



Chancellor's Advisory Council Meeting Agenda – March 20, 2015

Foothill College
Toyon Room (Room 2020)
2:30 p.m.

AGENDA TOPIC	PURPOSE	DISCUSSION LEADER
I. Welcome	I	Linda
II. Approval of 1/16/15 Meeting Summary (<i>Attachment 1</i>)	A	Linda
III. Education Technology Advisory Committee (ETAC) - Revised Vision, Mission, and Membership (<i>Attachment 2</i>)	D/A	Joe
IV. New and revised policies and procedures (<i>Attachment 3</i>) <ul style="list-style-type: none"> • AP 2105 Student Trustee Selection Procedures (Revised) • BP 4070 (formerly BP 5002) Auditing and Auditing Fees (Revised) • AP 4070 Auditing and Auditing Fees (New) • BP 5020 (formerly BP 5015) Nonresident Tuition (Revised) • AP 5020 Nonresident Tuition (New) • BP 5030 (formerly BP 5010, 3123, 3123.5, 5030) Fees (Revised) • AP 5030 (formerly AP 5010, 5030) Fees (Revised) • AP 5031 (formerly BP 5020) Instructional Materials Fees (Revised) • BP 7210 (formerly BP 4144) Academic Employees (Revised) 	D/A	Linda
V. Other information and updates	I	All



CHANCELLOR'S ADVISORY COUNCIL
Meeting Summary
January 16, 2015

Present: Linda Thor, Randy Bryant, Leo Contreras, Mayra Cruz, J.R. Dorcak, Isaac Escoto, Christina Espinosa-Pieb for Brian Murphy, Rich Hansen, Carolyn Holcroft, Kurt Hueg, Kevin McElroy, Kimberlee Messina for Judy Miner, Blanche Monary, Dorene Novotny, Josh Rosales, Dennis Shannakian, Karen Smith, and David Ulate

I. Welcome

Chancellor Thor welcomed council members and introduced David Ulate, the district's new Executive Director of Institutional Research and Planning.

II. Approval of October 24, 2014, Meeting Summary

The October 24, 2014, meeting summary was approved without changes.

III. 2015 Legislative Principles

Council members reviewed the draft legislative principles for 2015, which will be discussed and adopted by the Board of Trustees at the February 9, 2015, study session and regular meeting. Linda advised that the purpose of the principles is to provide guidance to the Chancellor in advocating on behalf of the district, particularly when issues arise that require a quick turnaround.

In response to a question from Blanche regarding state legislative principle 23, Dorene clarified that the credible service issue relates to a determination by the State Teachers' Retirement System (STRS) that certain members have been defined as academic administrators in error and are not eligible for pensions through STRS. She indicated that the Association of California Community College Administrators (ACCCA) is working on a legislative solution to keep administrators impacted by STRS' ruling from being harmed. Rich offered to address the district's concerns in some of the statewide meetings he attends if provided specifics.

Rich suggested that some of the principles are too detailed and that the focus should be on broader principles if consensus is desired. Linda agreed to communicate the suggestion to the next chancellor.

IV. Chancellor Search

The council reviewed the draft search timeline as well as the search committee composition and charge, which will be presented to the Board of Trustees for approval at the February 9, 2015, meeting. Linda explained that requests for proposals were solicited from national search firms at the end of last year, a search firm will be selected by a Board subcommittee January 27, and former Vice Chancellor of Business Services Mike Brandy has agreed to serve as search liaison. She advised that it is the Board's desire to allow as much participation as possible while ensuring that the search process is substantially complete by the end of spring quarter.

Linda announced that governance groups would need to select search committee representatives by February 2, 2015, and Mike Brandy and the search firm selected by the Board subcommittee will conduct focus groups with participatory governance groups and hold open forums regarding attributes desired in the next chancellor as well as challenges and opportunities the new chancellor will face on February 3 and 4, 2015.

Rich expressed concern about including a trustee on the search committee, stating that it gives the Board an odd role in the process. Christina and Kurt indicated that previous chancellor search committees have successfully included a trustee.

The search timeline, meeting schedule for providing input into the chancellor profile, search committee composition, and search committee charge were approved by consensus.

V. Budget Update

Kevin presented an overview of Governor Jerry Brown's 2015-16 Budget Proposal and discussed the impact each proposal would have on the district's budget if enacted. He reported that the proposed increases to base funding would provide \$3 million in ongoing funding, the 1.58 percent cost of living adjustment would net the district approximately \$2 million in new funding, and the \$700,000 proposed for apprenticeship programs would restore funding to pre-recession levels. In addition, Kevin advised that the district could potentially receive \$8 million in one-time money if the governor's proposal to pay down outstanding mandate claims is successful; however, he cautioned that other constituencies are likely to be successful in convincing legislators to spend the money elsewhere.

Kevin explained that the district would not benefit from proposals to increase access or retire deferrals. He stated that although the \$200 million proposed for student success could potentially provide \$4.8 million in additional funding for the district, the local match requirements, which have yet to be determined, could prevent the district from seeing an increase in funding.

With regard to the recent ACCCA Budget Workshop, Kevin reported that panelists from the Department of Finance and Legislative Analyst's Office gave warning that the state is overdue for an economic downturn, and California Community Colleges Chancellor Brice Harris and Vice Chancellor of Finance and Facilities Planning Dan Troy recommended that districts use increased funding to address ongoing challenges, such as increased employer contributions to STRS and the Public Employee Retirement System (PERS), scheduled maintenance, and other post-employment benefits (OPEB) obligations.

VI. New and Revised Policies and Procedures

- BP 3200 (formerly BP 2510) Accreditation – (revised)
- BP 3250 (formerly BP 3050) Institutional Planning – (revised)

Linda advised that the accreditation and institutional planning policy changes were reviewed by the Academic and Professional Matters Committee and will be presented to the Board of Trustees for first reading after approval by the Chancellor's Advisory Council. The revised policies were approved by consensus.

- AP 3280 Grants – (new)

Linda reminded the council that the new grants administrative procedure was originally included on the October 24, 2014, meeting agenda, but approval was postponed because of

concerns raised by Carolyn. She advised that some of the changes suggested by Carolyn have been incorporated in the procedure. The new procedure was approved by consensus.

- BP 5030 (formerly BP 3123, 3123.5, 5010) Fees (revised)

Linda advised that the revision to the fees policy was originally prompted by a requirement in baccalaureate degree pilot program legislation that the district have a written policy that requires all potential students who wish to apply for a Board of Governors Fee Waiver pursuant to Section 76300 to complete and submit either a Free Application for Federal Student Aid or a California Dream Act application in lieu of completing the Board of Governors Fee Waiver application; however, additional changes were deemed necessary once the district's policies were compared to the Community College League of California template. Josh asked that the word "semester" be replaced by "quarter" in the student representation fee paragraph. After Dennis suggested that the policy include the student body membership fee, a discussion ensued as to whether the policy should include all fees or only those that are mandatory. Linda agreed to have Chancellor's Cabinet review the policy further.

Rich commented in reference to the second to last paragraph that directs the Chancellor to develop procedures for "collection" of fees that he has concerns regarding the automatic drop of students who do not pay within 48 hours because faculty are being asked to add as many students as possible into courses. Christina advised that students who register in August have until September to pay and are sent four email messages and three text messages to remind them of the deadline. Rich asked that there be further discussion of the drop for nonpayment issue and its impact on enrollment.

VII. Other Information and Updates

Linda announced that the California Community Colleges Board of Governors is expected to announce the colleges selected to participate in the baccalaureate degree pilot program on January 20, 2015.

The meeting was adjourned at 4:05 p.m.

ETAC Vision Statement

The Education Technology Advisory Committee (ETAC) inspires and leads the Foothill-De Anza community in technology innovation.

ETAC Mission Statement

ETAC enhances the strategic capabilities of the colleges and the district by facilitating input from stakeholders district-wide. ETAC coordinates technology-related planning and decision-making and advises. ETAC makes specific recommendations to the Chancellor's Advisory Council on the use of technology for ongoing and future activities and directions.

Roles and Responsibilities of ETAC Members

ETAC is a participatory governance committee at the district level designed to be as inclusive as possible of all stakeholders groups (students, faculty, staff, and administration) from both colleges and central services.

ETAC has primary responsibility for developing an overall technology strategic plan and monitors the ongoing implementation effort aimed at achieving the goals of this plan.

ETAC reports back to stakeholders regularly, and gathers additional input.

ETAC advises and advocates for strategic investments in technology.

ETAC develops and recommends policies on matters including, but not limited to, copyright and fair use, appropriate use of technology, information security, accessibility, and hardware/software standards.

Category	#	Appointed By	Details
<i>Members</i>			
Vice Chancellor of Technology	1	Chancellor	Chair
Asst to the VC of Technology	1	Vice Chancellor of Technology	Secretary
Classroom Faculty	6	Academic Senates	Online, F2F, both colleges, multiple disciplines
Tech Taskforce Chairs	2	Task Taskforces	1 from each college
Student Services	2	VPs of Student Services	1 from each college
Instructional Deans	2	VPs of Instruction	1 from each college
Classified Staff	3	Classified Senates	1 from each college & CS
Students	2	Student Associations	1 from each college & 1 alternate from each college
Library	2	Dean or Academic Senate	1 from each college
DE Coordinators	2	Appropriate Administrator	1 from each college
Total	23		
<i>Committee Resource Specialists (by invitation of the chair)</i>			
Accessibility	1		
Information Security	1		
Campus Police	1		
ETS	2		Directors of Info Systems and Networking & Client Services
Education Center	1		
Grants & Special Programs	1		
Webmaster	2		
Communication	1		
Lab Instructional Associate	2		
Total	12		
Grand Total	35		

DRAFT – REVISED (Legally Required)

Student Trustee Selection Procedures

AP 2105

1. Qualifications/Responsibilities/Privileges

1.1 Board Policy 2015 and Education Code Section 72023.5 provide for the inclusion of one or more students who ~~are residents of California as determined pursuant to Part 41 (commencing with Section 68000)~~, are enrolled in five semester units (8 quarter units), and are in good academic standing throughout the term of office. In accordance with Board Policy, two student trustees, one from each college, shall be non-voting members of the Board of Trustees with the right to make and second motions and receive compensation, as determined by the Board, for attendance at Board meetings. Neither Student Trustee may hold any other position in either student government during his/her term of office, except as ex-officio student trustee.

1.2 The Student Trustee shall be limited to two consecutive one-year terms of office. In the event that a Student Trustee is appointed to complete another student's term due to a vacancy, the appointment shall not count toward the two-year limit if the appointment occurs on or after the start of the Winter Quarter.

1.3 Throughout the term of office (1st week of June through the last week of May of the succeeding academic year) the Student Trustee shall:

- ~~• Be a resident of California as determined by the registrar~~
- Maintain at least a 2.0 GPA throughout their term of office
- Be currently enrolled in a minimum of 8 units at the college for which they represent, except during the summer term
- Attend all public board meetings
- Attend Student Government meetings at least once a month but recommended twice a month
- Communicate on a regular basis with the College President and Chancellor
- Represent the Board of Trustees at meetings and social events outside of regular Board meetings (whenever possible)

The Student Trustee may not hold any other position in student government during his/her term of office.

1.4 The Student Trustee's privileges are as follows:

- Casting an advisory vote
- The right to make and second motions
- Receive compensation as determined by elected Trustees

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2. Applications

- 2.1 Applications for candidacy for the position of Student Trustee shall be available beginning the first week of the spring quarter. Applications will be available at the Activities Office at both colleges. Every effort should be made to ensure that the candidacy pool reflects the gender, ethnic, racial and other diversity of the campus.
- 2.2 The application shall include space for the entry of the applicant's name, address, telephone number, cumulative grade point average, student identification number, number of units completed, and number of units in which the applicant is currently enrolled. In addition, the application shall require the student to state the reason he or she wishes to be selected as the Student Trustee and the way in which the candidate believes he or she will be able to contribute to the deliberations of the Board of Trustees. The application may also require any other information so long as it is reasonably related to the task of selecting a highly qualified candidate for the position of Student Trustee.
- 2.3 Each student who is interested in the position shall file a fully completed application for the position no later than one week prior to the posted election date. The application shall be filed at the Activities Office of the respective college. Applications shall be checked for eligibility by the Director of Student Activities at each campus to ensure eligibility requirements are met.

3. Election Process/Procedures

- 3.1 Rules and regulations for conducting the Student Body Elections at each respective campus shall be used for election of the Student Trustee.
- 3.2 The district shall provide reimbursement per eligible candidate in accordance with each colleges' ASB election code for the purpose of campaigning, to ensure that the candidate pool is representative of all socioeconomic levels. This will be on a reimbursement basis, not to exceed \$200 per candidate, based on verified receipts for goods or services purchased.
- 3.3 The campus official making reimbursement decisions shall be guided by the financial need of the applicant and whether the campaign activities for which reimbursement is sought conformed to the applicable campus election code, but shall not consider the political views of the student requesting reimbursement.

4. Advertising

- 4.1 The election committee of each respective campus shall advertise the announcement in campus publications beginning the 1st day of Spring Quarter.

DRAFT – REVISED (Legally Required)

In addition, the committee shall consider dissemination of its announcement in the following ways:

- The posting of appropriate notices at places on each campus commonly frequented by students;
- The distribution of appropriate memoranda or bulletins to faculty members and student clubs with the request that they inform students of the selection committee's announcement;
- The broadcast of appropriate announcements over the De Anza Television and the Foothill Radio stations.

5. Recall by Trustees' own student government

The student member may be recalled in an election conducted in the same manner as the election to office. An election will be called upon presentation to the Chancellor of a petition signed by at least 10% of the students enrolled at the time of filing the petition. No recall election will be held if the petition is received within 30 calendar days of a regularly scheduled election for student member.

6. Removal due to ineligibility:

Student trustees are subject to removal upon 10 days written notice from the Chancellor's office if any or all of the following exist:

- a) Failure to meet residency requirements per Education Code section 68000.
- b) Failure to maintain unit enrollment requirements, per Education Code section 72023.5(a) and Board Policy 9110.1.
- c) Failure to maintain minimum standards of scholarship, per Education Code section 72023.5(a) and Board Policy 9110.1.
- d) The Chancellor and/or ~~his~~ Designee will conduct quarterly audits of the Student Trustee status to insure compliance with the Education code sections cited above.

Such action shall be subject to ASB ratification at the next regularly scheduled meeting.

7. Vacancies

The office shall become vacant if the student member becomes ineligible for the office, resigns, is recalled, or dies. **If the seat of a student member becomes vacant during his/her term, the governing board may authorize the officers of student body associations established pursuant to Education Code Section 76060 at each**

DRAFT – REVISED (Legally Required)

community college in the District to appoint a student to serve the remainder of the term in accordance with procedures established by the governing board. The vacancy created shall be filled by an ASB nominee, in accordance with a process provided for in the associated student body constitution and bylaws for the filling of vacant appointed positions, in consultation with the Chancellor.

Upon notice to the Chancellor that a vacancy has occurred, the College President or designee shall arrange for a special election that provides for:

- ~~Notice communicated to the student body of the result of the recall election, if the vacancy has occurred as the result of a recall election, and arrangements for a special election;~~
- ~~An open application period for students to submit an application for the vacant position will be open for at least 10 regularly scheduled college days;~~
- ~~Following the application period, candidates shall have a period of no less than 10 regularly scheduled college days for campaigning, and;~~
- ~~Voting for the special election shall be concluded within 45 calendar days within the academic year (excludes summer session) following the date the position became vacant.~~

~~No special election will be called if the vacancy occurs within 90 calendar days of a regularly scheduled election for student member.~~

See Board Policy 2015 Student Members

Revised 3/17/97; 4/22/02; 4/21/03

Endorsed by Chancellor's Advisory Council 4/29/05

Revised 4/30/07; 7/15/08

Revised by Chancellor's executive staff 4/28/09

Revised 10/18/13

DRAFT – REVISED (Legally required when auditing allowed)

Auditing by Students and Auditing Fees

5002 4070

(Note: Added language in the following sentence is from the college catalogs, not CCLC template) Students **who have satisfactorily completed a course the maximum number of times allowed** may **be permitted to** audit courses ~~with the approval of the instructor.~~

The fee for auditing courses shall be \$10 per unit (~~See AP-5010, Schedule of Fees~~). Students enrolled in classes to receive credit for fifteen (15) or more quarter credit units shall not be charged a fee to audit five or fewer units per quarter.

No student auditing a course shall be permitted to change his or her enrollment to receive credit for the course.

Priority in class enrollment shall be given to students enrolled in the course for credit **toward a degree or certificate.**

*See Administrative Procedure ~~AP-5010-4070~~ **Auditing and Auditing Fees***

California Education Code, **Section** 76370

Approved 7/12/04

DRAFT – NEW (Legally advised)

Auditing and Auditing Fees

AP 4070

Students who have already satisfactorily completed a course the maximum number of times allowed may be permitted to audit.

Enrollment as an auditor carries no privilege other than to attend classes. Students do not receive credit for an audited course. Instructors have no obligation to grade tests or other class assignments submitted by an auditor; however, an instructor may permit an auditor to participate in class discussions.

Students enrolling for credit will have priority over auditors until the second week of the course, at which time auditors may enroll on a space available basis.

Requests to audit must be approved by the instructor and the division dean prior to being submitted to the college Admissions and Records Office. A fee of \$10 per unit must be paid; however, there is no charge for the first five units of an audited course for students enrolled in 15 or more quarter units for credit.

See Board Policy 4070 Auditing and Auditing Fees

Education Code, Section 76370

Approved _____

DRAFT – REVISED (Legally Required)

Nonresident Tuition

5015-5020

~~Nonresident tuition shall be charged to all students who have not been admitted as a California resident to either of the District's colleges. Nonresident tuition rates shall be established by the Governing Board pursuant to California Education Code section 76140. The nonresident tuition will be published in the College Catalog and Schedule of Classes.~~

~~All nonresident students, both international and United States citizens, shall be subject to tuition and other required fees.~~

Nonresident students shall be charged nonresident tuition for all units enrolled unless specifically required otherwise by law.

Not later than February 1 of each year, the Chancellor shall bring to the Board for approval an action to establish nonresident tuition for the following fiscal year. The fee shall be calculated in accordance with guidelines contained in applicable state regulations and/or the California Community College Attendance Accounting Manual.

The Chancellor shall establish procedures regarding collection, waiver, and refunds of nonresident tuition.

(CCLC Note: The following is optional for those districts that enact a capital outlay component to nonresident tuition as permitted by Education Code Section 76141.)

The Chancellor is authorized to implement a fee to nonresident students that will be expended for purposes of capital outlay, maintenance, and equipment. The Board finds and declares that this fee does not exceed the amount expended by the district for capital outlay in the preceding year divided by the total full time equivalent students (FTES) in the preceding fiscal year.

Students who would otherwise be charged this fee shall be exempt if they demonstrate that they are a victim of persecution or discrimination in the country of which they are a citizen and resident, or if they demonstrate economic hardship.

Students shall be deemed victims of persecution or discrimination if they present evidence that they are citizens and residents of a foreign country and that they have been admitted to the United States under federal regulations permitting such persons to remain in the United States. Students shall be deemed to have demonstrated economic hardship if they present evidence that they are citizens and residents of a foreign country and that they are receiving Temporary Assistance for Needy Families Program, Supplemental Income/State Supplementary benefits, or general assistance.

DRAFT – REVISED (Legally Required)

Students who would otherwise be charged this fee shall be exempt if they demonstrate that they have a parent who has been deported or was permitted to depart voluntarily, they moved abroad from California as a result of that deportation or voluntary departure, and they attended a public or private secondary school in the state for three or more years. Upon enrollment, students who qualify for this exemption must be in their first academic year as a matriculated student in California public higher education, live in California, and file an affidavit with the District stating that they intend to establish residency in California as soon as possible.

See Administrative Procedure 5020 Nonresident Tuition

California Education Code § ~~Sections~~ 68050-68052, 68130, 68130.5, 76140, **and 76141**
California Administrative Code ~~of Regulations~~, Title 5, § ~~54100~~ **Section 54045.5**

Approved 1/4/99

DRAFT – NEW (Legally required)

Nonresident Tuition

AP 5020

Nonresident students shall be charged nonresident tuition for all units enrolled unless exempted by law. Not later than February 1 of each year, the Chancellor shall bring to the Board of Trustees for approval an action to establish nonresident tuition for the following fiscal year. The fee for nonresident students shall be calculated in accordance with the California Community College Budget and Accounting Manual and applicable laws and regulations to reflect the current expense of education, the expense of education in the preceding fiscal year, and fees in contiguous districts.

Exemptions to nonresident tuition may be approved under the following circumstances:

1. All nonresident students enrolling for six (6) or fewer units (no exceptions will be made);
2. A student who is both a citizen and resident of a foreign country who demonstrates a financial need for the exemption;
3. Any students, other than nonimmigrant aliens under 8 U.S. Code Section 1101(a)(15), who meet the following requirements:
 - a. high school attendance in California for three or more years;
 - b. graduation from a California high school or attainment of the equivalent thereof;
 - c. registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
 - d. completion of a questionnaire form prescribed by the California Community Colleges Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
 - e. in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so.
4. Any students who meet the following requirements:
 - a. demonstrates financial need for the exemption;
 - b. has a parent who has been deported or was permitted to deport voluntarily;
 - c. moved abroad as a result of that deportation or voluntary departure;
 - d. lived in California immediately before moving abroad;
 - e. attended a public or private secondary school in the state for three or more years; and
 - f. upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education, will be living

in California, and will file an affidavit with the District stating that he or she intends to establish residency in California as soon as possible.

Deferral of payment of the state-mandated enrollment fee shall be allowed in accordance with procedures established by the college vice presidents of Student Services.

See Board Policy 5020 Nonresident Tuition

See Board Policy 5030 Fees

California Code of Regulations Title 5, Section 54045.5
Education Code Sections 68130.5 and 76140 et seq.

Approved _____

DRAFT – REVISED (LEGALLY REQUIRED)

Fees **5030**

Student Fees **5010**

~~The Governing Board adopts a schedule of state mandated and/or permitted fees with legally required exclusions therefrom, set forth in AP 5010, and shall make any modification to such fees.~~

~~See Board Policies 3123 and 3123.5~~

~~See Administrative Procedures AP-5010~~

Approved 1/4/99

Tuition and Fees **3123**

~~The Chancellor or designee shall ensure that all fees mandated by law, fees established by the Board of Trustees and tuition are charged and collected from students as authorized. These fees may include but are not limited to student enrollment fees, program change fees, late application fees, health fees, non-credit course fees, student representative fees, etc. [Note: The following will be included in BP 5020 Non-Resident Tuition] The Board shall establish the nonresident tuition fee not later than February 1 of each year for the succeeding fiscal year.~~

~~All monies collected shall be deposited in the general fund or other fund as required by statute. Monies from fees collected by the student body shall be deposited into student accounts that are regulated and audited by the District.~~

~~Education Code Sections 76140-76143, 76300, 76355, 76380, 76385, 76395~~

~~Title 5 Sections 58500-58503, 58508~~

~~Approved 1/23/63~~

~~Amended 8/16/99~~

Exemption or Deferment of Fees **3123.5**

~~The Chancellor or designee shall waive certain tuition and fees as authorized by state laws or regulations and/or as may be authorized by the Board of Trustees. The Chancellor or designee may defer the payment of fees by students who have applied for financial assistance.~~

~~Education Code Sections 76300, 76380~~

~~Title 5 Section 58620~~

~~Approved 1/23/63~~

~~Amended 8/16/99~~

Refund of Fees **5030**

~~Fees may be fully or partially refunded upon application for a refund as allowed by the California Administrative Code Title 5 §58508.~~

~~See Administrative Procedures AP-5030~~

Approved 1/4/99

DRAFT – REVISED (LEGALLY REQUIRED)

The Board authorizes the fees set forth below:

Enrollment Fee (Education Code Section 76300)

Each student shall be charged a fee for enrolling in credit courses as required by law.

Auditing Fee (Education Code Section 76370)

Persons auditing a course shall be charged a fee of ten dollars (\$10) per unit per quarter. Students enrolled in classes to receive credit for 15 or more quarter credit units shall not be charged an auditing fee to audit five or fewer units per quarter.

Health Fee (Education Code Section 76355)

The District shall charge each student a fee of sixteen dollars (\$16) for health supervision and services.

Parking Fee (Education Code Section 76360)

Students shall be required to pay a fee for parking services. The Chancellor shall present for board approval fees for parking for students.

Instructional Materials (Education Code Section 76365; Title 5, Sections 59400 et seq.)

Students may be required to provide required instructional and other materials for a credit or non-credit course, provided such materials are of continuing value to the student outside the classroom and provided that such materials are not solely or exclusively available from the District.

Physical Education Facilities (Education Code Section 76395)

Where the District incurs additional expenses because a physical education course is required to use non-district facilities, students enrolled in the course shall be charged a fee for participating in the course. Such fee shall not exceed the student's calculated share of the additional expenses incurred by the district.

Student Representation Fee (Foothill College only) (Education Code Section 76060.5)

Foothill College students will be charged a one dollar (\$1) fee per quarter to be used to provide support for student governmental affairs representation. A student may refuse to pay the fee for religious, political, financial or moral reasons and shall submit such refusal in writing.

Student Transportation Costs (Education Code Section 76361)

Students shall be charged a fee for the purpose of recovering transportation costs incurred by the District for services provided by common carriers to students. The fee shall be five dollars (\$5) for full time students enrolled in 12 or

DRAFT – REVISED (LEGALLY REQUIRED)

more units, four dollars (\$4) for part-time students enrolled in 6 to 11.9 units, and three dollars (\$3) for students enrolled in fewer than 6 units.

Transcript Fees (Education Code Section 76223)

The District shall charge a reasonable amount for furnishing copies of any student record to a student or former student. The Chancellor is authorized to establish the fee, which shall not exceed the actual cost of furnishing copies of any student record. No charge shall be made for furnishing up to two transcripts of a student's records or for two verifications of various records. There shall be no charge for searching for or retrieving any student record.

International Students Application Processing Fee (Education Code Section 76142)

The District shall charge students who are both citizens and residents of a foreign country a fee to process his/her application for admission. The processing fee and regulations for determining economic hardship may be established by the Chancellor. The fee shall not exceed the lesser of 1) the actual cost of processing an application and other documentation required by the United States government or 2) one hundred dollars (\$100), which shall be deducted from the tuition fee at the time of enrollment.

The Chancellor shall establish procedures for the collection, deposit, waiver, refund, and accounting for fees as required by law. The procedures shall also ensure that those who are exempt from or for whom the fee is waived are properly enrolled and accounted for. Fee amounts shall be published in the college catalogs.

Students who wish to apply for a Board of Governors Fee Waiver pursuant to Education Code Section 76300 shall be required to complete and submit either a Free Application for Federal Student Aid or a California Dream Act application in lieu of completing the Board of Governors Fee Waiver application.

See Administrative Procedure 5030 Fees

Education Code Sections 76060.5, 76142, 76223, and 76300 et seq.
Title 5, Sections 59400 et seq.

Approved _____

Schedule of Fees

AP 5030 5010

(CCLC Note: This procedure is legally required. Local practice can be inserted here but must comply with applicable law. Community college districts may only require students to pay a fee if required or specifically authorized by statute. The General Counsel's Office of the CCC Chancellor's Office regularly publishes an updated student fee handbook that analyzes which fees are required and which are permitted, as well as those which are prohibited.)

All student fees approved by the governing board in accordance with Board Policy 5010 are posted on the college websites or published in the college schedule of classes and catalog. The Board of Trustees authorizes the chancellor to set the appropriate fees in accordance with state law.

Reviewed by Chancellor's Advisory Council 7/31/07

See Board Policy 5010—Student Fees

Refund of Fees

AP 5030

The District only requires students to pay a fee if required or specifically authorized by statute.

Required fees include:

- **Enrollment fees as set forth in Education Code, Section 76300 and 76300.5; Title 5, Sections 58500 and 58509**
- **Nonresident tuition as set forth in Education Code Sections 76140 and 76140.5**

Fees authorized by law include:

- **Non-District physical education facilities as set forth in Education Code, Section 76395**
- **Noncredit courses as set forth in Education Code, Section 76385**
- **Community service courses as set forth in Education Code, Section 78300**
- **Auditing of courses as set forth in Education Code, Section 76370**
- **Instructional materials as set forth in Education Code, Sections 73365, 81457, and 81458; Title 5, Sections 59400 and 59408**
- **Athletic insurance as set forth in Education Code, Section 70902(b)(9)**
- **Cross-enrollment with the California State University (CSU) or University of California (UC) as set forth in Education Code, Section 66753**
- **Health as set forth in Education Code, Section 76355**
- **Parking as set forth in Education Code, Section 76360**
- **Transportation as set forth in Education Code, Sections 76361 and 82305.6**

*Foothill-De Anza Community College District
Administrative Procedures*

- Student representation as set forth in Education Code, Section 76060.5; Title 5, Sections 54801 and 54805
- Student Center as set forth in Education Code, Section 76375; Title 5, Section 58510
- Copies of student records as set forth in Education Code, Section 76223
- Dormitory as set forth in Education Code, Section 81670
- Child care as set forth in Education Code, Sections 79121 et seq. and 66060
- Nonresident capital outlay as set forth in Education Code, Section 76141
- Nonresident application processing as set forth in Education Code, Section 76142
- Credit by Examination as set forth in Education Code, Section 76300; Title 5, Section 55050
- Use of facilities financed by revenue bonds as set forth in Education Code, Section 81901(b)(3)
- Refund processing as set forth in Title 5, Section 58508
- Telephone registration as set forth in Education Code, Section 70902(a)
- Physical fitness test as set forth in Education Code, Section 70902(b)(9)
- Instructional tape lease/deposit as set forth in Education Code, Section 70902(b)(9)
- Credit card use as set forth in Education Code, Section 70902(b)(9)
- International student medical insurance as set forth in Education Code, Section 70902(b)(9)
- Baccalaureate degree program fees as set forth in Title 5, Section 58520

Prohibited fees include:

- Late application as set forth in California Community College Chancellor's Office (CCCCO) Student Fee Handbook
- Add/drop as set forth in CCCCCO Student Fee Handbook
- Mandatory student activities except permissive optional fees as set forth in the CCCCCO Student Fee Handbook
- Mandatory student identification cards as set forth in CCCCCO Student Fee Handbook
- Mandatory Student Body Organization as set forth in CCCCCO Student Fee Handbook
- Nonresident application as set forth in CCCCCO Student Fee Handbook
- Field trip as set forth in Title 5 Sections 55450 and 55451
- For dependents of certain victims of September 11, 2001, terrorist attacks as set forth in CCCCCO Student Fee Handbook
- For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor as set forth in Education Code Section 66025.3
- Required or funded services as set forth in CCCCCO Student Fee Handbook
- Refundable deposits as set forth in CCCCCO Student Fee Handbook
- Distance education (other than the statutorily authorized enrollment fees) as set forth in CCCCCO Student Fee Handbook

- **Mandatory mailings as set forth in CCCC Student Fee Handbook**
- **Rental of practice rooms except permissible optional service fee as set forth in CCCC Student Fee Handbook**
- **Apprenticeship courses as set forth in CCCC Student Fee Handbook**
- **Technology except permissible optional fees as set forth in CCCC Student Fee Handbook**
- **Late payment as set forth in Title 5 Sections 58502 and 59410**
- **Nursing/healing arts student liability insurance as set forth in Title 5 Section 55234**
- **Cleaning as set forth in CCCC Student Fee Handbook**
- **Breakage as set forth in CCCC Student Fee Handbook**
- **Test proctoring as set forth in CCCC Student Fee Handbook**

Collection and Refund of Fees

Fees are collected at the time of registration.

Fees that are raised by an act of the Legislature and made effective following registration by a student will be calculated and added to the student's account. The student will be notified of the fee amount.

Fees that are refundable due to changes in law or regulation authorizing and establishing enrollment fees shall be refunded.

- 1.—Any fee or tuition collected in error or collected for a class that is canceled by the College shall be refunded.
- 2.—Nonresident tuition shall be refundable, upon application, for classes which are dropped during the first **four** 4 weeks of the quarter length classes and before the **second** 2nd-class meeting for classes of more than one week but less than a quarter in length.
- 3.—Students who have had a change in their residency, and were initially charged out of state fees in error, may request a refund within the academic year (prior to June 30) of the documented residency change. Nonresident fees are not reversible or refundable past the single academic year period.
- 4.—The enrollment fee, health fee, student body fee and campus center fee are refundable, upon application, if all classes are officially dropped during the first two weeks of the class.
- 5.—The parking fee is non-refundable except when collected in error or when the fee has been paid for attending a class that is canceled.

Students will be notified of the availability of exemptions from certain mandatory and authorized fees.

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See Board Policy 4070 (Note: currently BP 5002) Auditing by Students and Auditing Fees

See Board Policy 5020 (Note: currently BP 5015) Nonresident Tuition

See Administrative Procedure 5020 Nonresident Tuition

See Board Policy 5030—Refund of Fees

See Administrative Procedure 5031 (Note: currently BP 5020) Instructional Materials Fees

See Administrative Procedure 4235 (Note: currently AP 6030) Credit by Examination

California Education Code **Sections 66025.3, 70902(b)(9) § 76140, 76300, 76300.5**
76355, 76360

California Code of Regulations, Title 5, Section 51012

~~California Administrative Code, Title 5, § 54070, 58500-58508~~

California Community College Chancellor's Office (CCCCO) Student Fee Handbook

Approved 5/3/82

Reviewed 1/4/99

Revised by Chancellor's Staff 8/11/08

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Instructional and Other Materials and Use Fees

5020-AP 5031

The District may require students to provide instructional ~~and other~~ materials required for a credit or noncredit course, provided that such materials are of continuing value to students outside of the classroom setting and provided that such materials are not solely or exclusively available from the District. Except as specifically authorized or required by the Education Code, the District shall not require a student to pay a fee for any instructional ~~or other~~ materials required for a credit or noncredit course.

Required instructional materials shall not include materials used or designed primarily for administrative purposes, class management, course management, or supervision.

Where instructional materials are available to a student temporarily through a licence or access fee, the student shall be provided options at the time of purchase to maintain full access to the instructional materials for varying periods of time, ranging from the length of the class up to at least two years. The terms of the license or access fee shall be provided to the student in a clear and understandable manner prior to purchase.

Instructors shall take reasonable steps to minimize the cost and ensure the necessity of instructional materials.

The District will publish these regulations in each college catalog.

Definitions

“Required instructional ~~and other~~ materials” are any ~~instructional and other~~ materials which a student must procure or possess as a condition of registration, enrollment or entry into a class; or any such material which **the instructor determines** is necessary to achieve ~~those~~ **the** required objectives of a course ~~which are to be accomplished under the supervision of an instructor during class hours.~~

“Solely or exclusively available from the District” means that the **instructional** material is not available except through the District, or that the District requires that the **instructional** material be purchased or procured from it. A material shall not be considered to be solely or exclusively available from the District if it is provided to the student at the District’s **actual** cost, and

- a) the **instructional** material is otherwise generally available, but is provided solely or exclusively by the District for health and safety reasons; or

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- b) the **instructional** material is provided in lieu of other generally available but more expensive material which would otherwise be required.

“Required instructional ~~and other~~ materials which are of continuing value outside of the classroom setting” are ~~those~~ materials which can be taken from the classroom setting, and which are not wholly consumed, used up, or rendered valueless as they are applied in achieving the required objectives of a course which are to be accomplished under the supervision of an instructor during **the** class ~~hours~~. Such materials include, but are not limited to, textbooks, tools, equipment, clothing and those materials that are necessary for the student’s vocational training and employment.

Establishing Required Instructional Materials Fees

(CCLC Note: Insert local procedures here, including: 1) How need is determined and by whom; how compliance with definitions is determined and by whom; how materials will be provided and by whom; procedures for publishing and collecting fees; who is responsible for gathering related data and responding to the California Community Colleges Chancellor’s Office inquiries regarding these fees.)

(Note: The district’s current policy on instructional materials fees is being moved to procedure in keeping with the CCLC templates.)

~~The administration shall establish procedures governing class, materials, laboratory, and use fees that may legally be charged to students.~~

The instructional and finance divisions of each college shall review instructional materials fees on a quarterly basis to determine the need for the fees and compliance with applicable laws and regulations. On an annual basis, the colleges shall submit for governing board approval a list of all courses requiring instructional material fees.

The **instructional materials fees** ~~policies and~~ procedures shall be uniformly enforced throughout the District and will ensure that the fees charged at both campuses will be based on the same criteria and practices. ~~Class schedules, other than those mailed to resident addresses, shall be sold at a cost that will defer the expense of preparing and printing the schedule.~~

Instructional materials fees are detailed in the online class schedule. Unless there is an issue of health or safety, students can either pay the fees to the college or provide materials of equal quality. Instructors shall provide students with a list of required materials.

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The Vice Chancellor of Business Services is responsible for gathering data and responding to any inquiries regarding instructional materials fees initiated by the California Community Colleges Chancellor’s Office.

Income from such fees shall become supplemental income for the areas in which they were assessed as cost of materials or services. Staff and students should be informed of the distinction between these fees and unit cost.

California Education Code **Section 76365** ~~§ 76300-76395~~
Title 5, Sections ~~59400-59408~~ **et seq.**

Approved 5/3/82
Amended 6/15/09

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Faculty Academic Employees

4155-7210

Academic employees are all persons employed by the District in academic positions. Academic positions include every type of service, other than paraprofessional service, for which minimum qualifications have been established by the Board of Governors for the California Community Colleges.

Faculty are those employees who are employed by the District in academic positions that are not designated as supervisory or management ~~and for which minimum qualifications for service have been established.~~ **Faculty positions include, but are not limited to, instructors, librarians, counselors, and professionals in health services, Disabled Students Programs and Services, and Extended Opportunity Programs and Services.**

Decisions regarding tenure of faculty shall be made in accordance with the evaluation procedures established for the evaluation of probationary faculty and in accordance with the requirements of the Education Code. The Board reserves the right to determine whether a faculty member shall be granted tenure.

The District may employ temporary faculty from time to time as required by the interests of the District. Temporary faculty may be employed full time or part time. The Board delegates authority to the Chancellor to determine the extent of the District's needs for temporary faculty.

Notwithstanding this policy, the District shall comply with its goals under the Education Code regarding the ratio of full-time to part-time faculty to be employed by it and for making progress toward the standard of 75% of total faculty work load hours taught by full-time faculty.

(Note: The following existing language is not part of the CCLC template.)

- ~~A) A full time faculty member is one who is employed to perform a full load of instruction, counseling or direct assistance with learning resources. In addition to classroom instruction, counseling or student and learning resource services, full time faculty are expected to hold regularly scheduled office hours, participate in the governance of the college/district and provide service to the Foothill De Anza community as well as other related professional activities including but not limited to curriculum planning, professional growth activities, and participation in student activities as appropriate.~~
- ~~B) A part time faculty member is one who is employed for less than 60% **67 percent** of the annual load of scheduled duties (assigned teaching, counseling, or librarianship) for a full time faculty member having comparable duties.~~

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~~Terms and conditions of faculty employment are negotiated with the Foothill-De Anza Faculty Association.~~

Education Code Sections 87400 et seq., 87419.1, 87600 et seq., 87482.8
California Code of Regulations Title 5, Section 51025

Approved 11/21/62
Amended 4/6/64; 2/3/75; 6/28/76; 11/18/96