



## AGENDA

**IMPERIAL VALLEY COLLEGE COUNCIL**  
**Wednesday, March 23, 2016 – 12:50 to 1:50 p.m.**  
**Administration Building Board Room**

### **Mission Statement**

*The IVC College Council ensures that all students, faculty, staff, and administrators have equal opportunity to express their opinions and ideas at the campus level. Its members work to facilitate decisions that support student learning and improve institutional effectiveness. All recommendations by this Council are directed to the Superintendent/President.*

### **MEMBERSHIP**

Sergio Lopez, Administrative Representative  
Efrain Silva, Administrative Representative  
Tina Aguirre, Administrative Representative  
Ted Ceasar, Alternate Administrative Representative  
David Zielinski, Alternate Administrative Representative

Aaron Edwards, Faculty Representative  
Ric Epps, Faculty Representative  
Lilia Sandoval, Faculty Representative  
Cathy Zazueta, Alternate Faculty Representative  
Caroline Bennett, Alternate Faculty Representative  
Mike Palacio, Jr., Alternate Faculty Representative

Yethel Alonso, Classified Representative (Chair)  
Melody Chronister, Classified Representative (Vice Chair)  
Erika Aguilar, Classified Representative  
Silvia Murray, Alternate Classified Representative  
Claudia Aguilar, Alternate Classified Representative  
Jose Torres, Alternate Classified Representative

Lisa Seals, CMCA Representative  
Jose Carrillo, CMCA Representative  
Vacant, CMCA Representative  
Liz Cantu, Alternate CMCA Representative  
Rick Webster, Alternate CMCA Representative

Edalaine Joy Tango-an, Student Representative  
Aimee Galeana, Student Representative  
Benjamin Barajas, Student Representative  
Vacant, Alternate Student Representative

Dr. Victor Jaime, Ex Officio

Recording Secretary: Paula Saldana

### **PUBLIC COMMENT**

### **ACCEPTANCE OF MINUTES**

1. February 24, 2016

**CHAIR REPORT – Yethel Alonso**

**WRITTEN REPORTS (Attachment A)**

ASG President Update – Edalaine Joy Tango-an

President's Update – Victor Jaime

Academic Senate – Michael Heumann

Budget and Fiscal Planning Committee – Melody Chronister

Accreditation/CART Committee – Nicholas Akinkuoye

Measure J and L Report – John Lau

Strategic Educational Master Plan Committee – Ted Ceasar

Budget Update/Financial – John Lau

Technology Planning Committee – Jeff Enz

Staffing Committee – Jennifer Donatt

**Subcommittees:**

Competitive Athletics Committee – Jim Mecate

Facilities and Environmental Health & Safety Committee – Sergio Lopez

Public Relations & Marketing Committee – Mike Nicholas

Student Affairs Committee – Sergio Lopez

Campus Hour and Professional Development Committee – Lisa Solomon

**ACTION ITEMS**

None.

**DISCUSSION AND INFORMATION ITEMS**

1. Chapter 5 Administrative Procedures 5040-5800 (Attachment B)
2. Administrative Procedure 7135 Payroll Processing (Attachment C)
3. Bring Your Kids to Work Day

**ADJOURNMENT**

**2015-2016 College Council Meeting Schedule  
at 12:50-1:50 p.m. in the Board Room**

2016
April 27
May 25



## UNADOPTED MINUTES

**IMPERIAL VALLEY COLLEGE COUNCIL**  
**Wednesday, February 24, 2016 – 12:50 to 1:50 p.m.**  
**Administration Building Board Room**

President Jaime called the meeting to order at 12:56 p.m. He stated Chair Alonso would not be attending the meeting due to illness and that Vice Chair Chronister was absent due to her attendance at a conference.

### **MEMBERSHIP**

- ✓ Sergio Lopez, Administrative Representative
- Efrain Silva, Administrative Representative
- ✓ Tina Aguirre, Administrative Representative
- ✓ Ted Ceasar, Alternate Administrative Representative
- David Zielinski, Alternate Administrative Representative
  
- Aaron Edwards, Faculty Representative
- ✓ Ric Epps, Faculty Representative
- Lilia Sandoval, Faculty Representative
- Cathy Zazueta, Alternate Faculty Representative
- Caroline Bennett, Alternate Faculty Representative
- Mike Palacio, Jr., Alternate Faculty Representative
  
- Yethel Alonso, Classified Representative (Chair)
- Melody Chronister, Classified Representative (Vice Chair)
- ✓ Erika Aguilar, Classified Representative
- Silvia Murray, Alternate Classified Representative
- Claudia Aguilar, Alternate Classified Representative
- Jose Torres, Alternate Classified Representative
  
- ✓ Lisa Seals, CMCA Representative
- Jose Carrillo, CMCA Representative
- Vacant, CMCA Representative
- ✓ Liz Cantu, Alternate CMCA Representative
- Rick Webster, Alternate CMCA Representative
  
- ✓ Edalaine Joy Tango-An, Student Representative
- ✓ Aimee Galeana, Student Representative
- Benjamin Barajas, Student Representative
- Vacant, Alternate Student Representative

Dr. Victor Jaime, Ex Officio

Recording Secretary: Paula Saldana

Others Present: Nicholas Akinkuoye, Ashok Naimpally, Dave Drury as faculty representative, Mary-Jo Wainwright, Frank Hoppe, Mike Nicholas

### **PUBLIC COMMENT**

There was no public comment.

### **APPROVAL OF MINUTES**

1. December 9, 2015

**M/S/C Tango-An/Aguirre to accept the minutes of December 9, 2015.**

**Motion carried.**

### **CHAIR REPPORT – Yethel Alonso**

No report was provided due to Chair Alonso's absence.

### **WRITTEN REPORTS SUBMITTED (Attachment A)**

The following reports were reviewed:

President's Update – Victor Jaime  
Academic Senate – Michael Heumann  
Budget and Fiscal Planning Committee – Melody Chronister  
Staffing Committee – Jennifer Donatt  
Campus Hour and Professional Development Committee – Lisa Solomon

ASG President Tango-an provided a verbal report:

- The Welcome Back BBQ on Tuesday, February 23<sup>rd</sup> was a success; Trustee Juanita Salas attended the event.
- Students will be attending the Veteran's Center Ribbon Cutting today.
- Black History Month celebration will take place tomorrow during campus hour.
- On Monday, February 29<sup>th</sup>, the ASB will be volunteering at the IVC Fair Booth.

Dave Drury commented that the written report from the Competitive Athletics Committee had been inadvertently omitted from the agenda.

President Jaime stated the report would be included as part of the minutes.

### **ACTION ITEMS**

#### **1. Approval of 2016 Midterm Report – Tina Aguirre**

##### Discussion:

Dean Tina Aguirre Presented a PowerPoint entitled "Midterm Report 02-16-16. She highlighted the Recommendations from 2007 and 2013, and the Self-Identified Areas to Improve from 2012.

VP Akinkuoye thanked those involved in putting the report together: Dean Ted Ceasar, Dean Tina Aguirre and Administrative Assistant Linda Amidon.

**M/S/C Lopez/Tango-An to approve the 2016 Midterm Report**

**Motion carried.**

### **DISCUSSION AND INFORMATION ITEMS**

#### **1. Social Media Procedure (Attachment B) – Mike Nicholas**

Mike Nicholas provided an overview of the Social Media Participation Protocols, created by the Public Relations and Marketing Committee as a way of promoting the college and due to the growing support for online communication. He stated as a result of the active shooter incident, the procedure was updated to include language relating to the safety of the campus.

He stated the procedure would be posted on the IVC Facebook page, as well as other social media platforms.

President Jaime requested that the procedure be included as part of the Board Policies and Procedures.

**2. Chapter 3 Board Policies – Victor Jaime**

President Jaime stated the board policies are reviewed by the Board of Trustees every two years. Updates are received twice a year from the Community College League of California (CCLC). The updates are provided in template form, and include mandated language and recommendations from the CCLC.

President Jaime provided an overview of the Chapter 3 Board Policies:

- There are 32 Board Policies in Chapter 3
- There is one new Board Policy: BP 3225 Institutional Effectiveness
- There is one IVC generated Board Policy: Strategic Educational Master Planning Committee
- There are two policies with name changes only:
  - BP 3255: Strategic Educational Master Planning Committee
  - BP 3570: Smoke and Tobacco-Free District

He stated the changes to Chapter 3 were minor, and that the Board of Trustees would be adopting them at its next meeting on March 16, 2016.

**ADJOURNMENT**

President Jaime adjourned the meeting at 1:35 p.m.

**2015-2016 College Council Meeting Schedule  
at 12:50-1:50 p.m. in the Board Room**

2016
March 23
April 27
May 25

**IMPERIAL VALLEY COLLEGE**  
**College Council**  
**March 23, 2016**

**President's Update**

➤ **Campus Safety:**

- By the time the College Council meets we will have had an evacuation drill. The Goal is to have a variety of evacuation drills throughout the year, including in the evening. After each drill an evaluation will be conducted to address any errors or omission of actions during these drills.

➤ **Administrative and Classified Manager Recruitments:**

- We are in the middle of recruiting for the follow positons as reported last month
  - **Vice-President for Student Services (Administrator):**
  - **Dean of Student Affairs and Enrollment Services (Administrator):**
  - **Dean of Counseling (Administrator):**
  - **Chief Technology Officer (CTO) (Administrator):**
  - **Chief Human Resources Officer (CHRO) (Administrator):**
  - **Executive Director of the IVC Foundation (Classified Manager):**

➤ **Veteran's Success Center:**

- The Grand Opening of our Military and Veteran Success Center will be on April 21, 2016. Beginning at 12:50 p.m. in the College Center.

➤ **Spring Break:**

- Spring break will be starting next Monday, March 28, 2016 through Friday, April 1, 2016. We will all return on Monday, April 3, 2016. I wish you all a very restful week off.

**This concludes my report.**

REPORT/COMMITTEE NAME:

Academic Senate

Last meeting date/time/place:

Wednesday, March 16, 2016, from 12:50-1:50 PM in the Board Room

Summary of discussion, information, and action items (short paragraph or bullet points):

- Approved a resolution in support of AB 798, the College Textbook Affordability Act of 2015. This is the first step in the development of a plan to increase the use of open educational resources (free or low cost textbooks) by faculty. The plan will be developed over the coming months.
- An ad hoc committee on ESL has been formed to examine the current state of the program and to plan for its long-term future. This committee's report is due on April 29.
- Three at-large senate seats for academic years 2016-2019 will be voted on during the week of March 21.
- The annual senate fundraiser will take place in May (specific date to be announced shortly).

Topics that you need College Council to discuss or have as action item (to be placed on the next College Council agenda, please specify if discussion or action item):

- There was a discussion in the senate on the future use of the former faculty mail room. This is a topic that should be brought to the facilities committee.

Next meeting date/time/place:

- Wednesday, April 6, 2016, from 12:50-1:50 in the Board Room

REPORT/COMMITTEE NAME:

**Budget and Fiscal Planning Committee**

Last meeting date/time/place:

**March 2, 2016 at 2pm in the Board Room**

Summary of discussion, information, and action items:

Continued to discuss the budget variance analysis report for the 2016-17 budget. Still working with a few departments that had not followed the budget guidelines established (flat budget with increases listed as enhancements).

Initial discussion took place on the enhanced 2016-17 budget requests pertaining to operational costs.

Discussed the formation of a grants sub-committee for centralized grant oversight. This led to the discussion of a need for a full-time position to manage grants. A formal recommendation will be brought to the next meeting for the BFPC to discuss and vote on.

Discussed enrollment revenue (FTES) projections and how it points to the need for a zero growth or flat budget for 2016-17 in light of upcoming changes to financial aid (BOGG) effective Fall 2016. The BFPC does not want to recommend approving a budget with growth unless clear, measurable action is taken to support it.

Topics that you need College Council to discuss or have as action item (to be placed on the next College Council agenda, please specify if discussion or action item):

**None**

Next meeting date/time/place:

**Wednesday, March 23<sup>rd</sup> at 2pm in the Board Room.**



**REPORT/COMMITTEE NAME:**

Competitive Athletics Committee

**Last meeting date/time/place:**

2-23-16, 1pm to 1:34pm, Room 700

**Summary of discussion, information, and action items (short paragraph or bullet points):**

Discussed:

- Approved Minutes from December 10th, 2015 Competitive Athletics Committee
- Jim informed the committee that the A.D. position was converted back to release time and the position will be voted on every 2 years.
- Jim distributed a sheet showing how much other colleges charge per unit for out of state tuition
- Andrew Robinson will look into who dropped the out of state charge per unit by \$1
- Andrew Robinson mentioned a new program (DCTag) that could minimize costs for out of state students from Washington D.C. Kevin Marty volunteered to look further into this program.
- Jill Tucker mentioned that Southwestern College may have been part of a Mexus program. Jim said he would look further into it.

**Topics that you need College Council to discuss or have as action item (to be placed on the next College Council agenda, please specify if discussion or action item):**

The only action item that occurred was approval of the minutes from the previous meeting held on December 10, 2015.

**Next meeting date/time/place:**

March 8, 2016 at 1pm in Room 700

REPORT/COMMITTEE NAME: **Student Affairs Committee**

Last meeting date/time/place: **Thursday, March 10, 2016 / 12:50 p.m. / Board Room**

Summary of discussion, information, and action items (short paragraph or bullet points):

- **Two commencement ceremonies will be held Saturday, June 11, 2016. The first one will begin at 9:00 a.m. and the second ceremony will take place at 2:00 p.m. Students majoring in Math & Sciences will be at 2:00 p.m. All other majors will be at 9:00 a.m.**
- **Two graduation rehearsals will take place the Friday prior to graduation. Times will be discussed at the next meeting.**
- **Special awards were discussed. More information will be available at the next meeting.**
- **Leadership Scholarships will be made available at the IVC Foundation website this week.**
- **The Disciplinary Appeals Hearing Sub Committee might be reduced to four committee members instead of all to avoid lack of quorum. This item will be revisited. No hearings have been scheduled in the current academic year.**

Topics that you need College Council to discuss or have as action item (to be placed on the next College Council agenda, please specify if discussion or action item):

**None**

Next meeting date/time/place: **Thursday, April 14, 2016 / 12:50 p.m. / Board Room**

**IMPERIAL COMMUNITY COLLEGE DISTRICT**  
**AP 5040 Student Records, Directory Information, and Privacy**

Reference: *Education Code Sections 71091 and 76200 et seq.;*  
*Title 5, 54600 et seq.;*  
*20 U.S. Code Section 1232 g(j)(U.S. Patriot Act);*  
*Civil Code Section 1798.85;*  
*ACCJC Accreditation Standard II.C.8*

A cumulative record of enrollment, scholarship, and educational progress shall be kept for each student.

**Release of Student Records:** No instructor, official, employee, or Governing Board member shall authorize access to student records to any person except under the following circumstances:

- Student records shall be released pursuant to a student's written consent.
- In completing the admission application, students are provided the opportunity to request that their directory information be maintained as confidential. Students who wish to change their request, may do so in writing to the Admissions and Records Office at any time to become effective within five to ten working days.”
- “Directory information” may be released in accordance with the definitions in Board Policy *BP 5040*.
- Directory information shall include:
  - Student participation in officially recognized activities and sports including weight, height and high school of graduation of athletic team members.
  - Degrees and awards received by students, including honors, scholarship awards, athletic awards and Dean’s List recognition.

Student records shall be released pursuant to a judicial order or a lawfully issued subpoena.

Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution of terrorism.
- Student records may be released to officials and employees of the District only when they have a legitimate educational interest to inspect the record.

Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees or the United States Office of Civil Rights, where that information is necessary to audit or evaluate a state or federally supported educational program or pursuant to federal or state law. Exceptions are that when the collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner that will not permit the personal identification of students or their

parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements.

Student records may be released to officials of other public or private schools or school systems, including local, county or state correctional facilities where education programs are provided, where the student seeks or intends to enroll or is directed to enroll. The release is subject to the conditions in Education Code Section 76225.

Student records may be released to agencies or organizations in connection with a student's application for, or receipt of, financial aid, provided that information permitting the personal identification of those students may be disclosed only as may be necessary for those purposes as to financial aid, to determine the amount of the financial aid, or conditions that will be imposed regarding financial aid, or to enforce the terms or conditions of financial aid.

Student records may be released to organizations conducting studies for, or on behalf of, accrediting organizations, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering financial aid programs, and improving instruction, if those studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of those organizations and the information will be destroyed when no longer needed for the purpose for which it is conducted.

Student records may be released to appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, subject to applicable federal or state law.

The following information shall be released to the federal military for the purposes of federal military recruitment: student names, addresses, telephone listings, dates, and places of birth, levels of education, major(s), degrees received, prior military experience, and/or the most recent previous educational institutions enrolled in by the students.

**Charge for Verifications of Student Records:** A student/former student shall be entitled to two free verifications of various student records. Additional copies shall be made available to the student, or to an addressee designated by him/her, at the rate of \$2.00 per copy.

### **Electronic Transcripts**

The District has implemented a process for the receipt and transmission of electronic student transcripts.

### **Use of Social Security Numbers**

The District shall not do any of the following:

- Publicly post or publicly display an individual's social security number;

- Print an individual's social security number on a card required to access products or services;
- Require an individual to transmit his/her social security number over the internet using a connection that is not secured or encrypted;
- Require an individual to use his/her social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication device; or
- Print, in whole or in part, an individual's social security number that is visible on any materials that are mailed to the individual, except those materials used for:
  - Application or enrollment purposes;
  - To establish, amend, or terminate an account, contract, or policy; or
  - To confirm the accuracy of the social security number.

If the District has, prior to January 1, 2004, used an individual's social security number in a manner inconsistent with the above restrictions, it may continue using that individual's social security number in that same manner only if:

- The use of the social security number is continuous;
- The individual is provided an annual disclosure that informs the individual that he/she has the right to stop the use of his/her social security number in a manner otherwise prohibited;
- The District agrees to stop the use of an individual's social security number in a manner otherwise prohibited upon a written request by that individual;
- No fee shall be charged for implementing this request; and the District shall not deny services to an individual for making such a request.

See BP 5040

## **IMPERIAL COMMUNITY COLLEGE DISTRICT AP 5050 Student Success and Support Program**

Reference:

Education Code Sections 78210 et seq.;

Title 5, Section 55500 et seq.;

ACCJC Accreditation Standard II.C.2

The Student Success and Support Program brings the student and the District into agreement regarding the student's educational goal through the District's established programs, policies, and requirements. The agreement is implemented by means of the student educational plan.

Each student, in entering into an educational plan, will do all of the following:

- Identify an education and career goal;
- Identify a course of study;
- Be assessed to determine appropriate course placement;
- Complete orientation;
- Participate in the development of the student educational plan;
- Complete a student educational plan no later than the term after which the student completes 15 semester units of degree applicable credit coursework;
- Diligently attend class and complete assigned coursework; and
- Complete courses and maintain progress toward an educational goal.

Student Success and Support Program services include, but are not limited to, all of the following:

- Orientation on a timely basis, information concerning campus procedures, academic expectations, financial assistance, and any other appropriate matters;
- Assessment and counseling upon enrollment, which shall include, but not be limited to, all of the following:
  - Administration of assessment instruments to determine student competency in computational and language skills;
  - Assistance to students in the identification of aptitudes, interests and educational objectives, including, but not limited to, associate of arts degrees, transfer for baccalaureate degrees, and vocational certificates and licenses;
  - Evaluation of student study and learning skills;
  - Referral to specialized support services as needed, including, but not limited to, federal, state, and local financial assistance; health services; mental health services; campus employment placement services; extended opportunity programs and services; campus child care services programs that teach English as a second language; and disabled student services;
- Advisement concerning course selection;

- Follow-up services, and required advisement or counseling for students who are enrolled in remedial courses, who have not declared an educational objective as required, or who are on academic probation.

The District shall not use any assessment instrument except one specifically authorized by the Board of Governors of the California Community Colleges.

See BP 5050

**IMPERIAL COMMUNITY COLLEGE DISTRICT  
AP 5052 Open Enrollment**

Reference: *Title 5, Sections 51006, 58106, 58108*

All courses of the District shall be open to enrollment in accordance with a priority system consistent with Administrative Procedure 5055. Enrollment may be limited to students meeting properly validated prerequisites and co-requisites, or due to other non-evaluative, practical considerations as defined in Administrative Procedure 5055.

No student is required to confer or consult with or required to receive permission to enroll in any class offered by the District, except as provided for in Administrative Procedure 5055 and for enrollment in programs requiring a separate application process.

Students are not required to participate in any pre-registration activities not uniformly required, and no registration procedures are used that result in restricting enrollment to a specialized clientele, except as provided for in Administrative Procedure 5055 and for enrollment in programs requiring a separate application process.

A student may challenge an enrollment limitation on any of the following grounds:\*

- A. The limitation is unlawfully discriminatory or is being applied in an unlawfully discriminatory manner.
- B. The District is not following its enrollment procedures.
- C. The basis for the limitation does not in fact exist.

Students may challenge an enrollment limitation based upon the above grounds by obtaining and submitting a Student Petition to the Admissions, Registration, and Petitions (ARP) Committee at the time of registration. The ARP Committee will review the challenge and notify the student of its decision within five (5) business days.

\*See Administrative Procedure 4260, Prerequisites and Corequisites, for the prerequisite/corequisite challenge process.

See BP 5052



**IMPERIAL COMMUNITY COLLEGE DISTRICT  
AP 5070 Attendance**

Reference: Title 5, Sections 58000 et seq.

**Procedures for Attendance Accounting**

The Imperial College District utilizes an enterprise data system which reflects the requirements of both Title 5 Education Code and the CCCCO Budget and Student Account Manuals.

The attendance method of courses, their length and the way they are scheduled is determined by Academic Services in accordance with the California Community College Student Attendance Accounting Manual.

The length of the primary term is determined by Academic Services.

Scheduling and verification of 175 days of instruction is the responsibility of Academic Services.

All courses included for attendance accounting must meet the immediate supervision and control of an academic employee requirements as stated in the California Community College Student Attendance Accounting Manual. Compliance is the responsibility of Academic Services.

No-shows who were not previously dropped on opening-day rosters are identified by instructors and drop procedures followed to ensure no-shows are excluded from apportionment accounting.

Actual hours of attendance for all positive attendance courses are input in the computer by the instructors in accordance with final grade submission procedures.

Attendance accounting reports designed for completing the 320 report are included in the SCT Banner integrated administrative computer system used by the District. The Chief Admissions and Records Officer is responsible for setting the parameters, running the reports, verifying accuracy, transferring the data to the 320 report, and retaining all support documentation.

The Chief Admissions and Records Officer prepares and submits the first period, second period and annual 320 apportionment reports in accordance with all regulations and guidelines in the California Community College Student Attendance Accounting Manual.

No BP

## **IMPERIAL COMMUNITY COLLEGE DISTRICT AP 5075 Course Adds and Drops**

Reference: Title 5, Sections 55758, 58004

Specific procedures for adding and dropping classes are established by the Admissions and Records Office under the guidance of the ad hoc Admissions Operating Committee. They are consistently adapted to accommodate new technology, student and faculty needs and are published each semester in the Class Schedule.

### **Adding Classes**

Students may add classes through the registration period which will end before census. After the deadline to register, requests for exceptions must be made by the student and include the approval of the instructor. Approval or denial of the request is the responsibility of the Chief Admissions and Records Officer or his/her designee. Procedures and decision-making will be coordinated with the Vice President of Academic Services and may require his/her signature.

### **Dropping Classes**

No notation will be made on students' records for courses dropped prior to census for the course.

Students may drop (withdraw) full-term courses up to 75% of the term, or short-term courses up to 75% of the length of the course. Symbols of W shall be recorded for courses dropped on census day through the 75% date.

To drop students throughout the session, instructors will utilize the faculty access system to drop electronically.

Instructors are required to clear their rosters of inactive enrollment as of census. Inactive enrollment in a course is defined as the following:

As of each census day, any student who has

- (1) Been identified as a no show, defined as a student who fails to attend the first class meeting. For online classes, it is a student who fails to complete the initial required activity.

OR

- (2) Been dropped for excessive absences, defined as a student who's continuous, unexcused absences after the close of registration exceeds

the number of hours the class is scheduled to meet per week. Online courses will substitute required activities for absences/class meetings.

An instructor may drop a student after census and up until the drop deadline (75% of the course) if the student has excessive absences and is no longer participating in the class. However there is no responsibility on the part of the instructor to do so.

Administrative withdrawals/drops after the last day to drop may be requested by students for events out of their control which prevented them from dropping on time using the petitioning process available in the Admissions and Records Office.

### **Short-Term Classes**

Enrollment procedures for short-term classes are the same as for regular classes. Deadlines are set in accordance with the California Education Code. Registration will end the day before census. Drop deadlines are as follows:

- Deadline to drop without owing fees and/or be eligible for refund – 10% of the length of the course.
- Deadline to drop without receiving a mark of W – day before census
- Deadline to drop with a W – 75% of the length of the course.

**IMPERIAL COMMUNITY COLLEGE DISTRICT  
AP 5110 Counseling**

Reference: Education Code Section 72620; Title 5, Section 51018  
*ACCJC Accreditation Standard II.C.5*

**The counseling services available in the District's counseling program include at least the following:**

Academic counseling, in which the student is assisted in assessing, planning, and implementing his or her immediate and long-range academic goals

Career counseling, in which the student is assisted in assessing his or her aptitudes, abilities, and interests, and is advised concerning the current and future employment trends;

Personal counseling, in which the student is assisted with personal, family, or other social concerns, when that assistance is related to the student's education;

Coordination with the counseling aspects of other services to students which exist on campus, including but not limited to those services provided in programs for students with special needs, skills testing programs, financial assistance programs, and job placement services.

**Confidentiality of Counseling Information:**

Information of a personal nature disclosed by a student 12 years of age or older in the process of receiving counseling from a counselor is confidential, and shall not become part of the student record without the written consent of the person who disclosed the confidential information. However, the information shall be disclosed when permitted by applicable law, including but not limited to disclosure as necessary to report child abuse or neglect; reporting to the CEO or other persons when the counselor has reason to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or other persons living in the college community; reporting information to the CEO or other persons as necessary when the student indicates that a crime involving the likelihood of personal injury or significant or substantial property losses will or has been committed; reporting information to one or more persons specified in a written waiver by the student.

See BP 5110

## **IMPERIAL COMMUNITY COLLEGE DISTRICT AP 5130 Financial Aid**

### Reference:

*Education Code Section 66022.6, 66025.9 and 76300;  
Title 5, Sections 55031, 58600 et seq.  
20 U.S.C. Sections 1070 et seq.;  
34 CFR Section 668 (U.S. Department of Education regulations on the Integrity  
of Federal Student Financial Aid Programs under Title IV of the Higher Education  
Act of 1965, as amended);  
ACCJC Accreditation Standard III.D.15*

### *Aid programs offered include:*

Board of Governors Fee Waiver  
Full-Time Student Success Grant  
Cal Grants  
Federal Pell Grants  
Federal Supplemental Educational Opportunity Grant  
Federal Work-Study

*For complete information regarding the following, see the Financial Aid Policy Manual:*

Application procedures, including deadlines  
Student eligibility  
Payment procedures  
Overpayment recovery  
Accounting requirements  
Satisfactory progress

*Further information can be obtained at: <http://www.ifap.ed.gov>, the California  
Community College Student Financial Assistance Unit.*

### **Misrepresentation**

Misrepresentation is defined as any false, erroneous, or misleading statement that the District, a representative of the District, or a service provider with which the District has contracted to provide educational programs, marketing, advertising, recruiting, or admissions services, makes directly or indirectly to a student, prospective student, a member of the public, an accrediting agency, a state agency, or the United States Department of Education.

A misleading statement includes any statement that has the likelihood or tendency to deceive or confuse. If a person to whom the misrepresentation was made could reasonably be expected to rely, or has reasonably relied, on the misrepresentation, the misrepresentation would be substantial.

This procedure does not apply to statements by students through social media outlets or by vendors that are not providing covered services, as reflected herein.

### **Loss of Eligibility for BOG Fee Waiver**

A student shall become ineligible for a Board of Governors (BOG) Fee Waiver if the student is placed on academic or progress probation, or any combination thereof, for two consecutive primary terms. Loss of eligibility shall become effective at the first registration opportunity after such determination is made.

The District shall notify students of their placement on academic or progress probation no later than thirty days following the end of the term that resulted in the student's placement on probation. The notification must clearly state that two consecutive primary terms of probation will lead to a loss of the BOG Fee Waiver until the student is no longer on probation. The notification must also advise students about the available student support services to assist them in maintaining eligibility.

The District shall adopt, prominently display, and disseminate policies ensuring that students are advised about the student support services available to assist them in maintaining and reestablishing eligibility BOG Fee Waiver eligibility. Dissemination includes, but is not limited to, information provided in college catalogs and class schedules.

The District shall establish written procedures by which a student may appeal the loss of a BOG Fee Waiver due to extenuating circumstances, or when a student with a disability applied for, but did not receive, a reasonable accommodation in a timely manner. Extenuating circumstances are verified cases of accidents, illnesses, or other circumstances that might include documented changes in the student's economic situation or evidence that the student was unable to obtain essential student support services. Extenuating circumstances also includes special consideration of the specific factors associated with Veterans, CalWORKs, EOPS, and DSPS student status.

Foster Youth shall not be subject to loss of BOG Fee Waiver due to placement on academic or progress probation. This exemption for Foster Youth is effective until the date specified in Education Code Section 66025.9(c).

**IMPERIAL COMMUNITY COLLEGE DISTRICT  
AP 5140 Disabled Student Services and Programs**

Reference: *Title 5, Sections 56000 et seq. and 56027*

The District maintains a plan for the provision of programs and services to disabled students designed to assure that they have equality of access to District classes and programs.

For complete and detailed information regarding the following, please consult the Disabled Student Programs and Services Operations Manual located in the DSP&S Director's Office:

long-range goals and short term objectives for the program

definitions of disabilities and students eligible for the program

support services and instruction that is provided

technology accessibility

verification of disability

student rights and responsibilities

student educational contract or plan that is developed by a designated person in consultation with the student

academic accommodations

provisions for course substitution and waivers

staffing

advisory committee

**IMPERIAL COMMUNITY COLLEGE DISTRICT  
AP 5400 Associated Students Organization**

Reference:

*Education Code Section 76060*

Imperial Valley College shall have one Associated Students Organization.

Both day and evening student representatives shall be encouraged.

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.

For complete and detailed information regarding the Associated Students Government refer to the "Handbook for Student Leaders" located in the Student Affairs Director's Office or on the website: <http://www.imperial.edu/students/student-affairs/handbook-for-student-leaders/>



**IMPERIAL COMMUNITY COLLEGE DISTRICT  
AP 5410 Associated Students Elections**

Reference: *Education Code Section 76061*

The Associated Students shall conduct annual elections to elect officers.

Any student elected as an officer in the Associated Students shall meet the requirements in [BP5410].

For complete and detailed information regarding the Associated Students Government Elections can be found in the “Handbook for Student Leaders,” located in the Student Affairs Director’s Office or on the website: <http://www.imperial.edu/students/student-affairs/handbook-for-student-leaders/>.

See BP 5410

**IMPERIAL COMMUNITY COLLEGE DISTRICT  
AP 5420 Associated Students Finance**

Reference: *Education Code Sections 76063-76065*

**Fiscal Affairs**

It is the sense of the Student Senate that the Associated Students Government of Imperial Valley College should be free to conduct their fiscal affairs consistent with the Education Code of the State of California.

It is the sense of the Student Senate that all income received by the Association, regardless of source, is for the general use of the Association to meet its obligations and to provide for its social and recreational needs.

It is the sense of the Student Senate that funds should not be appropriated or expended from the treasury of the Association for which there is no prior authority set down in its rules, resolutions and budgets.

It is the sense of the Student Senate that the officers and members of the Association are entitled to accurate and periodic reports of its income and expenditures.

It is the sense of the Student Senate that the Association Treasurer serves as the Fiscal Control Officer of the Associated Students Government.

**Budget**

The Association shall budget its projected income and expenditures and other accounts for each calendar year. The fiscal year of the Association shall correspond to that of the District.

The Association budget shall be organized similar to that of the District.

No later than May 1 of each year the Finance Committee of the Senate shall submit to the Senate a preliminary budget for the next fiscal year.

The preliminary budget shall set forth proposed estimates of income, expenditures and all other accounts of the Association.

The Senate shall make adjustments it deems necessary and approve the preliminary budget no later than the Spring Semester.

The approved preliminary budget shall be published and distributed to the members of the Association.

The preliminary budget of the Association shall become the final approved budget of the Association upon Senate approval.

### **Accounting**

Encumbrances against the general expense, capital outlay and reserve accounts of the Association shall be authorized by the Fiscal Control Officer of the Association. All encumbrances shall be supported by requisition, purchase order, or other appropriate document.

Encumbrances against the accounts of the Association shall be charged to the appropriate line item account, but no general expense, capital outlay, or reserve account shall be encumbered more than fifty dollars (\$50) in excess of its authorized appropriation without the prior approval of the Senate.

Encumbrances against the general expense and capital outlay accounts of the Association for which there is no authorized appropriation shall not be sanctioned without the prior approval of the Senate and the Fiscal Control Officer of the Association.

No funds budgeted by the Associated Students Government shall be transferred for deposit into any other account without the prior approval of the Senate.

All changes of authorized appropriations and line item accounts in the approved budget shall require the prior approval of Senate and the Fiscal Control Officer of the Association. Such changes shall be recorded by written budget transfers.

The accounts of the Association shall be kept in a manner consistent with generally accepted accounting practices.

The Treasurer of the Association shall publish a monthly record on the status of all income and expense accounts on or about September 10 and on or about the tenth day of each succeeding month through May 10 in every fiscal year.

### **Reserve Accounts**

Funds shall not be appropriate or expended from any reserve account of the Association without the prior approval of the Senate.

Funds shall not be appropriated from the Loan Fund Reserve or any Special Reserve without the prior approval of the Senate and the Fiscal Control Officer of the Association.

Funds shall not be appropriated or expended from any restricted reserve after the last day of April and before the fifth day of October in any year. Funds shall not be appropriated or expended from any restricted reserve unless approved by a majority of all members of the Senate in the manner prescribed below.

Any resolution to appropriate or expended funds from the restricted reserves of the Association shall be approved twice by the Senate before the appropriation or expenditure shall be considered authorized. After a resolution to appropriate or expend such funds has been approved by the Senate, the members of the Association shall be informed of the action. Members of the Association shall be informed of the names of those Senate Members voting for and against the resolution and the purpose of the proposed appropriation or expenditure. Members of the Association shall then be given the opportunity to speak for or against the proposed appropriation or expenditure at the next regular meeting of the Senate. The Senate shall not consider for twenty class days the second resolution providing for the appropriation or expenditure of reserve funds.

### **Other Fiscal Procedures**

Bids for goods and services against the accounts of the Association shall not be released without the prior approval of the Senate. All bids shall be processed in conformity with accepted District practice.

No check or purchase order shall be issued against Association accounts before completing the prescribed procedures for spending Associated Students Government funds.

The Fiscal Control Officer of the Association shall have the authority to issue regulations to secure compliance with the provisions of this Act.

A detailed financial report showing all funds spent and encumbered in the accounts of the Associated Students Government shall be submitted monthly to the Senate Finance Committee.

## **IMPERIAL COMMUNITY COLLEGE DISTRICT AP 5500 Standards of Student Conduct**

### References:

Education Code Sections 66300 and 66301;  
ACCJC Accreditation Standards I.C.8 and 10 (formerly II.A.7.b)

Imperial Valley College is maintained for the purpose of providing students in the community with programs of instruction in higher education. The College is concerned with the fostering of knowledge, the search for truth and the dissemination of ideas. Free inquiry and free expression are indispensable to the achievement of these goals. As members of the College community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Students at Imperial Valley College may rightfully expect that the faculty and administration will maintain an environment where there is freedom to learn. This requires that there be appropriate conditions and opportunities in the classroom and on campus. As members of the College community, students shall be encouraged to develop the capacity for critical judgment and to exercise their rights to free inquiry and free speech in a responsible non-violent manner. Students shall assume an obligation to conduct themselves in a manner compatible with the college's function as an educational institution. Students shall observe the rules and regulations of the College and shall refrain from conduct which interferes with the College's teaching and administration, or which unreasonably interferes with the rights of others. Misconduct while on the college campus, or at a College-sponsored function for which students and student organizations are subject to disciplinary action.

**Definitions:** The following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension or expulsion of a student.

- Causing, attempting to cause, or threatening to cause physical injury to another person.
- Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a District employee, which is concurred in by the college president.
- Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in California Health and Safety Code
- Sections 11053 et seq., an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code Section 11014.5.
- Committing or attempting to commit robbery or extortion.
- Causing or attempting to cause damage to District property or to private property on campus.
- Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property or private property on campus.
- Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.

- Committing sexual harassment as defined by law or by District policies and procedures.
- Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.
- Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyberbullying.
- Willful misconduct that results in injury or death to a student or to District personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.
- Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
- Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty as defined by insert local practice].
- Dishonesty; forgery; alteration or misuse of District documents, records or identification; or knowingly furnishing false information to the District.
- Unauthorized entry upon or use of District facilities.
- Lewd, indecent or obscene conduct or expression on District-owned or controlled property, or at District sponsored or supervised functions.
- Engaging in expression which is obscene, libelous or slanderous, or which so incites students as to create a clear and present danger of the commission of unlawful acts on District premises, or the violation of lawful District regulations, or the substantial disruption of the orderly operation of the District.
- Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
- Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any District policy or administrative procedure.

Students who engage in any of the above are subject to the procedures outlined in AP 5520 titled Student Discipline Procedures.

## **IMPERIAL COMMUNITY COLLEGE DISTRICT**

### **AP 5520 Student Discipline Procedures**

#### Reference:

Education Code Sections 66017, 66300, 72122, and 76030, et seq;  
Penal Code Section 626.4

The purpose of this procedure is to provide a prompt and equitable means to address violations of Standards of Student Conduct, which guarantees the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

These Administrative Procedures are specifically not intended to infringe in any way on the rights of student to engage in free expression as protected by the state and federal constitutions, and by Education Code Section 76120, and will not be used to punish expression that is protected.

Students and campus organizations must comply with the Standards of Student Conduct established by the Board of Trustees of the Imperial Community College District in collaboration with the College faculty, administration and students. Violations of such rules are subject to the following appropriate disciplinary action which shall be administered by appropriate College authorities in accordance with the Due Process Disciplinary Procedures. Penalties are listed in degree of severity, but not necessarily in chronological order of administration.

**Warning-** Notice to the student or organization that continuation or repetition of specified conduct may be cause for further disciplinary action.

**Reprimand-** Written reprimand for violation of specified rules. A student or organization receiving a reprimand is notified that continued conduct of the type described in the reprimand may result in formal disciplinary action.

**Disciplinary Action-** Expulsion from participation in privileges or extracurricular College activities set forth in the notice of disciplinary probation for a specified period of time. The imposition of disciplinary probation shall include notification in writing of the reason for disciplinary probation to the student and parent or guardian where the student is a minor, or to a designated officer where a student organization is involved.

**Restitution, Reimbursement for damage or Misappropriation of Property-** Reimbursement may take the form of appropriate service to repair or otherwise compensate for damage.

**Suspension-** A student may be suspended by the Governing Board, the CEO or his designee, or by an instructor for good cause as related to College activity or

attendance. The CEO or his designee may suspend a student: (a) from one or more classes for up to 10 (ten) days of instruction; (b) from one or more classes for the remainder of the school term; or (c) from all College classes and activities for one or more terms.

**Removal by Instructor-** An instructor may remove a student for the day of removal and the next class meeting. Such action must be immediately reported to the CEO. During the period of removal the student may not be returned without the consent of the instructor.

**Expulsion-** An expulsion is a long term or permanent denial of all campus privileges, including class attendance. When applied to a campus organization, expulsion refers to denial of all charter privileges for a like period of time. Students and campus organizations may be suspended from all campus privileges, including class attendance, while appeals and hearings are in progress. The Governing Board may expel when: (a) other means of conviction fail to bring about proper conduct, or (b) presence of the student causes a continuing danger to the physical safety of the student or others.

### **Conduct of Non-Students**

Persons who are not students or employees of the College, while on College property, shall be required to adhere to the Standards of Conduct applicable to students and to abide by campus policies and regulations. Non-College persons shall address meetings on campus only pursuant to an invitation from the Governing Board, members of the teaching staff, administration, or chartered student organization (See Campus Speakers Policy).

All persons on College property shall be responsible, for reasonable cause, to identify themselves upon request by a College official and to state the purpose for which they have entered the campus.

### **Due Process Disciplinary Procedures**

- 1. Purpose and Scope-** The following policies regulating student disciplinary actions are adopted for the purpose of creating a uniform method of disciplining students and organizations, thus according them fair and objective treatment.
- 2. Disciplinary Authority-** The CEO has designated the Dean of Student Affairs & Enrollment Services as the Disciplinary Authority. In his/her absence, the Vice President for Academic Services, the Dean of Administrative Services, or Vice President for Student Services may act as the Disciplinary Authority. It is the responsibility of these persons acting individually, or in concert, to recommend disciplinary action against students and organizations in the manners prescribed herein.



**3. Disciplinary Appeals Board-** the College shall establish a Disciplinary Appeals Board which shall be made up of members of the Student Affairs Committee. The Disciplinary Appeals Board shall select one faculty member to act as chairperson. In no event shall the Dean of Student Affairs & Enrollment Services sit or act as a member of the Disciplinary Appeals Board.

**4. Procedures Preliminary to Disciplinary Action-** Disciplinary action may be recommended by the Disciplinary Authority for violation of one or more of the Standards of Conduct. In advance of the imposition of disciplinary action, the Disciplinary Authority shall interview the concerned student or organization officers for the purpose of discussing the misconduct of which the student or organization is accused and the disciplinary action, if any, which will be recommended.

**5. Initiation of Discipline-** At, or after, the conclusion of the interview referred to in section 4 above (or after the student or organization representatives fail to attend the interview, proper notice having been given) disciplinary action may be recommended by the Disciplinary Authority by serving upon the student charged, and if he/she is a minor, notice may be sent by registered mail to the last known address of a parent, guardian, or adult responsible for the student, and identified in the student's file, or to the originally scheduled interview. This notice shall include the following:

- a. A copy of these policies;
- b. A detailed statement of the specific acts and omissions upon which the charges are based;
- c. Grounds for disciplinary action as contained in these policies;
- d. The specific disciplinary action to be recommended;
- e. If any form of probation or expulsion is to be imposed, notice of the decision and the reason thereof shall be given to the student. The student shall fill out a card, the filling out and filing of which constitutes a sufficient Notice of Appeal. The card shall specify the last date on which an Appeal may be filed.

**6. Right of Appeal-** Not later than ten (10) school days after the service of the notice of recommendation for any form of probation or expulsion upon a student or organization president, or the mailing of said notice to the responsible parent or guardian, whichever is later, the student or his/her parent or guardian, or the organization president, may appeal the disciplinary action to the Disciplinary Appeals Board by filling out and filing notice of appeal with the Dean of Student Affairs & Enrollment Services.

If the student, parent, guardian, or organization's president fails to appeal the disciplinary action in the manner prescribed above, the matter of discipline shall be referred to the CEO for approval. If the CEO decides to recommend expulsion, his

decision shall be referred to the Governing Board for approval, rejection, or modification.

**Hearing By Disciplinary Appeals Board-** If the student, or his/her parent, guardian, or the campus organization, appeals the notice of disciplinary action recommendation described in Section 5, in the manner prescribed in Section 6 above, the Disciplinary Appeals Board shall conduct a hearing upon the charges contained in the Notice of Disciplinary Action. The appellant shall be give not less than forty-eight (48) hours advanced notice of the time, date and place of said hearing. The Disciplinary Authority recommending the discipline shall be present at the hearing and the appellant and his/her parent or guardian shall have the right to be present.

### **Conduct of the Hearing**

The members of the hearing panel shall be provided with a copy of the grounds for disciplinary action against the student, and any written response provided by the student before the hearing begins.

The facts supporting the disciplinary action shall be presented by a college representative who shall be the Disciplinary Authority.

The college representative and the student may call witnesses and introduce oral and written testimony relevant to the issues of the matter.

Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.

Unless the hearing panel determines to proceed otherwise, the college representative and the student shall each be permitted to make an opening statement. Thereafter, the college representative shall make the first presentation, followed by the student. The college representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the college representative to prove by the preponderance of the evidence that the facts alleged are true.

The student may represent himself/herself, and may also have the right to be represented by a person of his/her choice. The student shall not be represented by an attorney unless, in the judgment of the hearing panel, complex legal issues are involved. If the student wishes to be represented by an attorney, a request must be presented not less than five days prior to the date of the hearing. If the student is permitted to be represented by an attorney, the college representative may request legal assistance. The hearing panel may also request legal assistance; any legal advisor provided to the panel may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.

Hearings shall be closed and confidential unless the student requests that it be open to the public. Any such request must be made no less than five **(5)** days prior to the date of the hearing.

In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the panel agree to the contrary.

The hearing shall be recorded by the District by an electronic recording device, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by electronic recording, the hearing panel chair shall, at the beginning of the hearing, ask each person present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. Electronic recording shall remain in the custody of the District at all times, unless released to a professional transcribing service. The student may request a copy of the electronic recording.

All testimony shall be taken under oath; the oath shall be administered by the hearing panel chair. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape recorded is not unavailable.

Following the close of the hearing, the hearing panel shall prepare and send to the CEO a written decision. The decision shall include specific factual findings regarding the accusation, and shall include specific conclusions regarding whether any specific section of the Standards of Student Conduct were violated. The decision shall also include a specific recommendation regarding the disciplinary action to be imposed, if any. The decision shall be based only on the record of the hearing, and not on matter outside of that record. The record consists of the original accusation, the written response, if any, of the student, and the oral and written evidence produced at the hearing.

**Decision by CEO** - The disciplinary action recommended by the Disciplinary Appeals Board shall be transmitted to the CEO for his approval, rejection, or modification. Neither the student nor his/her parent or guardian, or the organization (where applicable), shall have a right to a hearing by the CEO. If the CEO decides to recommend expulsion, his decision shall be referred to the Governing Board of the District for approval, rejection, or modification.

**Board of Trustees Decision:** The Board of Trustees shall consider any recommendation from the **[CEO]** for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision.

The Board shall consider an expulsion recommendation in closed session, unless the student has requested that the matter be considered in a public meeting in accordance with these procedures (Education Code Section 72122).

The student shall be notified in writing, by registered or certified mail to the address last on file with the District, or by personal service, at least three days prior to the meeting, of the date, time, and place of the Board's meeting.

The student may, within forty-eight (48) hours after receipt of the notice, request that the hearing be held as a public meeting.

Even if a student has requested that the Board consider an expulsion recommendation in a public meeting, the Board will hold in closed session any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting.

The Board may accept, modify or reject the findings, decisions and recommendations of the CEO or the hearing panel. If the Board modifies or rejects the decision, the Board shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the Board shall be final.

The final action of the Board on the expulsion shall be taken at a public meeting, and the result of the action shall be a public record of the District.

**Immediate Interim Suspension** (Education Code Section 66017): The CEO may order immediate suspension of a student where he/she concludes that immediate suspension is required to protect lives or property and to ensure the maintenance of order. In cases where an interim suspension has been ordered, the time limits contained in these procedures shall not apply, and all hearing rights, including the right to a formal hearing where a long-term suspension or expulsion is recommended, will be afforded to the student within ten (10) days.

**Removal from Class** (Education Code Section 76032): Any instructor may order a student removed from his/her class for the day of the removal and the next class meeting. The instructor shall immediately report the removal to the CEO and the Disciplinary Authority. The Disciplinary Authority shall arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the Disciplinary Authority shall attend the conference. The student shall not be returned to the class during the period of the removal without the concurrence of the instructor. Nothing herein will prevent the Disciplinary Authority from recommending further disciplinary procedures in accordance with these procedures based on the facts which led to the removal.

**Withdrawal of Consent to Remain on Campus:** The Disciplinary Authority may notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus that consent to remain on campus has been withdrawn. If the person is on campus at the time, he/she must promptly leave or be escorted off campus. If consent is withdrawn by the Disciplinary Authority, a written report must be promptly made to the CEO.

The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the period of the withdrawal. The request shall be granted not later than seven (7) days from the date of receipt of the request. The hearing will be conducted in accordance with the provisions of this procedure relating to interim suspensions.

In no case shall consent be withdrawn for longer than 14 days from the date upon which consent was initially withdrawn.

If any person whom consent to remain on campus has been withdrawn knowingly reenters the campus during the period in which consent has been withdrawn, except to come for a meeting or hearing, he/she will be subject to arrest (Penal Code Section 626.4).

**Time Limits:** Any times specified in these procedures may be shortened or lengthened if there is mutual consent by all parties.

## **IMPERIAL COMMUNITY COLLEGE DISTRICT AP 5530 Student Rights and Grievances**

### References:

Education Code Section 76224(a);  
Title IX, Education Amendments of 1972;  
ACCJC Accreditation Eligibility Requirement 20;  
ACCJC Accreditation Standard IV.D

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances. These procedures shall be available to any student who reasonably believes a college decision or action has adversely affected his or her status, rights or privileges as a student. The procedure shall include, but not be limited to, grievances regarding:

- Access to classes;
- Deviation from course content;
- Refusal of instructor to confer with a student;
- Sex discrimination as prohibited by Title IX of the Higher Education Amendments of 1972;
- Financial aid [unless the District's financial aid policy contains an appeal procedure];
- Course grades, to the extent permitted by Education Code Section 76224(a), which provides: "When grades are given for any course of instruction taught in a community college District, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final." "Mistake" may include, but is not limited to errors made by an instructor in calculating a student's grade and clerical errors;
- The exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.

This policy does not apply to:

- Student Code of Conduct issues.
- Allegations of discrimination based on race, color, national origin, disability, or age in any of its policies, procedures, or practices, in compliance with Title VI of the Civil Rights Act of 1964 (pertaining to race, color or national origin), Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (pertaining to disability) and the Age Discrimination Act of 1975 (pertaining to age). For complaints of this nature, please refer to the Discrimination Complaint Form.
- Student disciplinary actions, which are covered under separate Board policies and Administrative Procedures.
- Police citations (i.e. "tickets"); complaints about citations must be directed to the County Courthouse in the same way as any traffic violation.

For a clarification regarding student conduct issues or discrimination issues, the student may contact the Director of Admissions & Records, Director of Disabled Student Programs and Services or Title IX Officer.

## INFORMAL RESOLUTION

Each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting a grievance hearing, and shall attempt to solve the problem with the person with whom the student has the grievance, that person's immediate supervisor, or the local college administration.

Informal meetings and discussion between persons directly involved in a grievance are essential at the outset of a dispute and should be encouraged at all stages. An equitable solution should be sought before persons directly involved in the case have stated official or public positions that might tend to polarize the dispute and render a solution more difficult. At no time shall any of the persons directly or indirectly involved in the case use the fact of such informal discussion, the fact that a grievance has been filed, or the character of the informal discussion for the purpose of strengthening the case for or against persons directly involved in the dispute or for any purpose other than the settlement of the grievance.

A grievance must be initiated within twenty (20) instructional days of the alleged act or decision. If the alleged circumstance or act occurs during the last twenty (20) instructional days of the Spring semester, the grievance must be made prior to the end of the third Friday of the Fall semester.

Step 1           The student may discuss the problem with the individual or the individual's supervisor.

Step 2           If a mutually satisfactory understanding has not been reached with the other person, the student may, within five (5) instructional days, present the student grievance to the immediate supervisor.

If Grievance is About:	Contact:
<ul style="list-style-type: none"> <li>Classified Staff/ Managers/ Confidentials</li> </ul>	<ul style="list-style-type: none"> <li>Immediate Supervisor/ Chief Human Resource Office</li> </ul>
<ul style="list-style-type: none"> <li>Teaching &amp; Non-Teaching Faculty</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate Dean</li> </ul>
<ul style="list-style-type: none"> <li>Department Chair</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate Dean</li> </ul>
<ul style="list-style-type: none"> <li>Dean</li> </ul>	<ul style="list-style-type: none"> <li>Administrator</li> </ul>
<ul style="list-style-type: none"> <li>Administrator</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate Vice President or President</li> </ul>
<ul style="list-style-type: none"> <li>Another Student</li> </ul>	<ul style="list-style-type: none"> <li>Dean of Student Affairs and Enrollment Services</li> </ul>

Within two days following receipt of a grievance, the immediate supervisor shall advise the student of his or her rights and responsibilities under these procedures, and assist the student, if necessary, in the preparation of the Grievance form. The supervisor must respond via verbal communication or email within ten (10) instructional days of the initiation of the grievance.

## FORMAL RESOLUTION

Step 3 If, within ten (10) days, the grievance is not resolved informally, or the student is not satisfied with the resolution recommended by the supervisor, or if the supervisor does not respond timely a student may submit a student grievance form to the Vice President for Academic Services regarding academic matters or Dean of Student Affairs & Enrollment Services regarding non-academic matters.

The Vice President for Academic Services or the Dean of Student Affairs & Enrollment Services will respond in writing to the grievance within ten (10) instructional days of receipt of the grievance form.

Students' Grievance forms are available from:

Dean of Student Affairs	Student Affairs	(760) 355-6456
Director of Disabled Student Programs & Services	DSP&S Office	(760) 355-6312
Title IX Officer	Student Affairs	(760) 355-6456
Chief Student Services Officer	Student Services	(760) 355-6106
Chief Human Resource Officer (staff)	Human Resource Office	(760) 355-6212

Or at: <http://www.imperial.edu/students/admissions-and-records/>

## REQUEST FOR HEARING

Step 4 If a student is not satisfied with the decision made by the Vice President for Academic Services, Vice President of Student Services, or the Dean of Student Affairs & Enrollment Services, a student may request a hearing within five (5) instructional days of that decision (forms are available in the Student Affairs Office and on the back of the Handbook for Student Leaders).



Academic matters will be heard by the Admissions, Petitions and Registration Committee. Non-Academic Matters will be heard by the Student Affairs Committee.

A request for a hearing shall be filed no later than thirty (30) instructional days following the initiation of the grievance (step 2). If a grievance is filed within the last thirty (30) instructional days of the semester the president of the college may delay any further action on the grievance until the next semester.

Any committee member who has a direct involvement with the grievance shall be excluded from reviewing that grievance or participating in any manner in the determination of the ultimate outcome of that grievance.

The appropriate Committee shall meet in private and without the parties present to determine on the basis of the Grievance whether it presents sufficient grounds for a hearing.

The determination of whether the Grievance presents sufficient grounds for a hearing shall be based on the following:

- The statement contains facts which, if true, would constitute a grievance under these procedures;
- The grievant is a student as defined in these procedures, which include applicants and former students;
- The grievant is personally and directly affected by the alleged grievance;
- The grievance was filed in a timely manner;
- The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.

If the grievance does not meet each of the requirements, the Hearing Committee chair shall notify the student in writing of the rejection of the Request for a Hearing, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within ten (10) days of the date the decision is made by the Hearing Committee.

If the Request for Hearing satisfies each of the requirements, the Committee Chair shall schedule a grievance hearing. The hearing will begin within twenty (20) days following the decision to grant a Hearing. All parties to the grievance shall be given not less than five (5) days' notice of the date, time and place of the hearing.

## Step 5

### Hearing Procedures

The decision of the Hearing Committee chair shall be final on all matters relating to the conduct of the hearing unless there is a vote of a majority of the other members of the panel to the contrary.

The members of the Hearing Committee shall be provided with a copy of the grievance and any written response provided by the respondent before the hearing begins.

Each party to the grievance may call witnesses and introduce oral and written testimony relevant to the issues of the matter.

Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.

Unless the Hearing Committee determines to proceed otherwise, each party to the grievance shall be permitted to make an opening statement. Thereafter, the grievant or grievants shall make the first presentation, followed by the respondent or respondents. The grievant(s) may present rebuttal evidence after the respondent(s)' evidence. The burden shall be on the grievant or grievants to prove by substantial evidence that the facts alleged are true and that a grievance has been established as specified above.

Each party to the grievance may represent himself/herself, and may also have the right to be represented by a person of his/her choice; except that a party shall not be represented by an attorney unless, in the judgment of the Hearing Committee, complex legal issues are involved. If a party wishes to be represented by an attorney, a request must be presented not less than five (5) days prior to the date of the hearing. If one party is permitted to be represented by an attorney, any other party shall have the right to be represented by an attorney. The hearing committee may also request legal assistance through the **CEO**. Any legal advisor provided to the hearing committee may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.

Hearings shall be closed and confidential unless all parties request that it be open to the public. Any such request must be made no less than five (5) days prior to the date of the hearing.

In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the committee agree to the contrary.

The hearing shall be recorded by the Hearing Committee by electronic recording device, and shall be the only recording made. No witness who

refuses to be recorded may be permitted to give testimony. In the event the recording is by an electronic recording device, the Hearing Committee Chair shall, at the beginning of the hearing, ask each person present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. The electronic recording shall remain in the custody of the District, either at the college or the District office, at all times, unless released to a professional transcribing service. Any party may request a copy of the tape recording.

All testimony shall be taken under oath; the oath shall be administered by the Hearing Committee Chair. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape recorded shall be considered to be unavailable.

Following the close of the hearing, the Hearing Committee shall prepare and send to the **CEO** a written decision. The decision shall include specific factual findings regarding the grievance, and shall include specific conclusions regarding whether a grievance has been established as defined above. The decision shall also include a specific recommendation regarding the relief to be afforded the grievant, if any. The decision shall be based only on the record of the hearing, and not on matter outside of that record. The record consists of the original grievance, any written response, and the oral and written evidence produced at the hearing.

**CEO's Decision:** Within five (5) days following receipt of the Hearing Committee's decision and recommendation(s), the **CEO** shall send to all parties his/her written decision, together with the Hearing Committee's decision and recommendations. The **CEO** may accept or reject the findings, decisions and recommendations of the Hearing Committee. The factual findings of the Hearing Committee shall be accorded great weight; and if the **CEO** does not accept the decision or a finding or recommendation of the Hearing Committee, the **CEO** shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the **CEO** shall be final, subject only to appeal as provided below.

## Step 6

### Appeals

If the student desires to appeal the Hearing Committee's recommendation, this appeal must be made in writing directly to the CEO within five (5) instructional days of the hearing.

The CEO may approve, reject or modify the Hearing Committee's recommendation within five (5) instructional days after the appeal is received.

Any appeal relating to a Hearing Committee decision that Grievance form does not present a grievance as defined in these procedures shall be made in writing to the **CEO** within **[five]** days of that decision. The **CEO** shall review the Grievance and Request for Hearing in accordance with the requirements for a grievance provided in these procedures, but shall not consider any other matters. The **CEO's** decision whether or not to grant a hearing shall be final and not subject to further appeal.

**Definitions:**

**Party** – The student or any persons claimed to have been responsible for the student's alleged grievance, together with their representatives. "Party" shall not include the Grievance Hearing Committee.

**CEO** – The **CEO** or a designated representative of the **CEO**.

**Student** – A currently enrolled student, a person who has filed an application for admission to the college, or a former student. A grievance by an applicant shall be limited to a complaint regarding denial of admission. Former students shall be limited to grievances relating to course grades to the extent permitted by Education Code Section 76224(a).

**Respondent** – Any person claimed by a grievant to be responsible for the alleged grievance.

**Day** – Unless otherwise provided, day shall mean a day during which the college is in session and regular classes are held, excluding Saturdays and Sundays.

**IMPERIAL COMMUNITY COLLEGE DISTRICT  
AP 5570 Student Credit Card Solicitation**

References:

Education Code Section 99030; Title 5 Section 54400; Civil Code Section 1747.02(m)

Credit card solicitation will be regulated by the District to include the following:

- Sites at which student credit cards are marketed should be registered with the Student Affairs Office.
- The number of sites allowed on campus may be limited.
- Marketers of student credit cards are prohibited from offering gifts to students for filling out credit card applications.
- Credit card and debt education and counseling sessions are offered to students during campus events.
- The District uses existing debt education resources prepared by nonprofit entities and does not incur the expense of preparing new material.

Office of Primary Responsibility: Student Affairs

**IMPERIAL COMMUNITY COLLEGE DISTRICT  
AP 5610 Voter Registration**

References:

20 U.S. Code Section 1094(a)(23)(A);

34 Code of Federal Regulations Section 668.14(d)(1)

A good faith effort is made to distribute voter registration form to each student enrolled in a degree or certificate program and physically in attendance at the institution.

Voter registration cards are provided to all graduates at the time of diploma distribution.

Forms are widely available to students at the institution through a link on the college's website and at the Student Affairs Office.

The Associated Student Government distributes registration forms on Constitution Day.

Districts will designate a contact person to be contacted by the Secretary of State for distribution of voter registration cards.

**IMPERIAL COMMUNITY COLLEGE DISTRICT**  
**AP 5800 Prevention of Identity Theft in Student Financial Transactions**

Reference:

Education Code Section:

15 U.S. Code Section 1681m(e) (Fair and Accurate Credit Transactions Act (FACT ACT or FACTA))

**I. The Purpose of the Identity Theft Prevention Program**

The purpose of this Identity Theft Prevention Program (ITPP) is to control reasonably foreseeable risks to students from identity theft, by providing for the identification, detection, and response to patterns, practices, or specific activities (“Red Flags”) that could indicate identity theft.

**II. Definitions**

“Identity theft” is a fraud attempted or committed using identifying information of another person without authority.

A “creditor” includes government entities who defer payment for goods (for example, payment plans for bookstore accounts or parking tickets), issued loans or issued student debit cards. Government entities that defer payment for services provided are not considered creditors for purposes of this ITPP.

“Deferring payments” refers to postponing payments to a future date and/or installment payments on fines or costs.

A “covered account” includes one that involves multiple payments or transactions.

“Person” means any individual who is receiving goods, receives a loan, and/or is issued a debit card from the District and is making payments on a deferred basis for said goods, loan, and/or debit card.

Detection or discovery of a “Red Flag” implicates the need to take action under this ITPP to help prevent, detect, and correct identity theft.

**III. Detecting “Red Flags” For Potential Identity Theft**

**A. Risk Factors for Identifying “Red Flags”**

The District will consider the following factors in identifying relevant “Red Flags:”

- 1) the types of covered accounts the District offers or maintains;
- 2) the methods the District provides to open the District’s covered accounts;
- 3) the methods the District provides to access the District’s covered accounts; and
- 4) the District’s previous experience(s) with identity theft.

## **B. Sources of “Red Flags”**

The District will continue to incorporate relevant “Red Flags” into this ITPP from the following sources:

- 1) incidents of identity theft that the District has experienced;
- 2) methods of identity theft that the District identifies that reflects changes in identity theft risks; and
- 3) guidance from the District’s supervisors who identify changes in identity theft risks.

## **C. Categories of “Red Flags”**

The following Red Flags have been identified for the District’s covered accounts:

### **Alerts, Notifications, or Warnings from a Consumer Reporting Agency:**

- 1) A fraud or active duty alert is included with a consumer report the District receives as part of a background check.
- 2) A consumer reporting agency provides a notice of credit freeze in response to a request for a consumer report.
- 3) A consumer reporting agency provides a notice of address discrepancy. An address discrepancy occurs when an address provided by a student substantially differs from the one the credit reporting agency has on file. See Section (V)(9) for specific steps that must be taken to address this situation.
- 4) A consumer report indicates a pattern of activity that is inconsistent with the history and usual pattern of activity of an applicant, such as:
  - a) A recent and significant increase in the volume of inquiries;
  - b) An unusual number of recently established credit relationships;
  - c) A material change in the use of credit, especially with respect to recently established credit relationships; or
  - d) An account that was closed for cause or identified for abuse of account privileges by a creditor or financial institution.

### **Suspicious Documents:**

- 5) Documents provided for identification appear to have been forged or altered.
- 6) The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.
- 7) Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.



- 8) Other information on the identification is not consistent with readily accessible information that is on file with the District, such as a signature card or a recent check.
- 9) An application appears to have been altered or forged, or gives the appearance of having been destroyed or reassembled.

**Suspicious Personally Identifying Information:**

- 10) Personal identifying information provided is inconsistent when compared against external information sources used by the District. For example:
  - a) The address does not match any address in the consumer report; or
  - b) The Social Security Number (SSN) has not been issued, or is listed on the Social Security Administration's Death Master File.
- 11) Personal identifying information provided by a person is not consistent with other personal identifying information provided by the person. For example, there is a lack of correlation between the SSN range and date of birth.
- 12) Personal identifying information is associated with known fraudulent activity as indicated by internal or third-party sources use by the District. For example:
  - a) The address on an application is the same as the address provided on a fraudulent application;
  - b) The phone number on an application is the same as the phone number provided on a fraudulent application.
- 13) Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the District. For example:
  - a) The address on an application is fictitious, a mail drop, or a prison; or
  - b) The phone number is invalid, or is associated with a pager or answering service.
- 14) The SSN provided is the same as that submitted by other persons currently being served by the District.
- 15) The address or telephone number provided is the same or similar to the account number or telephone number submitted by an unusually large number of other persons being served by the District.
- 16) The person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
- 17) Personal identifying information provided is not consistent with personal identifying information that is on file with the District.
- 18) The person opening the covered account cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.

### **Unusual Use Of – Or Suspicious Activity Relating To – A Covered Account:**

- 19) A new covered account is used in a manner that is commonly associated with known patterns of fraud patterns. For Example, a person makes a first payment, but there are no subsequent payments made.
- 20) A covered account is used in a manner that is not consistent with established patterns of activity on the account. For example, there is:
  - a) Nonpayment when there is no history of late or missed payments; or
  - b) A material change in electronic fund transfer patterns in connection with a payment.
- 21) A covered account that has been inactive for a reasonably lengthy period of time is suddenly used or active.
- 22) Mail sent to the person holding the covered account is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the person's covered account.
- 23) The District is notified that the person is not receiving paper account statements.
- 24) The District is notified of unauthorized transactions in connection with a person's covered account.

### **Notices From Customers/Persons, Victims of Identity Theft, Law Enforcement Authorities, or Other Businesses About Possible Identity Theft in Connection with Covered Accounts:**

- 25) The District is notified by a person with a covered account, a victim of identity theft, a law enforcement authority, or any other person, that it has opened a fraudulent account for a person engaged in identity theft.

### **IV. Measures to Detect “Red Flags”**

The District shall do the following to aid in the detection of “Red Flags:”

- 1) When a new covered account is open, the District shall obtain identifying information about, and information verifying the identity of, the student or other person seeking to open a covered account. Two forms of identification shall be obtained (at least one of which must be a photo identification).

The following are examples of the types of valid identification that a person may provide to verify the identity of the person seeking to open the covered account: valid state-issued driver's license, valid state-issued identification card, current passport, a Social Security Card, current residential lease, or copy of a deed to the person's home or invoice/statement for property taxes.

- 2) Persons with covered accounts who request a change in their personal information on file, such as a change of address, will have the requested changes verified by the District.

The person shall provide at least one written form of verification reflecting the requested changes to the personal information. For example, if an address change is requested, then documentation evidencing the new address shall be obtained. If a phone number change is requested, then documentation evidencing the new phone number, such as a phone bill, shall be obtained.

### **V. Preventing and Mitigating Identity Theft**

One or more of the following measures, as deemed appropriate under the particular circumstances, shall be implemented to respond to “Red Flags” that are detected:

- 1) Monitor the covered account for evidence of identity theft;
- 2) Contact the person who holds the covered account;
- 3) Change any passwords, security codes, or other security devices that permit access to a covered account;
- 4) Reopen the covered account with a new account number;
- 5) Not open a new covered account for the person;
- 6) Close an existing covered account;
- 7) Not attempt to collect on a covered account or not sell a covered account to a debt collector;
- 8) Notifying law enforcement;
- 9) Where a consumer reporting agency provides an address for a consumer that substantially differs from the address that the consumer provided, the District shall take the necessary steps to for a reasonable belief that the District knows the identity of the person for whom the District obtained a credit report, and reconcile the address of the consumer with the credit reporting agency, if the District establishes a continuing relationship with the consumer , and regularly, and in the course of business, provides information to the credit reporting agency;  
or
- 10) Determine that no response is warranted under the particular circumstances.

### **VI. Updating the ITPP**

The District shall update this ITPP on an annual basis to reflect changes in risks to persons with covered accounts, and/or to reflect changes in risks to the safety and soundness of the District from identity theft, based on the following factors:

- 1) The experiences of the District with identity theft;
- 2) Changes in methods of identity theft;
- 3) Changes in methods to detect, prevent and mitigate identity theft;

- 4) Changes in the types of covered accounts that the District maintains;
- 5) Changes in the business arrangements of the District, including service provider arrangements.

## **VII. Methods for Administering the ITPP**

### **A. Oversight of the ITPP**

Oversight by the District shall include:

- 1) Assigning specific responsibility for the ITPP's implementation;
- 2) Reviewing reports prepared by the staff regarding compliance of the ITPP; and
- 3) Approving material changes to the ITPP as necessary to address changing identity theft risks.

### **B. Reports**

- 1) *In General.* Staff responsible for the development, implementation, and administration of this ITPP shall report to the Governing Board on an annual basis.
- 2) *Contents of Report.* The report shall address material matters to the ITPP and evaluate the following issues: the effectiveness of the policies and procedures in addressing the risk of identity theft in connection with opening new covered accounts and with respect to existing covered accounts; service provider arrangements; significant incidents involving identity theft and management's response; and recommendations for material changes to the ITPP.
- 3) *Oversight of Service Provider Arrangements.* Whenever the District engages a service provider to perform an activity in connection with one or more covered accounts the District shall take steps to ensure that the activity of the service provider is conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. To that end, the District shall require our service contractors, by contract, to have policies and procedures to detect relevant "Red Flags" that may arise in the performance of the service provider's activities, and either report the "Red Flags" to the District, or to take appropriate steps to prevent or mitigate identity theft.

**IMPERIAL COMMUNITY COLLEGE DISTRICT  
AP 7135 Payroll Processing****References:**

Education Code §§70902, 87040, 87801, 88160-88167, Government Code 53200, Board Policy 7130 and 7385, and Administrative Procedures 6315 and 6150

**Summary**

As the District strives for more efficient means of ensuring accountability and internal controls, the payroll processes (reference the attached processes map) should be regularly reviewed and monitored for trends, compliance, and enhancement opportunities. Individual employees and area supervisors (i.e. approving managers or administrators) are responsible for the accuracy and timeliness of the timecard data used by the human resources and payroll staff. Since employee wages, benefits, and employment taxes represent the vast majority of general fund expenditures, the accuracy of this data is crucial to the overall accuracy of the District's accounting records and financial statements.

The District is dependent on the Imperial County Office of Education (ICOE) to process certain portions of the payroll process. Therefore, certain restrictions related to payroll practices, options, and systems apply.

**Pay Dates**

The normal pay dates for all employees are the last working day of the month. If the last working day of the month falls on a weekend, the pay date is the preceding Friday. If the last working day of the month falls on a district holiday, the pay date is the preceding workday. December pay dates will normally occur prior to the winter holiday break.

**Payroll Periods and Frequencies**

The following payroll periods and frequencies apply for all district employees:

- A. 10-month employee – August 31 through May 31 (or in accordance with collective bargaining agreement) (10 pay dates)
- B. 11-month employee – August 31 through June 30 (or in accordance with collective bargaining agreement) (11 pay dates)
- C. 12-month employee – July 31 through June 30 (12 pay dates)
- D. Part-time faculty and payments for overload – initial payments will be by the 10<sup>th</sup> of the month (following the start of a semester), followed by 4 payments on the last day of the month.

**Deadlines**

Time reports are normally to be submitted on or before 4 p.m. on the tenth day of the month except for December. Due to the early pay date in December, all time reports are

to be received by the Payroll Office on or before 4 p.m. on December 1 or as identified in the notification sent out to all employees in November.

Written authorization for payroll deductions from pay warrants paid at the end of the month must be received by the Payroll Office not later than the tenth of the month prior to the deduction taking place.

### Garnishment of Wages

The district is required by law, when served with an income execution, wage assignment, Family Court Support Order, or federal-tax levy against an employee, to make deductions from the individual's wages until the debt has been satisfied, or as otherwise required by the order. Upon receipt of a garnishment order, the employee is sent notification of the order, and the Payroll Office establishes the deduction schedule according to the terms contained in the order or other notification.

### Deductions and Payroll Advances

In accordance with applicable regulations and District policies, employees may submit signed requests for voluntary payroll deductions (e.g. IRAs, 125 plans, etc.). Members of collective bargaining units have dues deducted from their payroll, unless otherwise specifically arranged by their union leadership (e.g. charitable donations to a specified list).

Employees may request up to one payroll advance per twelve month period for emergency situations. Requests must be in writing to the Chief Human Resources Officer (CHRO) and include the reason for the request and the check request date. The advanced amount (no more than half of their regular contract check amount for the month) will be reduced in 2 equal payments from the employee's next two regular payroll warrants. The Payroll Coordinator will maintain Payroll Advance Request forms.

### Underpayments, Docks, and Overpayments

Once an underpayment has been substantiated, the Payroll Coordinator will notify the employee. Underpayments will be paid to the employee either through the next possible payroll warrant or through a separate warrant depending on the timing of the payroll process.

Employees who received payment for time worked that doesn't actualize (e.g. called in sick, etc.) and the employee is unable or unwilling to use eligible accrued time, will have their pay docked for an amount equal to that time on the next possible pay period.

The Payroll Coordinator will similarly notify employees of any overpayments. The employee and the district must sign a repayment agreement before the deductions begin. If an employee does not agree to sign a repayment agreement, the employee would then be advised that legal action may be taken to recover the overpayment. Overpayments to employees may be repaid by personal check, cash, or payroll deduction. Payroll deduction for salary overpayment may only be used if authorized by

the employee. The overpayment must be recovered within the same tax year to be reflected on the current W-2.

### Fiscal Year versus Calendar Year

Most outside agencies use a calendar year; however, the District uses a fiscal year which ends on June 30<sup>th</sup>. A common reason for using the fiscal year rather than a calendar year is to follow the natural cycle of business (known as “the natural business year”). As a school district, we are required to follow the state’s fiscal year. The District Payroll Department is required to accumulate information on both a fiscal and calendar year basis due to the federal and state wage and tax reporting requirements.

### Payroll Delivery

Employees who receive actual paper checks (known as “live checks”) can pick up their checks in the human resources office during specified hours on payday (the actual last working day of the month). Checks not picked up on payday will be mailed via regular mail to the last address reported by the employee. That mailing will occur the first working day after payday. Checks are released only to employees, unless the employee has provided written authorization to release the check to another individual.

District employees are permitted to have one direct deposit account. Employees who receive their pay via direct deposit will receive detailed information forms about their deposit (commonly called “check stubs”). These checks stubs will be available to be picked up in the human resources office during specified hours on payday (the actual last working day of the month). Check stubs not picked up on payday will be mailed via regular mail to the last address reported by the employee. That mailing will occur the first working day after payday. Employees may request via email a record of their payroll history from the Payroll Coordinator.

### Internal Controls

Internal controls are defined by the American Institute for Certified Public Accountants (AICPA) as “the plan of organization and the procedures and records that are concerned with the safeguarding of assets and the reliability of the financial records.” The payroll system needs an effective internal control structure to ensure appropriateness, reliability, and timeliness of the data provided to management. The internal control structure is composed of three essential elements - the control environment, the accounting system, and the control procedures

### Control Environment

Control environment reflects the overall attitudes and the philosophies of the District. In order to strengthen internal controls, a segregation of duties exists between the timesheet approver, human resources staff member and the Payroll Coordinator. In the payroll/human resources arena, such factors include, but are not limited to:

- Management’s philosophy and operating style - internal control within these areas depends on authorization and approval of documents, security, access, accurate recording and review.

- Organizational Structure – payroll/human resources has direct responsibility and authority to implement policies set by the District (BPs or APs) and as directed through applicable federal and state regulations.

External influences that affect the District's operation and practices - it is the payroll/human resources function to meet on regulations issued by the federal government of other regulatory agencies, including periodic audits by such agencies, as well as an independent audit which is completed annually.

### Control Procedures

Control procedures are the policies and procedures that management has established to provide reasonable assurance that objectives are met. Control procedures penetrate both the control environment and the data processing levels.

- Segregation of job duties
- Proper authorization
- Design and use of adequate documents and records
- Adequate safeguards over access to and use of records

The payroll process typically depends on two categories of data: constant data and current period variables.

Constant data are defined as those items contained in the employee's record, such as rate of pay, cost center, and eligibility for benefits. Current period variables interact with constant data and change from period to period, such as regular hours worked, sick or vacation time used, and overtime hours worked.

### Proper Treatment of Deductions

- The employee requests deduction from their pay and signs an authorization for such deductions (except for wage attachments allowed under federal and state law).
- The Payroll Coordinator and Human Resources Specialist ensure employee eligibility of benefits or personal deductions as requested.
- Any deduction notice is filed in employee's payroll files.
- Copies of signed documents are passed on to other areas, if required.

### Management Reports

As a final safeguard against errors and fraud, it is critical that information relating to personnel and compensation be provided to immediate supervisors, department heads, and administrators for review. Reports should be compiled to keep those responsible for their budget expenditures informed in order for them to take appropriate action in a timely manner.

No BP