, with hours of service convenient for students.

The District’s Bookstore operations shall be operated in a manner that minimizes the amount of excess revenue (“profit”) generated on an annual basis. Sufficient cash flow shall be maintained to ensure that texts and other materials can be ordered in a timely manner without the necessity to borrow funds.

All procedures relating to returned merchandise, including refunds for used books, will be clearly communicated to customers.

Any requests for Bookstore contributions to departments, student organizations, or any other entity, either for cash or merchandise, shall be reviewed by the Bookstore Director, and approved by the Vice Chancellor of Administrative Services.

The fiscal year for Bookstore operations shall be May 1 through April 30. Any excess revenue available following year-end closure beyond what is deemed necessary by the Vice Chancellor of Administrative Services for prudent cash flow management shall be deposited to the Chancellor’s Bookstore Scholarship Fund in the District Foundation. This endowment fund is established to provide scholarships or other assistance for students according to criteria approved by the Chancellor.

The Bookstore Director shall work with faculty to ensure that all textbooks and instructional materials are available to students no later than the start of classes. The Academic Senates at each college shall be informed on at least an annual basis regarding the success of the Bookstore in minimizing the costs associated with textbook adoptions as well as other matters that affect the cost to students of textbooks and instructional materials.
AP 6910    Housing

Reference: *Education Code Section 94100 et seq*

N/A