



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

DISTRICT GOVERNANCE COUNCIL

September 6, 2017

3:00 p.m. – Room 245

AGENDA

- *1.0 Review Minutes of August 16, 2017
- *2.0 Review of Board Agenda for September 14, 2017
- 3.0 Additional Agenda Items
- 4.0 State Budget Update Carroll, Dowd
- 5.0 District's 2017-18 Adopted Budget Carroll, Dowd
- *6.0 Exemptions to Travel Ban – AB 1887 Carroll
- *7.0 Review of Revisions to Board Policies & Procedures – Chapters 1 and 2 Lamb
- *8.0 Review of BP & AP 7800 – Employee Conflict of Interest Surbrook
- *9.0 Review of Guidelines for Free Speech Activities Neault
- 10.0 Discussion Academic Senate Presidents
 - MOU update
 - Discipline meeting update
 - Exceptions to AB 1887
 - College President hiring changes update
 - Request for a schedule/list of BPs and APs and when they are up for review.
 - Report from the Academic Senate Council
- 11.0 Roundtable

*Attachments

Next DGC MEETING scheduled: Wednesday, September 20, 2017 – 3:00 p.m.
District Office – Room 245

Visitors and observers are welcome. The District Governance Council (DGC) follows an open process and conducts open meetings. However, because of limited space, we ask that visitors sit in the extra chairs provided against the walls to leave room available at the table for voting DGC members. Your help is appreciated.



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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DISTRICT GOVERNANCE COUNCIL MINUTES

August 16, 2017

Present: Beresford, Bulger, Cortez, Hsieh, Kovrig, Larson, Luster, Manis, McMahon, Neault, Perigo, Rogers (for Dowd), Shabazz, Surbrook, Valverde, Watkins, Weinroth and Chairperson Chancellor Carroll

Absent: Akers, Bocaya, Dowd, Hubbard, Payne

Guests: Margaret Lamb

1. APPROVAL OF MINUTES

The minutes of July 19, 2017, were approved with one minor date correction from 2107 to 2017.

2. REVIEW OF BOARD AGENDA

The agenda for the August 24, 2017, Board Meeting was opened for review by Chancellor Carroll. Each item was discussed and satisfied.

3. STATE BUDGET UPDATE

Chancellor Carroll reported no changes to the budget.

4. REVIEW OF REVISIONS TO BOARD POLICIES & PROCEDURES – CHAPTERS 1 AND 2

Executive Assistant to the Chancellor Margaret Lamb addressed proposed revisions and additions to Board Policies and Administrative Procedures, discussing each item. She asked members to review the drafts further, and bring to the next meeting for discussion or send her an email regarding any concerns.

5. DISTRICTWIDE STRATEGIC PLAN 2017-2021

Vice Chancellor Bulger walked the council through the plan and received more suggestions. Chancellor Carroll asked that the office of Communications and Public Relations review the document before final printing.

Adjourned 4:10 p.m.

Chancellor's Office & Board of Trustees

BOARD MEETING

Thursday, September 14, 2017

2:50 p.m. Call to Order – Room 235-255

Followed by Closed Session – Room 300

4:00 p.m. Regular Business Meeting – Room 235-255

3 OPEN SESSION ORGANIZATIONAL ITEMS

3.04 Administration of Oath of Office for Student Trustee:

Alana Mahal Bermodes

by Board President Maria Nieto Senour

9 BOARD POLICIES

9.01 Consideration and adoption of additions and revisions to Chapter 1 – The District and Chapter 2 – Board of Trustees Board Policies (First Reading). These revisions are part of a comprehensive six-year review to ensure currency.

BP 1100 The San Diego Community College District - *New*

BP 2340 Agendas - *Revised*

BP 2350 Speakers - *Revised*

BP 2355 Decorum - *Revised*

BP 2720 Communications Among Board Members - *Revised*

BP 2750 Board Member Absence from the State - *New*

9.02 Consideration and adoption of revisions to Chapter 4 - Academic Affairs Board Policies (First Reading 8/24/17). These revisions are part of a comprehensive six-year review to ensure currency.

BP 5060 Delineation of Function Agreements - *Revised*

BP 5100 Educational Grants and Contracts Program - *Delete*

9.03 Consideration and adoption of revisions to Chapter 7 – Human Resources Board Policies (First Reading 8/24/17). These revisions are part of a comprehensive six-year review to ensure currency.

BP 7100 Commitment to Diversity - *Revised*

BP 7110 Delegation of Authority, Human Resources - *Revised*

BP 7370 Political Activity - *Revised*

BP 7380 Retiree Health Benefits: Academic Employees - *Revised*

BP 7510 Domestic Partners - *Revised*

10 NEW BUSINESS

10.01 In the matter of the Association of Community College Trustees (ACCT) Leadership Congress on September 24-28, 2017, authority is requested to:

1. Approve one voting delegate and one alternate for the ACCT Leadership Congress; and
2. Consideration and nomination of members to the ACCT Board of Directors.

10.02 PeopleSoft's Campus Solutions Implementation Project Oversight/Monitoring Report presentation by Huron Consulting Services, LLC.

10.03 Consideration and approval of Board Meeting Schedule for January 2018 through June 2018.

12 **STUDENT SERVICES**

- 12.01** Authority to designate September 18, 2017, as Constitution Day at City, Mesa, Miramar Colleges and Continuing Education.
- 12.02** In the matter regarding a student field trip to the Cuyamaca Rancho National Park, authorization is requested for San Diego Mesa College Astronomy 109 students and faculty to participate in an overnight field trip to the Green Valley campground at Cuyamaca Rancho National Park, October 19-20, 2017.

13 **BUDGET AND FINANCE**

- 13.01** PUBLIC HEARING: On the San Diego Community College District proposed budget for 2017-2018. In accordance with Section 58301 of the Title 5 California Code of Regulations, and pursuant to notice duly given, any taxpayer in the District may appear and publicly comment on the proposed 2017-2018 fiscal year budget or any item(s) thereof. Under California Law, the 2017-2018 fiscal year budget may not be finally adopted by the Board of Trustees until after this public hearing has been held.
- 13.02** Consideration of adoption of the District's 2017-2018 Adopted Budget.
- 13.03** In the matter of the Deputy Sector Navigator – Information & Communication Technology (ICT) Digital Media grant by the California Community Colleges Chancellors Office (CCCCO), Economic and Workforce Development (EWD) Program to San Diego City College authority is requested to accept, budget and spend \$200,000 in the 2017-2018 General Fund/Restricted budget.
- 13.04** In the matter of San Diego City College's Agreement with the California Community College Chancellor's Office (CCCCO), Funds for Student Success (FSS), to provide academic counseling and courses in Math and English, and contextualized tutoring and peer mentoring services for students at East Village High School: An Early College in Partnership with San Diego City College, as well as professional development for instructors at SDCC and EVHS, authority is requested to accept, budget and spend an additional \$1,000, increasing the budget from \$99,000 to \$100,000 in the 2017-2018 General Fund/Restricted Budget.
- 13.05** In the matter of the "Developing Hispanic-Serving Institutions Program - Title V" Grant (DHSI) from the U.S. Department of Education awarded to San Diego City College to participate in increasing outcomes for Latino/a students through instructional and student service supports, effective October 1, 2016, authority is requested to:
 - 1. Enter into the second year of a 5-year agreement with the U.S. Department of Education from October 1, 2016, through September 30, 2021, in the amount of \$2,625,000; and
 - 2. Accept, budget and spend \$525,000 in the 2017-2018 General Fund/Restricted Budget

13 BUDGET AND FINANCE (Continued)

- 13.06** In the matter of the "Developing Hispanic-Serving Institutions Program – Title V" Grant (DHSI) from the U.S. Department of Education awarded to San Diego Mesa College to participate in the development of expanding and improving Latino success to meet their "exit" Mesa with their goals met, authority is requested to:
1. Enter into year 4 of a 5-year renewal agreement with the department of Education; and
 2. Accept, budget and spend \$525,000 in the 2017-2018 General Fund/Restricted Budget increasing the budget from \$xxx to \$xxx.
- 13.07** In the matter of the subcontract agreement between San Diego Mesa College and the Grossmont-Cuyamaca Community College District (GCCCD) Auxiliary to provide services in support of the Strong Workforce Regional Allocation Program, authority is requested to accept, budget and spend \$50,000 in the 2017-2018 General Fund/Restricted Budget for Marketing of CTE Programs.
- 13.08** In the matter of the "Basic Skills Partnership Pilot Project" award, a Subcontract Agreement with the Grossmont-Cuyamaca Community College District Auxiliary Organization, funded by the California Community Colleges Chancellor's Office and awarded to San Diego Miramar College, authority is requested to:
1. Enter into a Subcontract Agreement with the Grossmont-Cuyamaca Community College District Auxiliary Organization; and
 2. Accept, budget and spend \$140,000 in the 2017-2018 General Fund/Restricted budget.
- 13.09** In the matter of San Diego Miramar College providing In-Service training for the San Miguel Fire Protection District, authority is requested to establish an Instructional Service Agreement (ISA) for five years to provide monthly training for San Miguel Fire Protection District's personnel.
- 13.10** In the matter of San Diego Miramar College providing Academy training for the Chula Vista Fire Department, authority is requested to establish an agreement for five years to provide training for Chula Vista Fire Department's personnel.
- 13.11** In the matter of the Workforce Innovation and Opportunity Act (WIOA) Title I Youth funding allocation at San Diego Continuing Education, from the San Diego Workforce Partnership (SDWP), authority is requested to accept, budget and spend \$420,096 in the 2017-2018 General Fund/Restricted Budget.
- 13.12** Authority to award RFP #17-09 for the performance of parking citation services to the following, as the most responsive and responsible bidder; IParq for an initial term of three years, thereafter for two one-year renewal options at the District's discretion; and authority for the Purchasing and Contract Services Supervisor to exercise two (2), one-year contractual renewal options, if the service provider's performance is deemed to be satisfactory and it is in the District's best interest and the Board has approved the continuation of such funds by budget approval for the respective optional periods.

14 HUMAN RESOURCES

- 14.01** Certification of short-term personnel service effective on or after September 15, 2017, per California Education Code Section 88003.

14 HUMAN RESOURCES (Continued)

14.02 Approval of academic, classified, substitute and student personnel actions relating to appointments, assignment changes, salary changes, status changes, leaves of absence, separations and volunteerism during the period July 1, 2017, through August 31, 2017.

14.03 In the matter of the Office of the Vice President of Instruction at San Diego Miramar College, effective September 15, 2017, contingent upon review by Human Resources, authority is requested to:

1. Delete 1.0 FTE vacant position #007693 Senior Clerical Assistant, Range 18 (\$3,134-\$5,003) AFT Classified Staff Office/Technical; and
2. Establish a 1.0 FTE position #TBD Administrative Technician, Range 22 (\$3,497-\$5,582) AFT Classified Staff Office/Technical.

14.04 In the matter regarding the reorganization of SDCCD Online Learning Pathways at the San Diego Community College District Office, Instructional Services Division, effective September 18, 2017, authority is requested to:

1. Delete 1.0 vacant Instructional Design Coordinator position #011511, Range 11 (\$5,076.38-\$8470.20), Supervisory Unit, Non-exempt (P-rated transferring to AFT/Office-Technical Unit when vacant per PERB decision effective 4/1/07); and
2. Establish 1.0 Instructional Design Supervisor position #XXX, Range 12 (\$5,376.05-\$8,975.53) Supervisory Unit, Exempt as per the attached Organization Chart.

15 FACILITIES, BUILDINGS AND REAL ESTATE

15.01 Authority is requested to approve the use of The School for Entrepreneurship and Technology, located at 3540 Aero Court, San Diego, CA 92123, as an off-campus facility as requested by Mesa College.

15.02 In the matter of providing energy storage at selected sites throughout the District, authority is requested to:

1. Adopt a resolution making the finding necessary under Government Code Section 4217.12 for entering into an energy efficiency agreement with Stem, Inc., without formal competitive bidding; and
2. Enter into an energy efficiency agreement pilot program with Stem, Inc. The agreement is subject to approval by District Counsel and available for review in Facilities Management at the District Office.

15.03 In the matter of the Proposition N Mesa College Fine Arts Building, authority is requested to increase the Guaranteed Maximum Price (GMP).

15.04 In the matter of the Proposition N Mesa College Center for Business and Technology project, authority is requested to increase the Guaranteed Maximum Price (GMP).

15.05 In connection with the membership of the Propositions S and N Citizens' Oversight Committee, authority to appoint Mesa College student Marianna Longoria to serve a one-year term as the student representative from July 1, 2017, until June 30, 2018.

16 INFORMATION ITEMS

16.01 Report on San Diego Promise Pilot Program outcomes

San Diego Community College District
Office of the Chancellor

San Diego Community District Exemptions to AB 1887 Travel Ban

California Govt. Code Section 11139.8

(c) Subdivision (b) shall not apply to travel that is required for any of the following purposes:

- (1) Enforcement of California law, including auditing and revenue collection.*
- (2) Litigation.*
- (3) To meet contractual obligations incurred before January 1, 2017.*
- (4) To comply with requests by the federal government to appear before committees.*
- (5) To participate in meetings or training required by a grant or required to maintain grant funding.*
- (6) To complete job-required training necessary to maintain licensure or similar standards required for holding a position, in the event that comparable training cannot be obtained in California or a different state not affected by subdivision (b).*
- (7) For the protection of public health, welfare, or safety, as determined by the affected agency, department, board, authority, or commission, or by the affected legislative office, as described in subdivision (b).*

SDCCD Exemptions:

1. Required student travel for activities and/or competition affecting their grades and academic performance.
2. Required faculty travel related to sabbaticals, grants, and other mandatory activities
3. Required administrator/staff travel related to sabbaticals, grants, and other mandatory activities
4. Other exceptions as determined by the Chancellor



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Board Policies

Chapter 1 – The District Chapter 2 - Board of Trustees

The following **new** Board Policies are being put forth for **adoption** as part of the Board's ongoing 6-year comprehensive review of all Board policies and procedures:

BP 1100 The San Diego Community College District (legally required policy)

BP 2750 Board Member Absence from the State (legally advised policy)

The following Chapter 2 Board Policies are being put forth for **revision** as part of the Board's ongoing 6-year comprehensive review of all Board policies and procedures:

BP 2340 Agendas (change to reflect updated Brown Act requirements regarding website posting)

BP 2350 Speakers (change to reflect updated requirements regarding use of translators)

BP 2355 Decorum (minor changes for consistency and to update references)

BP 2720 Communications Among Board Members (minor changes for consistency and to add legally required language)

NOTE for all following documents: The **red ink** signifies language that is **legally required** and recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore). The language in **black ink** is from current adopted board policies. The language in **blue ink** is included for consideration.



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Board Policy

Chapter 1 – The District

BP 1100 – THE SAN DIEGO COMMUNITY COLLEGE DISTRICT

The District has been named the San Diego Community College District.

The name is the property of the District. No person shall, without the permission of the Board of Trustees, use this name of the District, any colleges, or other facilities of the District, or any abbreviation of them, to imply, indicate, or otherwise suggest that an organization, product, or service is connected or affiliated with, or is endorsed, favored, supported, or opposed by the District.

The District consists of the following college and/or education center(s):

- [San Diego City College](#)
1313 Park Boulevard, San Diego, CA 92101
- [San Diego Mesa College](#)
7250 Mesa College Drive, San Diego, CA 92111
- [San Diego Miramar College](#)
10440 Black Mountain Road, San Diego, CA 92126
- [San Diego Continuing Education Campuses](#)
 - [César E. Chávez Campus](#)
1901 Main Street, San Diego, CA 92113
 - [Educational Cultural Complex](#)
4343 Ocean View Boulevard, San Diego, CA 92113
 - [Mid-City Campus](#)
3792 Fairmount Avenue, San Diego, CA 92105
 - [North City Campus](#)
8355 Aero Drive, San Diego, CA 92123
 - [San Diego Continuing Education at Mesa College](#)
7350 Armstrong Place, San Diego, CA 92111
 - [San Diego Continuing Education at Miramar College](#)
10440 Black Mountain Road, San Diego, CA 92126

- o [West City Campus](#)
[3249 Fordham Street, San Diego, CA 92110](#)

Reference: [Education Code Section 72000\(b\)](#),
[Elections Code Section 18304](#)

Adopted:

(This is a new policy)



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Board Policy

Chapter 2 – Board of Trustees

BP 2750 – BOARD MEMBER ABSENCE FROM THE STATE

No member of the Board of Trustees shall be absent from the State for more than 60 days, except in any of the following situations:

- Upon business of the District with the approval of the Board of Trustees.
- With the consent of the Board of Trustees for an additional period not to exceed a total absence of 90 days. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the State may be extended by the Board of Trustees.
- For federal military deployment, not to exceed an absence of a total of six months, as a member of the Armed Forces of the United States or the California National Guard. If the absence of a member of the Board of Trustees pursuant to this subdivision exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board of Trustees may appoint an interim member to serve in the member's absence. If two or more members of the Board of Trustees are absent by reason of the circumstances described in this subdivision, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board of Trustees to conduct business and discharge its responsibilities.
- The term of an interim member of the Board of Trustees appointed as set forth above may not extend beyond the return of the absent member, nor may it extend beyond the next regularly scheduled election for that office.

Reference: Government Code Section 1064

Adopted:

(This is a new policy)



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Board Policy

Chapter 2 – Board of Trustees

BP 2340 – AGENDAS

An agenda shall be posted adjacent to the place of meeting as well as on the District's Internet website at least 72 hours prior to the meeting time for regular meetings. The agenda shall include a brief description of each item of business to be transacted or discussed at the meeting. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability.

No business may be acted on or discussed which is not on the agenda, except when one or more of the following apply:

- a majority decides there is an "emergency situation" as defined for emergency meetings;
- two-thirds of the members (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action came to the attention of the Board of Trustees subsequent to the agenda being posted;
- an item appeared on the agenda of and was continued from a meeting held not more than five days earlier.

The order of business may be changed by consent of the Board of Trustees.

The Chancellor shall establish administrative procedures that provide for public access to agenda information and reasonable annual fees for the service.

Any Board member may put items on the agenda pertinent to the educational jurisdiction of this District. Members of the Board of Trustees who desire to introduce an item for immediate action at the public Board meeting at which that item is first considered should file such item for inclusion on the agenda with the Office of the Chancellor five working days preceding the next Board Meeting for agenda items that do not require any preparation and seven working days preceding for agenda items that require review and preparation.

Members of the public may place matters directly related to the business of the District on an agenda for a Board meeting by submitting a written summary of the item to the Chancellor. The written summary must be signed by the initiator. The Board reserves the right to consider and take action in closed session on items submitted by members of the public as permitted or required by law.

Agendas shall be developed by the Chancellor in consultation with the Board President.

Agenda items submitted by members of the public must be received by the Office of the Chancellor ten working days prior to the regularly scheduled Board meeting.

Agenda items initiated by members of the public shall be placed on the Board's agenda following the items of business initiated by the Board and by staff. Any agenda item submitted by a member of the public and heard at a public meeting cannot be resubmitted before the expiration of a 90-day period following the initial submission.

Reference: Education Code Sections 72121 and 72121.5;
Government Code Sections 6250 et seq. and 54954 et seq.

Adopted: 12/14/06

Revised: 5/11/17, _____

(Replaces current SDCCD BP 2340)



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Board Policy

Chapter 2 – Board of Trustees

BP 2350 – SPEAKERS

Persons may speak to the Board of Trustees either on an agenda item or on other matters of interest to the public that are within the subject matter jurisdiction of the Board.

Oral presentations relating to a matter on the agenda, including those on the consent agenda, shall be heard before a vote is called on the item.

Persons wishing to speak to matters not on the agenda shall do so at the time designated at the meeting for public comment.

Those wishing to speak to the Board of Trustees are subject to the following:

- The President of the Board may rule members of the public out of order if their remarks do not pertain to matters that are within the subject matter jurisdiction of the Board of Trustees or if their remarks are unduly repetitive.
- Non-scheduled substitutes may not speak in place of scheduled speakers unless alternates have been submitted on the original request.
- Employees who are members of a bargaining unit represented by an exclusive bargaining agent may address the Board of Trustees under this policy, but may not attempt to negotiate terms and conditions of their employment. This policy does not prohibit any employee from addressing a collective bargaining proposal pursuant to the public notice requirements of Government Code Section 3547 and the policies of this Board implementing that section.
- Speakers wishing to address the Board shall complete a written request to address the Board of Trustees at the beginning of the meeting at which they wish to speak. The request shall include the person's name and name of the organization or group represented, if any, and a statement noting the agenda item or topic to be addressed.
- No person may speak without being recognized by the President of the Board of Trustees.
- Each speaker will be allowed a maximum of five minutes per topic. Twenty minutes shall be the maximum time allotment for public speakers on any one subject regardless of the number of speakers at any one Board meeting. At the discretion of a majority of the Board of Trustees, these time limits may be extended.
- A member of the public who utilizes a translator may have twice the allotted time, to ensure that non-English speakers receive the same opportunity to directly address the Board of Trustees.
- Each speaker coming before the Board of Trustees is limited to one presentation per specific agenda item before the Board, and to one presentation per meeting on non-agenda matters.

Reference: Education Code Section 72121.5;
Government Code Sections 3547 and 54950 et seq.

Adopted: 12/14/06

Revised: 5/11/17, _____

(Replaces current SDCCD BP 2350)



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Board Policy

Chapter 2 – Board of Trustees

BP 2355 – DECORUM

The rules of parliamentary law embraced in Robert's RULES OF ORDER (revised) shall serve as a guide in public meetings of the Board of Trustees in all cases in which such rules are not inconsistent with these policies of the Board.

The presiding officer is authorized to order a meeting of the Board of Trustees adjourned at any time if the legislative decorum of the meeting is disrupted by members of the audience and the audience does not observe a request by the presiding officer for restoration of order.

The following will be ruled out of order by the presiding officer:

- Remarks or discussion in public meetings on charges or complaints which the Board [of Trustees](#) has scheduled to consider in closed session.
- Profanity, obscenity, and other offensive language.
- Physical violence and/or threats of physical violence directed towards any person or property.

In the event that any meeting is willfully interrupted by the actions of one or more persons so as to render the orderly conduct of the meeting unfeasible, the person(s) may be removed [from the meeting room](#).

Speakers who engage in such conduct may be removed [from the podium](#) and denied the opportunity to speak to the Board [of Trustees](#) for the duration of the meeting.

Before removal, a warning and a request that the person(s) curtail the disruptive activity will be made by the President of the Board. If the behavior continues, the person(s) may be removed by a vote of the Board [of Trustees](#), based on a finding that the person is violating this policy, and that such activity is intentional and has substantially impaired the conduct of the meeting.

If order cannot be restored by the removal in accordance with these rules of individuals who are willfully interrupting the meeting, the Board [of Trustees](#) may order the meeting room cleared and may continue in session. The Board [of Trustees](#) shall only consider matters appearing on the agenda. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this rule.

Reference: Education Code Section 72121.5;
Government Code Section 54954.3 (b)

Education Code Section 72121.5;
Government Code Section 54954.3 (b)

Adopted: 12/14/2006

SDCCD-former policy 1001.13

Adopted: 12/14/06

Revised:

(Replaces current SDCCD BP 2355)



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Board Policy

Chapter 2 – Board of Trustees

BP 2720 – COMMUNICATIONS AMONG BOARD MEMBERS

The Board of Trustees may take action on matters properly before it only in public at a regular, special, or emergency meeting, except in those instances where action is permitted by law in Closed Session. The authority of the Board of Trustees may be exercised only as a Board and only at such meetings or Closed Sessions as are duly and legally constituted. Individual members acting in their individual capacities have no authority to commit the Board of Trustees or Chancellor to any policy determination or course of action.

Members of the Board of Trustees shall not communicate among themselves by the use of any form of communication (e.g., personal intermediaries, e-mail, or other technological device) in order to reach a collective concurrence regarding any item that is within the subject matter jurisdiction of the Board of Trustees. In addition, Board Members may not use a series of communications by any means or through any person to discuss, deliberate, or take action on any item of business within the subject matter jurisdiction of the Board.

Reference: Government Code Section 54952.2

Government Code Section 54952.2

Adopted: 12/14/2006

SDCCD—former policy 1001.10

Adopted: 12/14/06

Revised:

(Replaces current SDCCD BP 2720)



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Administrative Procedures

Chapter 2 - Board of Trustees

The following **new** Administrative Procedures are being put forth for **approval** as part of the Board's ongoing 6-year comprehensive review of all Board policies and procedures:

- AP 2110 Vacancies on the Board** (legally required language regarding the filling of vacancies)
- AP 2320 Special and Emergency Meetings** (legally required language regarding the calling of Special and Emergency meetings)
- AP 2340 Agendas** (legally advised procedure details agenda development and posting in accordance with Brown Act requirements)
- AP 2345 Public Participation at Board Meetings** (legally advised language regarding public speakers)
- AP 2360 Minutes** (suggested procedure to reflect local practice)
- AP 2365 Recording** (legally advised procedure to reflect local practice regarding maintenance of recordings in accordance with the California Public Records Act)
- AP 2610 Presentation of Initial Collective Bargaining Proposals** (legally required language as detailed in Government Code Section 3547)
- AP 2710 Conflict of Interest** (legally required language detailing Board member and employee conflicts of interest)
- AP 2735 Board Member Travel** (suggested procedure to address process for approval and payment for Board Member Travel)

NOTE for all following documents: The **red ink** signifies language that is **legally required** and recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore). The language in **black ink** is from current adopted board policies. The language in **blue ink** is included for consideration.



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Administrative Procedure

Chapter 2 – Board of Trustees

AP 2110 – VACANCIES ON THE BOARD

Filling a Vacancy

When the Board of Trustees determines to fill the vacancy by appointment, the Chancellor shall assure that there is ample publicity to and information for prospective candidates. Publicity shall include posting in three public places in the District and publication in a newspaper of general circulation.

The posted notice of vacancy shall include directions regarding applications or nominations of legally qualified candidates. Persons applying or nominated must meet the qualifications required by law for members of the Board.

Applying for an Appointment

Persons applying for appointment to the Board shall receive a letter from the Chancellor containing information about the District and the Board, and including a candidate information sheet to be completed and returned by a specific date.

Interviewing and Selecting Candidates

The Board may request personal interviews with candidates. Interviews will be conducted in a public hearing scheduled for that purpose.

Each Board member will review all candidate information sheets, with final selection made by a majority vote of the Board members at a public meeting called for that purpose.

Whenever a provisional appointment is made, the Board shall, within ten days of the provisional appointment, post notices of both the actual vacancy or the filing of a deferred resignation and the provisional appointment in three public places in the District. It shall also publish a notice in a newspaper of general circulation.

The notice shall state the fact of the vacancy or resignation and the date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation. It shall also contain the full name of the provisional appointee to the Board, the date of appointment, and a statement that unless a petition calling for a special election, containing a sufficient number of signatures, is filed in the Office of County Superintendent of Schools within 30 days of the date of the provisional appointment, it shall become an effective appointment.

A provisional appointment confers all powers and duties of a Board member upon the appointee immediately following his/her appointment.

Term and Powers of Office

A person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for Board members. An election shall be held to fill the vacancy for the remainder of the unexpired term. A person elected at an election to fill the vacancy shall hold office for the remainder of the term in which the vacancy occurs or will occur.

Reference: Education Code Sections 5090 et seq.;
Government Code Sections 1770 and 6061

Date Approved:
(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Administrative Procedure

Chapter 2 – Board of Trustees

AP 2320 – SPECIAL AND EMERGENCY MEETINGS

Special Meetings

Whenever a special meeting of the Board of Trustees is called, the Chancellor shall cause the call and notice to be posted at least 24 hours prior to the meeting in a location freely accessible to the public. The Chancellor shall also ensure that the following notices of the meeting are delivered either personally or by other means:

- Written notice to each member of the Board, including the student members,
- Written notice to each local newspaper of general circulation, and each radio or television station that has previously requested in writing to be provided notice of special meetings.

The written notice must be received at least 24 hours before the time of the meeting as set out in the notice. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. The notice may be waived by members of the Board in writing either prior to or at the time of the meeting.

Emergency Meetings

Whenever an emergency meeting of the Board is called, the Chancellor shall cause notice to be provided by telephone at least one hour prior to the meeting to each local newspaper of general circulation and each radio or television station that has requested notice of special meetings. If telephone services are not functioning, the Chancellor shall provide the newspapers, radio stations, and television stations with information regarding the purpose of the meeting and any action taken at the meeting as soon after the meeting as possible.

Reference: Education Code Sections 72023.5 and 72129;
Government Code Sections 54956 and 54956.5

Date Approved:

(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Administrative Procedure

Chapter 2 – Board of Trustees

AP 2340 – AGENDAS

1) NOTICING - The agenda for each regular Board meeting will be posted in the outdoor entryway of the Charles W. Patrick Building District Office, located at 3375 Camino del Rio South San Diego CA 92108, at least 72 hours prior to each regular meeting of the Board and at least 24 hours prior to each special meeting. Copies of the agenda shall be available in the Chancellor's Office during regular office hours prior to the Board meeting and the agenda shall be posted on the District's website.

The agenda is the official document under which District business is transacted.

2) OFFICIAL BOARD ACTIONS - The Board may take official action only on items listed on the Board meeting agenda, except in the case of an emergency situation. An emergency situation shall exist if in the judgment of the Chancellor immediate action is required to protect the health, safety, and/or welfare of the college, its students, employees, or property.

3) AGENDA DEVELOPMENT - The initiator prepares a proposed agenda item using the District's BoardDocs website, attaching electronic versions of all necessary backup documentation. Items are submitted via the appropriate approval tree, as determined by the responsible Cabinet member.

Upon endorsement by the Cabinet member by the published deadline, the item is forwarded to the Chancellor's Office for review. If there are personnel or fiscal implications, the item is forwarded to the Chief Human Resources Officer and/or the Chief Business Officer. Following review/editing of fiscal implications, proposed agenda items are returned to the Chancellor's Office. The Chancellor's Office staff proofreads and edits agenda items to ensure consistency and forwards to the Chancellor for approval.

The list of agenda items to be considered at the Board meeting is posted outside the second floor of the Charles W. Patrick Building District Office, located at 3375 Camino del Rio South San Diego CA 92108. Members of the public and of the District community can view Board agendas on the District's website. Notice is sent via email to the major District distribution lists, as well as those requesting written notice in accordance with the Ralph M. Brown Act.

The public can receive copies of the agenda through the Chancellor's Office at the standard District charge for photocopies. Any individual can print the agenda from the website at no charge.

The agenda shall be posted in these locations at least 72 hours prior to the meeting time for regular meetings and at least 24 hours prior to the meeting time for special meetings. If

requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to disabled persons.

The agenda shall include a brief description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session.

No fees shall be charged to the public for such access.

4) RECEIPT OF AGENDA - The Board shall receive an agenda for a regular meeting from the Chancellor's Office at least four days in advance of the date it is to be considered by the Board. Any supportive or documentary evidence or information pertinent to the agenda items shall be enclosed with the agenda.

5) FUTURE AGENDA ITEMS - At the request of any Board Member, the Board President shall include specific items on a future agenda (next meeting unless otherwise requested) for discussion or action.

6) AGENDA ITEMS FROM PUBLIC - Members of the public may place items on the agenda. Items requested to be placed on the agenda must relate directly to District business. The determination of whether or not items to be placed on the agenda by members of the public relate directly to District business is to be made by the Chancellor or his/her designee.

Acceptance of an item for inclusion on the agenda does not confer upon the requestor the right to direct or require preparatory staff study, analysis, research, or review of material related to the item.

Any item placed on the agenda by a member of the public is subject to all policies and procedures regulating the conduct of Board business.

Reference: Education Code Section 72121

Date Approved:

(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Administrative Procedure

Chapter 2 – Board of Trustees

AP 2345 – PUBLIC PARTICIPATION AT BOARD MEETINGS

In accordance with Education Code Section 72121.5, members of the public are invited to participate in the governance system of the District by utilizing the Public Comment section of the Board meeting agenda.

Public comment on items listed on the Board meeting agenda shall be heard at the time the item is discussed and prior to Board action on the item.

Public comment on matters not listed on the Board meeting agenda may do so during the Public Comments section of the Board meeting for Regular Board meetings only; for Special Meetings and Retreats, comments are only allowed for items on the posted agenda. In accordance with Education Code Section 72121.5, the Board shall take no action on such matters, other than an action of referral.

Public comments shall be limited to five minutes (a total of twenty minutes on the same subject) unless this time limit is waived by action of the Board. A member of the public who utilizes a translator may have twice the allotted time, to ensure that non-English speakers receive the same opportunity to directly address the Board of Trustees.

Reference: [Education Code Section 72121.5;](#)
[Government Code Section 54954.2](#)

Date Approved:

(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Administrative Procedure

Chapter 2 – Board of Trustees

AP 2360 – MINUTES

Minutes of official Board of Trustees meetings are taken by the Chancellor's Office staff. Regular, special, emergency, and adjourned meetings are official meetings. Actions taken in closed session are reported at the following official meeting and become part of the minutes of that meeting. Study sessions are informational meetings, and minutes are not kept.

Minutes of open meetings shall contain, at minimum, the following information:

- Meeting details, such as date, time, location and meeting type;
- Accounting of Board members present and absent;
- The nature of all motions, including the names of Board members making and seconding such motions, and disposition;
- Name and subject of public speakers; and
- Time of adjournment.

Non-action items shall be recorded in the minutes by stating the name of the speaker and the general topic.

The minutes may also include a brief summary of verbal reports of Board members, administrators, and senate representatives.

Following Board approval, minutes can be accessed by college staff and the public on the District's website or by contacting the Chancellor's Office.

Reference: [Education Code Section 72121\(a\)](#)

Date Approved:

(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Administrative Procedure

Chapter 2 – Board of Trustees

AP 2365 – RECORDING

The Chancellor's Office is responsible for maintaining audio recordings of Board Meetings, excluding closed sessions. The audio recordings of meetings are available to the public in accordance with the California Public Records Act, Government Code Section 6250, and may be erased or destroyed no sooner than 30 days after the taping or recording. Any inspection of a video or audio recording shall be provided without charge on a video or audio player made available by the District.

Reference: [Government Code Sections 54953.5 and 54953.6](#)

Date Approved:

(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Administrative Procedure

Chapter 2 – Board of Trustees

AP 2610 – PRESENTATION OF INITIAL COLLECTIVE BARGAINING PROPOSALS

Whenever an initial collective bargaining proposal is received from an exclusive representative of District employees, or whenever the District's own negotiator presents an initial proposal, the following actions must be taken at public meetings of the Board of Trustees:

- The exclusive representative or the District must present the initial collective bargaining proposal orally or in writing to the Board at a public meeting.
- The public shall have an opportunity to respond to the exclusive representative's or District's initial proposal at a subsequent public Board meeting. The opportunity for public response shall appear on the Board's regular agenda. Public response shall be taken in accordance with the Board's policies regarding speakers.
- After the public has an opportunity to respond to an initial proposal presented by the District, the Board shall, at the same meeting or a subsequent meeting, adopt the District's initial proposal. The adoption shall be indicated as a separate action item on the Board agenda. There shall be no amendment of the District's initial proposal unless the public is again afforded a reasonable opportunity to respond to the proposed amendment at a public meeting.
- If new subjects of meeting and negotiating arise after the presentation of initial proposals, the following procedure shall be followed: all new subjects of meeting and negotiating, whether proposed by the exclusive representative or the District, shall be posted by the District in the same public place as it posts its agendas within 24 hours after their presentation in negotiations.
- When a request to reopen a collective bargaining agreement, as required by the agreement, is received from an exclusive representative or is made by the District, the public notice procedure outlined in this procedure shall be followed.
- When the District and the exclusive representative agree to amend an executed collective bargaining agreement in accordance with the agreement, the following procedure shall be followed:
 - The amendment shall appear on the agenda as a notice item, for action at a subsequent Board meeting.

The public shall have an opportunity to respond to the amendment at a subsequent Board meeting. The public response shall be indicated on the agenda.

Reference: Government Code Section 3547

Date Approved:
(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Administrative Procedure

Chapter 2 – Board of Trustees

AP 2710 – CONFLICT OF INTEREST

Incompatible Activities (Government Code Sections 1099 and 1126)

Board members and employees shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the District. A Board member shall not simultaneously hold two public offices that are incompatible. When two offices are incompatible, a Board member shall be deemed to have forfeited the first office upon acceding to the second.

Financial Interest (Government Code Sections 1090 et seq.)

Board members and employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as members of the Board or as employees.

A Board member shall not be considered to be financially interested in a contract if his/her interest meets the definitions contained in applicable law (Government Code Section 1091.5).

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other member of the Board to enter into the contract. Remote interests are specified in Government Code Section 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child.

No Employment Allowed (Education Code Section 72103(b))

An employee of the District may not be sworn in as an elected or appointed member of the Board of Trustees unless and until he/she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. This provision does not apply to an individual who is usually employed in an occupation other than teaching and who also is, at the time of election to the Board, employed part time by the District to teach no more than one course per semester or quarter in the subject matter of that individual's occupation (Education Code Section 72103(b)).

Financial Interest in a Decision (Government Code Sections 87100 et seq.)

If a Board member or employee determines that he/she has a financial interest in a decision, as described in Government Code Section 87103, this determination shall be disclosed and made part of the Board's official minutes. In the case of an employee, this announcement shall be made in writing and submitted to the Board. A Board member, upon identifying a conflict of interest, or a potential conflict of interest, shall do all of the following prior to consideration of the matter.

- Publicly identify the financial interest in detail sufficient to be understood by the public;
- Recuse himself/herself from discussing and voting on the matter;
- Leave the room until after the discussion, vote, and any other disposition of the matter is concluded unless the matter is placed on the agenda reserved for uncontested matters. A Board member may, however, discuss the issue during the time the general public speaks on the issue.

Gifts (Government Code Section 89503)

Board members and any employees who manage public investments shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law.

Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests.

The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.

Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code Section 89506.

A gift of travel does not include travel provided by the District for Board members and designated employees.

Board members and any employees who manage public investments shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering (Government Code Sections 89501 and 89502).

Designated employees shall not accept any honorarium that is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. The term "honorarium" does not include:

- Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade, or profession is making speeches.
- Any honorarium that is not used and, within 30 days after receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction from income tax purposes.

Representation (Government Code Section 87406.3)

Elected officials and the Chancellor shall not, for a period of one-year after leaving their position, act as an agent or attorney for, or otherwise represent for compensation, any person appearing before that local government agency.

Reference: Education Code Section 72103(b);
Government Code Sections 1090 et seq., 1099, 1126, 87100 et seq., 87105,
87200-87210, 87406.3, 89501, 89502, 89503, and 89506;
Title 2 Sections 18700 et seq.

Date Approved:
(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Administrative Procedure

Chapter 2 – Board of Trustees

AP 2735 – BOARD MEMBER TRAVEL

Board members are required to comply with board policies and administrative procedures established for District employees, including completion of travel and conference request forms. On request, the Chancellor's Office staff will assist Board members with travel arrangements and the completion of appropriate forms.

Also see BP/AP 7400 Employee Travel

Reference: Education Code Section 72423

Date Approved:

(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Board Policy

Chapter 7 – Human Resources

BP 7800 – Employee Conflict of Interest

CONDITION

District officers/employees are required to be alert to situations where a conflict of interest may occur in relation to their duties with the District.

POLICY

All District employees/officers are by law subject to restrictions of their outside activities/enterprises/employment where a conflict of interest would occur.

A District employee/officer shall not engage in any outside employment, activity or enterprise for compensation which is inconsistent, incompatible, or in conflict with his/her their duties with the District. A District employee/officer shall not perform any work, service, or counsel for compensation outside of his/her their District where any part of his/her their efforts will be subject to approval by any other officer, employee, committee of the District, or of the Board of Trustees.

Prohibited activities shall include the following, as well as other legal provision:

- The use of District time, facilities, equipment, supplies, prestige or influence for private gain or advantage.
- Receipt or acceptance of money or other consideration from other than the District for any activity which the employee/officer is expected to render in the regular course of work hours of his/her their employment with the District.
- Performance of an act in other than his/her their capacity as an employee/officer which may later be subject to control, inspection, review, audit, or enforcement of any other District employee/officer.
- Time demands which would render his/her their duty performance less efficient.

Any violation of these prohibited activities shall be cause for disciplinary action which may result in dismissal or prosecution under current law regarding dismissal proceedings. Any such disciplinary action is subject to appeal rights in accordance with current law and District policies/procedures.

October 14, 1998

~~SUPERSEDES: AG-4857, 7/27/73~~

[Also see BP 2710 titled Conflict of Interest, BP 2715 titled Code of Ethics/Standards of Practice and AP 4460.2 titled Conflict of Interest](#)

Adopted: 08/14/98

Revised:

(Replaces current SDCCD Policy 4460)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Board Policy

Chapter 7 – Human Resources

AP 7800 – Employee Conflict of Interest

This procedure is applicable to all officers and employees. It specifies activities which are inconsistent, incompatible, or conflicting with their duties or offices and requires action be taken by supervisory/management personnel.

FUNCTION - Regulations

A District employee or officer shall not engage in any activity or enterprise for compensation which is inconsistent with or inimical to either his/her **their** own duties with the District or to the functions or responsibilities of the District.

This prohibition includes, but is not limited to, the following:

- a. Use of District time, facilities, equipment, supplies or name in a manner clearly for private gain or advantage.
- b. Receipt or acceptance of money or other consideration from other than the District for activity which the employee or officer is expected to render in the regular course or hours of his/her **their** employment with the District.
- c. Employment involving time demands which would render performance of his/her **their** duties as a local agency officer or employee less efficient.
- d. Sale or promotion, on District property during employee's or officer's duty hours, of products or services, rental of property or products, or promotion of any academic or non-academic enterprise in which the employee or officer may have a pecuniary interest.
- e. Acceptance of remuneration, direct or indirect, for tutoring a student who is, or was during the past two semesters, enrolled in a faculty member's classes. No faculty member shall engage in tutoring for which his/her **their** receives a fee on any of the campuses of the District nor may any equipment belonging to the District be used for this purpose.
- f. Outside employment and attendance at classes/courses at colleges and universities must be scheduled outside of the assigned hours.
- g. Receiving or giving of gifts, presents, or articles of value between students and staff.
- h. Submission of bids to purchase surplus District personal property when such is offered for public sale by the District.

- i. Outside activity which involves the use for private gain or advantage of the prestige or influence of the individual's position as a faculty or staff member, or employee of a particular department or office. This includes the use of information not readily available to the general public, gained in the course of District employment, for private gain or advantage, or the gain or advantage of another.
- j. Performance, outside of the District, of any work or service for compensation where any part of his/her **their** efforts will be subject to approval or control by any other District employee, unless reported and approved in accordance with paragraph 1 below.

IMPLEMENTATION

1. All officers and employees should apprise their immediate supervisor, in writing, when they are engaged or intend to engage in any activity, employment or enterprise which could be in violation of the regulations enumerated above.

This requirement is in addition to the reporting requirements for designated employees covered by the District Conflict of Interest Code.

2. When a conflict of interest is suspected, the issue shall be resolved in the following sequence:
 - a. The immediate supervisor/manager shall confront the employee with the allegation that activities engaged in by the employee violate a specific prohibition of this procedure. (If this step is verbal, a follow-up written memo shall be sent confirming the verbal allegation.)
 - b. The employee shall be informed of his/her **their** right to appeal any determination of conflict of interest, and from its application in his/her **their** specific case. Questions regarding conflicts of interest shall be resolved by and referred, in order, to the president/director via the appropriate chain of command. Presidents and directors may contact County Counsel for advice, and shall report each such question and decision to the Chancellor's Cabinet.
 - c. Continued or willful disregard for the restrictions of this procedure shall be cause for disciplinary action which could result in dismissal and/or prosecution.

[Also see BP 7800 titled Conflict of Interest, BP 2710 titled Conflict of Interest, BP 2715 titled Code of Ethics/Standards of Practice and AP 4460.2 titled Conflict of Interest](#)

Adopted: 08/14/98

Revised:

(Replaces current SDCCD Policy 4460.2)

Campus Locations for Free Speech Activities



City College
1313 Park Boulevard
San Diego, CA 92101-4787



District Office
3375 Camino Del Rio South
San Diego, CA 92108-3883



Mesa College
7250 Mesa College Drive
San Diego, CA 92111-4998



Continuing Education
Educational Cultural Complex
4343 Ocean View Boulevard
San Diego, CA 92113-1915



Miramar College
10440 Black Mountain Road
San Diego, CA 92126-2999

Guidelines for Free Speech Activities

For Additional Information Contact:

City College Student Affairs
(619) 388-3498

Mesa College Student Affairs
(619) 388-2699

Miramar College Student Affairs
(619) 388-7313 –or– (858) 536-4313

Continuing Education (ECC)
(619) 388-4956

District Student Services
(619) 388-6922

Board of Trustees:
Mary Graham
Rick Grotch
Bernie Hixson
Maria Niero-Serwar, Ph.D.
Peter Zschache

Chancellor:
Constance H. Carroll, Ph.D.

Presidents:
Roby Shultz, Ed.D., San Diego City College
Pamela T. Luster, Ed.D., San Diego Mesa College
Ponika Inish, Ed.D., San Diego Miramar College
Curtis O. Turner, Conraz, Ph.D., San Diego Continuing Education

The San Diego Community College District includes San Diego City College, San Diego Mesa College, San Diego Miramar College, and San Diego Continuing Education. The SDCCD is governed by its Board of Trustees. No oral or written agreement is binding on the San Diego Community College District without the express approval of the Board of Trustees.

**SAN DIEGO
COMMUNITY COLLEGE
DISTRICT**
City College • Mesa College
Miramar College • Continuing Education

**3375 Camino Del Rio South
San Diego, CA 92108-3883**

2017-2018

The San Diego Community College District guarantees freedom of expression provided that such expression does not result in a disruption of the orderly operations of campus and District programs and activities.

Free Speech Areas

City, Mesa and Miramar Colleges,

Continuing Education, and the District

Office have recommended areas for a variety of free speech activities, including, speeches/presentations, rallies, distribution of literature, posting, and voter registration. The designated areas are intended to minimize disruption while providing a public forum for free expression.

- Restrictions shall not be placed on subject matter, topics or viewpoints expressed in the recommended free speech areas.
- The recommended free speech areas are listed on a map available at each campus.
- All visitors are encouraged to check in with the Office of the Dean of Student Affairs to advise campus officials of their presence on campus.
- Visitors to the District Office are encouraged to check in with the Vice Chancellor of Student Services.

- Parking permits will not be provided. If you have any questions or need clarification, contact the Office of Student Affairs at each campus or the Vice Chancellor of Student Services for the District.

Posting

- Posting of materials by other than District affiliated groups, will not be permitted except in the recommended free speech areas.
- Kiosks and/or bulletin boards located in the recommended free speech areas are recommended for general posting.
- Posting is not permitted on building surfaces, trees, elevators or grounds.
- Material content must convey lawful activities and not be misleading.
- Commercial literature must have the organization/institution affiliation, along with address and telephone number clearly stated.
- Materials posted on recommended "free speech" bulletin boards or kiosks will be removed weekly.
- The District does not endorse, approve, authorize, sponsor or regulate any commercial business, commodity, or service posted or distributed on campus.

Distribution of Literature

- Petitions, circulars, leaflets, newspapers and printed materials may be distributed in the recommended free speech areas.
- No person or organization distributing materials in the free speech area shall coerce any person into accepting any material.
- Newspapers, leaflets, and other printed materials may be left for distribution in recommended areas only.
- Litter, resulting from discarded materials in and around the free speech area, must be retrieved by persons distributing the material prior to departure.

Solicitation at District Office

The District does not endorse or authorize solicitation of personal information or resources from students or employees.

Use of District Space by External Organizations

For use of District space by external organizations, see guidelines available at each campus and the District Office.

Recommended Free Speech and Posting Areas On Campus

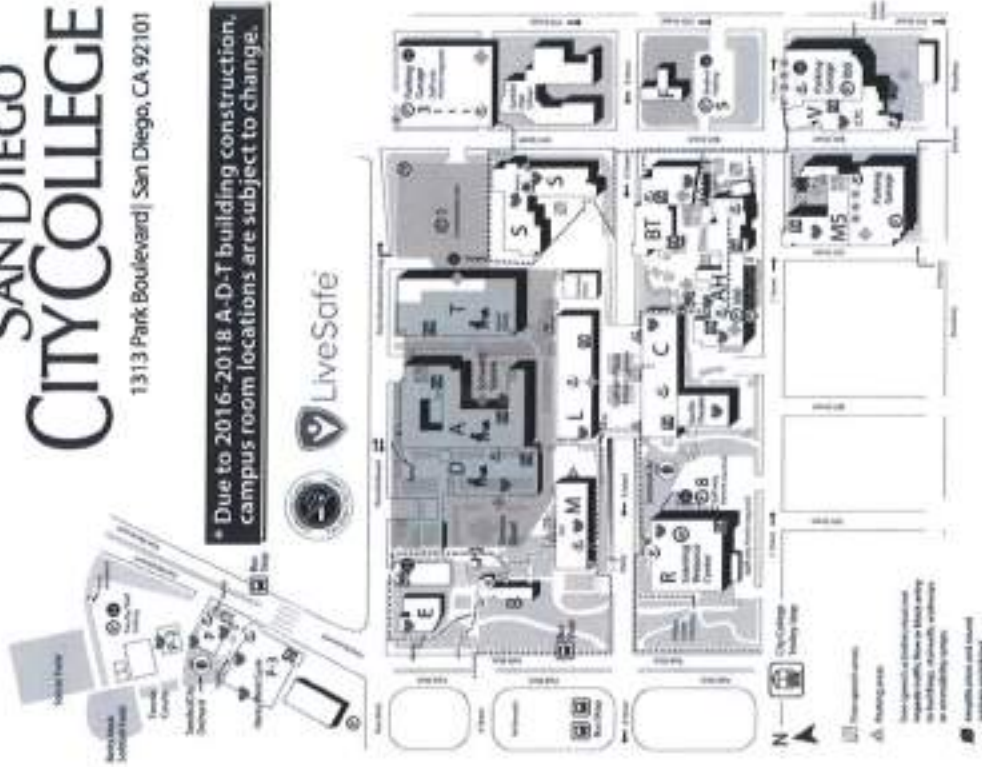
SAN DIEGO CITY COLLEGE

1313 Park Boulevard | San Diego, CA 92101



SAN DIEGO CITY COLLEGE

*** Due to 2016-2018 A-D-T building construction, campus room locations are subject to change.**



Board of Trustees
 Pary Graham
 Rich Greene
 Bernice Rhinowen
 Maria Nieto Sasser, Ph.D.
 Peter Zinfelphie

Chancellor
 Constance M. Carroll, Ph.D.

Presidents
 Debra Weisheit, J.D., San Diego City College (Interim)

The San Diego Community College District includes San Diego City College, San Diego Mesa College, San Diego Miramar College, and San Diego Continuing Education. The SDCCD is governed by its Board of Trustees. No oral or written agreement is binding on the San Diego Community College District without the express approval of the Board of Trustees.

**Office of Student Affairs
 Room M-200
 Telephone (619) 388-3498**

Guidelines for Free Speech Activities



**1313 Park Boulevard
 San Diego, CA 92101-4787**

2016-2017

The San Diego Community College District guarantees freedom of expression provided that such expression does not result in a disruption of the orderly operations of campus and District programs and activities.

Free Speech Areas

City College has recommended areas for a variety of free speech activities, e.g., speeches/presentations, rallies, distribution of literature, posting, and voter registration. The map on the back of this brochure identifies the recommended free speech area. If you have any questions or need clarification, contact the Office of Student Affairs.

- Restrictions shall not be placed on subject matter, topics or viewpoints expressed in the recommended free speech areas.
- The recommended free speech areas are listed on the map.
- All visitors are encouraged to check in with the Office of the Dean of Student Affairs to advise campus officials of their presence on campus.

- Tables, chairs, sound system and other support materials or other supplies may be provided by the college.
- Parking permits will not be provided.

Posting

- Posting of materials by other than college affiliated groups, will not be permitted on campus except in the recommended free speech area.
- Kiosks and/or bulletin boards located in the recommended free speech area are recommended for general posting. See locations on the map.
- Posting is not permitted on building surfaces, trees, elevators or grounds.
- Material content must convey lawful activities and not be misleading.
- Commercial literature must have the organization/institution affiliation, along with address and telephone number clearly stated.
- Materials posted on recommended "free speech" bulletin boards or kiosks will be removed weekly.
- City College does not endorse, approve, authorize, sponsor or regulate any commercial business, commodity, or service posted or distributed on campus.

Distribution of Literature

- Petitions, circulars, leaflets, newspapers and printed materials may be distributed in the recommended free speech areas.
- No person or organization distributing materials in the free speech area shall coerce any person into accepting any material.
- Newspapers, leaflets, and other printed materials may be left for distribution in recommended areas only. Check with the Office of Student Affairs or check the map.
- Litter, resulting from discarded materials in and around the free speech area, must be retrieved by persons distributing the material prior to departure.

Solicitation on Campus

The college does not endorse or authorize solicitation of personal information or resources from students or staff.

Use of Campus Space by External Organizations

For use of campus space by external organizations, see guidelines available in the Office of Student Affairs.

The San Diego Community College District guarantees freedom of expression provided that such expression does not result in a disruption of the orderly operations of campus and District programs and activities.

Free Speech Areas

Mesa College has recommended areas for a variety of free speech activities, e.g., speeches/presentations, rallies, distribution of literature, posting, and voter registration. The map on the back of this brochure identifies the recommended free speech area. If you have any questions or need clarification, contact the Office of Student Affairs.

- Restrictions shall not be placed on subject matter, topics or viewpoints expressed in the recommended free speech areas.
- The recommended free speech areas are listed on the map.
- All visitors are encouraged to check in with the Office of the Dean of Student Affairs to advise campus officials of their presence on campus.

- Tables, chairs, sound system and other support materials or other supplies may be provided by the college.
- Parking permits will not be provided.

Posting

- Posting of materials by other than college affiliated groups, will not be permitted on campus except in the recommended free speech area.
- Kiosks and/or bulletin boards located in the recommended free speech area are recommended for general posting. See locations on the map.
- Posting is not permitted on building surfaces, trees, elevators or grounds.
- Material content must convey lawful activities and not be misleading.
- Commercial literature must have the organization/institution affiliation, along with address and telephone number clearly stated.
- Materials posted on recommended "free speech" bulletin boards or kiosks will be removed weekly.
- Mesa College does not endorse, approve, authorize, sponsor or regulate any commercial business, commodity, or service posted or distributed on campus.

Distribution of Literature

- Petitions, circulars, leaflets, newspapers and printed materials may be distributed in the recommended free speech areas.
- No person or organization distributing materials in the free speech area shall coerce any person into accepting any material.
- Newspapers, leaflets, and other printed materials may be left for distribution in recommended areas only. Check with the Office of Student Affairs or check the map.
- Litter, resulting from discarded materials in and around the free speech area, must be retrieved by persons distributing the material prior to departure.

Solicitation on Campus

The college does not endorse or authorize solicitation of personal information or resources from students or staff.

Use of Campus Space by External Organizations

For use of campus space by external organizations, see guidelines available in the Office of Student Affairs.

Recommended Free Speech and Posting Areas on Campus



SAN DIEGO MIRAMAR COLLEGE CAMPUS MAP

Stokols Free Campus - Board Policy 0525



Subject to change. Check www.sdmiramar.edu for up-to-date information.
CAMPUS MAIN ENTRANCE IS SUBJECT TO CLOSURE

Student Affairs Office Location: K-210
Telephone (858) 536-4313
(619) 388-7313

- Board of Trustees:**
- Mary Graham
 - Rich Grotch
 - Bernie Rissman
 - Maria Nisco Zerour, Ph.D.
 - Peter Zuchowke
- Chancellor:**
- Courtnise H. Carroll, Ph.D.
- Presidents:**
- Patricia Huah, Ed.D., San Diego Miramar College

The San Diego Community College District includes San Diego City College, San Diego Mesa College, San Diego Miramar College, and San Diego Community College. The SDCCD is governed by its Board of Trustees. No oral or written agreement is binding on the San Diego Community College District without the express approval of the Board of Trustees.

Guidelines for Free Speech Activities



10440 Black Mountain Road
 San Diego, CA 92126-2999

2016-2017

The San Diego Community College

District guarantees freedom of expression provided that such expression does not result in a disruption of the orderly operations of campus and District programs and activities.

Free Speech Areas

Miramar College has recommended areas for a variety of free speech activities, e.g., speeches/presentations, rallies, distribution of literature, posting, and voter registration. The map on the back of this brochure identifies the recommended free speech areas. If you have any questions or need clarification, contact the Office of Student Affairs.

- Restrictions shall not be placed on subject matter, topics or viewpoints expressed in the recommended free speech areas.
- The recommended free speech areas are listed on the map.
- All visitors are encouraged to check in with the Office of the Dean of Student Affairs to advise campus officials of their presence on campus.

- Tables, chairs, sound system and other support materials or other supplies will not be provided by the college.
- Parking permits will not be provided.

Posting

- Posting of materials by other than college affiliated groups, will not be permitted on campus except in the recommended free speech areas.
- Kiosks and/or bulletin boards located in the recommended free speech areas are recommended for general posting. See locations on the map.
- Posting is not permitted on building surfaces, trees, elevators or grounds.
- Material content must convey lawful activities and not be misleading.
- Commercial literature must have the organization/institution affiliation, along with address and telephone number clearly stated.
- Materials posted on recommended "free speech" bulletin boards or kiosks will be removed weekly.
- Miramar College does not endorse, approve, authorize, sponsor or regulate any commercial business, commodity, or service posted or distributed on campus.

Distribution of Literature

- Petitions, circulars, leaflets, newspapers and printed materials may be distributed in the recommended free speech areas.
- No person or organization distributing materials in the free speech area shall coerce any person into accepting any material.
- Newspapers, leaflets, and other printed materials may be left for distribution in recommended areas only. Check with the Office of Student Affairs or check the map.
- Litter resulting from discarded materials in and around the free speech area, must be retrieved by persons distributing the material prior to departure.

Solicitation on Campus

The college does not endorse or authorize solicitation of personal information or resources from students or staff.

Use of Campus Space by External Organizations

For use of campus space by external organizations, see guidelines available in the Office of Student Affairs.

Recommended Free Speech Areas

Cesar Chavez Campus - Located in Chuey's Lounge, Second Floor

Continuing Education, Mesa College Campus - Located on the north-west side of the building adjacent to room 108

ECC - Located behind the building in the patio area, and in the hallway adjacent to room 132

Mid City Campus - Located in outside courtyard adjacent to student lounge, and in the hallway between the Student Lounge and ESL Office

North City Campus - Located on the sidewalk on the north-east corner of the building

West City Campus - Located at the rear of the building

For Recommended Free Speech and Posting Areas on Campus, contact the campus administrative office at the following locations:

Cesar Chavez Campus
1901 Main Street
San Diego, CA 92113
(619) 388-1910

Continuing Education, Mesa College Campus
7350 Armstrong Place
San Diego, CA 92111
(619) 388-1950

Educational Cultural Complex
4343 Ocean View Boulevard
San Diego, CA 92113
(619) 388-4956

Mid-City Campus
3792 Fairmount Avenue
San Diego, CA 92105
(619) 388-4500

North City Campus
8355 Aero Drive
San Diego, CA 92123
(619) 388-1800

West City Campus
3249 Fordham Street
San Diego, CA 92110
(619) 388-1873

Board of Trustees:

Mary Graham
Rick Grzech
Bernie Kiserason
Maria Nolasco-Servino, Ph.D.
Peter Zechinshke

Chancellor:

Consalvo M. Carroll, Ph.D.

President:

Carole O. Turner Cortez, Ph.D., San Diego Continuing Education

The San Diego Community College District includes San Diego City College, San Diego Mesa College, San Diego Miramar College, and San Diego Continuing Education. The SDCED is governed by its Board of Trustees. No oral or written agreement is binding on the San Diego Community College District without the express approval of the Board of Trustees.



SAN DIEGO
CONTINUING
EDUCATION

Guidelines for Free Speech Activities



2016-2017

The San Diego Community College

District guarantees freedom of expression provided that such expression does not result in a disruption of the orderly operations of campus and District programs and activities.

Free Speech Areas

San Diego Continuing Education has recommended areas for a variety of free speech activities, e.g., speeches/presentations, rallies, distribution of literature, posting, and voter registration. If you have any questions or need clarification, contact the Dean of the campus.

- Restrictions shall not be placed on subject matter, topics or viewpoints expressed in recommended free speech areas.
- All visitors are encouraged to check in with the campus administrative office to advise campus officials of their presence on campus.
- Tables, chairs, sound system and other support materials or other supplies will not be provided by the campus.
- Parking permits will not be provided.

Posting

- Posting of materials, other than that of Continuing Education affiliated groups, will not be permitted on campus except in the recommended free speech areas.
- Kiosks and/or bulletin boards have been recommended on campus for general posting.
- Posting is not permitted on building surfaces, trees, elevators or grounds.
- Material content must convey lawful activities and not be misleading.
- Commercial literature must have the organization/institution affiliation, along with address and telephone number clearly stated.
- Materials posted on recommended "free speech" bulletin boards or kiosks will be removed weekly.
- San Diego Continuing Education does not endorse, approve, authorize, sponsor or regulate any commercial business, commodity, or service posted or distributed on campus.

Distribution of Literature

- Petitions, circulars, leaflets, newspapers and printed materials may be distributed in the recommended free speech areas.
- No person or organization distributing materials in the free speech areas shall coerce any person into taking any material.
- Newspapers, leaflets, and other printed materials may be left for distribution in recommended areas only. Check with the campus administrative office.
- Litter resulting from discarded materials in and around the free speech areas, must be retrieved by persons distributing the material prior to departure.

Solicitation on Campus

The college does not endorse or authorize solicitation of personal information or resources from students or staff.

Use of Campus Space by External Organizations

For use of campus space by external organizations, see guidelines available in the Office of Student Affairs.



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Board of Trustees Policy

Chapter 5 – Student Services

BP 3925 – POSTING AND DISTRIBUTION OF LITERATURE, POLITICAL ACTIVITIES, FREE SPEECH AND FREEDOM OF EXPRESSION ON CAMPUS AND DISTRICT SITES

This policy is designed to monitor and provide guidelines for distribution and posting of printed materials, orderly conduct and presence of political activities, free speech activities and campaigning on campus and at District sites.

The San Diego Community College District guarantees freedom of expression provided that such expression does not result in a disruption of the orderly operations of campus and District programs and activities. It is the policy of the District to maximize the opportunity for free discussion and expression while minimizing the potential for disruption of classroom and college/district/campus activities, and interference with the ability of students to obtain an education.

1. DEFINITIONS

- a. Posting of Information - Posting printed material of any size including, but not limited to, banners, posters, fliers, business cards.
- b. Affiliated Groups - District recognized and approved student clubs and organizations, and employee groups but does not include union organizations.
- c. Distribution of Literature - Written documentation affording a vehicle of information and/or opinion which are disseminated indiscriminately to students and/or District employees. Indiscriminate distribution shall not include distribution to District recognized groups of students and/or employees.
- d. Commercial literature - Materials which direct attention to a business, commodity, service or entertainment.

2. STANDARDS FOR LITERATURE TO BE POSTED OR DISTRIBUTED

- a. The literature does not advocate the commission of an unlawful act which is imminent or likely to occur at the time.
- b. The literature or its distribution on campus in the form of bulletins, circulars, publications, or articles of any character does not impede the orderly conduct of college classes or college/district/campus programs, services or operations.
- c. Literature, materials, buttons/badges or other insignia shall not include expression which is obscene or libelous according to current legal standards, or which so incites students as to create a clear and present danger or the commission of unlawful acts on the community college premises, or the substantial disruption of the orderly operation of the college/district/campus.

3. AFFILIATED GROUPS

- a. The literature of Affiliated Groups may not endorse or recommend commercial products or services.
- b. The literature of Affiliated Groups shall meet the same standards as those found appropriate for other student publications and may not be sold.
- c. Literature posted in the classroom must be specifically related to classroom instruction or approved college/district/campus events, which could include rallies and other classroom instruction related events.
- d. Campaign activities for student elections must be in accordance with Administrative Procedure 3200, Administrative Procedure 3200.2 and college guidelines.

4. COMMERCIAL LITERATURE, POSTING OR DISTRIBUTION

- a. Commercial literature must concern lawful activity and not be misleading.
- b. Commercial literature is restricted to the designated public posting areas on campus.
- c. In order to be able to identify persons who may be responsible for fraud or false advertising, all printed commercial literature posted or distributed on campus must have printed thereon the organization/institution/affiliation which is distributing the commercial literature with its address or telephone number clearly stated.
- d. Posting or distribution of commercial literature of any kind is prohibited in classrooms unless directly related to classroom instruction.
- e. The District does not endorse, sponsor, approve, authorize, or regulate any commercial business commodity, service or entertainment permitted for posting or distribution.

5. RECOMMENDED FREE SPEECH AREAS – THE COLLEGES, CAMPUSES AND DISTRICT SITES COMBINE PUBLIC FORUMS AND RESTRICTED AREAS, AS FOLLOWS:

- a. Persons using and/or distributing materials shall not impede the progress of passersby, nor shall they force a passerby to take material.
- b. No person shall touch, strike or impede the progress of a passerby, except for incidental or accidental contact or contact initiated by a passerby.
- c. Persons shall not use any means of amplification that creates noise or diversion that substantially disrupts the orderly conduct of the college/campus, district site, classes or operations.
- d. Recommended free speech areas shall be designated on each campus to ensure the opportunity for free discussion and expression while minimizing the potential for disruption of classroom and college/district/campus activities, and interference with the ability of students to obtain an education. Information concerning recommended free speech areas is available in the office of Student Affairs at the college, the campus dean for Continuing Education or Vice Chancellor, Student Services.

- e. No restrictions shall be placed on subject matters, topics or viewpoints expressed, as long as it does not include expression which is obscene, libelous or slanderous according to current legal standards or which so incites students as to create a clear and present danger or the commission of unlawful acts on the community college premises, or the substantial disruption of the orderly operation of the college/district/campus.
 - f. Posting on designated kiosks or bulletin boards in recommended free speech areas will be allowed for a maximum of five (5) days.
 - g. Regulation of the time, place and manner of free speech activities may be imposed for the purpose of preventing substantial disruption of the orderly conduct of college classes, college/district/campus programs, or services. Such regulation must be reasonable and not discriminate on the basis of the content of the speech. All restrictions shall be applied consistently to all persons. Time limits may be imposed to ensure all persons have equal access to use the recommended free speech areas.
 - h. Persons using the recommended free speech areas may distribute petitions, circulars, leaflets, newspapers and other printed material as long as it does not include expression which is obscene or libelous according to current legal standards or which so incites students as to create a clear and present danger or the commission of unlawful acts on the community college premises, or the substantial disruption of the orderly operation of the college/district/campus.
 - 1) Material shall be restricted to the geographic limits of the free speech area.
 - 2) No person shall be coerced into taking any material.
 - 3) All material discarded in and around recommended free speech areas must be retrieved by persons distributing the material prior to departure.
 - 4) The District assumes no responsibility for the accuracy of the material.
6. Nothing in this policy shall prohibit the regulation of hate violence directed at students or employees in a manner that denies their full participation in the educational process, so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution and the California Constitution. Disciplinary action will be imposed for harassment, threats, or intimidation unless such speech is constitutionally protected.

Reference: Education Code, Section 76120

Adopted: October 27, 2016

Supersedes: Policy C-3924 - 1/22/70; Policy 3925 - 10/28/98, 3/9/04, 2/18/10, 5/24/12

Note: All vending activities are in Administrative Procedure 6905.1 and Administrative Procedure 3200.



GUIDELINES FOR REGULATING USE OF CAMPUS SPACES BY EXTERNAL ORGANIZATIONS

Background: The First Amendment prohibits making any law that abridges freedom of speech. However, it does not require that persons have unfettered access to all public property regardless of its intended use. Given its educational mission, open areas on a college campus are not generally considered traditional public forums and are not viewed the same as public streets, sidewalks and parks with respect to use and access. Generally open spaces on campuses are designated or limited public forums and colleges may make reasonable regulations and limitations pertaining to access and use of these spaces, to insure their educational mission is accomplished.

Guidelines: For each situation conduct a two part analysis. First, determine what type of forum is at issue. Second, follow the rules pertaining to that particular type of forum.

1. Determine the type of forum.
 - A. Has the college by policy or practice intentionally opened up the space for public use and expression? If so, it is a designated public forum.
 - B. Has the college opened the space for limited public use? The limitation can be as to use by certain groups for their benefit, such as students, or discussion of certain topics. If so, it is a limited public forum.
 - C. Is there clear indication and evidence that there is no intention to create a space for public use? If so, it is a non-public forum.
2. Apply appropriate rules and regulations on use and participation.
 - A. Designated Public Forum
 - Reasonable restrictions can be imposed regarding time, place and manner. The restrictions must serve a compelling state interest and be narrowly drawn.
 - Any restrictions or limits on use must be viewpoint and content neutral.
 - B. Limited Public Forum
 - Expressly and succinctly define the designated parameters and criteria pertaining to the forum, including the purpose and the class of beneficiaries/participants.
 - Reasonable restrictions can be imposed regarding time, place and manner. The restrictions must serve a compelling state interest and be narrowly drawn.
 - Any restrictions or limits on use must be viewpoint and content neutral.
 - No individual or group who meets the established criteria for participation can be excluded.
 - C. Non-Public Forum
 - The college can reasonably restrict use of these forums for their intended purposes and the restrictions should be viewpoint neutral.

Reference: See BP 3925 POSTING AND DISTRIBUTION OF LITERATURE, POLITICAL ACTIVITIES, FREE SPEECH AND FREEDOM OF EXPRESSION ON CAMPUS AND DISTRICT SITES for additional information and details.