









# **BP 6200 Budget Preparation**

**Reference:**

***Education Code Section 70902(b)(5);  
Title 5, 58300 et seq.***



## **BP 6250 Budget Management**

**Reference:**

***Title 5 Sections 58307, 58308***

The budget shall be managed in accordance with Title 5 and the CCC Budget and Accounting Manual. Budget revisions shall be made only in accordance with these policies and as provided by law.

# **AP 6250 Budget Management**

**Reference:**

***Title 5, Sections 58305, 58307, 58308***





# AP 6300 Fiscal Management

## Reference:

***Education Code Section 84040(c); Title 5 Section 58311; Accreditation Standard 9.B and C***

The District fiscal management shall:

Provide for responsible stewardship of available resources.

Provide for safeguarding and managing District assets to ensure ongoing effective operations; maintenance of adequate cash reserves; implementation and maintenance of effective internal controls; determination of sources of revenues prior to making short-term and long-term commitments; establishment of a plan for the repair and replacement of equipment and facilities.

Provide for an organizational structure that incorporates a clear delineation of fiscal responsibilities and staff accountability.

Provide that appropriate administrators keep the Board current on the fiscal condition of the District as an integral part of policy and decision-making.

Provide for development and communication of fiscal policies, objectives and constraints to the board, staff and students.

Provide for an adequate management information system that gives timely, accurate and reliable fiscal information for planning, decision-making and budgetary control.  
Provide for appropriate fiscal policies and procedures and adequate controls to ensure that established fiscal objectives are met.

Provide a process to evaluate significant changes in the fiscal environment and make necessary, timely, financial and educational adjustments.

Provide both short term and long term goals and objectives, and broad based input coordinated with District educational planning.

## **AP 6305 Reserves**

**Reference:**

***Budget and Accounting Manual, Chapter 5; Appendix A; Accreditation Standard 9(C)(4)***

The target unrestricted general reserves shall be no less than 10% of the unrestricted general fund up to a maximum reserve of \$1.5 million.

## **AP 6310 Accounting**

**Reference:**

***Accreditation Standard 9(B); Budget and Accounting Manual, Chal4CN2 T15.96S1 12D 60***

## **AP 6315 Warrants**

**Reference:**

***Education Code Section 85230 et seq.***

Procedures and processes will be followed as specified in the Business Office Handbook.

## **BP 6320 Investments**

**Reference:**

***Government Code Section 53600 et seq.***

## **AP 6320 Investments**

### **Reference:**

***Government Code Section 53600 et seq.; Accreditation Standard 9.B.3***

The Vice President of Administrative Services 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 policy approved by the governing board in accordance with the Government Code Sections cited above and the following:

Funds that are 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. (See Government Code Section 53600.6 regarding solvency and creditworthiness.)

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.

State's Local Agency Investment Fund (Government Code Sections 16429.1-16429.3). 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 Ad-7( C)3(ode S)2(ec)9(tc)-2( o)11(f-2(ec))-611(f-2()-2(or)-6(s9-2(t).24 0 T

## **AP 6322 Employee Indemnity Bonds**

**Reference:**

***Title 5, Section 58318***

Each employee of the District shall be bonded under a suitable bond indemnifying the District against loss of District funds and District property.



## **AP 6325 Payroll**

**Reference:**

***Education Code Section 70902***

Pay periods will be by the calendar month

# **BP 6330 Purchasing**

**Reference:**

***Education Code Section 81656;***

***Public Contracts Code Section 20650***

## **AP 6330 Purchasing**

Procedures and processes will be followed as specified in the Business Office Handbook.

## **BP 6340 Contracts**

### **Reference:**

***Education Code Sections 81641, et seq.;***

***Public Contracts Code Sections 20650, et seq.***

The Board delegates to the President of the College the authority to enter into contracts on behalf of the District and to establish administrative procedures for contract awards and management, subject to the following:

Contracts are not enforceable obligations until they are ratified by the Board.

Contracts for work to be done, services to be performed or for goods, equipment or supplies to be furnished or sold to the District that exceed the amounts specified in Public Contracts Code Section 20651 shall require prior approval by the Board.

When bids are required according to Public Contracts Code Section 20651, the Board shall award each such contract to the lowest responsible bidder who meets the specifications published by the District and who shall give such security as the Board requires, or reject all bids.

If the President of the College concludes that the best interests of the District will be served by pre-qualification of bidders in accordance with Public Contracts Code Section 20651.5, pre-qualification may be conducted in accordance with procedures that provide for a uniform system

# AP 6340 Bids and Contracts

## Reference:

***Education Code Sections 81641 et seq.;***  
***Public Contracts Code Sections 20103.7, 20112, 20650 et seq., 22000 et seq.;***  
***Labor Code 1770 et seq.***

## Limits

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

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

Note: The bid minimums are annually readjusted by the Board of Governors as required by Public Contract Code Section 20651(d). The current bid minimum can be found at <http://www.cde.ca.gov/fg/ac/co/>

## 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.

## Notice Calling for Formal Advertised Bids

The District shall publish at least once a week for two weeks in a newspaper of general circulation published within the District a notice calling for bids or proposals, stating the work to be done materials or supplies to be furnished and the time and place when bids will be opened. The District may accept a bid that was submitted either electronically or on paper.

Bid and contract forms shall be prepared and maintained by the Vice President of Administrative Services or designee

Amended by the Board of Trustees: March 11, 2014  
Amended by the Board of Trustees: October 11, 2011  
Amended by the Board of Trustees: November 13, 2007  
Approved by the Board of Trustees: April 9, 2007  
Approved by the Board of Trustees: April 9, 2002

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 Vice President of Administrative Services 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.

The Vice President of Administrative Services or designee shall provide an electronic copy of the plans and specifications and other contract documents to a contractor plan room service at no charge upon request from that contractor plan room.

When permitted a deposit for sets of plans and specifications may be required and may be refunded when such documents are returned.

### **Awarding of Bids and Contracts**

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

1. Any and all bids and contract proposals may be rejected by the District.
2. All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received.
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Amended by the Board of Trustees: March 11, 2014  
Amended by the Board of Trustees: October 11, 2011  
Amended by the Board of Trustees: November 13, 2007  
Approved by the Board of Trustees: April 9, 2007  
Approved by the Board of Trustees: April 9, 2002

### **Purchase without Advertising for Bids**

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

The Vice President of Administrative Services or designee may, without advertising for bids within the same county, city, town or district, purchase or lease from other public agencies materials or services by authorization of contract or purchase order.

The Vice President of Administrative Services or designee may make purchases through the State of California Cooperative Purchasing Program operated by the Department of General Services.

### **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.

### **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 President of Administrative Services or designee may make a contract on behalf of the District for labor, materials and supplies without advertising for or inviting bids, subject to ratification by the board.

### **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.

Note: The following sections apply if funds from the Kindergarten-University Public Education Facilities Bond Acts of 2002, 2004, or 2006 are used for a public works project.
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Kindergarten- University Public Education Bond Art Project

For projects funded by 2002, 2004, or 2006 Bond Funds, the Vice President of Administrative Services or designee will initiate and enforce, or contract with a third party to initiate and enforce, a labor compliance program for that project under Labor Code Section 1771.7. The program will include:

- x Appropriate language concerning the wage requirements of Labor Code Sections 1720 et seq. in all bid invitations and public works contracts.
- x A pre-job conference with the contractor and subcontractors to discuss applicable federal and state labor law requirements.
- x Project contractors shall be required to maintain and, at designated time, furnish certified copies of weekly payroll containing a statement of compliance signed under penalty of perjury.

Amended by the Board of Trustees: March 11, 2014

Amended by the Board of Trustees: October 11, 2011

Amended by the Board of Trustees: November 13, 2007

Approved by the Board of Trustees: April 9, 2007

Approved by the Board of Trustees: April 9, 2002

- x The District shall review, and if appropriate audit, the payroll records of the employees of the contractor and/or subcontractor. The review and audit shall be conducted by Vice President of Administrative Services, designee, or an independent third party, but not the third party with whom the District contracts to initiate and enforce a labor compliance program under Labor Code Section 1771.7.
- x If an investigation established that an underpayment of wages has occurred, the District shall withhold any contract payments, equal to the amount of underpayment and any applicable penalties.
- x The Vice President of Administrative Services or designee shall transmit a written finding that the District has initiated and enforced, or has contracted with a third party to initiate and enforce, the required labor compliance program, to the Director of the Department of Industrial Relations, or any successor agency that is responsible for the oversight of employee wage and work hour laws.

Amended by the Board of Trustees: March 11, 2014  
Amended by the Board of Trustees: October 11, 2011  
Amended by the Board of Trustees: November 13, 2007  
Approved by the Board of Trustees: April 9, 2007  
Approved by the Board of Trustees: April 9, 2002



## **AP 6350 Contracts – Construction**

**Reference:**

***Education Code Section 81800;***

***Public Contracts Code Sections 20650 et seq., 22000 et seq.***

The Vice President of Administrative Services shall be responsible for the planning and programming of new construction, alterations and repairs of existing plants, and leasing of

## **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 Vice President of Administrative Services.

Supplemental instructional software p

Approved by the Board of Trustees: April 9, 2002  
Amended by the Board of Trustees: November 10, 2009  
Amended by the Board of Trustees: December 8, 2009

# **AP 6365 Accessibility of Information Technology**

## ***References:***

***Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794d); 36***

## AP 6370 Contracts – Personal Services

### Reference:

***Education Code Section 88003.1***  
***Government Code Section 53060***

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

- x It can be clearly demonstrated that the proposed contract will result in actual overall cost savings to the District;
- x The contractor's wages are at the industry's level and do not undercut District pay rates;
- x The contract does not cause the displacement of district employees;
- x 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;
- x The amount of savings clearly justifies the size and duration of the contracting agreement;
- x The contract is awarded through a publicized, competitive bidding process;
- x 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;
- x The potential for future economic risk to the District from potential contractor rate increases is minimal;
- x The contract is with a firm; and
- x 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:

- x The contract is for new functions mandated or authorized by Legislature to be performed;
- x by independent contractors;
- x The services are not available within the District or cannot be satisfactorily performed by district employees;
- x The services are incidental to a purchase or lease contract;

- x The policy, administrative, or legal goals and purposes of the District cannot be accomplished through the regular or ordinary hiring process;
- x The work meets the criteria for emergency appointment;
- x Equipment, materials, facilities, or support services could not feasibly be provided by the District, or
- x The services are of an urgent, temporary, or occasional nature.

## **BP 6400 Audits**

**Reference:**

***Education Code Section 84040(b)***

Approved by the Board of Trustees: April 9, 2002

## **BP 6450 Wireless or Cellular Telephone Use**

### **References:**

***Vehicle Code Sections 12810.3, 23123, and 23124;  
Internal Revenue Code (I.R.C.) Sections 274(d)(4) and 280(d)(4)***

The Superintendent/President shall determine if it is in the best interests of the District to provide a cellular or wireless phone at District expense.

Cellular telephones provided by the District for compensatory reasons are classified by the Internal Revenue Service as a fringe benefit, the value of which must be included in the employee's gross income.

The value of a cellular telephone provided by the District primarily for non-compensatory business purposes is excludable from an employee's income. Record keeping of business and personal use of District-issued cellular telephones shall not generally be required when the telephones are issued for non-compensatory business reasons.

Motor vehicle drivers may not use wireless or cellular telephones while operating their vehicles without a hands-free listening device and shall comply with all requirements of California law regarding the use of wireless or cellular telephones in vehicles.

There shall be no expectation of privacy in the use of a District-issued cellular telephone.

**See Administrative Procedures #6450 and #6451**

Amended by the Board of Trustees: October 9, 2012

Approved by the Board of Trustees: December 13, 2011





## **AP 6451 Cell Phones**

Approved by the Board of Trustees: April 9, 2002  
Adopted: September 8, 2009  
Amended by the Board of Trustees: October 11, 2011

The District will acquire three additional cell phones that are not assigned to an individual and that will not be used after the campus is closed. The cell phones will be available to the following departments for on-campus use:

Receiving Department  
Security  
Multimedia Technician

**Group 3. Employees to be paid a stipend for District use of personal cell phone**

There are a number of employees who can benefit from use of a cell phone but the cost of the District providing a cell phone is considerably more than using an alternative approach which is to provide a stipend to employees who agree to allow their personal cell phones to be used for District business. The employees in the following positions will be paid a monthly stipend of \$30 per month:

Dean, Career Technical Education  
Dean, Liberal Arts and Sciences  
Dean, Dept. of Kinesiology & Athletics  
Associate Dean, Disability Resource Center  
Associate Dean, Extended Opportunities Programs & Services  
Associate Dean, Community Outreach and Grants Management  
Director, Community and Contract Education  
Director, CalWORKs  
Director, Instructional Site, Hollister  
Director, Instructional Site, Morgan Hill  
Director, Public Information

Employees who receive stipends in lieu of cell phones will have the stipend included as income.

In all cases, employees who receive stipends or cell phones paid by the District are responsible for any income tax that may accrue to them. Except for Group I and II, employees may refuse the cell phone or the stipend. In those cases it is the responsibility of the employee to provide the District with a telephone number that can be used to reach them when the need arises.

This procedure will be updated and revised as needed to maintain currency with communications technology.

Approved by the Board of Trustees: April 9, 2002  
Adopted: September 8, 2009  
Amended by the Board of Trustees: October 11, 2011

# **BP 6500 Property Management**

## **Reference:**

*Education Code Sections 81300, et seq.*

### **Property Management**

The President of the College is delegated the authority to act as the Board's negotiator regarding all property management matters that are necessary for the benefit of the District. No transaction regarding the lease, sale, use or exchange of real property by the District shall be enforceable until acted on by the Board itself.

The President of the College shall establish such procedures as may be necessary to assure compliance with all applicable laws relating to the sale, lease, use or exchange of real property by the District.

### **Physical Facilities**

It is the responsibility of all employees to help protect the District buildings, grounds and equipment. Any person who willfully damages or destroys property belonging to the District will be liable for replacement or repair of such property.

### **Physical Plant/Aesthetics**

The District shall maintain and enhance the college setting by having an aesthetically pleasing campus.

### **Public Art**

The Board shall approve any artistic display located on the exterior of any college facility or inside college facilities designated as multipurpose or public access areas exclusive of the Gavilan Art Gallery and its exhibitions and collections. This includes, but is not limited to sculpture, paintings, metal work, murals, weavings, photographs and and iogr71 Td ( 41 Tam)-6(ul)13(c)-2

Approved by the Board of Trustees: April 9, 2002

Amended by the Board of Trustees: December 13, 2011

# **AP 6500 Property Management**

## **Reference:**

***Education Code Section 70902; 81300 et seq.; Accreditation Standard 8.1 and 2***

## **Property Management**

The Vice President of Administrative Services 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.

## **Physical Plant/Aesthetics**

### **Buildings:**

The construction of buildings shall be consistent with the original design and materials of the structures. This does not necessarily mean that all new construction management must replicate the actual design of the original construction. However, it should harmonize with such design elements as to present a consistent aesthetic appearance.

### **Landscaping and Grounds:**

There shall be an emphasis of native drought-resistant and low maintenance plantings that shall be chosen to enhance the unique design of the campus. The design of benches and trash containers shall be uniform and useful in maintaining the cleanliness of the campus.

### **Signage:**

Signs shall be uniform and functional in design.

### **Memorial Donations**

The location of statutes and plaques and other memorials donated shall receive Board of Trustees approval prior to placement.

## **Smoke Free Buildings**

All individuals at Gavilan College, all buildings and all Gavilan-owned vehicles are covered by the Smoke-Free Building Policy. Gavilan College supports and assists efforts to stop smoking by providing literature, referrals to community cessation programs and by offering periodic campus smoking cessation programs at reduced cost to participants.

Implementation of the campus smoke-free environment policy will be the responsibility of every student, faculty member, staff person and visitor on campus.



## **AP 6520 Security for District Property**

### **Reference:**

***Accreditation Standard 8.3***

Security for District property shall include:

- Allocation of responsibilities for patrolling district property
- Allocation of responsibilities for maintenance (e.g., lighting, pruning, locks)
- Distribution of keys
- Responsibility for publication of warnings about unsafe areas of campus
- Emergency notification procedures
- Fire alarms
- Locking software for computers

Procedures and processes will be followed as specified in the Security Handbook.

# AP 6530 District Vehicles

## Reference:

### ***Title 13, California Code of Regulations, Division 1, Chapter 1***

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

The administrative officer of a location is responsible for controlling access to and use of all district vehicles and district rented or leased vehicles assigned to that location.

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

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

The name and California driver's license number of any employee to be authorized to drive district vehicles must be submitted to the area administrator prior to final granting of authorization.

All drivers of district-owned vehicles that carry fifteen or more persons including the driver must have a current Class B license, a current medical certificate and a current First Aid Certificate.

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.



# **AP 6535 Use of District Equipment**

Reference:

*Education Code Section 70902*

## **BP 6540 Insurance**

### **Reference:**

***Education Code Sections 70902; 72502; 72506; 81601, et seq.***

The President of the College shall be responsible to secure insurance for the District as required by law, which shall include but is not limited to the liabilities described in Education Code Section 72506 as follows:

Liability for damages for death, injury to persons, or damage or loss of property;  
Personal liability of the members of the Board and the officers and employees of the District for damages for death, injury to a person, or damage or loss of property caused by the negligent act or omission of the member, officer or employee when acting within the scope of his or her office or employment. The President of the College may authorize coverage for persons who perform volunteer services for the District.  
Worker's compensation insurance.

Insurance also shall include fire insurance and insurance against other perils.

The District may join in a joint powers agreement pursuant to Education Code Section 81603 for the purposes described in this policy.

## **AP 6540 Insurance**

**Reference:**

***Education Code Sections 70902; 72502; 72506; 8160***

## **BP 6550 Disposal of Property**

### **References:**

***Education Code Sections 70902(b)(6), 81360 et seq., and 81450 et seq.***

The Superintendent/President is delegated authority by the Board to declare as surplus such personal property of the District as is no longer useful for District purposes, and shall establish procedures to dispose of such property in accordance with applicable law. All sales of surplus personal property shall be reported to the Board on a periodic basis. This policy shall not be construed as authorizing any representative of the District to dispose of surplus real property at any time.

**See Administrative Procedures #6550**

Amended by the Board of Trustees: October 9, 2012  
Amended by the Board of Trustees: December 13, 2011

Approved by the Board of Trustees April 9, 2002

## AP 6550 Disposal of Property

### References:

***Education Code Sections 70902(b)(6), 81360 et seq., and 81450 et seq.***

Procedures for the disposal of property shall include:

- x Delegation by the Superintendent/President to appropriate administrator(s) of authority to dispose of property to highest bidder after payment has been received by the district;
- x Schedule for disposal of personal property (e.g., library books, theatre props);
- x Schedule for disposal of equipment (e.g., computers, copiers, vehicles);
- x Dollar limits on value of property that can be disposed of without prior approval;
- x Authority to dispose of property in lots;
- x Requirement for posting in at least three public places in the district for not less than two weeks, or publication at least once a week for a period of not less than two weeks in a district newspaper;
- x Provision that staff may dispense with posting/publication and sale to the highest bidder if:
  - x the surplus property is exchanged with, sold, or donated to a school district, community college district, or other public entity and
  - x proceeds from sale or lease are expended for capital outlay purposes related to qualified community college facilities and the district complies with specified conditions.
- x Schedule for reporting to board (e.g., annually, quarterly);
- x Provision, if district chooses to include it, that district employees may not buy property declared to be surplus (this is an element of conflict of interest), and
- x Provision for board action for disposal of property under \$5,000.

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. If there is not such newspaper, then notice can be published in a newspaper having a general circulation in the District; or if there is not such newspaper, then in a newspaper having a general circulation in the county in which the district or any part thereof is situated. The designee 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:



## **BP 6600 Capital Construction**

### **Reference:**

***Education Code Section 81005, 81820; Title 5, Section 57150 et seq.***

The President of the College is responsible for planning and administrative management of the District's capital outlay and construction program.

District construction projects shall be supervised by the President of the College. The designate shall monitor the progress of all construction work including inspection of workmanship, completion of work to meet specifications, and the suitability of proposed changes to the scope and original design of the work. The designate shall assure compliance with laws related to use of state funds to acquire and convert existing buildings.

The Board shall approve and submit to the Board of Governors a five-year capital construction plan as required by law. The President of the College shall annually update the plan and present it to the Board for approval. The plan shall address, but is not limited to, the criteria contained in law.

**See Administrative Procedures #6600**

Amended by the Board of Trustees: November 13, 2007

Approved by the Board of Trustees April 9, 2002

# AP 6600 Capital Construction

## References:

***Education Code Sections 81005 and 81820;***  
***Title 5 Sections 57150 et seq.;***  
***Accreditation Standard 9.A.3***

## Capital Outlay Program

The President of the College will annually report to the Board and to the State Chancellor's Office a five-year capital outlay program. 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 following items are included in the program: (iv.) TC EMO > BE 478 J E 200A (1) EMO > P 11.14109 njoie pl fe( o)11(f)o-TD (he

Approved by the Board of Trustees: April 9, 2002  
Amended by the Board of Trustees: November 13, 2007  
Amended by the Board of Trustees: October 11, 2011



- x The District has complied with facility site review procedures and guideline recommendations of the California Postsecondary Education Commission pursuant to Education Code Section 66904, and

Approved by the Board of Trustees: April 9, 2002  
Amended by the Board of Trustees: November 13, 2007  
Amended by the Board of Trustees: October 11, 2011

## **BP 6620 Naming Buildings, Classrooms and Other College Facilities**

All recommendations for naming buildings, classrooms and other college facilities shall be submitted to the Board by the President of the College for action.

Amended by the Board of Trustees Nov. 12, 2002

Approved by the Board of Trustees April 9, 2002

## **BP 6700 Civic Center and Other Facilities Use**

**Reference:**

***Education Code Sections 82537 and 82542***

There are Civic Centers at the college. Use of the Civic Center shall be granted as provided by

Approved by the Board of Trustees: April 9, 2002  
Amended by the Board of Trustees: December 13, 2011  
Amended by the Board of Trustees: July 9, 2013

# AP 6700 Civic Center and Other Facilities Use

## References:

*Education Code Sections 82537 and 82542;*

*Public Resources Code Section 42648.3*

*Clark v. Community For Creative Non-Violence (1984) 468 U.S. 288, 104 S.Ct. 3065, 82 L. Ed.2d 221*

## General Provisions

Civic Centers at the college are the chapel, classrooms, pool, student center, theater and others. District facilities identified as Civic Centers or as designated public forums are available for community use when such use does not conflict with District programs and operations. Facility use shall be limited to places and time identified by the Vice President of Administrative Services or designee, but shall be sufficiently frequent and available on specific dates and times, so as to allow meaningful use by outside groups. Except as provided in these procedures, no organizations shall be denied the use of district facilities because of the content of the speech to be undertaken during the use.

The Vice President of Administrative Services or designee is responsible for the coordination and implementation of these procedures. The Vice President of Administrative Services or designee shall determine all applicable fees to be charged.

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

## Civic Centers

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

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

- x The cost of opening and closing the facilities, if no District employees would otherwise be available to perform that function as a part of their normal duties;
- x The cost of a District employee's presence during the organization's use of the facilities if it is determined that the supervision is need, and if that employee would not otherwise be present as part of his/her normal duties;
- x The cost of custodial services, if the services are necessary and would not have otherwise been performed as part of the custodian's normal duties, and
- x The cost of utilities directly attributable to the organization's use of the facilities.

Approved by the Board of Trustees: April 9, 2002

Amended by the Board of Trustees: October 11, 2011

Amended by the Board of Trustees: June 11, 2013

Except as provided herein, other groups shall be charged an amount not to exceed the direct costs of District facilities. Direct costs shall include costs of supplies, utilities, custodial services, services of any other District employees, and salaries paid District employees necessitated by the organization's use of District facilities. 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 and

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.

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 deemed by the Board of Trustees to be necessary to meet the needs of the community.

### **Rules for Facilities Use**

Requests for use of District's Civic Center must be made at least 30 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 Vice President of Administrative Services or designee. For off-site locations, permission to use facilities shall be granted by the administrative officer at that location.

Note: This request requirement does not apply to groups intending to use available designated public forums for expressive activities. In those circumstances, only three business days' notice is required, as described in the procedure for Speech: Time, Place, and Manner (AP5550). In addition, the request requirement for a memorial service may be shortened.

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 in advance.

Any persons applying for use of District property on behalf of any groups shall be a member of the groups and, unless he/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.

Approved by the Board of Trustees: April 9, 2002  
Amended by the Board of Trustees: October 11, 2011  
Amended by the Board of Trustees: June 11, 2013

Beverages" for exceptions. 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 Vice President of Administrative Services or designee.

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

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

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

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

After the above organizations, other priorities may be considered.

**See Administrative Procedure 3560**



# **AP 6740 Citizens' Oversight Committee**

## **Reference:**

The Citizens' Oversight Committee is established.

## **Purposes**

- To inform the public about the expenditure of bond revenues;
- To review and report on the proper expenditure of taxpayers' money for school construction; and
- To advise the public as to the Gavilan Joint Community College District's compliance with the Proposition 39 requirements as contained in the California Constitution.

## **Activities**

- Receive and review copies of the annual, independent performance audit;
- Receive and review copies of the annual, independent financial audit;
- Inspect school facilities and grounds to ensure that bond revenues are expended in properly;
- Receive and review copies of any deferred maintenance proposals or plans developed by the Gavilan Joint Community College District and
- Review efforts by the Gavilan Joint Community College District to maximize bond revenues by implementing cost-saving measures.

## **Members**

The committee shall consist of at least seven (7) members to serve for a term of two (2) years and for not more than two (2) consecutive terms. Members shall serve without compensation.

The committee shall be comprised of at least:

- One member active in a business organization representing the business community located within the District;
- One member active in a senior citizen's organization
- One member active in a bona fide taxpayer's organization;
- One member of a student both currently enrolled in the Gavilan Joint Community College District and active in a campus group. The student may serve up to six (6) months after his or her graduation;
- One member active in the support and organization of a district



No employee, official, vendor, contractor, or consultant of Gavilan Joint Community College District shall be appointed to the committee.

**Assistance**

The Gavilan Joint Community College District shall provide the committee with any

## **BP 6750 Parking**

**Reference:**

***Education Code Section 76360;***  
***Vehicle Code Section 21113***

The President of the College shall establish such administrative procedures regarding vehicles and parking on campus as are necessary for the orderly operation of the instructional program. No person shall drive any vehicle or leave any vehicle unattended on the campus except in accordance with such procedures.

Parking fees may be established in accordance with these board policies. (See Board Policy 5030)

**See Administrative Procedures #6750**

## **AP 6750 Parking**

**Reference:**

***Education Code Section 76360; Vehicle Code Section 21113***

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

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

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

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

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## **BP 6800 Safety**

*Reference:*

**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***

**Definitions**

Prevention activities increase awareness and minimize the potential for crisis in the workplace.

President of Administrative Services for consideration. Law enforcement will take appropriate action if the incident involves injuries or criminal activity. Internal and external coordination will be specified in the District's Safety Manual: Emergency Plan and Procedures Guide.

### **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 Vice President of Administrative Services. In the event the supervisor is informed by an employee of a restraining order, the supervisor will contact the Vice President of Administrative Services to ensure that they are aware of it, and that they have a copy of the restraining order on file.

## **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.

## **BP 6900 Bookstore**

### **References:**

***Education Code Section 81676***

***Civil Code Section 1798.90***

College bookstore shall be established and operated by either the District or by a qualified vendor.

Contracts for outside vendors to operate bookstores shall be awarded by competitive bid,



## AP 6950 Drug and Alcohol Testing (US Department of Transportation)

Reference:

*49 CFR Part 40*

No District vehicles or District rented or leased vehicles are subject to these regulations.

No District employee shall operate the following commercial motor vehicle:

a vehicle with a gross combination weight of at least 26,001 pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 0 Tding of mo0-pUffcle weight ræasfQ BT