

# Chancellor's CABINET HIGHLIGHTS



This is a publication of the Contra Costa Community College District Chancellor's Office to Employees of the District.

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January to February 2008

## **Mission**

The mission of the Chancellor's Cabinet is to serve as the leadership team ensuring the capacity of our District to effectively educate students and meet the needs of our communities in partnership with classified staff, faculty, and other managers.

## **AB 1754: Legislation on Grade Changing Policies**

Assemblywoman Mary Hayashi has asked the District to support AB 1754. This legislation requires the State Chancellor to examine grade changing policies at various community colleges in the state and provide a report to the governor and the chairs of the Senate Committee on Education and Higher Education by June 1, 2010.

## **Accreditation Self-Study Status Reports**

A timeline for accreditation self-study reports was developed. Self-study reports will be the subject of the July Governing Board study session. The reports will also be approved by the Board at that meeting. Comprehensive accreditation visits are scheduled for the colleges and the District Office from October 13 to October 16, 2008.

## **Budget Update**

Associate Vice Chancellor/Chief Financial Officer Doug Roberts summarized proposed cuts to the state budget for 2007-08 and 2008-09. He stated that in the governor's budget, community college budgets would have to be cut this year by \$40M. He indicated that the System Office had identified \$23M thus far that can be applied to the cut.

## **Datatel Colleague Training Plan Proposal**

A training proposal was reviewed and will be finalized at the next Cabinet meeting on March 4, 2008.

## District Policies and Procedures

Actions were taken on the following District policies and procedures (attached):

Item(s)	Result
Board Policy 4005, <u>Grade Changes</u> and Curriculum and Instruction Procedure 4005, <u>Grade Changes</u>	Revisions agreed to and moved to consultation with Academic Senate presidents.
Business Procedure 11.02, <u>Construction Bidding Guidelines</u>	Cabinet gave final approval.
Student Services Procedure 3027, <u>Student Code of Conduct</u>	Review by legal counsel requested. Revisions approved for movement through constituency process.
New Board Policy 1016, <u>Evaluation of Contract Administrators</u> and New Human Resources Procedure XXX, <u>Evaluation of Contract Administrators</u>	Approved for DGC review.

## Districtwide Management Meeting

Cabinet proposed scheduling an annual Districtwide managers' meeting, similar to the one held on January 8, 2008. Using survey results from the January meeting, they will ask for volunteers to help plan future meeting agendas.

## FTES Goals

The following FTES goals were submitted for 2008-09:

- CCC 6,063
- DVC 16,768
- LMC 7,450

## Governing Board Study Sessions for April, July and November 2008

April, July and November Governing Board meeting study sessions will be held at Los Medanos College (4/30/08); Diablo Valley College (6/25/08); and Contra Costa College (11/19/08), respectively. Open session for these meetings will begin at 4:00 p.m.

## JobLinks 2008

Cabinet supported proposed workshops and activities for JobLinks, which will be held at the San Ramon Campus on June 5, 2008.

## Workforce Development Plan

Dr. Deborah G. Blue, Vice Chancellor, Districtwide Planning and Educational Services will coordinate the writing of the District plan on workforce development as requested by the Governing Board. The Board will discuss workforce development at its August meeting as a general agenda item.

**~~STUDENT APPEALS FOR GRADE CHANGES~~****PURPOSE**

The grade given each student shall be the grade determined by the instructor. The instructor's determination is final in the absence of (1) mistake, (2) fraud, (3) bad faith, or (4) incompetency. In the case of fraud, bad faith, or incompetency, the final determination concerning removal or change of grade will be made by the college President/designee.

Each college shall establish grade appeal procedures by which a student may seek to appeal a request for change of grade that has been rejected. Pursuant to Education Code §76224 and §76232, any student who wishes to appeal a grade he or she has received in a course offered at any of the District college campuses shall be granted the opportunity to do so after following the prescribed process at the particular college.

Legal Authority

Education Code Section 76224

Education Code Section 76232

Eureka Teachers Ass'n. v. Board of Education of Eureka City Schools (1988)

199 Cal. App.3d 353, 244 Cal. Rptr. 240.

## ~~STUDENT APPEALS FOR GRADE CHANGES~~

### GRADE CHANGES

A Grade Change form, Exhibit A, shall be completed when the instructor determines that a grade change is warranted.

- The instructor of the course shall determine the grade to be awarded to each student.
- The determination of the student's grade by the instructor is final in the absence of mistake, fraud, bad faith, or incompetency. "Mistake" may include, but is not limited to errors made by an instructor in calculating a student's grade and clerical errors. In the case of fraud, bad faith, or incompetency, the final determination concerning removal or change of grade will be made by the college President/designee. "Fraud" may include, but is not limited to, inaccurate recording or change of a grade by any person who gains access to grade records without authorization.
- When the instructor submits a grade change, s/he must complete and sign the Grade Change form.
  - The instructor submits the Grade Change form to the area Dean.
  - Upon review and signature, the area Dean shall submit the Grade Change form to the Admissions and Records Office.
  - The Admissions and Records Director shall ensure the change of grade is recorded and copies of the Grade Change form are forwarded to the student, instructor, and area Dean.
- When the student is requesting the grade change, s/he must first verbally or in writing request a grade change from the instructor.
  - Should the instructor concur with the student request, the instructor must complete and sign the Grade Change form, and submit the form to the area Dean. Upon review and signature, the area Dean shall submit the Grade Change form to the Admissions and Records Office. The Admissions and Records Director shall ensure the change of grade is recorded and copies of the Grade Change form are forwarded to the student, instructor, and area Dean.
  - Should the instructor not concur with the student's request, the student has the right to appeal the instructor's decision as noted in College Level Grade Appeal Procedures. The area Dean, in consultation with the respective department chair, shall make provisions to assign another faculty member to substitute for the instructor 1) if the student has filed a discrimination complaint, 2) if the instructor is not available, or 3) where the District determines that it is possible there may have been gross misconduct by the original instructor.

### APPEAL FOR GRADE CHANGE

#### College Level Grade Appeal Procedures

4. The grade given each student shall be the grade determined by the instructor. The instructor's determination is final in the absence of (1) mistake, (2) fraud, (3) bad faith, or (4) incompetency.

Each college shall establish **grade appeal** procedures by which a student may seek **to appeal a request for change of grade that has been rejected**. ~~a change in a course grade~~. At a minimum those procedures shall provide the following:

- 2.1. The Chancellor/President shall designate in the college policy an individual at each college to receive formal written complaints from students who wish to contest ~~a given grade~~. **the rejection of a grade change request.**
- 3.2. Within thirty (30) instructional days of receipt of a complaint of mistake, fraud, bad faith, or incompetency, ~~an individual~~ **the President/designee** or committee designated by the President shall meet with the student and instructor who recorded the contested grade. (In the case where a student complaint is filed during the summer, the thirty days will apply subject to availability of the parties involved.) The meeting shall be recorded in such a manner so that a reasonably complete and accurate transcript of the meeting can be made. During this meeting, the student and instructor shall submit all oral and written evidence supporting their respective positions. The designee shall prepare a written decision and statement of findings either sustaining or denying any or all of the student's allegations. The decision and findings shall be sent to both student and instructor.
- 4.3. The student shall have the right within thirty (30) calendar days of notification of the **college President's/designee's** decision to appeal the decision in writing to the Governing Board. The instructor shall also have a right to appeal the decision in writing to the Governing Board within a time to be set by each respective college.

#### District Level Grade Appeal<sup>1</sup> Procedures

1. Within thirty (30) instructional days of the receipt of such an appeal, the Governing Board shall conduct an informal appeal hearing in closed session with the student and instructor who recorded the contested grade. The student and instructor shall be notified in writing of the date and time of the hearing and shall be provided with a brief description of the scope of the hearing and how the hearing will be conducted.
2. The hearing shall be conducted in accordance with the following procedures:
  - a. The hearing shall be electronically recorded.
  - b. Before commencement of the hearing, the Governing Board shall review the decision, findings, transcripts of, and documentary evidence presented at the college-level proceeding(s).
  - c. The student and the instructor shall be allowed to make brief statements on their own behalf.
  - d. Upon completion of the student's and the instructor's presentations, the Governing Board will have an opportunity to ask questions of both the student and the instructor.
  - e. The Governing Board will conclude the hearing, dismiss the parties, and deliberate as to a decision.
3. The Governing Board shall issue a statement of decision including findings of fact as to each ground upon which the student or instructor based his or her appeal. If the Governing Board sustains the student's allegations, it shall order the contested grade to be expunged from the student's records. To determine the appropriate grade to be entered in its place, the Governing Board shall direct the Chancellor to form a five-member panel, composed of three faculty members including at least one faculty member from the discipline appointed by the FSCC; one academic manager at the dean level

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<sup>1</sup> The administrative process, including the coordination of the hearing process, shall be the responsibility of the District Human Resources Office.

or higher appointed by the Chancellor; and one student appointed by the Student Trustee. The panel will determine the grade after a review of the student's course work and the instructor's grading procedures as stated in the course syllabus. The panel will recommend to the Governing Board the grade deemed appropriate.

4. The records of these proceedings shall be confidential and shall be destroyed one year after the decision of the Governing Board, unless legal proceedings relative to the contested grade are initiated.
5. If the Governing Board's decision is unfavorable to the student, or if the student accepts the decision at the college level, the student shall have the right to submit a written statement of his/her objections to the grade in question. This statement shall become a part of the student's records.
6. The decision of the Governing Board is final.

Legal Authority

Education Code Section 76224

Education Code Section 76232

Eureka Teachers Ass'n. v. Board of Education of Eureka City Schools (1988)

199 Cal. App.3d 353, 244 Cal. Rptr. 240

CONTRA COSTA COMMUNITY COLLEGE DISTRICT  
Grade Change Form

**DRAFT**

College:            \_\_\_ CCC    \_\_\_ DVC    \_\_\_ LMC

Instructor Name: \_\_\_\_\_  
(Print Name)

PLEASE COMPLETE THE FOLLOWING INFORMATION

Student ID#: \_\_\_\_\_

Name of Student:                      Last                      First                      Middle Initial

Course Title                      Course Number                      Section                      Term/Year

Grades, as submitted by instructor, shall be considered permanent and final. The instructor's determination is final in the absence of: 1) mistake; 2) fraud; 3) bad faith; or 4) incompetence. (Ed. Code Section 76224)

Indicate reason for grade change request:

\_\_\_\_\_  
\_\_\_\_\_

Change Grade From            \_\_\_\_\_ to \_\_\_\_\_  
Change Units From            \_\_\_\_\_ to \_\_\_\_\_  
(Variable unit classes only)

The following signatures are required to process request:

\_\_\_\_\_  
Instructor                      Date                      Area Dean                      Date

Received by:  
Director of Admissions and Records: \_\_\_\_\_  
(Print Name)

Signature \_\_\_\_\_  
(Date)

Posted to Permanent Record by: \_\_\_\_\_  
(Print Name)

Signature \_\_\_\_\_  
(Date)

Date entered: \_\_\_\_\_

Routing of completed form:  
White Copy: Admissions and Records Office  
Yellow Copy: Instructor  
Pink Copy: Dean  
Blue Copy: Student

## CONSTRUCTION BIDDING GUIDELINES

The Uniform Public Construction Cost Accounting Act (Public Contract Code 22000 *et seq.*) was developed to promote uniformity of bidding procedures and cost accounting standards on construction projects performed or contracted by public entities. The Act raises the bid limit threshold to \$30,000 and simplifies the bidding process for projects less than \$125,000. Under the Act, there are two alternatives for bidding projects, one alternative utilizing a contractors list and one when deciding not to use a contractors list.

### Alternative #1

#### For Use Where Community College District Chooses to Maintain Contractor Lists

#### A. Informal and Formal Bidding Procedures

Public Projects, as defined by Public Contract Code section 22002 and in accordance with the monetary limits described in Public Contract Code section 22032 (as amended from time to time by the California Uniform Construction Cost Accounting Commission) shall be let to contract by procedures described in Public Contract Code section 22030 *et seq.*

#### B. Procedures Not Established by the Act

When the Act does not establish a procedure for bidding public Projects, the procedures described in Public contract Code section 20650 *et seq.* shall govern.

#### C. Contractors List

Lists of contractors shall be developed and maintained in accordance with the provisions of Public Contract Code section 22034 and criteria promulgated from time to time by the Commission.

#### D. Award to Low Bidder; No Bids

All contracts must be awarded to the lowest bidders. If two (2) or more bids are the same and lowest, the Community College District may accept the one it chooses. When no bids are received, the District may perform Public Projects with District employees or through a negotiated contract without further complying with the Administrative Regulation...

#### E. Notice Inviting Informal Bids

When a Public Project which is anticipated to fall within the monetary limits on informal bids described in Public Contract Code section 22032 (as amended from time to time by the Commission) is to be performed, the Community College District shall prepare a notice of the opportunity to bid which describes the project in general terms, states the time and place for the submission of bids and describes how to obtain more detailed information about the Project. The District shall mail the notice to all contractors for the category of work to be bid, as shown on the list developed in accordance with section C. It may also be mailed to all construction trade journals as specified by the Commission in accordance with Public Contract Code section 22036. Other contractors and/or construction trade journals may also be notified at the discretion of the department soliciting bids. Mailing shall be completed at least ten (10) days before bids are due.

#### F. Award of Informally-Bid Contracts



The Chancellor or its designee is authorized to award informal contracts as defined in Public Contract Code section 22032, except those described in Section M.

**G. Bids Exceed Informal Bidding Limit**

If all informal bids received exceed the monetary limits on informal bids described in Public Contract Code section 22032 (as amended from time to time by the Commission) and the Community College District determines that the cost estimate was reasonable, the District may award the contract at up to the limit described in Public Contract Code section 22034, subdivision (f), by resolution approved by a four-fifths (4/5) vote of the Governing Board.

**H. Bid Documents for Formal Bids**

The Governing Board shall adopt plans, specifications and working details for all Public Projects which are anticipated to fall outside the monetary limits on informal bids describes in Public Contract Code section 22032 (as amended from time to time by the Commission).

**I. Notice Inviting Formal Bids**

When a Public Project which is anticipated to fall outside the monetary limits on informal bids described in public Contract Code section 22032 (as amended from time to time by the commission) is to be performed, the Community College District shall publish a notice inviting formal bids in a newspaper of general circulation as described in Public Contract Code section 22037. The notice shall also be mailed to all construction trade journals as specified by the Commission in accordance with Public Contract Code section 22036. Other contractors and/or construction trade journals may also be notified, at the discretion of the department soliciting bids. Mailing shall be completed at least thirty (30) days before bids are due.

**J. When Contractors List Has Not Been Prepared: Proprietary Product or Service**

Notwithstanding sections E and I:

- (1) If the Community College District has not prepared a list of contractors for the particular category of work to be performed, the notice inviting bids shall be sent to each of the construction trade journals specified by the Commission.
- (2) If the product or service is proprietary in nature, such that it can be legally obtained only from a certain contractor(s) pursuant to Public Contract Code section 3400, the notice inviting informal bids may be sent exclusively to such contractor(s).

**K. Contracts for Maintenance and Other Work**

Contracts for Maintenance, as defined by Public Contract Code section 22002, and for any other work which does not fall within that section's definition of Public Projects, may be bid pursuant to the Informal Bidding Procedures described in section E and the Formal Bidding Procedures described in section I.

**L. Rejection of Bids; Use of Community College District Employees**

If the Community College District intends to reject all bids, it must mail the apparent low bidder a written notice of the District's intent to reject the bid at least two (2) business days prior to the hearing at which the bids will be considered.

After rejecting all bids, the Community College District may:

- (a) abandon the project;
- (b) readvertise the project; or
- (c) perform the work with District employees, after passing a resolution by a four-fifths (4/5) majority of the Governing Board declaring that the project can be performed more economically by District employees.

**M. Emergency Procedures**

When an emergency necessitates repair or replacement, contracts shall be awarded pursuant to the procedures described in Public Contract Cost sections 22035 and 22050.

**N. Uniform Cost Accounting Procedures**

Whenever the Community College District uses its own employees to perform a public works or maintenance project valued at more than the monetary limit on informal bidding projects described in Public Contract Code section 22032 (as amended from time to time by the Commission) it must implement the Uniform Construction Cost Accounting Policies and Procedures described in Public Contract Code section 22042 et seq. and the Commission's policies and procedures manual.

**Alternative #2**

**For Use Where Community College District  
Chooses Not to Maintain Contractor Lists**

**A. Informal and Formal Bidding Procedures**

Public Projects, as defined by Public Contract Code section 22002 and in accordance with the monetary limits described in Public Contract Code section 22032 (as amended from time to time by the California Uniform Construction Cost Accounting Commission) shall be let to contract by procedures described in Public Contract Code section 22030 et seq.

**B. Procedures Not Established by the Act**

When the Act does not establish a procedure for bidding public Projects, the procedures described in Public contract Code section 20650 *et seq.* shall govern.

**C. Award to Low Bidder; No Bids**

All contracts must be awarded to the lowest bidders. If two (2) or more bids are the same and lowest, the Community College District may accept the one it chooses. When no bids are received, the District may perform Pubic Projects with District employees or through a negotiated contract without further complying with this Administrative Regulation.

**D. Notice Inviting Informal Bids**

When a Public Project which is anticipated to fall within the monetary limits on informal bids described in Public Contract Code section 22032 (as amended from time to time by the Commission) is to be performed, the Community College District shall prepare a notice of the opportunity to bid which describes the project in general terms, states the time and place for the submission of bids and describes how to obtain more detailed information about the Project. The District shall mail the notice to all construction trade journals as specified by the Commission in accordance with Public Contract Code section 22036. Other contractors and/or construction trade journals may also be notified at the discretion of the department soliciting bids. Mailing shall be completed at least ten (10) days before bids are due.

**E. Award of Informally Bid Contracts**

The Chancellor or its designee is authorized to award informal contracts as defined in Public Contract Code section 22032, except those described in section L.

**F. Bids Exceed Informal Bidding Limit**

If all informal bids received exceed the monetary limits on informal bids described in Public Contract Code section 22032 (as amended from time to time by the Commission) and the Community College District determines that the cost estimate was reasonable, the District may award the contract at up to the limit described in Public Contract Code section 22034, subdivision (f), by resolution approved by a four-fifths (4/5) vote of the Governing Board.

**G. Bid Documents for Formal Bids**

The Governing Board shall adopt plans, specifications and working details for all Public Projects which are anticipated to fall outside the monetary limits on informal bids described in Public Contract Code section 22032 (as amended from time to time by the Commission).

**H. Notice Inviting Formal Bids**

When a Public Project which is anticipated to fall outside the monetary limits on informal bids described in public Contract Code section 22032 (as amended from time to time by the commission) is to be performed, the Community College District shall publish a notice inviting formal bids in a newspaper of general circulation as described in Public Contract Code section 22037. The notice shall also be mailed to all construction trade journals as specified by the Commission in accordance with Public Contract Code section 22036. Other contractors and/or construction trade journals may also be notified, at the discretion of the department soliciting bids. Mailing shall be completed at least thirty (30) days before bids are due.

**I. Proprietary Product or Service**

Notwithstanding sections C and F, if the product or service is proprietary in nature, such that it can be legally obtained only from a certain contractor(s) pursuant to Public Contract Code section 3400, the notice inviting informal bids may be sent exclusively to such contractor(s).

**J. Contracts for Maintenance and Other Work**

Contracts for Maintenance, s defined by Public Contract Code section 22002, and for any other work which does not fall within that section's definition of Public Projects, may be bid pursuant to the Informal Bidding Procedures described in section D and the Formal Bidding Procedures described in section H.

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**Rejection of Bids; Re-Solicitation: Use of Community College District Employees**

If the Community College District intends to reject all bids, it must mail the apparent low bidder a written notice of the District's intent to reject the bid at least two (2) business days prior to the hearing at which the bids will be considered.

After rejecting all bids, the Community College District may:

- (a) abandon the project;
- (b) readvertise the project; or
- (c) perform the work with District employees, after passing a resolution by a four-fifths (4/5) majority of the Governing Board declaring that the project can be performed more economically by District employees.

**K. Emergency Procedures**

When an emergency necessitates repair or replacement, contracts shall be awarded pursuant to the procedures described in Public Contract Cost sections 22035 and 22050.

**L. Uniform Cost Accounting Procedures**

Whenever the Community College District uses its own employees to perform a public works or maintenance project valued at more than the monetary limit on informal bidding projects described in Public Contract Code section 22032 (as amended from time to time by the Commission) it must implement the Uniform Construction Cost Accounting Policies and Procedures described in Public Contract Code section 22042 *et seq.* and the Commission's policies and procedures manual.

Accounting Policies and Procedures are described in Public Contract Code section 22042 *et seq.* and the Commission's policies and procedures manual.

(Draft 10/25/07) STUDENT CODE OF CONDUCT

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I. INTRODUCTION

The Student Code of Conduct is a statement of the Contra Costa Community College District's expectations regarding student standards of conduct, both academic and nonacademic. Students are expected to obey all laws and District policies and regulations. Students shall be subject to discipline for violation of these laws, policies, and regulations. Student misconduct may also be subject to other regulations of the District, including but not limited to regulations regarding complaints of harassment and discrimination.

II. DEFINITIONS

For the purpose of these Rules and Regulations, the following words and terms are defined as follows:

- A. ***"Student" shall mean all persons enrolled in any courses at the colleges in the district, regardless of where courses are taught, whether they are enrolled full-time or part-time, for credit or non-credit or not-for credit or contract education, and whether or not s/he is planning to earn a degree, certificate of achievement or other certification. Persons who are enrolled in online or hybrid courses are also considered 'students'. Persons who are not officially enrolled for a particular term, but who have been admitted to the college and enroll in courses from time to time, and have a continuing relationship with the college are considered 'students'.***
- B. "Governing Board" shall mean the Governing Board of the Contra Costa Community College District.
- C. "District" shall mean the Contra Costa Community College District, including but not limited to its administrative staff and each of its colleges.
- D. "College" shall mean a college operated and maintained by the District.
- E. "Member of the College Community" shall mean the District Trustees, the academic, support staff, and administrative personnel of the District, the students of the District and any other person while on District or college property or at a District or college function or activity.
- F. "Day" shall refer to a college instructional day unless otherwise noted.
- G. "Good Cause" includes, but is not limited to the following offenses:
  - 1. Continued disruptive behavior, continued willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
  - 2. Assault, battery, or any threat of force or violence upon a student or college personnel.

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- 3. Willful misconduct which results in injury or death of a student or college personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District.
- 4. Use, sale, or possession on campus of, or presence on campus under the influence of any controlled substance, or any poison classified as such by Schedule D in section 4160 of the Business and Professions Code.
- 5. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the Governing Board.
- 6. Persistent serious misconduct where other means of correction have failed to bring about proper conduct.
- 7. Other behavior that has grounds for disciplinary action.

III. GROUNDS FOR DISCIPLINARY ACTION

A. Students shall conduct themselves consistent with the Student Code of Conduct while on campus or participating off campus **in online or hybrid courses, or** at [a] college sponsored events **or programs**, including but not limited to **field trips, student conferences, debate competitions, athletic contests, club-sponsored events, and** international study programs, **regardless of location.** Students shall also conduct themselves consistent with the Student Code of Conduct in any matter related to school activity or attendance. Students shall be suspended or expelled only for good cause.

B. Misconduct that constitutes grounds for disciplinary action includes, but is not limited to:

1. **Acts of academic dishonesty, [such as] including, but not limited to, cheating, tampering, fabrication, [lying,] plagiarism, or assisting others in an act of academic dishonesty. Cheating is defined as unauthorized copying or collaboration on a test or assignment, or the use or attempted use of unauthorized materials. Tampering is defined as altering or interfering with evaluation instruments or documents. Fabrication is defined as falsifying experimental data or results, inventing research or laboratory data or results for work not done, or falsely claiming sources not used. Plagiarism is defined as representing someone else's words, idea, artistry, or data as ones' own, including copying another person's work (including published and unpublished material, and material from the Internet) without appropriate referencing, presenting someone else's opinions and theories as one's own, or working jointly on a project, then submitting it as one's own.**

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**Assisting is defined as assisting another student in an act of academic dishonesty, such as taking a test or doing an assignment for someone else, changing someone's grades or academic records, or inappropriately distributing exams to other students;**

- 2. **Other forms of dishonesty, such as** lying, [plagiarism,] knowingly furnishing false information, or reporting a false emergency to **any college official, faculty or staff member or office or to** the District;
- 3. Forgery, alteration, misappropriation or theft, misuse of any District or college document, record, key, electronic device, or identification **including, but not limited to, unauthorized grade changes and forged signatures on official college forms.**
- 4. Misrepresentation of oneself or of an organization to be an agent of the District;
- 5. Obstruction or disruption [on or off District property] **of teaching or** of the District's educational process, administrative process, disciplinary procedures, or other District functions and activities, **on or off District property;**
- 6. Disruptive or abusive behavior, such as verbal harassment, habitual profanity or vulgarity, physical abuse, intimidation, hazing, or stalking of any member of the college community;
- 7. **Vandalism, graffiti, or other** willful misconduct which results in cutting, defacing, or other damages to any real or personal property owned by the District or a member of the college community;
- 8. Assault, battery, violence or threat of violence, or **any willful misconduct which results in an injury or death of a student or District personnel or** behavior that threatens the health and safety of any member of the college community;
- 9. Theft of District property, or property in the possession of, or owned by, a member of the college community;
- 10. Violation of District or college policies or regulations including but not limited to those concerning the formation and registration of student organizations, the use of college facilities or the time, place, and manner of public expression or the distribution of leaflets, pamphlets, or other materials;
- 11. Failure to comply with the directions of the District or college officials acting in the performance of their duties **and/or failure to identify oneself to these persons when requested to do so;**

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- 12. The use, sale, distribution, or possession on campus of, or presence on campus under the influence of, any controlled substances, or any poison classified as such by Schedule D section 4160 of the Business and Professions Code or other California laws on District property or at any District-sponsored event. This regulation does not apply when the person named on the prescription possesses the drugs or narcotics or when the drugs or narcotics are permitted for and are being used in research, instruction, or analysis;
- 13. Possession, consumption, sale, distribution or delivery of any alcoholic beverage in college buildings or on college grounds, or at college-sponsored or supervised activities, regardless of their location, unless authorized by college officials.
- 14. Possession or use of explosives, dangerous chemicals, or deadly weapons on District property or at a campus function, without prior authorization of the College President;
- 15. Engaging in lewd, indecent, or obscene behavior on District-owned or controlled property or at a District-sponsored or supervised function;
- 16. Rape, date rape, sexual harassment, sexual assault, or threat of an assault upon a student or member of the college community on District property, or at a college or District-sponsored or supervised function;
- 17. Unauthorized **use of, or misuse of District property, including, but not limited to, unauthorized possession, duplication or use of District keys and/or unauthorized** entry into [,unauthorized use of, or misuse of] District property;
- 18. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the Governing Board or College;
- 19. Knowingly assisting another person in the commission of a violation of the Student Code of Conduct;
- 20. Misuse of computers and networks which includes but is not limited to utilizing an unauthorized account, password, campus network, interfering with normal computer operations, circumventing data protection schemes or uncovering security loopholes, or violating terms of the software agreements.
- 21. Willful disruption of the orderly operation of the campus.

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- 22. ***Leading or inciting others to disrupt scheduled and/or normal authorized activities***
  - 23. ***Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at college sponsored or supervised events***
  - 24. ***Unauthorized use of electronic or other devices to make an audio or video record of any person while on college premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym locker room or a restroom.***
  - 25. Any other cause identified as good cause by Education Code section 76033, not identified above; or any applicable Penal Code sections, or other applicable local, state, or federal laws.
  - 26. Any other ground constituting good cause.
- C. Violation of parking laws, regulations, or rules shall not be cause for the removal, suspension, or expulsion of a student (Ed. Code § 76036).
- D. ***Nothing in these procedures shall preclude a student with a disability from receiving appropriate accommodations as identified by Disability Support Services.***

**IV. TYPES OF DISCIPLINARY ACTION**

The following discipline may be imposed, individually or in various combinations, on any student found to have violated the Student Code of Conduct.

**WARNING:** A warning is a written or oral notice to the student that continuation or repetition of certain conduct may be result in further disciplinary action.

**RESTITUTION:** Restitution is reimbursement by the student for damage to, loss of or misappropriation of property. Reimbursement may take the form of appropriate service by the student to repair property or otherwise compensate for damage.

**PROJECTS AND ASSIGNMENTS:** Projects and assignments may include educational projects, service to the college, and other related discretionary assignments.

**DISCIPLINARY PROBATION:** Probation is a status imposed for a specific period of time in which a student must demonstrate his or her conduct conforms to District standards of

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conduct as set forth in these regulations. Conditions may be imposed at the discretion of the District or the President's designee. Misconduct during the probationary period or violation of any conditions of the probation may result in more serious disciplinary action, such as loss of privileges, suspension, or expulsion.

**LOSS OF PRIVILEGES:**

Loss of privileges is the denial of extra-curricular activities **or other special privileges** for a designated period of time. Violation of any conditions or campus regulations during the period of sanction may result in far more serious disciplinary action, such as suspension or expulsion.

**REMOVAL:**

Removal of a student from class by an instructor or with the assistance of Police Services, if necessary.

**SUSPENSION:**

Suspension is a separation from the District for a designated period of time after which the student will be eligible to return. A suspension may consist of (a) a period of time from one or more classes for a period up to ten (10) days of instruction; (b) from one or more classes for the remainder of the school term; and (c) from all classes or activities of the college for one or more terms **for up to three years.**

**EXPULSION:**

Expulsion is the permanent termination of student status by the Governing Board for good cause when other means of correction fail to bring about proper conduct or when the presence of the student causes a continuing danger to the physical safety of the student or others. A student who is expelled is prohibited from participating in any college activities or programs and from entering District premises.

**REVOCATION OF DEGREE OR CERTIFICATION:**

***A degree or certificate awarded from the college may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining a degree or certification, or for other serious violations committed by a student prior to graduation.***

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**V. RECIPROCITY OF SANCTIONS**

During a period of suspension or expulsion, a student shall not be enrolled in any other college within the District. Disciplinary actions or sanctions shall apply to the student at all District colleges.

**VI. CONDUCT RELATED TO COLLEGE**

After a hearing the President's Designee may impose an immediate suspension on a student when such action is required in order to protect property, safety, and to ensure the maintenance of order on the campus or at a campus function.

No student may be removed, suspended, or expelled unless the conduct for which the student is disciplined is related to college activity or college attendance.

**VII. RECORD OF DISCIPLINARY ACTION**

In accordance with Education Code section 76220, Community College Districts shall establish, maintain and destroy student records according to regulations adopted by the Board of Governors of the California Community Colleges. The president's designee will create a record of disciplinary actions, along with relevant supporting documents and evidence. Consistent with the Family Educational Rights and Privacy Act and District Student Services Procedure 3009, this record shall be maintained as a confidential student education record and may not be released without the permission of the student, except as permitted by law and policy. The student shall have a right to inspect the record and to challenge the contents. Disciplinary records shall be retained in a manner consistent with state law, and will be destroyed following the third college year after the college year in which it originated.

In accordance with Education Code section 76234, whenever there is included in any student record information concerning any disciplinary action taken by the college or District in connection with any alleged sexual assault or physical abuse or any conduct that threatens the health and safety of the alleged victim, the alleged victim of the sexual assault or physical abuse shall be informed within three (3) days of the results of any disciplinary action by the college and the results of any appeal.

**VIII. REMOVAL BY INSTRUCTOR**

An instructor, for good cause, may remove a student from his or her class for the day of the removal and the next class meeting. (Ed. Code § 76032 and 76033.)

**A. Procedures Before The Removal.**

1. The instructor shall notify the student of the instructor's consideration of the removal from class and the reasons for the proposed removal.
2. The instructor may remove the student from the classroom immediately. Under normal conditions, the instructor should permit the student an opportunity to present a rebuttal to the

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accusation or otherwise offer relevant comment on the proposed removal. There need be no delay between the time notice is given to the student and the time of such a review.

- 3. The instructor shall decide whether or not to proceed with the proposed removal after hearing the student's explanation and considering all of the information relative to the issue. There need be no delay between the time notice is given to the student and the removal.
- 4. The decision may be given to the student either orally or in writing.
- 5. The instructor's decision is final and may not be appealed.

**B. Procedures After The Removal.**

- 1. Immediately following the removal, the instructor must notify the College President or President's Designee of the removal.
- 2. If the student removed is a minor, the College President or President's Designee shall ask the parent or guardian of the student to attend a parent conference regarding the removal as soon as possible. If the instructor or the parent or guardian so requests, a college administrator shall attend the conference.
- 3. The instructor may request that the student meet with the College President or President's Designee, within three (3) days of removal, prior to returning to class.
- 4. During the period of removal, the student shall not be returned to the class without the concurrence of the instructor.

**IX. PRELIMINARY PROCEDURES FOR SUSPENSION BY PRESIDENT'S DESIGNEE**

The following procedures shall be taken before suspension except in the event that an emergency/interim suspension is made as set forth in Section XIV.

- A. Administration. The President's Designee shall administer these procedures and take appropriate action, subject to the approval of the College President and the Governing Board if required herein or otherwise by law.
- B. Disciplinary Action Which May Be Imposed. The President's Designee may suspend or impose a lesser sanction on a student. A suspension may consist of a period of time as follows:
  - 1. From one or more classes for a period up to ten (10) days of instruction;

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- 2. From one or more classes for the remainder of the school term;
- 3. From all classes and activities of the college for one or more terms. A suspension shall not exceed [two (2)] **three (3)** years.

C. Reporting Of Conduct. Alleged student misconduct shall be reported to the President's Designee. The President's Designee shall be the Vice President of Academic and Student Affairs or the Senior Dean of Student Services at Contra Costa College, the Dean of Student Life at Diablo Valley College, and the Senior Dean of Student Services at Los Medanos College. Other officials may be designated as the President's Designee, whenever necessary for the efficient operation of the District.

D. Investigation. Upon receiving a report of alleged student misconduct, the President's Designee shall initiate an investigation.

E. Notice. Before imposing discipline, the President's Designee shall give or make reasonable efforts to give the student oral or written notice of the reason for the proposed disciplinary action. If the student is a minor, the President's Designee shall also notify the parent or guardian of the investigation and charges.

F. Preliminary Hearing. Within a reasonable period of time (normally within five (5) days following the delivery to the student of the notice referred to above), the President's Designee shall offer the student an opportunity to attend a meeting ("Preliminary Hearing") at which time the student may present a rebuttal to the accusation or otherwise offer relevant comment on the proposed discipline. There need be no delay between the time of the notice given to the student and the time of the meeting. ***If the student fails to arrange a preliminary hearing (or if he/she fails to appear for a preliminary hearing, he/she has arranged), the decision of the President's Designee will be final and not subject to a further Appeal Hearing.***

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G. Determination After Preliminary Hearing. ***Based on the evidence presented,*** [The] President's Designee shall decide whether or not to proceed with the proposed suspension and/or to recommend expulsion after hearing the student's explanation and considering all of the information. If the decision is to suspend for up to five (5) days, the President's Designee may inform the student of the decision and send a written confirmation to the student's last known address within five (5) working days. The confirmation shall include a statement that the decision to impose a suspension for five (5) days or less, or a lesser sanction, is not appealable. If the decision is to suspend for more than five (5) school days or to recommend expulsion, the President's Designee shall send the student a written notice via personal delivery or certified mail to the student's last known address as set forth below.

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H. Notice To The College President. The President's Designee shall report any disciplinary action imposed to the College President.

- I. Notification After A Suspension Of More Than Five (5) Days. If the President's Designee imposes a suspension of more than five (5) days, the President's Designee shall promptly send the student a letter of notification that is hand delivered or sent via certified mail to the student's last known address. The notification shall include:
  - 1. A statement of the charges, the reason for the suspension or recommended expulsion offer, and a description of facts related to the misconduct, including the evidence against the student, the date of the incident(s), time of the incident(s), and location of the offense(s).
  - 2. A copy of the Student Code of Conduct [and Board Policy].
  - 3. An explanation that a student who has been suspended for more than five (5) days is entitled to appeal the decision and has a right to a further hearing ("Appeal Hearing"). The notification shall also state that a request for an Appeal Hearing shall be filed within five (5) **business** days of the service or mailing of the notification, whichever is earlier. ***The written request for an appeal hearing must be submitted to the President's Designee, and must cite the specific ground(s) for the appeal (from those listed below), and provides information which substantiates the ground(s) on which the appeal is being made.***
  - 4. ***Grounds for appeal - A student may appeal the decision of the President's Designee on grounds that:***
    - (a.) Fair consideration was not provided to the student, (i.e., there is evidence that some aspect of the hearing was prejudicial, arbitrary, or capricious).***
    - (b.) New and significant information, not reasonably available at the time of the initial hearing, has become available.***
    - (c.) The sanction or remedy imposed is not in due proportion to the nature and seriousness of the offense. Any evidence supporting these grounds must be included in the request for an appeal hearing.***
  - 5. A statement that the student has the right to be accompanied at an "Appeal Hearing" by an on-campus advisor of his or her choice. If the student decides to be accompanied by an advisor, the name and address of that advisor must be submitted to the President's Designee at the time the appeal is filed.
  - 6. The President's Designee may note that he or she will also recommend expulsion.
  - 7. The Notification shall include the date, time, and location of an Appeal Hearing if requested by the student.

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- J. Student Right To Appeal A Suspension Of More Than Five (5) Days. The student may accept a suspension in excess of five (5) days without admitting the conduct charged. In such a case, the decision of the President's Designee will be final and not subject to a further Appeal Hearing. Should the student not accept a suspension in excess of five (5) days, the student has a right to appeal. A suspension appeal must be filed by the student no later than five (5) **business** days from the date the notification letter is personally served or mailed.
- K. Schedule Of Hearing. The President's Designee shall schedule an Appeal Hearing no later than ten (10) working days from the date of the suspension.

**X. HEARING AUTHORITY FOR APPEAL HEARING**

- A. The College President will assign either an Administrative Hearing Officer or may utilize a Student Discipline Committee ("Committee") to conduct Appeal Hearings at the college ("Hearing Authority").
- B. An Administrative Hearing Officer shall be a college official.
- C. A Committee shall include: one faculty member, one administrator or manager, and one student. The selection process for the Committee, if any, will normally occur at the beginning of each academic school year.
  - 1. The Academic Senate will select a faculty representative and alternate(s). Vacancies will be filled by an action of the Academic Senate.
  - 2. The Associated Student Body will select a student representative and alternate(s). Vacancies of student members shall be filled by an action of the Associated Student Body.
  - 3. The College President will select the administrative or management representative and alternate(s). The administrative or management representative will serve as the Committee Chair.

The student or the college staff member shall notify the Committee if he or she has a conflict of interest because he or she is involved in the discipline matter and, therefore, is unable to service as a neutral party.

- 4. Alternate faculty, administrative, and student members shall be appointed to ensure that a standing committee can always be convened promptly.

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**XI. APPEAL HEARING PROCEDURES**

- A. The President’s Designee shall submit to the Hearing Authority: a description of the charges, notices, evidence, and a copy of the proposed decision. The President’s Designee shall present relevant evidence regarding the alleged misconduct. The accused student may then present any relevant evidence. Each party may call, examine, and cross-examine witnesses. Written statements, if any, shall be submitted under penalty of perjury. The Hearing Authority may also question witnesses. Opening and closing statements shall be limited to five (5) minutes. The President’s Designee shall speak first, followed by the student.
- B. The Hearing Authority shall rule on all questions of procedure and admission of evidence.
- C. Hearings need not be conducted in accordance with strict rules of evidence or formality of a court hearing.
- D. The Hearing Authority shall consider no evidence other than that evidence received at the hearing. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but shall not be sufficient in itself, to support a finding.
- E. A student may be accompanied by an advisor of his or her choosing, at the student’s request. The role of the advisor is passive in this procedure. The advisor may be present at the hearing and may counsel the student. The advisor may not address the Hearing Authority and shall not be permitted to participate in any way during the hearing except to offer counsel to the student. If the student decides to be accompanied by an attorney, the name and address of that attorney must be submitted to the President’s Designee at the time the request for hearing is filed.
- F. The Appeal Hearing shall be closed to protect the privacy and confidentiality of everyone involved unless the student and District agree in writing to have a public hearing at least five (5) days in advance of the hearing. A closed hearing will be closed to everyone except the following:
  - 1. The student charged.
  - 2. The Hearing Authority.
  - 3. An advisor for the student charged, if so desired.
  - 4. The President’s Designee.
  - 5. A witness, while presenting evidence.
  - 6. An on-campus advisor for a witness while presenting evidence.

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- G. An official audiotape recording of the hearing shall be kept. The record shall be the property of the District. The student charged may listen to the tape at a mutually agreeable location at the college. An accused student may, upon request, be provided a copy at his or her own expense.

**XII. HEARING AUTHORITY’S CONSIDERATION AND RECOMMENDATION**

Following presentation of the evidence, the Hearing Authority shall privately consider the evidence with all persons excluded. The Hearing Authority shall send a written report to the College President within five (5) working days of the termination of the hearing. The report shall contain the following information:

- A. A summary of factual findings and a determination that the accused student did or did not commit the act(s) charged.
- B. A finding that the student’s act(s) did or did not constitute a violation of the Student Code of Conduct.
- C. A recommendation for upholding or modifying the proposed discipline. The Hearing Authority may also recommend further investigation.

**XIII. COLLEGE PRESIDENT’S DECISION**

- A. The College President shall reach a decision after reviewing the report submitted by the Hearing Authority. The College President may refer the matter back to the Committee or hearing officer for further clarification on details of the case, such as evidence and findings of fact. The College President may uphold the suspension, uphold the recommendation by the Hearing Authority, or adopt a lesser sanction, if appropriate. A written statement of the decision shall be sent via certified or registered mail to the student’s last known address within three (3) working days of the College President’s receiving the Hearing Authority ‘s recommendation.
- B. The decision of the College President to suspend or impose a lesser sanction shall be final and not subject to further appeal.
- C. The College President shall report a disciplinary suspension of any student to the Governing Board at its next regular meeting after the suspension has been imposed. A copy of the suspension determination, including the reasons for the suspension, shall be placed in the student’s permanent disciplinary record (not the transcript).
- D. If the College President determines that a student should be expelled, he or she will forward that recommendation through the Chancellor, to the Board of Trustees for determination.
- E. In the event that a College President is or will be unavailable for the making of a prompt decision, the College President may appoint an unbiased designee to act on the appeal.

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**XIV. EMERGENCY INTERIM SUSPENSION**

- A. An emergency/summary suspension is an immediate suspension imposed upon a student for good cause. (Ed. Code § 66017.)
- B. Notwithstanding the foregoing, the College President or the President's Designee may impose an emergency/summary suspension. It is an extraordinary measure and shall be utilized when necessary to protect lives or property and to ensure the maintenance of order pending a hearing.
- C. A preliminary hearing shall be provided within ten (10) calendar days of an emergency/summary suspension. (Ed. Code § 66017.) The procedures set forth in Sections IX and X shall apply to the preliminary hearing and any appeal hearing.
- D. An emergency/summary suspension shall be reported to the Governing Board at its next regular meeting after such suspension has been imposed. A copy of the suspension may be placed in the student's permanent record at the discretion of the College President.

**XV. NOTIFICATION**

The College President or President's Designee shall, upon suspension or expulsion of any student, notify the appropriate law enforcement authorities of the county or city in which the school is situated of any acts of the student which may be in violation of section 245 of the Penal Code. (Ed. Code § 76035.)

**XVI. EXTENSIONS OF TIME**

Calendar restraints may be extended with the agreement of both parties.

**XVII. EXPULSION**

The Governing Board has the sole authority to expel a student. If the College President determines that a student should be expelled, he or she shall send the recommendation through the Chancellor to the Board of Trustees. [Policy needs to specify procedures for implementing an expulsion. Would the same due process procedures apply as for long-term suspensions?]

Education Code, Sections 66300, **66301**, 76030-76037

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Historical Annotation:  
Adopted 03/02/04

Related Board Policy:  
Board Policy 3012

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## EVALUATION OF CONTRACT ADMINISTRATORS

Evaluation of contract administrators should be an ongoing and systematic process conducted both formally and informally.

Its purpose is to clarify the expectations placed on these positions and to assess performance based upon these expectations. Optimal performance, a clearer sense of direction, and reinforcing recognition are the primary goals of this policy.

The process and criteria used shall be understood by and mutually acceptable to the contracted administrators, Chancellor and the Governing Board. The formal evaluation shall result in a written record of performance upon which the Board or Chancellor will base its annual review of the employment contract.

Evaluations will be conducted annually, with a comprehensive ("360 degree") evaluation **conducted during each of the first four years of employment as a contract administrator, and every third year thereafter**. The comprehensive evaluation will consist of input from faculty, classified staff, students (where applicable), and other contract administrators, managers and supervisors. **as delineated in Human Resources Procedure XXXX.XX.**

## EVALUATION OF CONTRACT ADMINISTRATORS

### Evaluation of the Chancellor

Evaluation of the Chancellor is to be based upon performance of the duties **outlined in the job description** of the Chancellor and upon goals and objectives developed and reviewed annually by the Governing Board and the Chancellor. The evaluation criteria shall necessarily include but not be limited to:

- the relative degree of success the Chancellor has made in achieving goals and objectives established
- the competency the Chancellor has demonstrated in timely completing those duties delegated to the Chancellor
- the overall motivation and leadership skills the Chancellor has exhibited

Instruments and timelines used in the Chancellor's evaluation will be reviewed periodically and may be revised by majority action of the Governing Board after discussion with the Chancellor.

### Participation

The Chancellor will be evaluated by:

- Members of the Governing Board including the student trustee
- Academic Senate Presidents for each college
- Classified Senate Presidents for each location
- United Faculty President
- Local 1 President
- employees under the direct supervision of the position
- others mutually agreed to by the Chancellor and the Governing Board

### Activities

1. **In addition to reviewing the job description of the Chancellor**, the Chancellor and the Governing Board shall establish the evaluation criteria and objectives for rating the Chancellor's performance annually. While it is contemplated that the evaluation criteria and format be mutually established by the Board and the Chancellor in the course of conferring, the Board reserves its right to unilaterally set reasonable and objective criteria for the evaluation of the Chancellor's performance.
2. The Board President will electronically send an evaluation instrument to those designated to participate in the evaluation of the Chancellor. The evaluation instrument is to be completed by each designated individual and submitted electronically to the Board President.
3. A faculty liaison will summarize all faculty responses received and provide comments on areas of strength, areas needing to be strengthened, and recommendations for bringing about improvements. **The faculty liaison will be selected by the evaluatee.**
4. The Board President shall collect and have summarized all of the evaluation ratings and comments and share the summary with the Board members. The Board President shall accept and consider relevant evaluation data submitted by the Board members prior to finalizing the annual evaluation.

5. The Chancellor will complete a self- evaluation and forward it to the Board President. The self- evaluation is an opportunity for the Chancellor to identify performance strengths, note circumstances that may have affected performance whether positively or negatively, and to inform the Board of particular accomplishments that may not be reflected in other portions of the evaluation.
6. The Board shall consider the evaluation summary and the self-evaluation prior to meeting with the Chancellor. The evaluation summary will be discussed by the Board and Chancellor.
7. The Board President shall share the finalized evaluation of the Chancellor with the Board. The Board will consider the evaluation before making recommendations regarding the employment contract and/or compensation changes to be effective the following fiscal year.
8. The written evaluation report, contract amendments or compensation changes shall be prepared and signed by the Board President and delivered to the Chancellor.
9. Upon completion of the process, a copy of the signed evaluation shall be sealed and placed in the Chancellor's personnel file for review only by the Board **President members** or the Chancellor.

#### **Evaluation of Contract Administrators Other than the Chancellor**

The purpose of evaluation is to assess the contract administrator's performance based on the expectations stated in the job description as well as other goals and objectives developed between the supervising manager and the contract administrator. Providing the contract administrator with a clear sense of direction, acknowledging good performance, and suggesting areas in which performance may be improved shall be the primary goals of evaluation. The ultimate goal is to ensure the efficient operation of the college and District for the benefit of students and employees.

**Evaluations will be conducted annually, with a comprehensive ("360 degree") evaluation conducted during each of the first four years of employment as a contract administrator, and every third year thereafter.**

Evaluations of other contract administrators including Presidents, Vice Chancellors, Associate Vice Chancellors, Chief Facilities Planner and any other contract administrators will be based upon three factors **when a comprehensive ("360 degree") evaluation is performed, and two factors when a standard evaluation is performed.** Those factors and the weighted measurement are:

#### **Comprehensive ("360 degree") evaluation**

- progress toward goals and objectives developed (40%)
- performance of the duties of the contracted position (40%)
- survey responses (20%)

#### **Standard evaluation**

- **progress toward goals and objectives developed (50%)**
- **performance of the duties of the contracted position (50%)**

To receive a satisfactory rating an administrator must receive a 70% or more overall rating indicating the administrator consistently meets the majority of expectations and may exceed expectations in focused areas. A rating of less than 70% would indicate that growth is needed in some areas or that the administrator does not meet expectations. Instruments used in the evaluation will be reviewed periodically and may be revised after discussion with the Chancellor.

### Participation

Individuals in the following positions shall participate in the **comprehensive (“360 degree”)** evaluation process of all contract administrators:

- Chancellor’s Cabinet Members
- Academic Senate President for each college
- Classified Senate President for each location
- United Faculty Vice President
- Local 1 Vice President.
- All employees under the direct supervision of the contract administrator
- In addition, others mutually agreed upon by the contract administrator and supervising administrator.

### Activities and Timeline

June	<b>In addition to reviewing the job description of the contract administrator, the Chancellor or Vice Chancellor, as appropriate, and the contract administrator shall mutually agree upon the annual goals and objectives of the contract administrator for rating the administrator’s performance in the following fiscal year.</b>
March	<p>On or before the first day in March <b>in the years in which a comprehensive (“360 degree”) evaluation is done</b>, an evaluation instrument will be electronically sent to those designated to participate in the evaluation of the contract administrator. The evaluation instrument is to be completed by each designated individual and submitted electronically to the Chancellor or Vice Chancellor, as appropriate, in March of each year.</p> <p>A faculty liaison will summarize all faculty responses received and provide comments on areas of strength, areas needing to be strengthened, and recommendations for bringing about improvements. <b>The faculty liaison will be selected by the evaluatee</b></p> <p>The Chancellor or Vice Chancellor, as appropriate, shall collect and have summarized all of the evaluation ratings and comments by the end of March of each year.</p>
April	<p>On or before the first day in April, the contract administrator will submit to the Chancellor or Vice Chancellor, as appropriate, an evaluation portfolio containing a self-evaluation, progress toward goals with evidence of the completion of the goals and forward it to the Chancellor or Vice Chancellor, as appropriate.</p> <p>The Chancellor or Vice Chancellor, as appropriate, shall consider the summary of the individual evaluations, the self-evaluation, and the progress toward and completion of goals of the administrator prior to a meeting with the contract administrator in April.</p>
May	The Chancellor or Vice Chancellor, as appropriate, shall <del>share</del> <b>report</b> the finalized evaluation of the contract administrator <del>with</del> <b>to</b> the Board at the May meeting. The Chancellor or Vice Chancellor will consider the evaluation before making recommendations regarding the employment contract and/or compensation changes to be effective the following fiscal year.
June	The written evaluation report, contract amendments or compensation changes to the administrator’s contract and/or compensation shall be prepared and brought to the June Board meeting for formal approval.



If the contract administrator disagrees with any part of the evaluation rating, the administrator may submit a written response to be attached to the evaluation. The areas of disagreement should be described specifically. The administrator will have ten days after receipt of the evaluation to record disagreement with the rating given.

Upon completion of the process, a copy of the signed evaluation and attachment, if appropriate, shall be sealed and placed in the contract administrator's personnel file for review only by the immediate supervisor, ~~or Chancellor or Board members.~~

### **Evaluation Summary**

The evaluation summary form for contract administrators will consist of seven parts:

- |          |   |
|----------|---|
| Part I   | Behavioral Skills Survey <b>For Comprehensive ("360 degree") evaluation</b> |
| Part II  | Progress Towards Agreed Upon Goals/Objectives for Current Year              |
| Part III | Organizational Performance Goals/Objectives                                 |
| Part IV  | Self-Evaluation   |
| Part V   | Overall Rating for Evaluation Report  |
| Part VI  | Supervisor's Recommendation   |
| Part VII | Signatures and Review   |

### **Evaluation of All Temporary Contract Administrators**

The evaluation of contract administrators serving in temporary assignments for six months or longer will consist of an informal evaluation at the midpoint of the contract term and a formal evaluation at the end. The immediate supervisor, and others mutually agreed upon between the contract administrator and the immediate supervisor, will provide evaluation input.