

REQUESTS FOR PERSONNEL, BUDGET AUGMENTATIONS, FACILITIES, AND/OR EQUIPMENT

The District mission is the foundation of all planning processes. District Goals and District Objectives are central to resource allocation. In the District's cycle of integrated planning, resources are allocated based upon their connections with District Goals, student learning outcomes, service area outcomes, program area outcomes, and/or District Objectives. These goals, outcomes and objectives are integral to the District strategic and master plans. The institution systematically assesses the effective use of financial resources.

The procedures for requesting personnel, budget augmentations, facilities, and/or equipment are detailed below by category.

Senior Management will determine the funds available for all personnel requests, above-base budget requests, and base budget augmentation requests. Personnel requests and above-base budget requests originate in Institutional Program Review each October. Base budget augmentation requests originate via department or division Base Budget Augmentation Request Forms for discretionary budgets each February.

A. Faculty Positions – Academic Services:

1. The Instructional Council prioritizes requests for Tenure-Track faculty positions in accordance with Administrative Procedure 3262.

B. Counseling Faculty Positions – Student Services:

1. The Student Services Faculty Council prioritizes requests for Tenure-Track Counseling faculty positions in accordance with Administrative Procedure 3263.

C. New Classified/Management/Confidential Positions – Program or Management Originated:

1. New classified/management/confidential positions are developed in Institutional Program Review annually.
2. For units that do not participate in Institutional Program Review, new management or confidential positions will be requested through the procedures set forth in the District's Management Handbook.
3. Through a participatory governance process including Instructional Council or Student Services General Council, Area Vice Presidents and the Superintendent/President compile a prioritized list of requests within their area, and develop a written rationale that is based on criteria and evidence which links to outcomes and/or District Objectives. This is compiled in February of each year.

4. Area Vice Presidents and the Superintendent/President will present the list of positions for discussion to the Senior Management Council. Senior Management Council will establish District-level prioritization in March of each year.
5. The Superintendent/President will develop his/her prioritized list of all classified/management/confidential positions and present it to the District Governance Senate in April of each year for additional feedback. He/She will then authorize the hiring of new or changed positions according to the list and according to available budget in May of each year. Any changes to the list are reported back to the Area Vice Presidents and District Governance Senate, with a clearly written rationale for altering the priority. The Area Vice Presidents will report the final list to their constituency groups, and direct the supervising administrator to submit a HR-1 Personnel Request form to Human Resources.
6. Authorized new classified/management/confidential positions will be built into the budget for the upcoming fiscal year.
7. Exceptions to the above process may be made for state or federally required categorically funded positions.

D. Ongoing Base Budget Augmentations (Supply Budgets, Maintenance Budgets, Equipment Budgets, etc.)

1. Provosts, department and division deans and directors, Academic Senate, and Faculty Enrichment Committee co-chairs that wish to request additional discretionary base budget funds (ongoing base budget augmentations, not including salaries and benefits) should submit a Base Budget Augmentation Request Form (Exhibit 1) to their Area Vice President or Superintendent/President in February of each year.
2. Area Vice Presidents and the Superintendent/President compile a prioritized list of requests within their area, and develop a written rationale that is based on criteria and evidence that links to District goals and objectives.
3. This prioritized list is sent to the Senior Management Council for District-level prioritization in March, and the District-level prioritized list is then sent to the Superintendent/President.
4. The Superintendent/President will present his/her prioritized list of ongoing base budget augmentation requests in District Governance Senate in April of each year, and will ask for additional feedback. In May of each year, he/she will then authorize the budget augmentations according to the list and according to available budget.
5. Authorized ongoing base budget augmentations will be built into the budget for the upcoming fiscal year.
6. Critically necessary augmentations may be added for the current year, but will need to complete the above request process to be ongoing.
7. Exceptions to the above process may be made for categorical funds, emergencies or legal compliance.

E. One-time Above-Base Resource Requests (for Facility Modifications, Instructional Equipment, Non-instructional Equipment, and Technology):

1. Alterations to facilities, instructional equipment requests, non-instructional equipment requests, and technology requests are developed in Institutional Program Review. Parties responsible for implementing District goals and objectives may request Above-Base resources to accomplish the District goal or objective. The Above-Base allocation process is implemented according to the District Resource Allocation Manual, and definitions of the four Above-Base funding categories are found in the Resource Allocation Manual.
2. Divisions review funding requests from Institutional Program Review, prioritize funding requests within their departments or divisions, and forward priorities to Service Area administrator (respective Vice President, or President/ Superintendent) by the end of October each year.
3. The Above-Base resource requests are prioritized within the Service Area and are sent to the Budget Committee by the end of November for District-level prioritization.
4. The Budget Committee requests technical and feasibility assessments for technology and facilities requests from the technology committee and from the Facilities department by mid-January of each year.
5. The Budget Committee uses a rubric to prioritize the Above-Base resource requests, and forwards the prioritized list(s) to District Governance Senate by mid-February of each year.
6. District Governance Senate reviews the prioritized list(s) and makes recommendations to the Superintendent/President by the end of February each year.
7. The Superintendent/President reviews the prioritized list(s) and approves the final allocations. He/she then presents the final report to the Board of Trustees in mid-March of each year.
8. Parties receiving Above-Base allocations are notified by the end of March each year, and expenditures are completed by the end of the fiscal year.

F. Vocational and Technical Education Act (“VTEA/Perkins”) Funds:

The Carl Perkin’s Title IV Act is based on performance core indicator levels, which are negotiated between the District and the Chancellor’s Office. Permissible use of VTEA/Perkins funding is based on program attainment of negotiated levels in Skill Attainment, Program Completions, Persistence and Non-Traditional Participation and Completions.

1. Needs and requests for VTEA/Perkins funding for programs/departments with approved Career Technical Education (“CTE”) TOP Codes are identified in Institutional Program Review in the fall of each year.
 - a. Programs and departments identify funding needs with the assistance of the required local advisory committee and develop a list of prioritized requests which are allowable as VTEA/Perkins expenditures.

- b. Allowable **VTEA/Perkins** expenditures include professional development, equipment, curriculum development, recruitment of underrepresented groups of students, and other types of expenditures.
2. In the spring of each year, programs/departments may formally request **VTEA/Perkins** funds through the **VTEA/Perkins** application process. The request(s) must be referenced in and based in Institutional Program Review, and must discuss how the expenditures will help the College **District** meet the District negotiated levels for core indicators.
3. Funding for these requests is determined by the Dean of CTE through a participatory governance process and according to funds available. The Dean of CTE will review links between the fund request and the Program Review needs analysis.
4. The Dean of CTE and program/department supervisor will commence the procurement process prior to the start of the next academic year.

G. Funding Requests to the **COS District Foundation**

1. The Foundation Board will consider funding District priorities communicated through two processes: a project funding application process administered by Foundation staff, and the District's unfunded projects from the Above-Base Funding process.
2. The applications generated through the Foundation's application process require a feasibility assessment and the prior approval of the appropriate area Dean and Vice President and the Superintendent/President prior to funding consideration by the Foundation Board (see **COS District** Foundation Policy 2060).
3. After the Above-Base Funding requests have been evaluated and funded through the participatory governance process detailed above, the Vice President of Administrative Services will prepare and provide the Foundation Board a list of unfunded Above-Base District priorities.
4. Through its established process of granting project funds, the Foundation will choose the requests to be funded from the application and Above-Base funding processes and inform Senior Management Council and District Governance Senate of its priorities.
5. The Foundation staff communicate Foundation funding decisions to the appropriate area supervisor to start the procurement process.
6. It is recognized that some years the District's unfunded priorities will be greater than Foundation's budget for project support. Should this be the case, and the District believes that there are still unmet needs, the District will work with the Foundation to identify additional means of such support which could include special campaigns, loans, etc.
7. After District and Foundation funding has occurred, a list of any unfunded District priorities will be given to the Foundation to create a "menu" of opportunities for donors.

See Exhibit 1

Approved: September 24, 2014

BP/AP APPROVAL PROCESS					
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Bratsch; General Institution	SM; 10/14/21	30 Day; 10/15/21	SM; 11/18/21	DGS; n/a	Board; n/a

DEPARTMENT OR DIVISION BASE BUDGET AUGMENTATIONS REQUEST FORM – DISCRETIONARY BUDGETS

Provosts, department and division deans and directors, Academic Senate, and Faculty Enrichment Committee co-chairs that wish to request additional discretionary base budget funds (ongoing base budget augmentations, not including salaries and benefits) should submit a Base Budget Augmentation Request Form to their area Vice President or Superintendent/President by February 28 of each year, as outlined in Administrative Procedure 3261.

These requests are different than one-time Above-Base Resource Requests or ongoing staffing requests, which originate in program review.

Base budget augmentation requests (discretionary budgets) should align with District goals and objectives, the Strategic Plan, and/or the annual reports (updates) on the District Master Plan.

1. Requests should be brought to your area Vice President, or to the Superintendent/President in the case of Human Resources, Provosts, Public Information, Foundation, and Research, Planning & Institutional Effectiveness.
2. The Vice President/President will bring the prioritized list of base budget augmentation requests from their service area to Senior Management Council in March every year, where requests will be discussed and prioritized at a District level. The Vice Presidents of Academic Services and Student Services will work with Instructional Council and Student Services General Council for prioritization processes when necessary.
3. The Superintendent/President will review the prioritized list, and submit his/her final prioritized list to District Governance Senate for feedback in April.
4. The Superintendent/President, utilizing feedback from District Governance Senate, will have final authority to decide on augmentations according to available budget. The final prioritized augmentation list will be given to the Fiscal Department by April 30 for inclusion in budget development.
5. Area Vice Presidents will report the list to their constituency groups.

Note that base budget augmentations are only implemented when additional funding is deemed available. Base budget augmentations are rare, and additional ongoing funds are limited.

BASE BUDGET AUGMENTATIONS REQUEST FORM – Exhibit 1 (pg. 2)

Organization /Program	Account Budget Requested	Amount	Link to District Outcomes, Objectives, Goal or Strategic Plan	Description and Justification
	10000-20000 Hourly, Student Help, Stipends, etc.			
	43000 Instructional Supplies & Materials, to Duplication/Print Shop			
	44000 Non-Instructional Supplies & Materials			
	51100-51200 Contract Services			
	51400 Dues & Memberships			
	51500-51900 Legal, Audit, Advertisements or Personal & Consultant Services			
	52000-52050 Travel & Conference or Work Related Mileage			
	52100-52200 Equipment Rental/Lease or Repairs/ Maintenance			
	60000 Capital Outlay/ Capital Equipment			

Signature (President or Vice President) _____

SUBMITTING AND RANKING TENURE TRACK FACULTY VACANCIES
BY INSTRUCTIONAL COUNCIL:

The following is the procedure for submitting and ranking both new and replacement tenure-track faculty positions (Counseling positions are requested through the process described in Administrative Procedure 3263):

1. The full-time faculty obligation number (FON) is determined by the State Chancellor's Office and communicated to the District.
2. Senior Management directs the office of Academic Services to determine the number of positions available for the next year in order to maintain the FON for that year. The Budget Committee reviews FON data from the State Chancellor's Office.
3. The Instructional Council is informed of the FON and the number of available positions. The Instructional Council will establish a date and time that full time faculty requests are due. Full-Time faculty requests not submitted on time will not be eligible to have faculty requests ranked for the subsequent academic year. Dates and times will also be established by the Instructional Council for when data requests will need to be made to the office of Research, Planning and Institutional Effectiveness and when Research, Planning and Institutional Effectiveness will populate and distribute the data to the respective divisions.
4. Academic Divisions submit Program Reviews by the date established by the Institutional Program Review Committee (IPRC). All requests for instructional faculty including non-instructional librarians are to be included in the Program Reviews.
5. Program Review documents and data populated by Research, Planning and Institutional Effectiveness will be available to the Instructional Council.
6. Divisions that submit a late faculty hiring request must appeal to the Instructional Council to have their name included in the faculty rankings and must present rationale to the Instructional Council as to why they should be included in the ranking process. After their presentation, (limited to 5 minutes), a confidential ballot will be conducted to determine if their position(s) should be included in the ranking process. A two-thirds vote is required to allow the position(s) to be included in the ranking process.
7. If an appeal for an emergency hire comes after faculty positions have already been ranked, the confidential ballot will be utilized to recommend to the Superintendent/ President that a new position is hired for this program. For cases that come after the faculty ranking process, a three-fourths vote is required to recommend a

new position to the Superintendent/President. The Superintendent/President has discretion to accept or reject the recommendation.

8. Rating charts with eligible faculty positions listed by division and prioritized by internal divisions rankings will be distributed prior to the Instructional Council meeting where the faculty positions will be ranked.

9. The Instructional Council will discuss instructional faculty including non-instructional librarians requests using data and information included in the Program Reviews at a specified meeting or meetings. During the discussions, divisions may include other pertinent data for consideration by the Instructional Council. Other pertinent data may be presented by an individual who is not a member of Instructional Council. However, each division will limit their entire presentation to the allotted time set forth by the Vice President of Academic Services at the start of the meeting.

10. Voting members of the Instructional Council comprised of Division Chairs and Deans, with no fewer than two faculty to one administrator, compare and rate all submitted requests.

11. Results are immediately calculated by the Academic Services Office and reported back to the Instructional Council during the meeting where the ratings were established or via e-mail later that day.

12. Instructional Council affirms the results and recommends their prioritizations to the Vice President of Academic Services for reporting to the Superintendent/President.

13. The Vice President of Academic Services may present his/her own rankings to the Superintendent/President and the Instructional Council with a written rationale for his/her rankings along with the recommendations from the Instructional Council.

14. The Superintendent/President will present his/her prioritized list of all tenure track faculty positions to District Governance Senate and ask for additional feedback. He/She will then authorize the hiring of faculty according to the FON and his/her prioritized list. Any changes to the list are reported back to Instructional Council by the Vice President of Academic Services.

15. The Vice President of Academic Services will direct the appropriate supervisor to submit a HR-5 Personnel Request form with Human Resources.

Approved: June 11, 2012
Revised: September 24, 2014

BP/AP APPROVAL PROCESS					
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Bratsch; General Institution	SM; 10/14/21	30 Day; 10/15/21	SM; 11/18/21	DGS; n/a	Board; n/a

SUBMITTING AND RANKING TENURE TRACK STUDENT SERVICES
INSTRUCTIONAL AND NON-INSTRUCTIONAL FACULTY VACANCIES:

~~Program Reviews and Annual Updates receiving less than Satisfactory rating from the Institutional Program Review Committee will not be eligible to have any faculty position requests rated for the subsequent academic year.~~

The following is the procedure for submitting and ranking requests for both new and replacement tenure-track, instructional and non-instructional Student Services faculty positions:

1. The full-time faculty obligation number (FON) is determined by the State Chancellor's Office and communicated to the District.
2. The Budget Committee of the ~~College Council~~ **District Governance Senate** determines the maximum number of faculty positions to be hired based on FON data from the Chancellor's Office.
3. The Office of Academic Services determines how many positions will be available for the next year in order to maintain the FON for that year.
4. The Student Services Faculty Council is informed of the FON and the total number of faculty positions available.
5. Written rationale for Student Services instructional and non-instructional faculty positions is developed in ~~Program Reviews and Annual Updates~~ and addresses the adopted standard criteria as outlined in the Criteria for Faculty Replacement document that is part of Program Review. Departments/Programs requesting more than one instructional, and/or more than one non-instructional, position(s) indicate which position(s) is their #1 priority, #2 priority, and so on. The Vice President of Student Services compiles a list of the requests with all supporting documentation from ~~Program Reviews and Annual Updates~~ for areas requesting positions, including the number of faculty positions to be hired that year.
6. All ~~Program Reviews and Annual Update documents~~ in which Student Services instructional and non-instructional faculty positions are requested will be available on SharePoint to the Student Services Faculty Council.
7. All requests for counseling faculty that are to be assigned to a division outside of counseling (ie: Athletics, Agriculture) must be submitted and ranked by the

Student Services Faculty Council.

~~Program Reviews and Annual Updates receiving less than Satisfactory rating from the Institutional Program Review Committee will not be eligible to have Student Services faculty position requests rated for the subsequent academic year.~~

8. All Student Services faculty within the division rank all instructional and non-instructional faculty positions requested and forward these rankings to the Vice President of Student Services.
9. The Vice President of Student Services compiles all requests for Student Services faculty positions with all supporting documentation from Program Reviews and Annual Updates, including the number of faculty positions to be hired that year as well as both department and division rank, into two lists (one for instructional positions and the other for non-instructional positions).
10. Two rating charts (one for instructional positions and the other for non-instructional positions) listing all eligible Student Services faculty positions with their corresponding department and division rank will be distributed prior to the Student Services Faculty Council meeting where the faculty positions will be ranked.
11. The Student Services Faculty Council will discuss faculty requests using data and information included in the Program Reviews and Annual Updates at a specified meeting or meetings. During the discussions, departments requesting Student Services faculty positions may provide other pertinent data for consideration by the Student Services Faculty Council. Other pertinent data may be presented by an individual who is not a member of Student Services Faculty Council.
12. Voting members of the Student Services Faculty Council shall compare and rate all submitted requests for instructional positions separately from requests for non-instructional positions.
The Student Services Faculty Council voting members shall consist of:
 - Vice President of Student Services
 - Dean of Student Services
 - Dean of Student Services
 - **Manager**, Health Center Coordinator
 - **DRG Access and Ability Center** Faculty Member
 - EOPS/CARE/CalWORKs/WIA Counselor
 - ~~FYE Counselor~~
 - General Counselor
 - Division ChairNon-voting members shall include:
 - One Academic Services Dean

- One Academic Services Division Chair

All voting faculty must be full-time. Faculty will be selected by the department faculty with agreement from the department administrator.

A proxy may be sent if the appointed council member is unavailable to attend. The proxy must have written proof that they have permission to vote on behalf of the council member.

13. Results are immediately calculated by Student Services support staff and reported back to the Student Services Faculty Council during the meeting where the ratings were established.
14. Student Services Faculty Council combines both sets of results into one prioritized list including both instructional and non-instructional positions, affirms the results, and recommends their prioritizations to the Vice President of Student Services for reporting to the Superintendent/President.
15. If the Vice President of Student Services does not agree with the Student Services Faculty Council recommendations, he/she will present his/her own rankings to the Superintendent/President and the Student Services Faculty Council with a written rationale for the changes.
16. The Vice President of Student Services provides written commentary on the prioritizations to the Superintendent/President and the Student Services Faculty Council. This will include any positions allocated due to mandates (grants, etc.) While lower-ranked positions may be funded by sources other than the general fund (categorical programs, grants, etc.), this will not result in any changes to rankings (For example, if a position ranked #5 is ultimately funded because there are non-general funds available to support it, this will not reduce or eliminate the chances of the top-ranked position being funded by general funds.).
17. The Superintendent/President will present his/her prioritized list of all tenure track faculty positions (both Academic Services and Student Services, both instructional and non-instructional) to District Governance Senate and ask for additional feedback. He/She will then authorize the hiring of faculty according to the FON and his/her prioritized list. Any changes to the list are reported back to the Student Services Faculty Council by the Vice President of Student Services.
18. The Vice President of Student Services will direct the supervising administrator of the Department where the new faculty will report to submit a HR-5 Personnel Request form with Human Resources.

Approved: June 11, 2012

BP/AP APPROVAL PROCESS					
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Bratsch; General Institution	SM; 10/14/21	30 Day; 10/15/21	SM; 11/18/21	DGS; n/a	Board; n/a

GIFTS

~~College of the Sequoias~~ **Community College District (“District”)** Foundation is established as a separate, corporate entity to accept and receive gifts on behalf of and in the name of the ~~College of the Sequoias Community College~~ District. All donations, bequests, grants, and gifts shall become the property of the ~~College~~ **District** when accepted and received in the name of the ~~College of the Sequoias~~ **District** Foundation.

In accordance with ~~College of the Sequoias~~ **the District’s** Foundation’s Gift Acceptance Policy, the ~~College of the Sequoias~~ **District** Foundation reserves the right to refuse to accept any gift which does not contribute toward the goals of the District, or the ownership of which would have the potential to deplete resources of the District.

The District shall assume no responsibility for appraising the value of gifts made to the District.

Acceptance of a gift shall not be considered endorsement by the District of a product, enterprise or entity.

In no event shall the District accept a donation from any donor who engages in practices or policies which discriminate against any person on the basis of race, sex (i.e., gender), color, religion, national origin, age, disability, or sexual preference; or when the stated purposes of the donation are to facilitate such discrimination in providing educational opportunity.

Ref.: Educ. Code Sections 72241, 72288, 72122
Originally adopted as Board Policy 3080 on January 27, 1986
Adopted: April 9, 2007

BP/AP APPROVAL PROCESS					
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Bratsch; General Institution	SM; 10/14/21	30 Day; 10/15/21	SM; 11/18/21	DGS; 12/14/21	Board; 1/10/22; 2/14/22

GIFTS

Both the COS Sequoias Community College District (“District”) Foundation and the COS District Building Trades Foundation accept and receive gifts on behalf of and in the name of the District. In compliance with IRS rules, the Foundations will not place a value on such donations for tax purposes. To make a charitable contribution for a non-cash gift of more than \$500, the donor must complete IRS Form 8283.

A gift of more than \$500, but less than \$5,000, does not need to be professionally appraised. A gift of more than \$5,000, however, must be valued by a qualified appraiser. Although both the College District and the appraiser must sign the Form 8283, COS the District does not agree to the appraisal dollar amount, but merely acknowledges receipt of the item(s). If the donor wishes to have the item(s) appraised, he/she should notify the Foundation representative no later than fifteen (15) working days after the gift has been made and the receipt signed.

Form F – IN4 (In-Kind Gift) will be used to acknowledge gifts made directly to the COS District Foundation.

Form F – IN2 (In-Kind Gift) will be used to acknowledge gifts made directly to Divisions/Departments/Programs. Form F – IN2 provides the Division Chair, the area Dean, and the Vice President, Academic Services, the opportunity to accept or decline an in-kind gift based upon: 1) if the item will be used on a regular basis; 2) whether or not maintenance or repairs will be needed; and/or, 3) if the item will require facilities to be remodeled or built.

Gifts to either Foundation that are over \$500 will be reported to the COS District Board of Trustees at the monthly Board meeting, identifying the gift, value, and the donor.

The Foundations will provide a check register to the District for checks distributed by either entity. The check list with: amount, and reason, will be included as an information item in the COS District Board of Trustees agenda packet on a monthly basis.

Reference: Educ. Code Sections 72241, 72288, 72122
Form F – IN4 (In-Kind Gift - Foundation) and Form F - IN2 (In-Kind Gift – Divisions/Departments/Programs)

September 14, 2010

BP/AP APPROVAL PROCESS					
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Bratsch; General Institution	SM; 10/14/21	30 Day; 10/15/21	SM; 11/18/21	DGS; n/a	Board; n/a

SPEECH: TIME, PLACE, AND MANNER

The ~~College of the Sequoias~~ **Community College District (“District”)** is a non-public forum, except for those areas (see Administrative Procedure 3900) that are designated public forums available for the exercise of expression by students, employees, and members of the public. The Superintendent/President, or designee, shall enact such administrative procedures as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in the limited public forums.

The administrative procedures promulgated by the Superintendent/President, or designee, shall not prohibit the right of students to exercise free expression, including but not limited to the use of bulletin boards designated for such use, the distribution of printed materials or petitions in those parts of the ~~college~~ **District** designated as areas generally available to students and the community, and the wearing of buttons, badges, or other insignia.

Students, employees, and members of the public shall be free to exercise their rights of free expression, subject to the requirements of this policy.

Speech that is defamatory, obscene according to current legal standards, or which so incites others as to create a clear and present danger or the commission of unlawful acts on District property or the violation of District policies or procedures, or the substantial disruption of the orderly operation of the District, shall be prohibited.

Nothing in this policy shall prohibit the regulation of hate violence directed at students in a manner that denies their full participation in the educational process (Education Code Section 66301[e]), so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution, and of Section 2 of Article 1 of the California Constitution. Students may be disciplined for harassment, threats, intimidation, or hate violence unless such speech is constitutionally protected.

Reference: Educ. Code Sections 76120, 66301

Adopted: February 11, 2008

Board Approved: February 11, 2013

BP/AP APPROVAL PROCESS					
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Bratsch; General Institution	SM; 10/14/21	30 Day; 10/15/21	SM; 11/18/21	DGS; 12/14/21	Board; 1/10/22; 2/14/22

SPEECH: TIME, PLACE, AND MANNER

The students and employees of the District and members of the community shall be permitted to exercise their rights of free expression subject to the time, place and manner following the established procedures outlined below and other applicable Board Policies and Administrative Procedures.

The colleges and campuses of the District are non-public forums, except for the areas designated by the Superintendent/President, or designee, and those areas designated as public forums. These designated areas are generally available to students, employees, and the community and are reserved for expressive activities which do not violate District policy and which are lawful. These areas are chosen to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on campus but also not to disrupt educational and other activities of the District on behalf of students.

Areas Designated For Use As Public Forums:

- Visalia: Grass area on North side of Quad (designated by signs)
- Tulare: Lower Walkway between Building A and B on the ground floor
- Hanford: Patio behind Student Lounge
- Other:

The Superintendent/President, or designee, shall have the discretion to modify the designated area of a campus in accordance with the following limitations: The newly designated area must be reasonably comparable in size and pedestrian traffic to the former area as possible given the layout of the campus in question and use of the surrounding buildings. This discretion is not to be exercised on a case-by-case basis but only to the extent necessary when all or part of a designated area becomes inaccessible or not safe (such as when construction is undertaken in the designated area or in the event of a natural disaster) or when the use of the area or part of the area for speech activities in general interferes with the educational and administrative activities of the District (such as when noise caused by public speakers significantly and repeatedly interferes with classes and other activities taking place in surrounding buildings).

The areas generally available to students, employees and the community are limited public forums. The areas are available during days when District classes are held and during the hours of 8:00 a.m. to 5:00 p.m.

The District reserves the right to revoke that designation and apply a non-public forum designation. The District reserves the right to designate areas as non-public forums as

necessary to prevent the substantial disruption of the orderly operation of the District.

Areas of the District that are non-public forums specifically include campus offices, classrooms, warehouses, maintenance yards, or locker rooms.

The use of areas generally available to students, employees and the community is subject to the following:

1. Persons using areas generally available to students, employees and the community and/or distributing material in the areas generally available to students and community shall not impede the progress of passersby, nor shall they force passersby to take material.
2. No persons using areas generally available to students, employees and the community shall touch, strike or impede the progress of passersby, except for incidental or accidental contact, or contact initiated by a passerby.
3. Persons using areas generally available to students, employees and the community shall not use any means of amplification that creates a noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes taking place at the time.
4. No persons using the areas generally available to students, employees and the community shall solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he or she is using the areas generally available to students, employees and the community on behalf of and collecting funds for an organization that is registered with the Secretary of State as a nonprofit corporation or is an approved Student Senate organization or club.
5. Outside vendors may be approved by the Vice President, Administrative Services, or designee, to come to a campus to promote their business and provide information to students. A \$50.00 per day charge (in advance) will be collected and deposited to an account as designated by each campus. To reserve a date on the Visalia campus and to be included on the District's master calendar, a vendor must secure, complete, and submit an Activity Date Request two weeks prior to the promotion date to the Student Activities and Affairs Office. For the Hanford Campus, Activity Date Requests will be submitted to the Hub. In Tulare the requests will be submitted to the Tulare campus administrator. Each campus will handle scheduling their individual calendars. No commercial business will be allowed which is in direct competition with the District or with vendors with whom the District has exclusive agreements.
6. Members of the public are welcome to speak and/or distribute written materials within the designated area(s) of each campus subject to the time, place, and manner outlined in this procedure and any other applicable Board Policy or Procedure.

Prior to speaking and/or distributing written materials, members of the public who are not students or employees of the District, shall provide notice of their intent to speak and/or distribute written materials to the Office of the Superintendent/President, or designee(s), for Sequoias Community College District. This notice shall not be provided more than three days prior to the use of the designated area(s). This notice shall include the person's name and contact information and the dates and times he or she will be speaking and/or distributing written materials on campus. This notice does not involve any application or approval process, and therefore, the ability to use the designated area(s) cannot be denied. This notice is only intended to provide the District with knowledge of the community member's presence on campus so the District can notify the appropriate members of its staff whose services might be needed or impacted by the use of the designated area(s).

7. No amplified sound devices shall be used for any event other than approved Student Senate functions at times deemed acceptable so as not to interfere with scheduled classes.

All persons using the designated area(s) of the District shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within the designated area(s). Material distributed in the designated area(s) that is discarded or dropped in or around the designated area(s) other than in an appropriate receptacle must be retrieved and removed or properly discarded by those persons distributing the material prior to their departure from the designated area(s) that day.

Distribution and/or posting of materials on campus is subject to the following:

1. Students shall be provided with bulletin boards for use in posting student materials at campus locations convenient for student use. All materials displayed on a bulletin board shall be approved by the Superintendent/President, or designee and shall clearly indicate the author or agency responsible for its production and reflect the date of posting. Materials displayed shall be removed after two weeks or after the date of the event. If a student's request for posting of materials is denied, they may meet with the Dean, Student Services, or designee, to appeal the decision.
2. Unacceptable items include:
 - So-called "HATE" literature which scurrilously attacks gender and sexual orientation (actual or perceived), ethnic, religious and racial groups; other irresponsible publications aimed at creating hostility and violence; hardcore pornography; and, similar materials are not suitable for distribution on campus.
 - Materials denigrating to specific individuals in or out of school.
 - Materials designated for commercial purpose to advertise a product or service for sale without providing a discount to students.

- Materials which are designed to solicit funds, unless approved by the proper authorities.

Use of the designated area(s) to speak and/or distribute written materials shall not be construed as the use of a “facility” or “service” of the District ~~and/or College~~ pursuant to the Civic Center Act policies and procedures. Therefore, a student or member of the community that wishes to speak and/or distribute written materials in the designated area(s) does not have to apply for or receive a facilities use permit prior to using the designated area(s).

Students and members of the community who wish to reserve space in a District facility and/or use the services of a department (such as equipment, food, janitorial, or audio/visual) must follow the procedures set forth in BP 6700, AP 6700 and the other applicable policies and procedures of the District regarding use of its facilities.

Reference: Educ. Code Sections 76120, 66301, 48907, 82537, 82548
December 11, 2007

Draft – November 27, 2012 revise with College Council input

Board Approved: February 11, 2013

BP/AP APPROVAL PROCESS					
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Bratsch; General Institution	SM; 10/14/21	30 Day; 10/15/21	SM; 11/18/21	DGS; n/a	Board; n/a

EQUIVALENCY

The purpose of this procedure is to provide an overview of the Sequoias Community College District equivalency processes and protocols. Applicants for equivalency should refer to the Sequoias Community College District Human Resource Website for:

- Equivalency determination steps
- Equivalency Determination record sheet
- Equivalency determination check list
- Equivalency guidelines for academic program disciplines
- Equivalency guidelines for career technical education program discipline
- Sample applications

Minimum Qualifications

Faculty shall meet minimum qualifications established by the Board of Governors, or shall possess qualifications that are at least equivalent to the minimum qualifications set out in the regulations of the Board of Governors.

Equivalency Committee

The Equivalency Committee is an Academic Senate standing committee established to fulfill the requirements of Education Code Section 87359, which states that the equivalency process “shall include reasonable procedures to ensure that the Board of Trustees relies primarily upon the advice and judgment of the Academic Senate to determine that each individual employed under the authority granted by the regulations possesses qualifications that are at least equivalent to the applicable minimum qualifications....”

Membership of the Equivalency Committee shall consist of the Vice President of the Academic Senate as chair and three to ~~five~~ **six** full-time faculty members appointed by the Academic Senate. The committee shall:

- Be available as a resource to screening and selection committees.
- Recommend all equivalency determinations to the board.
- Keep careful records of all equivalency determinations.
- Periodically review this procedure and recommend necessary changes to the Academic Senate and governing board.
- In general, ensure that the equivalency process works well and meets the requirements of the law.

Definition of Equivalency

Equivalency means equal to the minimum qualification for a particular discipline as listed in the Minimum Qualifications for Faculty and Administrators in the California Community Colleges

(the "Discipline List").

Formal Equivalency Process

The equivalency process is adjunct to the hiring process.

1. Initiating Equivalency Process

As soon as the **level one** hiring committee has decided that they have a candidate who (a) they wish to interview, (b) does not meet minimum qualifications for the position, but (c) in their view possesses equivalent qualifications as specified above, then the hiring committee chair shall immediately contact Human Resources to initiate a formal review by the Equivalency Committee.

2. Responsibilities

This section identifies the duties and responsibilities of all parties of equivalency requests.

2.1 Applicant

- Applicants are responsible for providing all required forms and documentation in support of their equivalency claim.
- It is the applicant's responsibility to make it clear to the equivalency committee how s/he has the equivalent education and/or experience/expertise.

2.2 Level One Hiring Committee

- Hiring committees will decide whether candidates may apply for equivalency under eminence.
- Hiring committees may require more, but not less, than the minimum described in section 3.1 or 3.2 for equivalence.
- For a candidate claiming eminence, the three faculty who sign the document supporting the request must also provide a paragraph or more of written justification in support of the candidate's claim of eminence.
- Hiring committees will provide Human Resources with a complete set of paperwork in support of the requested equivalency.

2.3 Human Resources

- Human Resources will notify the Vice President of Academic Senate as soon as an equivalency request is received.
- Human Resources will provide the Vice President of Academic Senate with a complete set of all paperwork in support of the equivalency application.
- Human Resources will forward approved equivalencies to the Board of Trustees at the completion of the process.

2.4 Equivalency Committee

- The Vice President of Academic Senate will promptly convene the committee.
- The committee will make and record a determination on the Record Sheet and return all paperwork to Human Resources with a final recommendation to be forwarded (if approved) to the Board of Trustees.
- The Vice President of Academic Senate will keep a record of all determinations.

3. Evaluation of Equivalency for Faculty

In evaluating the qualifications of applicants, the Equivalency Committee reviews transcripts and other supporting documents to determine equivalency by meeting the following criteria:

3.1 Disciplines requiring a Master's degree

In disciplines normally requiring an M.A./M.S. one of the following must be satisfied:

- B.A./B.S. plus 36 semester units or more (to be determined by the level-one hiring committee) of graduate level coursework in the specific discipline from an accredited institution,

OR

- B.A./B.S. plus licensure in the discipline from an accredited institution or entity,

OR

- If a candidate is claiming eminence in the field or discipline, s/he must provide the committee with proof of such. Proof is defined as work experience and/or related accomplishments considered exemplary by noted/renowned experts in that field. These criteria are reflected in a questionnaire (pg. 44 7) that must be completed by all candidates requesting equivalency based on eminence. Eminence claims must include evidence of meeting the general education requirements of a Bachelor's degree.

3.2 Disciplines not requiring a Master's degree

In disciplines where the master's degree is not generally expected or available (see The Discipline's List), one of the following must be satisfied:

- Course work from an accredited institution/years of experience equivalent to either an AA/AS degree and six years experience, or a BA/BS degree and two years of experience,

OR

- If a candidate is claiming equivalency based on eminence, life, and/or work experience(s), s/he must provide the committee with proof of such. Proof is defined as conclusive, objective evidence. These criteria are reflected in the Equivalency for Career Technical Education Program Disciplines attachment (page 9-11). Eminence (and equivalency) claims must include evidence of meeting the general education requirements of an Associate's degree.

3.3 Other Considerations

- College of the Sequoias does not accept equivalency granted by another institution.

- Foreign degree equivalency will be determined by credentials evaluation service. A list of accepted services may be obtained from the office of Human Resources. The expense of this evaluation is the responsibility of the applicant.

4. Determination of Equivalency

The Equivalency Committee shall act expeditiously so as to accommodate the hiring process, and direct its decision to the Office of Human Resources. A determination that an applicant's qualifications are equivalent to the minimum qualifications for a discipline shall not be construed as an indication that the applicant will be hired.

5. Special Circumstances

In case of an emergency or unforeseen special circumstance in which the full hiring process cannot be completed in a timely manner and the candidate is an equivalency claimant, the following shall apply:

- The hiring committee chair in consultation with the area dean will make an honest evaluation of the candidate's claim.
- If hiring committee chair and area dean feel the candidate meets the criteria for equivalency, they will immediately notify the Dean of Human Resources or his/her designee and begin the equivalency process.
- The Dean of Human Resources will immediately notify the Vice President of Academic Senate that an emergency equivalency situation exists. If the Vice President cannot be reached, the President of the Academic Senate will be notified, and if the president is unavailable, the chair of Committee A will be notified. The person receiving the equivalency request will then contact the equivalency committee and forward all relevant documentation via email and request a timely determination.
- All parties understand that in order to follow the requirements of the Education Code, assure the validity of student transcripts, and maintain state apportionment, the District can only hire applicants whose equivalency has been established through this procedure.

6. Reconsideration of Denied Equivalency Request

In cases where a **level one** hiring committee wishes the Equivalency Committee to reconsider a denied equivalency request, they may do so by contacting the Vice President of the Academic Senate and requesting a reconsideration meeting be convened with the Equivalency Committee. Protocols for a request for a reconsideration meeting are as follows:

- 6.1 A request for a reconsideration meeting must be supported with new documentation and/or evidence that the **level one** hiring committee believes, if considered, would result in a different decision by the Equivalency Committee. Any request for a reconsideration meeting that does not meet this threshold will not be accepted.
 - 6.1.a. New documentation may include, but is not limited to, transcripts and/or a published paper that were not included in the original equivalency request.
 - 6.1.b. New evidence may **also** include, but is not limited to, verifiable

irregularities in the equivalency process.

- 6.2 If a request for a reconsideration meeting is approved by the Vice President of Academic Senate, the reconsideration meeting will take place in a timely manner.
- 6.3 One representative of the **level one** hiring committee will be invited to present the new documentation and/or evidence to the Equivalency Committee at the reconsideration meeting.
- 6.4 The **level one** hiring committee representative will be afforded no more than 30 minutes to present new documentation and/or evidence. At no time during the reconsideration meeting shall the **level one** hiring committee representative attempt to revisit documentation included in the original denied equivalency application.
- 6.5 After this meeting, the Equivalency Committee will meet in a closed session, not to exceed 60 minutes, to reconsider the equivalency request. All equivalency determinations from reconsideration meetings are final.

Faculty Service Areas

Faculty service areas shall be established after negotiation and consultation as required by law with the appropriate faculty representatives.

1. When a faculty member wishes to apply for a new Faculty Service Area, but does not meet the minimum qualifications (see The Discipline's List), yet believes s/he meets equivalency, the Formal Equivalency Process shall apply except that the process shall begin when the faculty member submits a request to Human Resources together with the information indicated above. Representatives from the department will take on the responsibilities of the **level one** hiring committee as outlined above.

Forms Attached:

- ~~EQUIVALENCY DETERMINATION STEPS~~
- ~~EQUIVALENCY DETERMINATION RECORD SHEET~~
- ~~EQUIVALENCY DETERMINATION CHECKLIST~~
- ~~EQUIVALENCY Guidelines FOR ACADEMIC PROGRAM disciplines~~
- ~~EQUIVALENCY Guidelines FOR CAREER TECHNICAL EDUCATION PROGRAM disciplines~~

Reference: Educ. Code Sections [87001](#), [87003](#), [87743.2](#); [Title 5, Section 53400](#) et seq.

Adopted: January 11, 2016

Revised: November 13, 2019

BP/AP APPROVAL PROCESS					
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Bratsch; Human Resources	SM; 10/14/21	30 Day; 10/15/21	SM; 11/18/21	DGS; n/a	Board; n/a