March 17, 2016

TO: Administrative Council  
    President’s Council  
    Planning, Fiscal Council

FROM: Sandy Sandello

SUBJECT: PREVIEW OF NEXT BPs / APs

- BP 2010 Board Membership
- BP 3410 Nondiscrimination
- BP 3501 Campus Security and Access
- BP 6200 Budget Preparation
- AP 2712 Conflict of Interest and Disclosure Code
- AP 3250 Institutional Planning
BOARD MEMBERSHIP

Board Adopted: 1/9/02; 11/12/03; 10/9/13

I. The Board shall consist of five regular members elected by the qualified voters of the District and one student member duly elected by the student body. Regular members shall be elected by trustee area as defined in Board Policy 2100.

II. The Student Member of the Board of Trustees shall be included as a full member of the Board within limitations prescribed by Board Policy 2015 and State law.

III. Any person who meets the criteria contained in law is eligible to be elected or appointed a member of the Board.

IV. Sources/References:
Former Board Policy 1000, Section I;
Education Code section 72023, 72103, and 72104 72023.5, 72013.

ACCJC Accreditation Standard IV.C.5
BP 2010  Board Membership

References:
Education Code Sections 72023, 72103, and 72104;
ACCJC Accreditation Standard IV.C.6

NOTE: This policy is legally required.

The Board shall consist of [ # ] members elected by the qualified voters of the District. Members shall be elected [ at large or by trustee area as defined in BP 2100 titled Board Elections].

Any person who meets the criteria contained in law is eligible to be elected or appointed a member of the Board.

An employee of the District may not be sworn into office as an elected or appointed member of the governing board unless he/she resigns as an employee.

No member of the Governing Board shall, during the term for which he/she is elected, hold an incompatible office.

NOTE: Attorney General (AG) Opinion 01-112 (8/3/01) clarified employment of a board member as a part-time or substitute instructor. Education Code Section 72103(b)(2) makes an exception for individuals who are usually employed in an occupation other than teaching and who are employed by the district to teach no more than one course per semester or quarter in the subject matter of the individual's occupation. The AG Opinion states that this exception applies only when the contract to teach has already been executed at the time of the election to the board.

Government Code Sections 1090 and 87100 and common law principles of conflict of interest prohibit such office-holding, and inclusion of this exception is not recommended.

Revised 9/01, 4/15
This Board Policy is legally required.

I. The District is committed to equal opportunity in educational programs, employment, and access to all institutional programs and activities.

II. The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and veteran status, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

III. The Superintendent/President shall establish administrative procedures that ensure all members of the College community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

IV. No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and veteran status, or because he or she is perceived to have one or more of the foregoing characteristics, or based on because of his or her association with a person or group with one or more of these actual or perceived characteristics.

V. The District officers responsible for ensuring District compliance with rules and regulations adopted by the Board of Governors of the California

VI. References:

ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard Catalog Requirements (formerly Accreditation Standard II.B.2.c)
Education Code Sections 66250, et seq., 72010, et seq., 87100 et seq.; Title 5, Sections 53000, et seq., 59300 et seq.;
Penal Code Section 422.55;
Government Code 12926.1, 12940, et seq.;
Assembly Bill 556 (AB 556)
See Administration Procedure 3410.
BP 3410 Nondiscrimination

References:
Education Code Sections 66250 et seq., 72010 et seq., and 87100 et seq.;
Title 5 Sections 53000 et seq. and 59300 et seq.;
Penal Code Section 422.55;
Government Code Sections 12926.1 and 12940 et seq.;
ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation
Standard Catalog Requirements (formerly Accreditation Standard II.B.2.c)

NOTE: This policy is legally required.

The District is committed to equal opportunity in educational programs, employment,
and all access to institutional programs and activities.

The District, and each individual who represents the District, shall provide access to its
services, classes, and programs without regard to national origin, religion, age, gender,
gender identity, gender expression, race or ethnicity, color, medical condition, genetic
information, ancestry, sexual orientation, marital status, physical or mental disability,
pregnancy, or military and veteran status, or because he/she is perceived to have one
or more of the foregoing characteristics, or based on association with a person or group
with one or more of these actual or perceived characteristics.

The [CEO] shall establish administrative procedures that ensure all members of the
college community can present complaints regarding alleged violations of this policy
and have their complaints heard in accordance with the Title 5 regulations and those of
other agencies that administer state and federal laws regarding nondiscrimination.

No District funds shall ever be used for membership, or for any participation involving
financial payment or contribution on behalf of the District or any individual employed by
or associated with it, to any private organization whose membership practices are
discriminatory on the basis of national origin, religion, age, gender, gender identity,
gender expression, race, color, medical condition, genetic information, ancestry, sexual
orientation, marital status, physical or mental disability, pregnancy, or military and
veteran status, or because he/she is perceived to have one or more of the foregoing
characteristics, or because of his/her association with a person or group with one or
more of these actual or perceived characteristics.

Revised 9/02, 9/08, 3/12, 6/13, 4/14, 11/14
This policy is legally required.

I. In order to secure the campus, the Superintendent/President shall establish procedures for security and access to District facilities.

II. Sources/References:
34 Code of Federal Regulations Part 668.46 (b) (3)
ACCJC Accreditation Standard III.B.1
See Administrative Procedure 3501, titled Camps Security and Access
BP 3501  Campus Security and Access

References:
- 34 Code of Federal Regulations Part 668.46(b)(3);
- ACCJC Accreditation Standard III.B.1

NOTE: This policy is legally required.

The [CEO] shall establish procedures for security and access to District facilities.

New 7/11, Revised 4/15
I. Each year, the Superintendent/President shall present a budget to the Board of Trustees, prepared in accordance with Title 5 and the California Community Colleges Budget and Accounting Manual. The schedule for presentation and review of budget proposals shall comply with state law and regulations and provide adequate time for Board study.

II. Budget development shall meet the following criteria:

A. The annual budget shall support the District's Educational Master Plan.

B. Assumptions upon which the budget is based are presented to the Board for review.

C. A budget development calendar is provided to the Board by January 15 of each year for the upcoming year. The calendar includes dates for presentation of the tentative budget, required public hearing(s), Board study session(s), and approval of the final budget. At the public hearings, interested persons may appear and address the Board regarding the proposed budget or any item in the proposed budget.

D. The Board shall determine the appropriate level for the unrestricted general reserves.

E. Changes in the assumptions upon which the budget was based shall be reported to the Board in a timely manner.

F. Budget projections address long term goals and commitments.

III. Planning/Fiscal Council

The Planning/Fiscal Council is responsible for ensuring broad campus participation in the development of recommendations concerning the budget made to the Superintendent/President. This committee shall adhere to the principles in Section II.

IV. Responsibilities

A. The Board may meet at the beginning of and periodically throughout each budget cycle to discuss priorities and guidelines.

B. The Vice President Finance and Business shall prepare a budget calendar and be responsible for scheduling activities in sufficient time for presentation of recommendations to be reviewed with the Superintendent/President, the President's Cabinet and the
Planning/Fiscal Council. The recommendations will be sent out to PFC and Cabinet. Any comments or input shall be forwarded to the Vice President of Finance and Business for review with the Superintendent/President (PFC 9/7/04) prior to being presented to the Board of Trustees for action. Tentative and Adopted Budgets shall be presented to the Board of Trustees according to the timeline of the California Code of Regulations.

C. Recommendations shall be prioritized by the Planning/Fiscal Council according to the Educational Master Plan.

V. Source/Reference

Education Code Section 70902(b) (5);
Title 5, 58300 et seq.
ACCJC Accreditation Standard III.D
BP 6200  Budget Preparation

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

Note: This policy is **legally required.**

Each year, the [CEO] shall present to the Board a budget, prepared in accordance with Title 5 and the California Community Colleges Budget and Accounting Manual. The schedule for presentation and review of budget proposals shall comply with state law and regulations, and provide adequate time for Board study.

Note: Although the following is not legally required, it is **legally advised.** Boards may devise specific criteria as they wish, as long as they comply with regulations.

Budget development shall meet the following criteria:
- The annual budget shall support the District’s master and educational plans.
- Assumptions upon which the budget is based are presented to the Board for review.
- A schedule is provided to the Board by [insert date] of each year that includes dates for presentation of the tentative budget, required public hearing(s), Board study session(s), and approval of the final budget. At the public hearings, interested persons may appear and address the Board regarding the proposed budget or any item in the proposed budget.
- Changes in the assumptions upon which the budget was based shall be reported to the Board in a timely manner.
- Budget projections address long-term goals and commitments.

Revised 4/14, 11/14
I. Pursuant to Section 18730 of Title 2 of the California Code of Regulations, incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in Section XXI referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code section 87300 or the amendment of a conflict of interest code within the meaning of Government Code section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Government Code sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code section 87100, and to other state or local laws pertaining to conflicts of interest.

The Political Reform Act (Government Code Section 81000, et. seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing, it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated into the conflict of interest code of this agency by reference. This regulation and the attached Appendices (or Exhibits) designating officials and employees and establishing economic disclosure categories shall constitute the conflict of interest code of this agency.

II. Definitions - The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. sections 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

III. Designated Employees - The persons holding positions listed in Section XXI are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

IV. Disclosure Categories - This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code sections 87200, et seq. In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

A. The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;
B. The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code section 87200; and

C. The filing officer is the same for both agencies.¹ Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Section XXI specify which kinds of financial interests are reportable. Such a designated employee shall disclose in his/her statement of economic interests those financial interests he/she has which are of the kind described in the disclosure categories to which he/she is assigned in Section XXI. It has been determined that the financial interests set forth in a designated employee's disclosure categories are the kinds of financial interests which he/she foreseeably can affect materially through the conduct of his/her office.

V. Statements of Economic Interests - Place of Filing. The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

All officials and employees required to submit a statement of economic interests shall file their statements with the Superintendent/President or his or her designee. The District shall make and retain a copy of statements filed by its Members of the Board of Trustees and the Superintendent/President and forward the originals of such statements to the Executive Officer of the Board of Supervisors of Los Angeles County. The District shall retain the originals of statements for all other Designated Positions named in the agency's conflict of interest code. All retained statements, original or copied, shall be available for public inspection and reproduction (Gov. Code Section 81008).

VI. Statements of Economic Interests - Time of Filing.

A. Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within thirty (30) days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within thirty (30) days after the effective date of the amendment.

B. Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within thirty (30) days after assuming

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and district statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government code section 81004.
² See Government code section 81010 and 2 Cal. Code of Regs. Section 18115 for the statements and forward the originals to the filing officer.
the designated positions, or if subject to State Senate confirmation, thirty (30) days after being nominated or appointed.

C. Annual Statements. All designated employees shall file statements no later than April 1.

D. Leaving Office Statements. All persons who leave designated positions shall file statements within thirty (30) days after leaving office.

VII. Statements for Persons Who Resign Prior to Assuming Office - Any person who resigns within twelve (12) months of initial appointment, or within thirty (30) days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he/she did not make or participate in the making of, or use his/her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his/her appointment. Such persons shall not file either an assuming or leaving office statement.

A. Any person who resigns a position within thirty (30) days of the date of a notice from the filing officer shall do both of the following:

1. File a written resignation with the appointing power; and
2. File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he/she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

VIII. Contents of and Period Covered by Statements of Economic Interests

A. Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property, and business positions held on the effective date of the code and income received during the twelve (12) months prior to the effective date of the code.

B. Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property, and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the twelve (12) months prior to the date of assuming office, or the date of being appointed or nominated, respectively.

C. Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income, and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later.

D. Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income, and business positions
held or received during the period between the closing date of the last statement filed and the date of leaving office.

IX. Manner of Reporting - Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

A. Investments and Real Property Disclosure. When an investment or an interest in real property is required to be reported, the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property exceeds two thousand dollars ($2,000), exceeds ten thousand dollars ($10,000), exceeds one hundred thousand dollars ($100,000), or exceeds one million dollars ($1,000,000).

B. Personal Income Disclosure. When personal income is required to be reported, the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars ($500) or more in value, or fifty dollars ($50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or a loan, the highest amount owed to each source, was one thousand dollars ($1,000) or less, greater than one thousand dollars ($1,000), greater than ten thousand dollars ($10,000), or greater than one hundred thousand dollars ($100,000);

3 For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.
4 Investments and interests in real property which have a fair market value of less than $2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual’s spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.
5 A designated employee’s income includes his or her community property interest in the income of his or her spouse but does not include a salary or reimbursement for expenses received from a state, local or federal government agency.
3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address, and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

C. Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer’s pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars ($10,000).

D. Business Position Disclosure - When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he/she is a director, officer, partner, trustee, employee, or in which he/she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee’s position with the business entity.

E. Acquisition or Disposal during Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

X. Prohibition on Receipt of Honoraria

A. No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official. Subdivisions (a), (b), and (c) of Government Code section 89501 shall apply to

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6 Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer’s spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customer of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.
the prohibitions in this section. This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

B. This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

XI. Prohibition on Receipt of Gifts in Excess of $440

A. No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than $440 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

XII. Loans to Public Officials

A. No elected officer of a state or local government agency shall, from the date of his/her election to office through the date that he/she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer’s agency has direction and control.

B. No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he/she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official’s agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

C. No elected officer of a state or local government agency shall, from the date of his/her election to office through the date that he/she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer’s agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender’s regular course of business on terms available to members of the public without regard to the elected officer’s official status.
D. No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he/she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

E. This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office;

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section;

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars ($500) at any given time;

4. Loans made, or offered in writing, before January 1, 1998.

XIII. Loan Terms

A. Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his/her election to office through the date he/she vacates office, receive a personal loan of five hundred dollars ($500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

B. This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer;

2. Loans made to the elected officer by his/her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section;

3. Loans made, or offered in writing, before January 1, 1998.
C. Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

XIV. Personal Loans

A. Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired;
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
   a) The date the loan was made;
   b) The date the last payment of one hundred dollars ($100) or more was made on the loan;
   c) The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars ($250) during the previous twelve (12) months.

B. This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office;
2. A loan that would otherwise not be a gift as defined in this title;
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due;
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations;
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

C. Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

XV. Disqualification - No designated employee shall make, participate in making, or in any way attempt to use his/her official position to influence the making of any governmental decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his/her immediate family, or on:

A. Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars ($2,000) or more;
B. Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars ($2,000) or more;

C. Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars ($500) or more in value provided to, received by, or promised to the designated employee within twelve (12) months prior to the time when the decision is made;

D. Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

E. Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating $440 or more provided to, received by, or promised to the designated employee within twelve (12) months prior to the time when the decision is made.

XVI. Legally Required Participation - No designated employee shall be prevented from making or participating in the making of any decision to the extent his/her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his/her participation legally required for purposes of this section.

XVII. Disqualification of State Officers and Employees - In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his/her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his/her immediate family has, within twelve 12 months prior to the time when the official action is to be taken:

A. Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

B. Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars ($1,000) or more.

XVIII Disclosure of Disqualifying Interest - When a designated employee determines that he/she should not make a governmental decision because he/she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

XIX. Assistance of the Commission and Counsel - Any designated employee who is unsure of his/her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code section 83114 or from the attorney for his/her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.
XX. Violations - This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal, and civil sanctions provided in the Political Reform Act, Government Code sections 81000 - 91015. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code section 91003.

XXI. Designated Positions and Disclosure Requirements
A. The persons occupying following positions manage public investments. They shall file a full statement of economic interests pursuant to Government Code Sections 87200 et seq.:  

Public Officials Who Manage Public Investments - it has been determined that the positions shown below manage public investments and must make disclosure pursuant to Government Code Section 87200 et seq.:  

Members of the Board of Trustees

B. Disclosure Categories: The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the designated employees must disclose disclose for each disclosure category to which he/she is assigned.

1. Category 1: All investments and business positions in, and sources of income from, business entities that do business with the District or own real property within the boundaries of the District, plan to do business or own real property within in the boundaries of the District within the next year, or have done business with or owned real property within the boundaries of the District within the past two (2) years;  

Persons in this category shall disclose all interest in real property within the jurisdiction. Real property shall be deemed to be within the jurisdiction if the property or any part of it is located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.

Persons are not required to disclose a residence, such as a home or vacation cabin, used exclusively as a personal residence; however, a residence in which a person rents out a room or for which a person claims a business deduction may be reportable.

2. Category 2: All interests in real property which is located in whole or in-part within, or not more than two (2) miles outside, the boundaries of the District;  

Persons in this category shall disclose all investments and business positions.

3. Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or
the acquisition or sale of real property within the jurisdiction of the District; plan to engage in such activities within the jurisdiction of the District within the next year, or have engaged in such activities within the jurisdiction of the District within the past two (2) years;

**Persons in this category shall disclose all income (including gifts, loans and travel payments) and business positions.**

4. **Category 4:** All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions;

**Persons in this category shall disclose all business positions, investments in, or income (including gifts, loans and travel payments) received from business entities that manufacture, provide or sell service and/or supplies of a type utilized by the agency and associated with the job assignment of designated positions assigned to this disclosure category.**

5. **Category 5:** All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District;

**Individuals who perform under contract the duties of any designated position shall be required to file Statement of Economic Interests disclosing reportable interest in the categories assigned to that designated position.**

In addition, individuals who, under contract, participate in decisions which affect financial interests by providing information, advice, recommendation or counsel to the agency which could affect financial interest shall be required to file Statements of Economic Interest, unless they fall within the Political Reform Act's exceptions to the definition of consultant. The level of disclosure shall be as determined by the Superintendent/President or his or her designee of the agency.

6. **Category 6:** All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department;

**Designated Positions, and the Disclosure Categories assigned to them, are as follows:**

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<th><strong>C. DESIGNATED POSITIONS</strong></th>
<th><strong>DISCLOSURE CATEGORIES</strong></th>
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<tr>
<td>Consultants/New Positions*</td>
<td>1,2-3-4, 5, 6</td>
</tr>
</tbody>
</table>

*Consultants/New Positions are must be included in the list of designated positions employees and must shall disclose pursuant to the broadest disclosure category in this code, subject to the following limitations: The Superintendent/President or his or her designee may determine in writing that a particular consultant or new position,
although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's or new position's duties and, based on that description, a statement of the extent of disclosure requirements. The Superintendent/President or his or her designee's, determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Section 81008.)

XXII. Sources/References
Government Code Sections 81000, 81004, 81008, 83114, 87100, 87200, 87450, 89501, 89503, 89506, 91003
Title 2, Section 18100, 18730
AP 2712 Conflict of Interest Code

References:
Government Code Sections 87103(e), 87300-87302, 89501, 89502, and 89503;
Title 2 Section 18730

NOTE: This procedure is essentially verbatim from Title 2 Sections 18730 et seq. The number system reflects the system used in the code and includes gaps in numbering. The first paragraph states that if an agency adopts the verbatim text of that regulation, the agency will be presumed to have adopted a code that complies with the Political Reform Act.

Pursuant to Section 18730 of Title 2 of the California Code of Regulations, incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in Section 13 below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section 87300 or the amendment of a conflict of interest code within the meaning of Government Code Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Government Code Sections 81000 et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to other state or local laws pertaining to conflicts of interest.

Section 1. Definitions
The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regulations Sections 18100 et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

Section 2. Designated Employees
The persons holding positions listed in Section 13 are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

Section 3. Disclosure Categories
This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economics interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code Sections 87200 et seq. In addition, this code does not establish any
disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;
(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code Section 87200; and
(C) The filing officer is the same for both agencies.\(^1\) Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in Section 13 specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his/her statement of economic interests those economic interests he/she has which are of the kind described in the disclosure categories to which he/she is assigned in Section 13. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he/she foreseeably can affect materially through the conduct of his/her office.

Section 4. Statements of Economic Interests

Place of Filing. The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.\(^2\)

Section 5. Statements of Economic Interests

Time of Filing

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

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\(^1\) Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code section 81004.

\(^2\) See Government Code section 81010 and 2 Cal. Code ofRegs. section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.
(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

Section 5.5. Statements for Persons Who Resign Prior to Assuming Office
Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he/she did not make or participate in the making of, or use his/her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his/her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:
1. File a written resignation with the appointing power; and
2. File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he/she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

Section 6. Contents of and Period Covered by Statements of Economic Interests

(A) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later.

(D) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

Section 7. Manner of Reporting
Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investments and Real Property Disclosure. When an investment or an interest in real property\(^3\) is required to be reported,\(^4\) the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property exceeds two thousand dollars ($2,000), exceeds ten thousand dollars ($10,000), or exceeds one million dollars ($1,000,000).

(B) Personal Income Disclosure. When personal income is required to be reported,\(^5\) the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars ($500) or more in value, or fifty dollars ($50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars ($1,000) or less, greater than one thousand dollars ($1,000), greater than ten thousand dollars ($10,000), or greater than one hundred thousand dollars ($100,000);
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,\(^6\) the statement shall contain:

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\(^3\) For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

\(^4\) Investments and interests in real property which have a fair market value of less than $2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual’s spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

\(^5\) A designated employee’s income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.
1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars ($10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he/she is a director, officer, partner, trustee, employee, or in which he/she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal during Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

Section 8. Prohibition on Receipt of Honoraria

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official. Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.

(B) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code Section 89506.

Section 8.1. Prohibition on Receipt of Gifts in Excess of $460

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than $460 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Government Code Section 89503 shall apply to the prohibitions in this section.

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6 Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.
Section 8.2. Loans to Public Officials

(A) No elected officer of a state or local government agency shall, from the date of his/her election to office through the date that he/she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he/she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his/her election to office through the date that he/she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he/she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such
persons, provided that the person making the loan is not acting as an agent
or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred
dollars ($500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

Section 8.3. Loan Terms

(A) Except as set forth in subdivision (B), no elected officer of a state or local
government agency shall, from the date of his/her election to office through the
date he/she vacates office, receive a personal loan of five hundred dollars ($500)
or more, except when the loan is in writing and clearly states the terms of the
loan, including the parties to the loan agreement, date of the loan, amount of the
loan, term of the loan, date or dates when payments shall be due on the loan and
the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:
1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his/her spouse, child, parent,
   grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-
   in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such
   person, provided that the person making the loan is not acting as an agent or
   intermediary for any person not otherwise exempted under this section.
3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title

Section 8.4. Personal Loans

(A) Except as set forth in subdivision (B), a personal loan received by any designated
employee shall become a gift to the designated employee for the purposes of this
section in the following circumstances:
1. If the loan has a defined date or dates for repayment, when the statute of
   limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has
   elapsed from the later of the following:
   a. The date the loan was made.
   b. The date the last payment of one hundred dollars ($100) or more was
      made on the loan.
   c. The date upon which the debtor has made payments on the loan
      aggregating to less than two hundred fifty dollars ($250) during the
      previous 12 months.

(B) This section shall not apply to the following types of loans:
1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

Section 9. Disqualification
No designated employee shall make, participate in making, or in any way attempt to use his/her official position to influence the making of any governmental decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his/her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars ($2,000) or more;
(B) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars ($2,000) or more;
(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars ($500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;
(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or
(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating $460 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

Section 9.3. Legally Required Participation
No designated employee shall be prevented from making or participating in the making of any decision to the extent his/her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his/her participation legally required for purposes of this section.
Section 9.5. Disqualification of State Officers and Employees

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his/her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his/her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or
(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars ($1,000) or more.

Section 10. Disclosure of Disqualifying Interest

When a designated employee determines that he/she should not make a governmental decision because he/she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

Section 11. Assistance of the Commission and Counsel

Any designated employee who is unsure of his/her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 or from the attorney for his/her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

Section 12. Violations

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000-91015. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

NOTE: The following designated positions are intended to be representative only. The job titles of the individual institution should be used.

Section 13. Designated Positions and Disclosure Requirements

1. The persons occupying following positions manage public investments. They shall file a full statement of economic interests pursuant to Government Code Sections 87200 et seq.:
   - Governing Board Members
   - Chief Executive Officer
2. **Disclosure Categories:** The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the designated employees must disclosure for each disclosure category to which he/she is assigned.

**Category 1:** All investments and business positions and sources of income from, business entities that do business with the District or own real property within the boundaries of the District, plan to do business or own real property within in the boundaries of the District within the next year, or have done business with or owned real property within the boundaries of the District within the past two years.

**Category 2:** All interests in real property which is located in whole or in part within, or not more than two miles outside, the boundaries of the District.

**Category 3:** All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District, plan to engage in such activities within the jurisdiction of the District within the next year, or have engaged in such activities within the jurisdiction of the District within the past two years.

**Category 4:** All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

**Category 5:** All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

**Category 6:** All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee’s Department.

Designated Positions, and the Disclosure Categories assigned to them, are as follows:

- Accountant: Categories 4, 5
- Assistant Deans: Category 6
- Assistant Directors: Category 6
- Chief Human Resources Officer: Category 6
- Chief Instructional Officer: Categories 5, 6
- Chief Student Services Officer: Categories 5, 6
- Deans: Category 6
- Director of Bookstore: Category 6
- Director of Budget: Categories 4, 5
- Director of Food Services: Category 6
- Director of Purchasing: Categories 1, 4, 5
- Director of Facilities: Categories 1, 2, 3, 4
- Director of Maintenance & Operations: Category 2, 3, 6
| General Counsel | Categories | 1,2 |
| Personnel Director (Merit Systems) | Category | 6 |
| Personnel Commission Members | Categories | 1,2 |
| Police Chief | Categories | 5,6 |
| Consultant | Categories 1,2,3,4,5,6 |

Consultants must be included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this Code subject to the following limitation: The [CEO or desigee] may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based on that description, a statement of the extent of disclosure requirements. The [CEO's or designee's] determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Revised 2/06, 2/07, 2/11, 9/12, 4/14, 10/15
This procedure implements Board Policy 3250, College Planning and Fiscal Management—Institutional Planning.

I. Oversight for the college planning and fiscal management processes shall be the responsibility of the Superintendent/President.

II. The Planning & Fiscal Council shall be responsible for developing and presenting planning, budget and other recommendations to the Superintendent/President.

III. The Planning & Fiscal Council shall consist of the following members:
   A. The Vice President of Academic Affairs, Vice President of Student Services and Vice President of Finance & Business;
   B. The members of the Executive Committee of the Rio Hondo College Academic Senate;
   C. The President of the Rio Hondo College CSEA chapter and two additional classified employees designated by the local CSEA;
   D. The President of the Associated Students of Rio Hondo College Associated Student Body and two additional students designated by the ASB;
   E. Three additional faculty members (designated by Academic Senate);
   F. One Dean from Student Services and one Dean from Academic Affairs.

IV. The co-chairs of the Planning & Fiscal Council shall be the Vice President of Academic Affairs and the President of the Academic Senate.

V. The following members of the Planning & Fiscal Council shall have the following responsibilities:

   A. The co-chairs shall jointly develop the agenda for Planning & Fiscal Council meetings. Members of the Planning & Fiscal Council may provide agenda items for discussion and referral, if necessary, to the appropriate Vice President(s).
   B. The co-chairs shall share the responsibility of presiding over the meetings of the Planning & Fiscal Council.
   C. The Vice Presidents shall ensure that college faculty and staff (administrative and classified) in divisions/areas participate, along management lines, in developing planning recommendations.
   D. Members representing the Academic Senate, the CSEA, the Rio Hondo College Faculty Association, and Association Student Body shall ensure that members of their constituent groups participate in developing and/or reviewing planning recommendations.
E. The Vice President of Finance & Business and Dean of Institutional Research & Planning shall be responsible for general oversight and management of the planning and budget development processes.

VI. Other members of the faculty and staff (administrative and classified) may be invited by the Planning & Fiscal Council, for a specified time and purpose, to participate as resource persons to the Council, e.g., the co-chairs of the Accreditation Self-Study Team.

VII. Sub committees of cross-representational and voluntary membership, as appropriate, shall provide information to the Planning & Fiscal Council and address coordination concerns.

VIII. The Planning & Fiscal Council shall provide a budget process that includes broad campus participation in the development of recommendation to the Superintendent/President as follows:

A. The Vice President of Finance & Business shall prepare a budget calendar and be responsible for scheduling activities in sufficient time for presentation of recommendations to the Superintendent/President. Tentative and Adopted Budgets shall be presented to the Board of Trustees according to the timeline of the California Code of Regulations.

B. Divisional/departmental staff members will participate by making recommendations to the appropriate Vice Presidents and Superintendent/President under the same process as practiced in past fiscal years.

IX. All planning recommendations, whether from management or constituent groups, shall be presented to the President's Council by the appropriate Vice President(s) for discussion before forwarding to the Planning & Fiscal Council.

X. All Planning & Fiscal Council recommendations shall be reached through consensus.

XI. The Superintendent/President shall be responsible for implementation and evaluation of this procedure.

XII. Sources / References
ACCJC Accreditation Standards I.B.9; III.B.4; III.C.2; III.d.2; IV.B.3; and IV.D.5 (formerly I.B)
Title 5 Sections 51008, 51010, 50127, 53003, 54220, 55080, 55190, 55510, and 56270 et seq.
AP 3250 Institutional Planning

References:
ACCJC Accreditation Standards I.B.9, III B.4, III C.2, III D.2, IV B.3, and IV D.5 (formerly I.B);
Title 5 Sections 51008, 51010, 51027, 53003, 54220, 55080, 55190, 55510, and 56270 et seq.

Note: This procedure is legally required. Procedures related to planning may be locally developed after appropriate consultation with the proper constituent representatives in the local decision making process. It is suggested that those procedures include or address criteria in the Accreditation Standard, including but not limited to:

- Processes for developing, reviewing, updating, and implementing plans
- The committees and personnel that are involved and their responsibilities and charges
- Required approvals
- Integration of various planning efforts
- Use of institutional effectiveness research
- Submission to the California Community College Chancellor's Office, when required.

Revised 8/07, 11/14
I. Call to Order- Robert called the meeting to order 2:32 pm

II. Acceptance of Minutes – The minutes of February 23, 2016 were consensed with the following edits, Suzanne Frederickson was absent from the last PFC meeting, Javier Cano’s name is missing from members present and Javier’s announcement was missing from the minutes.

III. Superintendent’s Report – President Dreyfuss reported that this is the first time she has attended PFC in quite some time. It was a very busy fall semester with lots of activities in the Instructional and Student Service areas as well as with the Accreditation follow up visit. This semester, the Board of Trustees and President will be visiting each Trustee Area to give an update of the college to the City Councils. Tonight, Vicky Santana and President Dreyfuss will visit the City of Pico Rivera to give a State of the College. Various areas of the building program were covered including the seismic retrofit of the L Tower, soccer field renovation and progress of the Pico Rivera Educational Center. Board President Pacheco and President Dreyfuss presented at South El Monte City Council on February 23, 2016. Presentations have been very well received.

At the President’s Advisory meeting two weeks ago, that includes a variety of community members, RHC had lots to share including FLEX Day presentations. All the divisions provided three accomplishments. We are going to have another busy semester and soon we will be preparing for Commencement. The Commencement Committee is already working on the ceremony that will be held in Lot A. The Grand Opening of the Soccer Field will be held on March 23rd at noon. It is a beautiful facility.

During the last PFC meeting there was discussion on the budget with the review of the budget calendar. The budget calendar gives a timeline to the process. At this time, the Chancellor’s Office provides apportionment estimates based on P1 FTEs. The tentative budget estimate is more realistic than purchases and operational costs that come from the 5 & 6,000 accounts. Also, we have to go through the year end adjustment process at the end of August. The budget is an estimate at this point. President Dreyfuss would like the members of the PFC to know this information after the Board of Trustees adopts the budget in September. President Dreyfuss will review the budget with this body. She is aware that most are interested in line items of the general fund.
Another item that was brought up to this body is the CBT. When it comes to operational matters, some people have said that they were not invited to the CBT meetings. Sandra made some comments at the last meeting. Just to clarify, President Dreyfuss met with CSEA Exec the day before the last meeting. The areas that CSEA have in question shall be brought up at the CSEA Exec meeting with President and it can be addressed. President Dreyfuss had her staff check into the meeting notice and originally Mary Becerril had been invited and was unable to attend. Janice Lopez was the replacement.

Sandra responded that her comments were no reflection on the conversation the day before. Sandra was referring to a moment in time the body had not been called in order to get the facts. She relayed that to the chair. It was not a criticism, only a clarification.

President Dreyfuss responded that the way the CBT Consultant requested the first meeting be held. We were told there should be a task force. From then on, things evolved and the CBT requested smaller groups until they met with selected staff they requested. For example, the CBT met with Ruthie Retana about marketing, Howard Kummerman regarding research, Robert Bethel about instructional issues and so on. This is the way CBT did the data collection, understanding each area’s needs, made their recommendations and we gathered everyone together when CBT requested. The consultant was moving forward with plans stipulated to complete their goals. In the future, please bring concerns and/or questions to President Dreyfuss that way it can be handled immediately.

Kevin reported on another note, if the President knew what the status is of the A/C in the A Building. Vann reported that the Science building is freezing.

President Dreyfuss reported that the air balancing is a current issue along with the HVAC system currently under repair. Even her office is very cold. She will have facilities send a facilities update to the campus.

President Dreyfuss left at this point of the meeting (2:47 pm).

IV. Co-Chair’s Report – No report.

V. New Business – Dr. Mike Muñoz gave an update on SSSP. Mike reported that there has been a lot of dialogue regarding the counselors and classified staff who have been hired out of this categorical funding. The root of the discussion is whether SSSP funding is sustainable and if more services are being provided. Mike reported that RHC is one of the most successful schools in the state. He also clarified that this is not new funding it is rebranding of the Matriculation funds. Many counselors who were hired in the late 80’s, were hired under Matriculation funds. While funds have dipped due to the recession, it is overall consistent. The name change caused some confusion but the goal was to make it harder for state legislators to cut funding if “students” were attached to the name which helps to stabilize funding. Just to clarify, Student Equity is the new kid on the block.

SSSP is restricted to funds being spent on assessment, orientation, educational planning, at risk students and & follow up. SSSP can also fund some information technology and research positions. It is very succinct in the regulations. To date, SSSP has funded three full time Research Analysts and the new Systems Analyst. We are building capacity and it is data driven. Funding is based by 40% headcount and 60% on what services are provided to students. The mandatory holds have helped to funnel students into completing these requirements. Please take note that the first year numbers are spiked because we did not collect data prior to this point.
Mike further explained that with the data, we do not want to find ourselves in a position where data would be called into question because of duplication, etc. Once a student is given a “belly button” for abbreviated or comprehensive ed plans they can never be replicated in the data. One bellybutton in a lifetime. Students receive a welcome letter from the Dean. This data is only counting first time college students, not returning or transfer students. There are changes in frequency and some fields allow for duplication depending on the element. Students need to have at least an abbreviated ed plan in Degree Works. Other data is pulled from SARS (Meta data that is dumped into MIS) for comprehensive ed plans. There is a multi-prong approach for those students who are matriculated from our 27 high schools. We bring Counseling 105 to their campus and the ed plan process is completed at the high school. Our counselors use to hold appointments in 30 minute intervals. The time was lengthened to 45 minutes with the trade-off being completion of comprehensive ed plans. Once data is input student holds are lifted. Our counselors have been amazing and everyone has shifted the way we do business in an effort to help our students. Educational planning is also a component in the Counseling 105 course.

The numbers are estimates based on the number of students that we would serve given the size of our student population. Ryan in IRP will be sharing some data on educational goals, majors etc. at the next Counseling division meeting. This is survey information that students must complete during registration process and helps us with intervention services. Career and Re-entry services will target those who are uncertain about their selected major. Mike will share the data when he has it. The state holds us accountable for services that are provided. Basic student record is created prior to matriculating. That is why students have to apply before we provide services. Schools that did not do well in year one are ramping up their efforts. Colleges have about two years before they get locked in to the funding level. The probation model was scaled up and online probation module was utilized by approximately 1,200 students. Basic Skills presentation are also conducted in classrooms now. While the numbers are stable, it is driven by headcount. The numbers will dip when enrollment is down.

Julius reported that Mike came up with a system to capture data electronically and in paper form so there are checks and balances. If the data is inaccurate counselors are notified. Our current practice seems to be working with strong internal controls. Data is spot checked to ensure alignment. We always have to remember that we have to work within the guidelines specified by the state and are able to satisfy an audit. Internally, there are indicators such as 100 unit limits as well as Financial Aid implications, etc. The power point is attached to the minutes.

JoAnna thanked Mike for the presentation and reported that she is looking for ways to partner with Student Services. We want students to come to Rio Hondo. The information provided today along with the data will be very helpful to counselors and faculty. The more counselors that we have by major will be advantageous for students.

**Enrollment Management/CBT Goals** – JoAnna provided an update on the CBT Goals (attached). There is a list of ten goals. What is not provided are the action plans as they are still in development. This will be our spring board that will be used in the workgroups. The real work is ahead of us now. An ESS demo on new improvements to the software will be held at the Deans meeting on March 17th.

Adam reported that this is all great stuff however, we need to add classroom teaching to the mix and how that impacts student success. In any given classroom, an instructor will lose one to three students. That is 15 students that do not pass a class. If that number is cut, it will increase the chances of retaining students. We need to add more methods for faculty to reach out to students to increase classroom success. Success goes beyond getting a better grade on a test. It is providing more information and getting students connected to our campus.
JoAnna, Kevin and Howard departed at this point of the meeting (3:40pm).

VI. **Unfinished Business** – No items.

VII. **Committee Reports**

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<tr>
<th>PFC Sub-Committees</th>
<th>Other Committees</th>
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<tr>
<td>Safety-No report</td>
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<tr>
<td>Staffing-Report below.</td>
<td>Basic Skills-No report</td>
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<td>IEC-No report.</td>
<td>SLO-Report below.</td>
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<tr>
<td>Program Review-No report.</td>
<td>Distance Education (DEC)- No report.</td>
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<tr>
<td>Facilities-No report.</td>
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<td>Equipment &amp; Technology-No report.</td>
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**Staffing** - Robert reported that the Staffing Committees for Faculty and classified will be meeting on March 9th and 10th. The follow up meeting will be held on March 16 and 17.

**Staff Development** – Katie reported that she and Adam held the first meeting for new faculty last week. They are in the planning stages for the next three sessions. Adam is also conducting a workshop on March 23 for part time faculty. The topic is how to get that full time job. To date we have seven or eight adjuncts signed up.

**SLOs** - Adam reported that on March 1st Joanna, Rebecca Green, Robert Holcomb and he attended the ACCJC workshop where the focus was taking SLO's to the program level. It was a 6 ½ hour session at the LAX Hilton. It was less than we had hoped for. The facilitator was not from California and often pointed out things that she did not agree with that we are doing in the state. One of the items the facilitator focused on was not having a capstone at the end of course completion. Adam will be bringing forward information to the SLO committee next week. The software in CurricuNet is not working well so we are exploring options.

VIII. **Announcements**

Javier reported that there is a Town Hall meeting scheduled in the student lounge going on now until 4pm. Topics to be covered include the BOG Waiver, Hydration Station, the Go RIO Program, ASACC trip and more. Additions were also added to the elections packet that must be voted on every two years.

Javier also reported five student leaders will be attending the American Association of Community College (AACC) Conference in Washington D.C. Students will be meeting with staffers from Senator Boxer and Feinstein’s office as well as from Representative Linda Sanchez. Javier has been keeping tabs on the Education Reform Act Reauthorization by listening in on Congressional Hearings for Education, Health and Pension that also focus on Title V grants. A certain amount of funding is granted to Hispanic Serving Institutions (HSIs), Historically Black Universities (HBUs) and Asian/Pacific Islander Universities. It is proposed that for the 2017 year, funding will be between $200-248 million with no increase. Students hope to advocate for increased funding for HSIs. If anyone is interested in this information, please let Javier know.

Katie recommended that Javier connect with Barbara Salazar who is in the Administrator for the Title V Grant prior to the DC visit.
IX. **Public Comment** – No comments were made.

X. **Adjournment** – Robert adjourned the meeting at 3:52 pm. The next PFC meeting will be held on March 22, 2016, 2:30 – 4:00 p.m., Board Room.
Rio Hondo College Student Success and Support Program Update

Dr. Mike Muñoz, Dean Counseling & Student Success

History of Funding
SSSP Implementation

- Assessment
- Orientation
- Ed Planning
- At-Risk & Follow Up
- SSSP IT & Research

Highlights: Assessment & Orientation

- In 2014-2015, **6,989 students** were provided assessment services.
- With a target population of **5,500 assessment contacts**, the college produced **6,989 assessment contacts** or **127% of the target population**.
- During the 2014-2015 academic year, **5,235 students** were provided orientation services.
- With a target population of **5,500 assessment contacts**, the college produced **5,235 orientation contacts** or **95% of the target population**.
Highlights: Assessment & Orientation

- In 2014-2015, **6,989 students** were provided assessment services.
- With a target population of **5,500 assessment contacts**, the college produced 6,989 assessment contacts or **127% of the target population**.
- During the 2014-2015 academic year, **5,235 students** were provided orientation services.
- With a target population of **5,500 assessment contacts**, the college produced 5,235 orientation contacts or **95% of the target population**.

Highlights: Counseling Services

- In 2014-2015, **9,998 students** were provided counseling/advising services: 1,569 (summer ’14); 3,935 (fall ’14); and 4,494 (spring ’15).
- In 2014-2015, **12,761 students** were provided education planning services: 2,065 (summer ’14); 6,570 (fall ’14); and 4,126 (spring ’15).
- With a target population of **11,500 counseling, advising, and education planning contacts**, the college produced 22,759 counseling, advising, and education planning contacts or **197.9% of the target population**.
Highlights: Follow-up At Risk

- **17,076 students** were provided follow-up services (combined): 2,447, summer ‘14; 6,198, fall ‘14; and 8,431, spring ‘15.

  - With a target population of **10,050** follow-up services (combined), the college produced **17,076** follow-up contacts or 169.9% of the target population.

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Student Success & Support 2015-16 Credit Allocation: Neighboring Colleges Comparison

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Student Success Services
Summer/Fall ‘14 & ’15 Comparison

Questions?

- Contact Information:
  Mike Munoz, Dean of Counseling & Student Success
  Rio Hondo College
  Email: MRMUNOZ@RIOHONDO.EDU
  Phone: (562) 908-3467
Strategic Enrollment Management Project - Goals

1. Develop trustworthy, accurate data and a reliable system for planning, projecting, and monitoring FTES. (18)*

2. Develop common protocols and basic understanding and knowledge for all employees responsible for scheduling and/or monitoring schedule and college performance relative to best business practice metrics for enrollment management, including WSCH/FTEF, fill rates, use of scheduling matrix, use of waitlists, strategies for assignment of FTEF, sections, class additions/class cancellations. (13)

3. Enhance partnership, collaboration, and communication between student services and academic affairs leadership to enhance a culture of student centeredness, and address collaborative enrollment management topics, such as student assessment scores, student educational plans, Student Success and Equity Plans, First Year Experience, Title V/Trio/grant activities, outreach activities, marketing of programs, waitlists, and priority registration, to name a few. (16)

4. Create clear procedures and assignment of roles relative to enrollment management as well as centralization/identification of enrollment management leadership. (9)

5. Modify classroom and lab facilities allocation practices in order to maximize space allocation by departments/divisions. (6)

6. Develop research and regular reports with data specifically tailored to enrollment management. Create a culture of inquiry and greater connection and interaction between Institutional Research & Planning (IRP), Information Technology Services (ITS), and decision makers to develop appropriate inquiries. (6)

7. Regularly determine and report statistics for high school graduate enrollments at RHC from area feeder high schools, and prioritize maintaining and increasing those enrollments. (6)

8. Holistically evaluate program mix vis a vis age distribution projections and educational attainment of service area population.

9. Using results of Student Media Preferences Survey, prioritize engaging marketing messaging that focuses on RHC benefits to students and that utilizes social and digital media. (11)

10. Develop and provide clear, thorough, and coordinated communications and instructions to students about Admissions and Financial Aid processes, pathways, timelines, and procedures. (13)

*The numbers in parentheses indicate number of CBT Advisory Team members who “voted” to prioritize the specific goal during informal room discussion at the February 25, 2016 meeting.