



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

DISTRICT GOVERNANCE COUNCIL

October 17, 2018

3:00 p.m. – Room 245

AGENDA

- *1.0 Review Minutes of October 3, 2018
- 2.0 No Review of Board Agenda
- 3.0 Additional Agenda Items
- 4.0 State Budget Update Dowd
- *5.0 Student Services Policies and Procedures - Revisit Neault
 - BP 3100 – Student Rights, Responsibilities, Campus Safety and Administrative Due Process
 - AP 3125.2 – Student Travel – Permission, Release, and Waiver Form
 - AP 3200 – Associated Students Organizations and Guidelines for Student Clubs and Organizations
- *6.0 Instructional Services Policies and Procedures Bulger
- 7.0 Districtwide Committee List – Update Neault
- *8.0 Lactation Accommodation Manis
- 9.0 Roundtable

*Attachments

Next DGC MEETING scheduled: Wednesday, November 7, 2018 – 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

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

DISTRICT GOVERNANCE COUNCIL MINUTES

October 3, 2018

Present: Beresford, Bermodes, Bulger, Catano (for Larson), Cortez, Dowd, Hsieh, Hubbard, Hubka, Jarrell, Kovrig, Legaspi (for Luster), Mahler, McMahon, Neault, Perigo, Shabazz, Short, Surbrook, Weinroth and Chairperson Chancellor Carroll

Absent: Larson, Luster, Manis, Payne

Guests: Manuel Velez

1. APPROVAL OF MINUTES

The minutes of September 19, 2018, were approved.

2. REVIEW OF BOARD AGENDA

The agenda for the October 11, 2018, Board Meeting was opened for review by Executive Vice Chancellor Dowd. Each item was discussed and satisfied.

3. BOARD GOALS 2018-19

EVC Dowd shared highlights of the goals of the Board of Trustees, pointing out that the newly implemented Student Centered Funding Formula is the first item of focus for the Board.

4. STUDENT SERVICES POLICIES AND PROCEDURES

Vice Chancellor Neault brought copies of three updated policies and procedures for DGC review, explaining revisions made to comply with legal/regulatory requirements as well as non-substantive legislative updates. Members asked that notation be added regarding rules against the use of marijuana on District premises. Dr. Neault asked that any further changes be sent to her by email. She will make revisions and bring this item back for further review at the next meeting.

5. FACULTY APPOINTMENTS TO COMMITTEES – PROCEDURES AND PRACTICES

Miramar College Academic Senate President Marie McMahon asked for clarification regarding faculty appointments to committees, which she understood to be under the purview of the Academic Senate at each institution. She wondered if there were new rules established for choosing a member for a committee, specifically whether it was the job of Academic Senate to check the schedule of each nominee to make sure they would be available for the meetings. After discussion, Vice Chancellor Surbrook explained that a faculty member should only agree to serve on a committee if they do not have conflicting work or classroom assignments during the scheduled times of the meetings. It was noted that Vice Chancellor Neault is currently working on a listing of districtwide committees and was asked to add the chair of each committee along with upcoming meetings dates and the cycle of meetings for each committee, which should help to make it clearer for everyone.

6. DISTANCE EDUCATION (AP-5105) & EVALUATIONS FOR ONLINE COURSES & FACULTY

Dr. McMahon requested information about how the District evaluates online versus on-campus courses and was told that there is one form for both. She believes there should be one for each modality. Vice Chancellor Bulger suggested that further discussion on this topic could take place at the Districtwide Distance Education Steering Committee (DDESC).

7. CAMPUS CATALYST FUND

City College Academic Senate President Jan Jarrell asked for information regarding this fund, created to assist undocumented students and their families. She asked that representation for members of faculty and classified professionals be added to the list of contacts. Vice Chancellor Neault agreed and explained that the funds will be used to create a "Dreamer Center" at each of the colleges.

8. DISTRICT DISCIPLINE MEETINGS

Mesa College Academic Senate President Kim Perigo noted that regular discipline meetings are not occurring and asked Vice Chancellor Bulger for help to increase faculty involvement scheduled because conversations regarding enrollment management, course revisions, guided pathways, and other such issues facing the District will require collaboration among the campuses.

9. EEO CERTIFICATION PROCESS

Dr. Perigo opened discussion regarding the EEO certification process, specifically, whether the re-certification process could be a less cumbersome amount of time than the initial certification. She will gather information and schedule a meeting with the EEO department and bring this back at a future date.

10. CLASSIFIED PROFESSIONALS TEACHING AT THE SDCCD

Miramar College Classified Senate President Terrie Hubbard opened discussion regarding classified professionals having teaching positions as well. She will contact Vice Chancellor Surbrook with survey results being gathered on this topic for further discussion.

11. CLERY ACT REPORT

Continuing Education Classified Senate President Neill Kovrig asked that criminal activity information from Continuing Education be included in the report. Vice Chancellor Neault agreed to research and will bring this information back at a later date.

Adjourned 4:18 p.m.

Chancellor's Office & Board of Trustees



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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CITY COLLEGE | MESA COLLEGE | MIRAMAR COLLEGE | CONTINUING EDUCATION
Student Services

Chapter 5 – Student Services Cabinet Review 10/2/18 DGC Review 10/3/18

Policies and Procedures

The following Board Policy and Administrative Procedures are being revised in response to legal/regulatory requirements, as well as non-substantive legislative updates and are being put forth for approval as part of the Board's ongoing 6-year comprehensive review of all Board policies and procedures:

BP 3100 – Student Rights, Responsibilities, Campus Safety and Administrative Due Process

- Updated in accordance with regulatory Education Code requirements.

AP 3125.5 – Student Travel – Permission, Release and Waiver Form

- This procedure was part of the 6-year comprehensive review and had minor technical edits.

AP 3200 – Associated Students Organizations and Guidelines for Student Clubs and Organizations

- Updated to include updates to Policy 3100 and student conduct.



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Board of Trustees Policy

Chapter 5 – Student Services

BP 3100 - STUDENT RIGHTS, RESPONSIBILITIES, CAMPUS SAFETY AND ADMINISTRATIVE DUE PROCESS

This policy enumerates the rights and responsibilities of all District students. It also outlines the District's commitment to a safe learning environment for all students.

1. STUDENT RIGHTS

All students shall have the right to a safe campus learning environment free from interference and disruption including verbal, physical, sexual or violent acts. The District shall ensure to the best of its ability to afford students the rights contained herein.

- a. Students shall have the right to impartial, objective evaluation of their academic performance. Students shall receive in writing, at the beginning of each course, information outlining the method of evaluating student progress including the method by which the final grade is determined.
- b. Students shall have the right to exercise free expression including, but not limited to, the use of bulletin boards, the distribution of printed materials or petitions, and wearing of buttons, badges, or other insignia, so long as the expression is not obscene, libelous or slanderous according to current legal standards. The expression shall not incite students so as to create a clear and present danger of:
 - 1) The commission of unlawful acts on community college premises;
 - 2) The violation of local, state, or federal laws and regulations; or
 - 3) The substantial disruption of the orderly operation of the community college. The District reserves the right to regulate the time, place and manner of all student activities. (Education Code Section 76120).
- c. Students shall have the right to be free of sexual harassment and all forms of sexual intimidation and exploitation, including acts of sexual violence and other unlawful harassment as identified in Board Policy *BP 3430 Prohibition of Harassment*.
- d. No student with a qualified disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the District or be subjected to discrimination (see [Board of Trustees Policy, BP 3430, Prohibition of Harassment](#), and [Administrative Procedure, AP 3435, Discrimination and Harassment Investigations](#)).
- e. Students shall have the right to be free from the imposition of disciplinary sanctions without proper regard for due process.

- f. Students shall have the right to take reasoned exception to the data or views offered in any course of study without disrupting the instructional environment and to reserve judgment about matters of opinion. However, this does not preclude the expectation that a student must meet the course requirements.
- g. Students shall have the right to participate in the formation of policy affecting them in accordance with established procedures for Shared Governance.
- h. Students shall have the right to petition to organize interest groups and/or join student associations pursuant to [Administrative Procedure, AP 3200, Associated Students Organization, Guidelines for Student Clubs and Organizations](#).
- i. Students shall have the right to develop student publications in accordance with standards established by current District and college policies, procedures and guidelines.
- j. Students with verified disabilities shall have the right to receive appropriate accommodations as specified in Title II of the Americans with Disabilities Act of 1990 as amended by the ADA Amendment Act of 2008, and Section 504 of the Rehabilitation Act of 1973 and District and college policies, procedures and guidelines.
 - 1) Students who believe this right has been violated may file a complaint by visiting the [Complaint Process](#) website.

2. STUDENT RESPONSIBILITIES

Student behavior must remain in accordance with specific academic and behavior requirements as specified in District policy and which may be outlined by the course syllabus.

- a. Students shall be responsible for defining and making progress toward their educational goal.
- b. Students are responsible for reading and adhering to the policies and procedures as outlined in catalogs, schedules, course syllabi and other official printed and online materials.
- c. Students with verified disabilities who believe they need academic accommodations are encouraged to identify themselves to instructors to discuss the details and timelines necessary to provide appropriate accommodations. Students who request accommodations or auxiliary aids are responsible for contacting the Disability Support Programs and Services (DSPS) office. Students who make a request directly to the faculty should be referred to DSPS (see [Administrative Procedure, AP 3105.1, Academic Accommodations and Disability Discrimination for Students with Disabilities](#)).

Students are responsible for providing professional documentation of a qualified disability to DSPS. The DSPS faculty, in consultation with the student, shall recommend appropriate accommodations. The recommendations shall be documented by DSPS and a copy provided to the student.

Students are advised to consult directly with a Disability Support Programs and Services (DSPS) Counselor Specialist regarding any accommodation. These students will be required to meet timelines and procedural requirements established by the DSPS Office.

3. STUDENT CODE OF CONDUCT

Students are subject to adhering to the policies and procedures of the San Diego Community College District, as well as all federal, state, and local laws. Students are subject to charges of misconduct concerning, but not limited to, the following acts when committed on District-owned or controlled property or at District-sponsored activities.

a. Academic misconduct or dishonesty as specified in Administrative Procedure, AP 3100.3, Honest Academic Conduct.

b. Forgery, alteration, falsification, or misuse of campus/District documents, records, electronic devices, or identification.

c. Providing false information to a college official or in the course of an investigation.

e-d. All forms of nonacademic dishonesty, including but not limited to, fabricating information, any form of bribery, ~~or~~ knowingly furnishing false information, or reporting a false emergency to officials acting in an official capacity.

e. Use of a recording device in a classroom without prior permission of the instructor or approval of an academic accommodation from Disability Support Programs and Services (DSPS).

d-f. Act or threat of damage to, or theft of property belonging to, or located on District-controlled property or facilities.

e-g. The physical or verbal disruption of instructional or student services activities, administrative procedures, public service functions, authorized curricular or co-curricular activities, the orderly operation of the campus, or prevention of authorized visitors from carrying out the purpose for which they are on campus.

f-h. Physical, verbal, or written intimidation or harassment of such severity or pervasiveness as to have the purpose or effect of unreasonably interfering with a student's academic performance or a District employee's work performance. Complaints based on a protected class (national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because they are perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics) will be handled under the procedures of Board of Trustees Policy, BP 3410, Nondiscrimination; Board of Trustees Policy, BP 3430, Prohibition of Harassment; and Administrative Procedure, AP 3435, Discrimination and Harassment investigations.

g-i. Any expression which is obscene, libelous or slanderous according to current legal standards, which so incites others as to create a clear and present danger of the commission of unlawful acts, or the substantial disruption of the orderly operation of the college/campus/District.

h-j. Physical altercation or threats of violence including assault or battery upon a student or District personnel on District premises or at any time or place while under the authority of District personnel.

i.k. Unlawful conduct of a sexual nature including but not limited to indecent exposure, prostitution, voyeurism, or loitering for the purpose of soliciting or engaging in any lewd act or conduct.

j.l. Sexual assault or physical abuse including but not limited to rape, sexual assault, domestic violence, dating violence, or stalking as defined by California law below:

Consent – Affirmative consent to sexual activity by both parties. “Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other party. Lack of protest or resistance does not mean consent, nor does silence mean consent. Consent must be ongoing and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

Sexual Assault – Includes but is not limited to rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.

Dating Violence – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

Domestic Violence – Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse; by a person similarly situated to a spouse of the victim under California law; or by any other person against an adult or youth victim who is protected from that person’s acts under California law.

Stalking – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.

k.m. Any conduct that threatens the health or safety of any person, including oneself.

l.n. Participation in hazing (California Education Code Sections 32050 through 32052).

m.o. Possession of weapons, explosives, unlicensed dangerous chemicals or objects which may be used as weapons or to threaten bodily harm, as specified in the California Penal Code or other applicable laws.

n.p. Conduct which is in violation of federal, state, or local laws or ordinances; while on District premises or at District-sponsored or supervised activities. (Reference 76020, 76120.)

e.q. Failure to comply with directions of staff members of the District who are acting within the scope of their employment. Continued and willful disobedience or open and persistent defiance of the authority of District personnel providing such conduct is related to District policies, activities or college/campus attendance.

p.r. Smoking on District premises, or in vehicles provided by the District used for transporting students; except as permitted by applicable ordinances, laws, college and District

guidelines and procedures.

- | **q-s.** Use, possession, distribution, or sale of alcoholic beverages on campus except as permitted by law.
- | **r-t.** Use, possession, distribution, manufacture or sale of narcotics or other hallucinogenic drugs or substances or inhaling or breathing the fumes of, or ingesting, any poison classified as such by the California Business and Professions Code Section 4160, Schedule "D," except as provided by law, is prohibited when on District premises.
- | **s-u.** Violation of Policies & Procedures for Student Organizations as enumerated in Administrative Procedure, AP 3200, Associated Students Organizations and Guidelines for Student Clubs and Organizations.
- | **t-v.** Violation of the Student Travel Contract.

Reference: Administrative Procedure 3200, Board of Trustees Policy 3105, Administrative Procedure 3540, Administrative Procedure 3105.1, Section 504 of the Federal Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, as amended by the ADA Amendment Act of 2008, Education Code Section 76100, Administrative Procedure 3100.3

| Adopted: **November 9, 2017**

| Supersedes: ~~Policy 3100~~—05/10/79, 04/16/84, 08/11/94, 10/14/10, 12/11/14, 02/18/16, 09/08/16, 11/09/17



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Administrative Procedure

Chapter 5 – Student Services

AP 3125.2 STUDENT TRAVEL – PERMISSION, RELEASE, AND WAIVER FORM

This procedure is applicable to all colleges/campuses. It pertains only to waivers, releases and permission documents which are required when transporting students or when supervising students off the premises of the District. Additional requirements concerning student travel are applicable as enumerated in District policies and procedures, as well as state and federal law.

1. IMPLEMENTATION

- a. All students who are authorized to travel in accordance with [Board of Trustees Policy, BP 3125, Transportation of Students](#), must complete the *Student Travel, Permission/Release/Waiver* form, in advance, to travel.
- b. The District supervising employee shall:
 1. Assure that the appropriate forms, as specified in 1.a. are completed for each travel.
 2. Completed forms should be sent to the responsible Dean.
- c. Minor students (under 18 years of age) must also complete a *Minor (Under 18) Student Travel Permission/Release/Waiver* form.
- d. Responsible ~~e~~D~~e~~an shall establish and maintain a file of completed forms. Forms should be maintained for one year following the event.

Forms/References:

1. Attachments to this procedure: ~~SDCGD Forms 3125.2, Student Travel-Permission, Release and Waiver~~ and [Minor \(Under 18\) Student Travel Permission/Release Waiver](#).

Approved by
the Chancellor: ~~February 2, 2012~~

Supersedes: ~~Procedure 3125.2—10/14/98, 02/02/12~~





SAN DIEGO COMMUNITY COLLEGE DISTRICT

Administrative Procedure

Chapter 5 – Student Services

AP 3200 – ASSOCIATED STUDENTS ORGANIZATIONS AND GUIDELINES FOR STUDENT CLUBS AND ORGANIZATIONS

The District recognizes that student clubs and organizations contribute to the educational, social, recreational, and personal development of students. Students are free to organize and participate in voluntary clubs and organizations of their own choosing, subject to the provisions of the California Education Code, District policies and ~~District~~ administrative procedures, provided that such clubs and organizations do not discriminate in their treatment of other members of the academic community nor operate in a manner which interferes with the educational function or rights of others.

Following are the guidelines applicable to the development and operation of student clubs and organizations.

1. ADVISOR ROLE

- a. All clubs and organizations with exception of the Associated Students must operate with an advisor identified by the student group and approved by the college/Continuing Education President or designee. The advisor for the Associated Student Organization is designated by the college/Continuing Education President.
- b. It is the responsibility of the student group, in consultation with the Administrator responsible for Student Affairs, to identify and recommend a club or organization advisor in accordance with college campus guidelines, who will accept the responsibility for assisting the club or organization with its objectives, events, meetings, and activities.
- c. Each semester, the administrator responsible for Student Affairs will submit to the Vice President, Student Services a list of club or organization advisors for the semester. The Vice President, Student Services will recommend the listed club or organization advisors to the President for final approval. An orientation session for advisors will be provided.

1) Responsibilities

- a) The advisor has a unique role with the club or organization which is very important and can be rewarding and challenging. This is an opportunity to help students develop critical life skills and promote student development and civic responsibility.
- b) The advisor must be an employee of the San Diego Community College District. The advisor provides leadership and supervises all activities of the club or organization. The advisor is responsible for implementation of all policies and procedures prescribed by the governing board.
- c) The administration requires that the club or organization advisor, or a substitute

acceptable to the administration, attend each meeting and official activity of the club or organization.

- d) The club or organization advisor serves as a role model, a facilitator, and a resource for college/campus procedures, policies and business processes. The advisor should promote good planning, organization and interpersonal relationships.
- e) Advisors are responsible for proper care of college/campus facilities and ensuring that all rules and regulations are adhered to in connection with use of facilities.
- f) In the event an advisor cannot continue in their role, the activities of the club or organization shall be suspended until a replacement is identified.
- g) The advisor or designee approved by the dean responsible for Student Affairs must travel to and from all events outside of San Diego County with the students. Advisors must ensure that off-campus travel is in accordance with Board of Trustees Policy, *BP 3120, Off-Campus Student Activities*, and consistent with *Section 11* of this procedure.
- h) Advisors are encouraged to work with one student club or organization at a time. Any requests for exception must be made in writing to the Vice President, Student Services.
- i) Advisors are responsible for all club or organization expenditures. The advisor ensures that the purchase is appropriate and that appropriate receipts and documentation are submitted to the Student Affairs Office. Receipts are required for audits. The club or organization advisor will assist the treasurer in monitoring club or organization expenditures.

2. ASSOCIATED STUDENT BODY ORGANIZATION

Each college and Continuing Education in the District shall have one Associated Students Organization. Both day and evening student representatives shall be encouraged to participate. A governing body shall be elected that shall keep an account of its meetings, expenditures authorizations and policies established. A simple majority of the elected voting members of the Associated Students Organization governing body shall constitute a quorum.

- a. An Associated Student Body Organization may be formed within any college/campus of the District with the approval of the President or designee of the college/Continuing Education. All Associated Student Body Organizations are subject to the control and regulations of the governing board of the District. In order to be recognized as an Associated Student Body Organization, the name, purpose, Constitution and by-laws must be approved by the President or designee.

3. REGISTERED STUDENT CLUBS OR ORGANIZATIONS (OTHER THAN ASSOCIATED STUDENTS)

- a. Registered student clubs or organizations must be initiated by students of the San Diego Community College District.
- b. A group of District students may become a registered student club or organization by



submitting a completed registration packet to the Student Affairs Office of the respective college. The registration must include, but is not limited to:

- 1) The name, address, and telephone number of the club or organization;
- 2) The name of the club or organization advisor;
- 3) The name, address, email address, and telephone number of principal officers as defined by the club or organization, or authorized representatives of the club or organization. Note: It is the responsibility of the club officers to ensure that this information is current with the college at all times;
- 4) The Constitution of the club or organization including: statement of purpose; membership requirements; removal of officers; and national, state, or off-campus affiliation, if any, and by-laws containing specifications for withdrawal or expenditure of funds;
- 5) An acknowledgment signed by the principal officers or designated representatives that the rules and policies of the dDistrict/colleges/campuses have been read, understood and will be upheld.
- 6) A statement of nondiscrimination that there shall be no barrier or unequal treatment based on race, ethnic background, gender, age, religion, sexual preference, sexual identity, disability, or national origin which inhibits or prevents any person's full participation in any activities which utilize District facilities;
- 7) All student clubs or organizations must register each academic year, defined as the first day of the Fall semester through final day of Spring semester. Student clubs must also renew their registration each semester; and
- 8) Club or organization leadership must attend an orientation each academic year.

4. NAMING OF STUDENT CLUBS OR ORGANIZATIONS

- a. The District recognizes that student clubs or organizations are a vital component of college life and student development. Approved clubs or organizations are recognized entities affiliated with the college. As such, the naming of clubs or organizations must comply with Board of Trustees Policy, *BP 3100, Student Rights, Responsibilities, Campus Safety and Administrative Due Process*.
- b. All student clubs or organizations must have a name that reflects the mission and purpose of the club or organization.
- c. A club may not use any name or acronym which is obscene, libelous, slanderous, or which disrupts the learning or work environment. The college reserves the right to disapprove the name of a club or organization. In the event that the name of a student club or organization is not approved for any reason, registration of the club or organization will be denied.
- d. The name of the student club or organization must be submitted to the college as part of the registration process as described in Section 3 (above).
- e. Once approved, a club or organization may not change its name in any way without prior approval from the college/dDistrict. Should a club or organization change its name



without prior approval of the college/dDistrict, the college will cancel the registration of the club or organization and all privileges associated with official registration will be revoked.

5. USE OF COLLEGE CAMPUS FACILITIES

- a. College/campus services and facilities may be utilized free of charge by registered student clubs or organizations on a space-available basis, consistent with college/campus regulations.
- b. Regulations Governing Use of District Facilities
 - 1) District facilities shall be used in accordance with all the regulations stated herein and pursuant to federal, state, and local laws.
 - a) The San Diego Community College District (San Diego City College, San Diego Mesa College, San Diego Miramar College and Continuing Education) is committed to providing a drug free environment. Refer to the college Drug Abuse and Alcohol Prevention Program (DAAPP) for more information at the following link: <http://www.sdccd.edu/daapp/>.
 - b) The institutions also prohibit the use of tobacco products and electronic delivery devices on campus or at college/dDistrict-sponsored events.
 - c) Board Policy 3100, BP 3100, Student Rights, Responsibilities, Campus Safety and Administrative Due Process, Section 3.0, Student Code of Conduct, states that use, possession, ~~or~~ distribution, manufacture or sale of narcotics or other controlled substances other hallucinogenic drugs or substances or inhaling or breathing the fumes of, or ingesting, any poison classified as such by the California Business and Professions Code Section 4160, Schedule "D," except as provided by law, is prohibited while on the college premises or at college-sponsored events. A student may be suspended or expelled for violation of this policy.
 - 2) Request for facility use must be processed through the Student Affairs Office or directly through the advisor. All requests must be submitted in a timely manner in accordance with college/campus guidelines.
 - 3) Activities and programs of student clubs or organizations will not be scheduled to the detriment of educational programs and the free flow of traffic.
 - 4) The advisor or designee, approved by the dean responsible for Student Affairs, must authorize and be in attendance during the club's or organization's use of District facilities. An officer or authorized representative of the student club or organization whose name appears in the officer registration file, must also be in attendance during the use of District facilities.
 - 5) The advisor and officers of the club or organization are responsible for the proper care of facilities.
 - 6) The advisor is responsible for ensuring that all of dDistrict/college/campus rules and regulations related to the use of District facilities are adhered to.
 - 7) No student club or organization may reserve facilities for use by another club or organization.

- 8) Users requiring special facility arrangements, equipment, and maintenance services or staffing may be charged at District cost. The District reserves the right to require an advance deposit.
- 9) A request for use of a District facility may be denied if the request is not in accordance with dDistrict/college/campus regulations governing such matters; and shall be denied if circumstances are such that the event will present a clear and present danger to the orderly operation and peace of the dDistrict/college/campus.

c. Procedures for Securing Use of Facilities

- 1) A written request must be submitted to the Student Affairs Office or to the advisor in accordance with college/campus guidelines. Request for use of Continuing Education facilities should be processed through the campus dDean. The request should include, but may not be limited to:
 - a) Name of club or organization;
 - b) Facility requested (i.e., classroom for meeting);
 - c) Date and time of event;
 - d) Purpose of the event (i.e., social function);
 - e) Officer's signature;
 - f) Advisor's signature; and
 - g) Special equipment or set up required.
- 2) A tentative hold will be placed upon the requested date providing that:
 - a) The event does not conflict with or detract from a previously scheduled event or interfere with the educational process. In approving the scheduling of an event, the audience size, the frequency and proximity of similar events, and the number of events already scheduled on the given date will be considered;
 - b) The facility requested is suitable for the activity;
 - c) The event does not pose a threat to life or property; and
 - d) There is adequate time to successfully plan and conduct the event.
- 3) Final approval will be granted providing:
 - a) Compliance with related district/college/campus regulations regarding contracts, financial accountability, security, ticket handling and publicity;
 - b) Adequate technical and staff support are available;
 - c) The event does not violate any state, federal, or local rulings specifically related to that activity.



- 4) All events will be posted on the student activity calendar in designated office responsible for student affairs.

6. STUDENT CLUB OR ORGANIZATION FUNDING RESOURCES

- a. Recognized student organizations or clubs may raise funds and apply for funds from other sources to support approved activities and events in accordance with District and college policies, procedures and guidelines. All fundraising by student members of clubs or organizations must have prior approval of the advisor, including requests for donations, and processed according to approved college/Continuing Education business processes.
- b. Associated Students Organization Funds:
 - 1) Must be reviewed and authorized by the Associated Students Advisor;
 - 2) Shall be exclusively used for programs and purposes which are of benefit and/or in the interest of the student body;
 - 3) May not be expended for programs or purposes in violation of the law;
 - 4) May not be used, directly or indirectly, for partisan political or religious purposes;
 - 5) Shall be subject to normal District business and accounting procedures;
 - 6) Shall be referenced in a financial code in the by-laws of all Constitutions;
 - 7) May not be reallocated, transferred, or utilized for purposes differing from the approved allocation without prior consent of the Associated Student Body; and
 - 8) Shall not be expended for personal benefit or gain of any kind.
- c. An officially registered student club or organization may apply for funding to help carry out programs and operational activities. Sources of funding on campus include the Associated Students funds, District allocated student vending revenue, revenue from fund raising activities, membership dues and donations.
- d. Fund Raising
 - 1) Registered student clubs or organizations may raise funds to support their activities subject to the following provisions:
 - a) All fund-raising activities must be in accordance with all relevant District policies and procedures including Administrative Procedure, AP 6905.1, *District Enterprise Activities and Food Vending*;
 - b) All fund-raising activities must be related to support the purposes of the sponsoring club or organization; all promotional materials for the activity must specify the intended use;
 - c) Registered student clubs or organizations raising funds through either paid admission or voluntary donations at events under their sponsorship must have

numbered tickets, as well as receipts. The funds are to be deposited in the designated Accounting office with a completed financial statement the next business day following the event;

- d) Fund-raising activities of indefinite duration or which extend beyond a semester's end shall be subject to the filing of semester-ending financial reports. All such reports will indicate the sum collected, expenses incurred, and disposition, if any, of the proceeds. All financial statements shall be available for examination by any interested member of the campus community;
- e) Registered student clubs or organizations may not raise funds which contribute to the personal benefit or gain of individual members;
- f) Registered student clubs or organizations may sponsor commercial vending on campus, with prior approval from the administrator responsible for student affairs. Such activity must be related to major college events;
- g) Registered student clubs or organizations may reach contractual agreements with individuals or groups on or off-campus to perform, on campus only, under approval of the Administrator responsible for Student Affairs;
- h) Violation of the rules and regulations governing fundraising activities are subject to disciplinary action in accordance with Board of Trustees Policy, *BP 3100, Student Rights, Responsibilities, Campus Safety and Administrative Due Process, Section 3, Student Code of Conduct.*

7. CLUB OR ORGANIZATION MEMBERSHIP

- a. All club or organization members must be actively enrolled students in the San Diego Community College District.
- b. It is the shared responsibility of the club officers and advisors to ensure that members are currently enrolled students.
- c. All officers must be enrolled in at least one class at the college/campus of the club registration.
- e.d. All officers must be in good academic and disciplinary standing; students with prior Code of Conduct infractions will be subject to additional requirements.

8. TRAVEL

- a. All student travel must be consistent with Board of Trustees Policy, *BP 3125, Transportation of Students*; and Administrative Procedure, *AP 3120.2, Authorization to Conduct Off-Campus Student Activities.*
- b. All clubs must adhere to an advisor/student ratio of up to 10 students to one advisor for travel outside San Diego County.
- c. Advisors are not permitted to transport students in personal vehicles.

- d. All students authorized to travel are required to complete the ~~Sexual Violence Prevention, Online Education Program~~ online Sexual Assault Prevention Training, for compliance under Title IX. Students may use the link below to access the Title IX & Campus Save Act Website for detailed information: <http://www.sdccd.edu/titleix/>
<https://www.sdccd.edu/students/titleix.aspx>

9. RESPONSIBILITIES

- a. A student club or organization is responsible for conducting its affairs in a manner consistent with District rules and regulations. Student clubs or organizations are responsible for ensuring that non-~~d~~District individuals or groups, invited as an incidental part of a club's or organization's program, comply with District regulations, policies and procedures while on District property.
- b. Each student club or organization and/or its officers or designated representatives shall budget, provide for, and promptly meet its legitimate financial obligations to the Associated Student Body, the District, and other organizations or individuals with which they have entered into a contractual agreement. Any club inactive for five or more years will have their club fund balance moved to another account in accordance with the Associated Students guidelines.
- c. All persons on District property are required to abide by District policies and college/campus regulations and shall identify themselves upon request to District officials acting in the performance of their duties.
- d. Each student club or organization is accountable for the actions of its members, on behalf of the group, anytime during the academic year in which the club or organization has been authorized.
- e. The functioning of registered student clubs or organizations shall be confined to, and controlled by, their active membership. Clubs or organizations may invite other members of the faculty, staff, and other guests to participate in activities/events when appropriate.
- f. The officers of student clubs or organizations, as designated representatives, are responsible for the use of District facilities and services by their club or organization, as well as ~~and~~ financial and legal obligations of the club or organization.
- g. All officers and designated representatives of registered student clubs and organizations shall be students of the college for the length of their term in office. It is the responsibility of the student club or organization to keep the registration information designating officers and/or representatives up-to-date, at all times, in the Student Affairs Office.
- h. All officers and designated representatives of registered student clubs and organizations are required to complete the ~~Sexual Violence Prevention, Online Education Program~~ online Sexual Assault Prevention Training, for compliance under Title IX. Officers and designated representatives may use the link below to the Title IX & Campus Save Act website for detailed information: <http://www.sdccd.edu/titleix/>
<https://www.sdccd.edu/students/titleix.aspx>.
- i. Violation of any regulation pertaining to the proper conduct of the club or organization

may result in disciplinary action in accordance with Board of Trustees Policy, *BP 3100, Student Rights, Responsibilities, Campus Safety and Administrative Due Process.*

- j. There are no Associated Student Body Organization activities permitted during summer sessions, unless specifically authorized, in writing, by the Vice President, of Student Services.

10. CLUB DISCIPLINARY SANCTIONS

- a. All student clubs or organizations are expected to adhere to all policies and procedures of the college and District at all times.
- b. Any club or organization found to have violated any provision herein may be subject to disciplinary action.
- c. Disciplinary sanctions for clubs include, but are not limited to:
 - 1) Warning;
 - 2) Probationary status;
 - 3) Suspension – 1 semester club suspension; and
 - 4) Suspension – 1 academic year club suspension.
- d. Nothing would preclude the college from imposing disciplinary action against specific members of the club.

11. OFF-CAMPUS ACTIVITIES CONDUCTED BY STUDENT CLUBS OR ORGANIZATIONS

- a. The San Diego Community College District does not authorize, approve, regulate, or supervise off-campus activities of student clubs. The District assumes no responsibility for off-campus activities, including contractual arrangements made by student clubs or organizations unless expressly authorized by the college President.

Approved by
the Chancellor: November 23, 2016

Supersedes: New 11/23/16



CHAPTER 3.8. Lactation Accommodation [1030 - 1033] (Chapter 3.8 added by Stats. 2001, Ch. 821, Sec. 1.)

1030. Every employer, including the state and any political subdivision, shall provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee. Break time for an employee that does not run concurrently with the rest time authorized for the employee by the applicable wage order of the Industrial Welfare Commission shall be unpaid.

(Added by Stats. 2001, Ch. 821, Sec. 1. Effective January 1, 2002.)

1031. The employer shall make reasonable efforts to provide the employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area, for the employee to express milk in private. The room or location may include the place where the employee normally works if it otherwise meets the requirements of this section.

(Added by Stats. 2001, Ch. 821, Sec. 1. Effective January 1, 2002.)

1032. An employer is not required to provide break time under this chapter if to do so would seriously disrupt the operations of the employer.

(Added by Stats. 2001, Ch. 821, Sec. 1. Effective January 1, 2002.)

1033. (a) An employer who violates any provision of this chapter shall be subject to a civil penalty in the amount of one hundred dollars (\$100) for each violation.

(b) If, upon inspection or investigation, the Labor Commissioner determines that a violation of this chapter has occurred, the Labor Commissioner may issue a citation. The procedures for issuing, contesting, and enforcing judgments for citations or civil penalties issued by the Labor Commissioner for violations of this chapter shall be the same as those set forth in Section 1197.1.

(c) Notwithstanding any other provision of this code, violations of this chapter shall not be misdemeanors under this code.

(Added by Stats. 2001, Ch. 821, Sec. 1. Effective January 1, 2002.)



Assembly Bill No. 1976

CHAPTER 940

An act to amend Section 1031 of the Labor Code, relating to employment.

[Approved by Governor September 30, 2018. Filed with
Secretary of State September 30, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1976, Limón. Employment: lactation accommodation.

Existing law requires every employer to provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child and requires an employer to make reasonable efforts to provide the employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area for the employee to express milk in private. Existing law makes a violation of these provisions subject to a civil penalty and makes the Labor Commissioner responsible for enforcement.

This bill would instead require an employer to make reasonable efforts to provide an employee with use of a room or other location, other than a bathroom, for these purposes. The bill would deem an employer to be in compliance with the requirement of providing a lactation location if the employer makes available a temporary lactation location that meets specified conditions, including that the temporary lactation location be used only for lactation purposes while an employee expresses milk. The bill would deem an agricultural employer to be in compliance with the requirement of providing a lactation location if the agricultural employer provides an employee with a private, enclosed, and shaded space, as specified. If the employer can demonstrate to the Department of Industrial Relations that this requirement would impose an undue hardship, the bill would require that employer to make reasonable efforts to provide a room or location for expressing milk that is not a toilet stall.

The people of the State of California do enact as follows:

SECTION 1. Section 1031 of the Labor Code is amended to read:

1031. (a) An employer shall make reasonable efforts to provide an employee with the use of a room or other location, other than a bathroom, in close proximity to the employee's work area, for the employee to express milk in private. The room or location may include the place where the employee normally works if it otherwise meets the requirements of this section.

(b) An employer who makes a temporary lactation location available to an employee shall be deemed to be in compliance with this section if all of the following conditions are met:

(1) The employer is unable to provide a permanent lactation location because of operational, financial, or space limitations.

(2) The temporary lactation location is private and free from intrusion while an employee expresses milk.

(3) The temporary lactation location is used only for lactation purposes while an employee expresses milk.

(4) The temporary lactation location otherwise meets the requirements of state law concerning lactation accommodation.

(c) An agricultural employer, as defined in Section 1140.4, shall be deemed to be in compliance with this section if the agricultural employer provides an employee wanting to express milk with a private, enclosed, and shaded space, including, but not limited to, an air-conditioned cab of a truck or tractor.

(d) If an employer can demonstrate to the department that the requirement to provide the employee with the use of a room or other location, other than a bathroom would impose an undue hardship when considered in relation to the size, nature, or structure of the employer's business, an employer shall make reasonable efforts to provide an employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area, for the employee to express milk in private.

Assembly Bill No. 2785

CHAPTER 947

An act to add Section 66271.9 to the Education Code, relating to public postsecondary education.

[Approved by Governor September 30, 2018. Filed with
Secretary of State September 30, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2785, Rubio. Student services: lactation accommodations.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and the California State University, under the administration of the Trustees of the California State University, as 2 of the segments of public postsecondary education in this state.

Existing federal law requires an educational institution to treat pregnancy, childbirth, recovery from childbirth, and other specified conditions in the same manner and under the same policies as any other temporary disability. Existing law also prohibits discrimination on the basis of disability, gender, or other specified characteristics in any program or activity conducted by any postsecondary educational institution that receives, or benefits from, state financial assistance or enrolls students who receive state financial aid. Existing law requires a school operated by a school district or a county office of education, the California School for the Deaf, the California School for the Blind, or a charter school to provide, if there is at least one lactating pupil on the school campus, reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding, as prescribed.

This bill would require the California Community Colleges and the California State University, and encourage a satellite campus of these systems and the University of California, to provide reasonable accommodations to a lactating student on their respective campuses to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding, as specified. The bill would require the respective educational institution to provide a sink, in addition to the accommodations described above, upon the construction of a new campus of the California Community Colleges or the California State University, the replacement, expansion, or renovation of an existing building regularly used by students, or the construction of a new building designed for use by students, as specified. This bill would not require an existing room designated for the specified purposes to contain a sink. The bill would also require that a lactating student on a college or university campus be given a reasonable amount of time to accommodate the need to express breast milk or

breast-feed an infant child, and that the accommodation be available whenever a student is required to be on campus. The bill would prohibit students from incurring an academic penalty as a result of their use of these reasonable accommodations. The bill would authorize a complaint of noncompliance with the requirements of the bill to be filed in accordance with specified procedures, and, if the complaint is found to have merit, would require the respective campus or appellate body to provide a remedy to the affected student. This bill would require that these accommodations be implemented no later than January 1, 2020, and urge the University of California to implement the bill provisions by this date. By imposing additional duties on community college districts, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.) prohibits sex discrimination in educational institutions, which includes discrimination against pregnant and parenting students.

(b) The federal regulations implementing Title IX of the Education Amendments of 1972 specify that sex discrimination includes discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from childbirth-related conditions.

(c) The federal regulations implementing Title IX of the Education Amendments of 1972 require a student with temporary medical conditions occasioned by pregnancy or related to recovery from childbirth to be treated the same as any other student with a temporary disability.

(d) The Equity in Higher Education Act (Chapter 4.5 (commencing with Section 66250) of Part 40 of Division 5 of Title 3 of the Education Code) prohibits sex discrimination in postsecondary educational institutions, which includes discrimination against pregnant and parenting students.

(e) The Unruh Civil Rights Act (Section 51 of the Civil Code) prohibits businesses, including public schools, from discriminating based on sex, which includes discrimination on the basis of pregnancy, childbirth, or medical conditions related to pregnancy or childbirth.

(f) Despite these laws, California postsecondary educational institutions are failing to accommodate the needs of lactating student parents on their campuses by not providing them with reasonable time and private space to

express breast milk, breast-feed infant children, or not addressing other needs related to breast-feeding.

SEC. 2. Section 66271.9 is added to the Education Code, to read:

66271.9. (a) The California Community Colleges and the California State University shall, and a satellite campus of these systems and the University of California are encouraged to, provide reasonable accommodations on their respective campuses for a lactating student to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. Reasonable accommodations under this section include, but are not limited to, all of the following:

(1) Access to a private and secure room, other than a restroom, to express breast milk or breast-feed an infant child. The room shall have a comfortable place to sit and have a table or shelf to place equipment described in paragraph (3).

(2) Permission to bring onto a college or university campus a breast pump and any other equipment used to express breast milk.

(3) Access to a power source for a breast pump or any other equipment used to express breast milk.

(b) Lactating students on a college or university campus shall be provided a reasonable amount of time to accommodate their need to express breast milk or breast-feed an infant child.

(c) A campus of the California Community Colleges or the California State University may use an existing facility to meet the requirements specified in subdivision (a).

(d) Students shall not incur an academic penalty as a result of their use of the reasonable accommodations specified in this section, and shall be provided the opportunity to make up any work missed due to such use.

(e) Upon the construction of a new campus of the California Community Colleges or the California State University, the replacement, expansion, or renovation costing five million dollars (\$5,000,000) or more involving plumbing of an existing building regularly used by students, including a student center, or the construction of a new building costing five million dollars (\$5,000,000) or more designed for use by students, the respective educational institution shall provide a sink in addition to the accommodations described in subdivision (a) in a room in the newly constructed campus or building, or in a room in the replaced, expanded, or renovated building. This subdivision only applies to an educational institution if the campus room currently designated for a lactating student to express breast milk or breast-feed an infant child does not have a sink.

(f) This section does not require an existing room designated for a lactating student to express breast milk or breast-feed an infant child to have a sink.

(g) The lactation accommodation shall be available to a student whenever a student is required to be present on campus.

(h) (1) A complaint of noncompliance with the requirements of this section may be filed consistent with Subchapter 5 (commencing with Section 59300) of Chapter 10 of Division 6 of Title 5 of the California Code of

Regulations. If the complaint is found to have merit, the campus or appropriate appellate body shall provide a remedy to the affected student.

(2) A complaint of noncompliance with the requirements of this section may be filed consistent with the procedures established by the California State University for complaints by students of discrimination based on disability, gender, or other applicable characteristics, and a student shall be afforded any remedies the student is entitled to pursuant to those procedures.

(i) This section does not infringe on any right to breast-feed in public pursuant to Section 43.3 of the Civil Code or any other law.

(j) The requirements in this section shall be implemented by the California Community Colleges and the California State University, and the University of California is urged to implement the requirements in this section, no later than January 1, 2020.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.