



Chancellor's Advisory Council

Meeting Agenda – January 15, 2021

Zoom

<https://fhda-edu.zoom.us/j/97132832648?pwd=RjdHOWZlZm9RSmMraFpXR29GOE8zUT09>

9:00-10:30 a.m.

AGENDA TOPIC	PURPOSE/DESIRED OUTCOME	DISCUSSION LEADER
1. Welcome and introductions	I – Allow council members and guests to identify each other by name and constituent group represented and/or role at the colleges/district.	Judy Miner
2. Approval of November 13, 2020, meeting summary and December 2, 2020, e-meeting summary (<i>attachment 2</i>)	A – Provide accurate record of previous meeting.	Judy Miner
3. Proposed new and revised board policies (BP) and administrative procedures (AP) (Second Reading) (<i>attachment 3</i>) <ul style="list-style-type: none"> AP 3415 Immigration Enforcement Activities (New) AP 5017 Responding to Inquiries of Immigration Status, Citizenship Status, and National Origin Information (New) AP 6740 Citizens' Bond Oversight Committee (Revision) 	D/A – Share feedback from constituents and approve.	Judy Miner
4. Draft BP/AP 3900 Speech: Time, Place, and Manner (Revision) (First Reading) (<i>attachment 4</i>)	D – Provide input and seek feedback from constituencies for discussion at next meeting.	Judy Miner
5. Draft redistricting timeline (<i>attachment 5</i>)	I/D – Broaden awareness of the redistricting process and share information about hearings with constituencies.	Judy Miner
6. 2021-22 Governor's proposed budget	I - Provide information for council members to disseminate to constituents.	Susan Cheu
7. Board of Trustees Priorities 2020-21 (standing item)	I/D – Gain understanding of 2020-21 priorities adopted by the Board of Trustees and how the priorities are being implemented at the colleges and Central Services. Provide feedback, and share information with constituencies.	Judy Miner
8. District initiatives update (standing item)	I/D – Broaden awareness regarding districtwide initiatives, provide feedback/advice, and share information with constituencies.	Judy Miner
9. Enrollment management (standing item)	I/D – Gain understanding of enrollment initiatives, provide feedback/advice, and share information with constituencies.	Thuy Nguyen and Lloyd Holmes
10. District Governance Committee/Constituent Group Reports <ul style="list-style-type: none"> District Budget Advisory Committee http://www.fhda.edu/about-us/participatorygovernance/C-budget-advisory-committee.html Human Resources Advisory Committee/District Diversity and Equity Advisory Committee http://hr.fhda.edu/diversity/c-meeting-minutes-and-agendas.html Educational Technology Advisory Committee http://ets.fhda.edu/governance-committees/etac/index.html Business Process Alignment Task Force https://www.yammer.com/fhda.edu/-/threads/inGroup?type=in_group&feedId=14505859 	I – Broaden awareness. Provide information for council members to disseminate to constituents about work/actions of districtwide governance groups and constituent groups.	All
11. Dates to remember/other information and updates	I – Share information for council members to disseminate to constituents.	All

<ul style="list-style-type: none"> Rescheduling of February 19, 2021, Chancellor's Advisory Council meeting to another date 		
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I – Information, D – Discussion, A – Action

2020-21 Chancellor’s Advisory Council meeting dates:

<i>October 16, 2020</i>	<i>March 12, 2021</i>
<i>November 13, 2020</i>	<i>April 23, 2021</i>
<i>January 15, 2021</i>	<i>May 14, 2021</i>
<i>February 19, 2021</i>	<i>June 18, 2021</i>



FOOTHILL-DE ANZA
Community College District

Office of the Chancellor

CHANCELLOR'S ADVISORY COUNCIL

Meeting Summary

November 13, 2020

Present: Becky Bartindale, Anthony Cervantes, Susan Cheu, Karen Chow, Isaac Escoto, Lloyd Holmes, Kurt Hueg, Kathryn Maurer, Kevin Metcalf, Judy Miner, Joe Moreau, Abhiraj Muhar, Mallory Newell, Thuy Nguyen, Dorene Novotny, Katelyn Pan, Tim Shively, David Ulate, Myisha Washington, Chris White

1. Welcome and introductions

Chancellor Miner welcomed council members and guests.

2. Approval of October 16, 2020, meeting summary

The October 16, 2020, Chancellor's Advisory Council (CAC) meeting summary was approved by consensus.

3. Proposed new and revised board policies (BP) and administrative procedures (AP)

Previously reviewed

- BP 3510 (formerly BP 4515) Violence in the Workplace (Revision)
- AP 3510 Violence in the Workplace (New)

The council reviewed and approved by consensus draft board policy and administrative procedure 3510 regarding violence in the workplace. Judy advised that the policy would be presented to the governing board for first reading at the December 14, 2020, meeting.

First reading

- AP 3415 Immigration Enforcement Activities (New)
- AP 5017 Responding to Inquiries of Immigration Status, Citizenship Status, and National Origin Information (New)
- AP 6740 Citizens' Bond Oversight Committee (Revision)

Proposed new and revised administrative procedures were discussed. Judy asked council members to share the drafts with constituents and present feedback at the next Chancellor's Advisory Council meeting.

4. Foothill College, De Anza College, and Central Services budget reduction collateral plans as of 11/1/20

Budget reduction collateral plans submitted by the colleges and Central Services were discussed. Lloyd and Thuy confirmed that if a time comes when reductions are needed,

the colleges' shared governance groups would be involved in determining the specifics of cuts within the broad categories listed. Chris reminded the council that freezing or not refilling positions is a cut.

5. Board of Trustees Priorities 2020-21

Judy provided an update regarding housing partnerships, noting that a potential project with Alta Housing looks particularly promising.

With regard to campus safety, Judy advised that she, Pat Hyland, and Becky Bartindale are in the process of interviewing facilitators for the Campus Safety Task Force. She expressed hope that the task force would be able to present a series of options or at least a progress report to the governing board by the end of the academic year.

Judy also spoke about participating in the California Community College Chancellor's Office Trustee Fellowship program along with Board President Pearl Cheng and Board Vice President Peter Landsberger. She advised that the district intends to apply for a \$50,000 grant, available to those participating in the program, to help move the board's priorities forward.

Abhi expressed appreciation regarding the board's priorities and suggested that the district look at opportunities to support clean and renewable energy sources when looking at housing. He asked that the district be sure to bring all perspectives into the discussion of campus safety and communicate clearly about timelines and steps being taken. Judy responded that she will be asking the facilitator's advice regarding the approach to task force membership and committed to not sacrificing a good outcome and good process for the sake of a deadline. She reminded everyone to consider sustainability during the college Facilities Master Plan updates and to look at projects through an equity lens.

In response to Kathryn's question regarding board priority 2. *Identify equity and student success goals the Board will regularly monitor*, Judy indicated that the governing board will be focused on monitoring just a few metrics. She suggested that the council discuss the types of study sessions that might be scheduled and possible metrics the governing board should review at the next council meeting.

6. District initiatives update

Judy spoke about her announcement regarding the decision to opt out of athletic competition and to extend remote instruction and services through the end of spring quarter 2021. She advised that she and the college presidents will meet with student athletes November 16 to discuss the decision. In response to a question from Tim, Lloyd and Judy advised that Student Services staff at both colleges are reaching out to student athletes to let them know counseling is available. Judy reported in reply to a question from Chris that the federal CARES Act funding will be fully spent by December. She noted that student health insurance will only cover testing once per week, but Santa Clara County requires that student athletes be tested three times per week.

Judy reported that Laurie Scolari and Rob Mieso have been added to the Foothill-De Anza Foundation's strategic planning process to help with the Foundation's support of student basic needs.

7. Enrollment management

Susan reported that the district saw a slight decrease in enrollment in the fall quarter. David advised that the district was down 2% at census, but colleges throughout the state and nation have seen an average 10% decline.

Abhi questioned whether the district has lost second year students because of COVID-19 and asked for a focus on retention to help students who feel disheartened in completing their educational goals.

6. District Governance Committee/Constituent Group Reports

District Budget Advisory Committee <http://www.fhda.edu/about-us/participatorygovernance/C-budget-advisory-committee.html>

Susan advised that the District Budget Advisory Committee reviewed the district's Adopted Budget at a meeting held October 20, 2020, and would be discussing the state and federal COVID-19 grants at the next meeting.

Human Resources Advisory Committee/District Diversity and Equity Advisory Committee <http://hr.fhda.edu/diversity/c-meeting-minutes-and-agendas.html>

Dorene reported that the District Diversity and Equity Advisory Committee reviewed and suggested changes to the draft Board Priorities, has been working on revisions to the faculty and administrative hiring procedures, and is involved in planning professional development events with Dr. Joy DeGruy and Kenneth Shelton. In response to Kathryn's question, Dorene advised that she hopes to bring the changes to the faculty hiring procedures to the January CAC meeting for first reading, and faculty can begin to use the new procedures once approved by CAC.

Educational Technology Advisory Committee <http://ets.fhda.edu/governance-committees/etac/index.html>

Joe reported that needs assessment surveys will be sent to the colleges and Central Services soon in connection with the revision of the district Technology Master Plan. He also spoke of the excellent student representation on the committee this year.

7. Dates to remember/Other information and updates

In response to a question from Abhi, Isaac confirmed that the Academic and Professional Matters Committee approved priority registration for student leaders. Joe advised that the coding takes a bit of time, but the changes should be in place by spring.

The meeting adjourned at 10:30 a.m.



CHANCELLOR'S ADVISORY COUNCIL
Meeting Summary
December 2, 2020

1. Approval of revised Board Policy and Administrative Procedure 4235 Credit for Prior Learning

On December 2, 2020, proposed revisions to board policy and administrative procedure 4235 approved by the Academic and Professional Matters Committee earlier in the day were distributed to the Chancellor's Advisory Council by email for review. The revisions were shared by email, rather than at a regular meeting, because Chancellor's Advisory Council was not scheduled to meet until January, and the district faced a California Community Colleges Chancellor's Office December 31 deadline to certify compliance with credit for prior learning regulations (Title 5, Section 55050). Council members were asked to review the changes, share with constituents, and contact the Chancellor's Office with questions or concerns.

Because the policy and procedure involve academic and professional matters, changes to the administrative procedure were considered effective upon approval of the Academic and Professional Matters Committee. The changes to the board policy were scheduled for presentation to the Board of Trustees for approval on December 14, 2020.



Book	Administrative Procedures
Section	Chapter 3 - General Institution
Title	Immigration Enforcement Activities
Code	AP 3415
Status	New
Legal	Education Code 66093.3 Education Code Sections 66093
Origin	CCLC legally required - Language based on California Attorney General's model policy

Responding to Requests for Access for Immigration Enforcement Activities

District personnel shall provide guidance and offer to campus employees training addressing law enforcement access to campus buildings. This guide shall include the following required topics:

- **Campus police contact information to report concerns about the presence of officers engaged in immigration enforcement on any campus property.**
- **Samples of warrant and subpoena documents that could be used for access onto campus property, or to seize or arrest students or other individuals on campus.**
- **Sample responses for building personnel to use in response to officers seeking access for immigration enforcement purposes that avoids classroom interruptions, and that preserves the peaceful conduct of the school's activities.**

College personnel shall advise all students, faculty, and staff to immediately notify the appropriate President's Office or the President's designee if advised that an officer engaged in immigration enforcement is expected to enter, will enter, or has entered the campus for immigration enforcement purposes. Central Services personnel shall notify the Chancellor's Office or the Chancellor's designee under such circumstances. Campus police should also be notified as soon as possible.

No personnel may consent to entry of District facilities or portions thereof.

College personnel shall advise all students, faculty, and staff responding to or having contact with an officer engaged in immigration enforcement executing an immigration order to refer the entity or individual to the appropriate President's Office or the President's designee, for purposes of verifying the legality of any warrant, court order, or subpoena. Central Services personnel shall notify the Chancellor's Office or the Chancellor's designee under such circumstances.

If the officer declares that exigent circumstances exist and demands immediate access to the campus, District personnel should not refuse the officer's orders and should immediately contact the President, if a college employee, or the Chancellor, if a Central Services employee.

The President or Chancellor's Office or the designee of the President or Chancellor shall determine what type of authorization is being provided to support the officer's request for access:

- A U.S. Immigrations and Customs Enforcement (ICE) “warrant.” Immediate compliance is not required. District personnel shall inform the officer that he/she cannot consent to any request without first consulting with the appropriate President, if a college employee, or Chancellor, if a Central Services employee. Provide copy of the warrant to the designated administrator (where possible, in consultation with legal counsel) as soon as possible.
- A federal judicial warrant (search-and-seizure warrant or arrest warrant): Prompt compliance with such a warrant is usually legally required, but where feasible, consult with the appropriate President, if a college employee, or Chancellor, if a Central Services employee, before responding.
- A subpoena for production of documents or other evidence: Immediate compliance is not required. Inform the officer that the District cannot respond to the subpoena until after it has been reviewed by a designated administrator. Provide a copy of the subpoena to a designated administrator or legal counsel as soon as possible.
- A notice to appear: This document is not directed at the District. District personnel are under no obligation to deliver or facilitate service of this document to the person named in the document. If a copy of the document is received, it must be given to a designated administrator as soon as possible.

District personnel should not attempt to physically interfere with an officer, even if the officer appears to be acting without consent or exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, District personnel shall make a record of the contact and forward the information to the President or Chancellor, as appropriate.

In making record of the contact with an immigration enforcement officer, District personnel shall provide the following information:

- Name of the officer, and, if available, the officer’s credentials and contact information;
- Identity of all school personnel who communicated with the officer;
- Details of the officer’s request;
- Whether the officer presented a warrant, subpoena, or court order to accompany his/her request, what was requested in the warrant/subpoena/court order, and whether the warrant/subpoena/court order was signed by a judge;
- District personnel’s response to the officer’s request;
- Any further action taken by the immigration officer; and
- Photo or copy of any documents presented by the agent.

District personnel shall provide a copy of those notes, and associated documents collected from the officer, to the appropriate President’s Office, if a college employee, or Chancellor’s Office, if a Central Services employee.

In turn, the President or Chancellor shall submit a timely report to the District’s governing board and the campus public safety office regarding the officer’s requests and actions and the District’s response(s).

Responding to Immigration Acts Against Students or Family Members

If there is reason to suspect that a student, faculty member, or staff person has been taken into custody as the result of an immigration action, District personnel shall notify the person’s emergency contact that the person may have been taken into custody.

District personnel shall designate a staff person as a point of contact for any student, faculty member, or staff person who may or could be subject to an immigration order or inquiry.

District personnel shall not discuss the personal information, including immigration status information, of any student, faculty member, or staff person with anyone, or reveal the personal information to anyone, unless disclosing this information is permitted by federal and state law.

District personnel shall maintain a contact list of legal service providers who provide legal immigration representation and provide this list free of charge to any student who requests it. At minimum, the list shall include the legal service provider’s name and contact number, e-mail address, and office address.

If a student is detained or deported, or is unable to attend to his/her academic requirements because of an immigration order, District shall make all reasonable efforts to assist the student in retaining any eligibility for financial aid, fellowship stipends, exemption from nonresident tuition fees, funding for research or other educational projects, housing stipends or services, or other benefits the student has been awarded or received subject to and in compliance with its policy.

District personnel shall permit a student who is subject to an immigration order to reenroll if and when the student is able to return to the District, subject to and in compliance with its policy and will make reasonable and good-faith efforts to provide for a seamless transition in the student's reenrollment and reacquisition of campus services and support.

District personnel shall be available to assist any student, faculty, and staff who may be subject to an immigration order or inquiry, or who may face similar issues, and whose education or employment is at risk because of immigration enforcement actions.



Book	Administrative Procedures
Section	Chapter 5 - Student Services (including former Article 5 - Students)
Title	Responding to Inquiries of Immigration Status, Citizenship Status, and National Origin Information
Code	AP 5017
Status	New
Legal	Education Code Section 66093 Education Code Section 66093.3 Education Code Section 68076 California Code of Regulations, Title 5, Section 41905
Origin	CCLC Legally required - Derived from CA Attorney General model language

Unless required by federal or state law, the District shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.

Where any law contemplates submission of immigration status or citizenship status information to satisfy the requirements of a special program, the District shall not use that documentation or information for decisions related to admissions or enrollment in courses or degree programs.

The District is not permitted to use immigration status, citizenship status, or national origin information in personal statements outside the application process, other than for legitimate educational interests, including the provision of a service or benefit relating to the student, such as health care, counseling, job placement or financial aid.

If the District learns of a student's immigration status through its application process (including the students' personal statement or answers to personal insight questions), the District shall create policies and procedures to protect such personal identifiable information and retain the information only to the extent it is necessary or required by law. The District shall avoid the disclosure of information that might indicate a student or family's citizenship or immigration status if the disclosure is not authorized by the Family Educational Rights and Privacy Act (FERPA) or state law.

Where permitted by law, the Dean of Enrollment Services of the District shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status or citizenship status, and that do not reveal information related to citizenship or immigration status.

Examples of documents that can be used as proof of residency include but are not limited to:

- Registering a motor vehicle operated in California;
- Obtaining a California driver's license or California identification card;
- Filing a resident or nonresident California state income tax return;
- Listing a California address on a federal income tax return;
- Listing a permanent military address or home of record in California;
- A professional or vocational license obtained from a California state licensing agency (e.g., nursing, teaching credentials);

- Maintaining active resident memberships in California based professional organizations (e.g., police union, teachers' union); and
- Maintaining an active bank account at a California bank.

Where a District is permitted by law to request a minor student's parent's residency information in order to determine tuition or aid, the educational institution shall only require documentation or information that is available to persons regardless of immigration status (as noted above).

Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this administrative procedure, the District's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this administrative procedure.

Specifically, where the District must determine a student's residency for purposes of in-state tuition, the District shall not inquire about a parent/guardian's citizenship or immigration status, and shall enumerate alternative means of establishing a parent/guardian's residency. If the student is considered a minor dependent of a California resident, the college or university shall only require documents to determine whether the parent has resided in California for one year (e.g. vehicle registration, lease agreements, etc.).



Book	Administrative Procedures
Section	Chapter 6 - Business and Fiscal Affairs (including former Article 3 - Business, Operations, Systems and Facilities)
Title	Citizens' Bond Oversight Committee
Code	AP 6740
Status	Up For Revision
Legal	Education Code Section 15278 Education Code Section 15280 Education Code Section 15282
Adopted	November 15, 2013
Last Revised	January 17, 2014
Origin	updated Bylaws approved by Board 6/2/20
Office	Vice Chancellor Business Services
Upload	February 25, 2015

~~Section 1. Citizen's Bond Oversight Committee established.~~

~~The Foothill-De Anza Community College District (the "District") was successful at the election conducted on June 6, 2006 (the "Election"), in obtaining authorization from the District's voters to issue up to \$490,800,000 aggregate principal amount of the District's general obligation bonds (the "Measure C"). The election was conducted under Proposition 39, being chaptered as the Strict Accountability in Local School Construction Bonds Act of 2000, at Section 15264 et seq. of the Education Code of the State ("Prop 39"). Pursuant to Section 15278 of the Education Code, the District is now obligated to establish the Committee in order to satisfy the accountability requirements of Prop 39. The Board of Trustees of the Foothill-De Anza Community College District (the "Board") hereby establishes the Citizens' Bond Oversight Committee (the "Committee") which shall have the duties and rights set forth in these Bylaws. The Committee does not have independent legal capacity from the District.~~

~~Section 2. Purpose~~

~~The purposes of the Committee are set forth in Prop 39, and these Bylaws are specifically made subject to the applicable provisions of Prop 39 as to the duties and rights of the Committee. The Committee shall be deemed to be subject to the Ralph M. Brown Public Meetings Act of the State of California and shall conduct its meetings in accordance with the provisions thereof. The District shall provide necessary administrative support to the Committee as shall be consistent with the Committee's purposes, as set forth in Prop 39.~~

~~The proceeds of general obligation bonds issued pursuant to the Election are hereinafter referred to as "bond proceeds." The Committee shall confine itself specifically to bond proceeds generated under Measure C. Regular and deferred maintenance projects and all monies generated under other sources shall fall outside the scope of the Committee's review.~~

~~Section 3. Duties~~

~~To carry out its stated purposes, the Committee shall perform only the following duties:~~

~~3.1 Inform the Public. The Committee shall inform the public concerning the District's expenditure of bond proceeds.~~

~~3.2 Review Expenditures. The Committee shall review expenditure reports produced by the District to ensure that (a) bond proceeds were expended only for the purposes set forth in the Measure C; and (b) no bond proceeds were used for any teacher or administrative salaries or other operating expenses.~~

~~3.3 Annual Report. The Committee shall present to the Board, in public session, an annual written report which shall include the following:~~

~~(a) A statement indicating whether the District is in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution; and~~

~~(b) A summary of the Committee's proceedings and activities for the preceding year.~~

~~3.4 Duties of the Board and/or Chancellor. Either the Board or the Chancellor, as the Board shall determine, shall have the following powers reserved to it, and the Committee shall have no jurisdiction over the following types of activities:~~

~~(i) Approval of construction contracts;~~

~~(ii) Approval of construction change orders;~~

~~(iii) Expenditure of construction funds;~~

~~(iv) Handling of all legal matters;~~

~~(v) Approval of construction plans and schedules;~~

~~(vi) Approval of all deferred maintenance plans; and~~

~~(vii) Approval of the sale of bonds.~~

~~3.5 Voter-Approved Projects Only. In recognition of the fact that the Committee is charged with overseeing the expenditure of bond proceeds, the Board has not charged the Committee with responsibility for:~~

~~(a) Projects financed through the State of California, developer fees, redevelopment tax increment, certificates of participation, lease/revenue bonds, the general fund or the sale of surplus property without bond proceeds shall be outside the authority of the Committee.~~

~~(b) The establishment of priorities and order of construction for the bond projects, which shall be made by the Board in its sole discretion.~~

~~(c) The selection of architects, engineers, soils engineers, construction managers, project managers, CEQA consultants and such other professional service firms as are required to complete the project based on District criteria established by the Board in its sole discretion.~~

~~(d) The approval of the design for each project including exterior materials, paint color, interior finishes, site plan and construction methods (modular vs. permanent) by the Board in its sole discretion and shall report to the Committee on any cost saving techniques considered or adopted by the Board.~~

~~(e) The selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to support the activities of the Committee.~~

~~(f) The approval of an annual budget for the Committee that is sufficient to carry out the activities set forth in Prop 39 and included herein.~~

~~Section 4. Authorized Activities~~

~~4.1 In order to perform the duties set forth in Section 3.0, the Committee may engage in the following authorized activities:~~

~~(a) Receive and review copies of the District's annual independent performance audit and annual independent financial audit, required by Article XIII A of the California Constitution.~~

~~(b) Inspect college facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District's Chancellor.~~

~~(c) Review copies of deferred maintenance proposal or plans developed by the District.~~

~~(d) Review efforts by the District to maximize bond proceeds by implementing various cost-saving measures.~~

~~Section 5. Membership~~

~~5.1 Number.~~

~~The Committee shall consist of a minimum of seven (7) members appointed by the Board of Trustees from a list of candidates submitting written applications, and based on criteria established by Prop 39, to wit:~~

- ~~• One (1) student enrolled and active in a community college support group, such as student government.~~
- ~~• One (1) member active in a business organization representing the business community located in the District.~~
- ~~• One (1) member active in a senior citizens' organization.~~
- ~~• One (1) member active in a bona-fide taxpayers association.~~
- ~~• One (1) member active in a support organization for Foothill College or De Anza College, such as a foundation or advisory council.~~
- ~~• Two (2) members of the community at-large.~~

~~5.2 Qualification Standards.~~

~~(a) To be a qualified person, he or she must be at least 18 years of age and reside within the boundaries of the District.~~

~~(b) The committee may not include any employee, official of the District or any vendor, contractor or consultant of the District.~~

~~5.3 Ethics: Conflicts of Interest.~~

~~By accepting appointment to the Committee, each member agrees to comply with Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code.~~

~~5.4 Term.~~

~~Except as otherwise provided herein, each member shall serve a term of two (2) years, commencing on the date of the first meeting of the Committee. No member may serve more than three (3) consecutive terms. At the Committee's first meeting, members will draw lots or otherwise select a minimum of two members to serve for an initial one (1) year term and the remaining members for an initial two (2) year term.~~

~~5.5 Appointment.~~

~~Members of the Committee shall be appointed by the Board through the following process:~~

- ~~(a) appropriate local groups will be solicited for applications;~~
- ~~(b) the Chancellor or his or her designee will review the applications; and~~
- ~~(c) the Chancellor or his or her designee, following consultation with the Board President, will make recommendations to the Board.~~

~~5.6 Removal; Vacancy.~~

~~The Board may remove any Committee member for any reason, including failure to attend two consecutive Committee meetings without reasonable excuse or for failure to comply with the Board of Trustee Ethics Policy. Upon a member's removal, his or her seat shall be declared vacant. The Board, in accordance with the established appointment process shall fill any vacancies on the Committee. Vacancies shall be filled within 90 days from the initial date of each such vacancy.~~

~~5.7 Compensation.~~

~~The Committee members shall not be compensated for their services.~~

~~5.8 Authority of Members.~~

- ~~(a) Committee members shall not have the authority to direct staff of the District;~~
- ~~(b) individual members of the Committee retain the right to address the Board, either on behalf of the Committee or as an individual; and~~
- ~~(c) the Committee may only receive copies of reports and documents which have been previously presented to the Board and which are a public record.~~

~~Section 6. Meetings of the Committee~~

~~6.1 Regular Meetings.~~

~~The Committee is required to meet at least once a year but may meet more often as the Committee shall determine, but no more frequently than quarterly.~~

~~6.2 Location-~~

~~All meetings shall be held within the boundaries of the Foothill-De Anza Community College District.~~

~~6.3 Procedures-~~

~~All meetings shall be open to the public in accordance with the Ralph M. Brown Act, Government Code Section 54950 et seq. Meetings shall be conducted according to such additional procedural rules as the Committee may adopt. A majority of the number of Committee members shall constitute a quorum for the transaction of any business of the Committee.~~

~~Section 7. District Support~~

~~7.1 Assistance-~~

~~The District shall provide to the Committee necessary technical and administrative assistance as follows:~~

- ~~(a) preparation of and posting of public notices as required by the Brown Act, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the District Board;~~
- ~~(b) provision of a meeting room, including any necessary audio/visual equipment;~~
- ~~(c) preparation and copies of any documentary meeting materials, such as agendas and reports; and~~
- ~~(d) retention of all Committee records, and providing public access to such records on an Internet website maintained by the District.~~

~~7.2 Attendance~~

~~District staff and/or District consultants shall attend Committee proceedings in order to report on the status of projects and the expenditures of bond proceeds.~~

~~7.3 Proceeds to support the committee~~

~~No bond proceeds shall be used to provide District support to the Committee.~~

~~Section 8. Reports~~

~~In addition to the Annual Report required in Section 3.2, the Committee may report to the Board from time to time in order to advise the Board on the activities of the Committee. The Annual Report shall be in writing and shall summarize the proceedings and activities conducted by the Committee.~~

~~Section 9. Officers~~

~~The Chancellor shall appoint the initial Chair to serve for an initial one (1) year term. The Committee shall elect an initial Vice-Chair. Thereafter, the Committee shall elect a Chair and a Vice-Chair who shall act as chair only when the Chair is absent~~

~~Section 10. Amendment of Bylaws~~

~~Any amendment to these Bylaws shall be approved by a majority vote of the Board.~~

~~Section 11. Termination~~

~~The Committee shall automatically terminate and disband 180 days following the date when all Measure C bond proceeds have been spent.~~

INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE AMENDED AND RESTATED BYLAWS

Section 1. Committee Established. The Foothill-De Anza Community College District (the "District") was successful at the election conducted on June 6, 2006 (the "Measure C Election"), in obtaining authorization from the District's voters to issue up to \$490,800,000 aggregate principal amount of the District's general obligation bonds. On March 3, 2020, the District was successful in obtaining authorization from the District's voters to issue up to \$898,000,000 aggregate principal amount of the District's general obligation bonds ("Measure G Election"). The Measure C Election and the

Measure G Election are hereinafter collectively referred to as the “Elections.” Both Elections were conducted under Proposition 39, being chaptered as the Strict Accountability in Local School Construction Bonds Act of 2000, at Section 15264, et seq. of the California Education Code (“Prop 39”). Pursuant to Section 15278 of the Education Code, the District is obligated to establish an Independent Citizens’ Bond Oversight Committee (“Committee”) in order to satisfy the accountability requirements of Prop 39. The Board of Trustees of the District (the “Board”) has previously established the Committee which shall have the duties and rights set forth in these Bylaws. The Committee does not have independent legal capacity from the District.

Section 2. Purposes. The purposes of the Committee are set forth in Prop 39, and these Bylaws are specifically made subject to the applicable provisions of Prop 39 as to the duties and rights of the Committee. The Committee shall be deemed to be subject to the Ralph M. Brown Public Meetings Act of the State of California and shall conduct its meetings in accordance with the provisions thereof. The District shall provide necessary administrative support to the Committee as shall be consistent with the Committee's purposes, as set forth in Prop 39.

The proceeds of general obligation bonds issued pursuant to the Elections are hereinafter referred to as “bond proceeds.” The Committee shall confine itself specifically to bond proceeds generated under Measure C and Measure G. Regular and deferred maintenance projects and all monies generated from other sources shall fall outside the scope of the Committee’s review. However, to the extent that facilities are financed with a combination of Measure C and Measure G monies, and other non-bond funds, such projects shall be subject to Committee oversight and review.

Section 3. Duties. To carry out its stated purposes, the Committee shall perform the duties set forth in Sections 3.1, 3.2 and 3.3 and shall refrain from those activities set forth in Sections 3.4 and 3.5:

3.1 Inform the Public. The Committee shall inform the public concerning the District’s expenditure of bond proceeds. In fulfilling this duty, all official communications to either the Board or the public shall come from the Chair acting on behalf of the Committee. The Chair shall only release information that reflects the majority view of the Committee.

3.2 Review Expenditures. The Committee shall review expenditure reports produced by the District to ensure that (a) bond proceeds were expended only for the purposes set forth in Measure C and Measure G; and (b) no bond proceeds were used for any teacher or administrative salaries or other operating expenses, in compliance with Attorney General Opinion 04-110 issued on November 9, 2004.

3.3 Annual Report. The Committee shall present to the Board, in public session, no later than March 31 following each fiscal year, an annual written report which shall include the following:

(a) A statement indicating whether the District is in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution; and

(b) A summary of the Committee’s proceedings and activities for the preceding year.

3.4 Duties of the Board and/or Chancellor. Either the Board or the Chancellor, as the Board shall determine, shall have the following powers reserved to it, and the Committee shall have no jurisdiction over the following types of activities:

(i) Approval of contracts,

(ii) Approval of change orders,

(iii) Expenditures of bond funds,

(iv) Handling of all legal matters,

(v) Approval of project plans and schedules,

(vi) Approval of all deferred maintenance plans, and

(vii) Approval of the sale of bonds.

3.5 Measure C and Measure G Projects Only. In recognition of the fact that the Committee is charged with overseeing the expenditure of bond proceeds, the Board has not charged the Committee with responsibility for:

- (a) Projects financed through the State of California, developer fees, redevelopment tax increment, certificates of participation, lease/revenue bonds, the general fund or the sale of surplus property without bond proceeds shall be outside the authority of the Committee.
- (b) The establishment of priorities and order of construction for the bond projects, which shall be made by the Board in its sole discretion.
- (c) The selection of architects, engineers, soils engineers, construction managers, project managers, CEQA consultants and such other professional service firms as are required to complete the project based on District criteria established by the Board in its sole discretion.
- (d) The approval of the design for each project including exterior materials, paint color, interior finishes, site plan and construction methods (modular vs. permanent) which shall be determined by the Board in its sole discretion.
- (e) The selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to support the activities of the Committee.
- (f) The approval of an annual budget for the Committee that is sufficient to carry out the activities set forth in Prop 39 and included herein.
- (g) The adoption of a plan for publicizing the activities of the Committee, and a determination as to whether a mailer, a newspaper notice, or website materials would best suit the distribution of the Committee's findings and recommendations.
- (h) The amendment or modification of the Bylaws for the Committee, as provided herein, subject to the legal requirements of Proposition 39.
- (i) The appointment or reappointment of qualified applicants to serve on the Committee, subject to legal limitations, and based upon criteria adopted in the Board's sole discretion as part of carrying out its function under Prop 39.

Section 4. Authorized Activities.

4.1 In order to perform the duties set forth in Section 3.0, the Committee may engage in the following authorized activities:

- (a) Receive copies of the District's annual, independent performance audit and annual, independent financial audit required by Prop 39 (Article XIII A of the California Constitution) (together, the "Audits") at the same time said Audits are submitted to the District, and review the Audits.
- (b) Inspect District facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District's Chancellor.
- (c) Review copies of deferred maintenance proposals or plans developed by the District.
- (d) Review efforts by the District to maximize bond proceeds by implementing various cost-saving measures.
- (e) Receive from the Board, within three months of the District receiving the Audits, responses to any and all findings, recommendations and concerns addressed in the Audits, and review said responses.

Section 5. Membership.

Number.

The Committee shall consist of a minimum of seven (7) members appointed by the Board from a list of candidates submitting written applications, and based on criteria established by Prop 39, to wit:

- One (1) student enrolled and active in a community college support group, such as student government.
- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizens' organization.
- One (1) member active in a bona-fide taxpayers association.
- One (1) member active in a support organization for the District, such as a foundation or advisory council.
- Two (2) members of the community at-large.

5.2 Qualification Standards.

(a) To be a qualified person, he or she must be at least 18 years of age.

(b) The Committee may not include any employee, official of the District or any vendor, contractor or consultant of the District.

5.3 Ethics: Conflicts of Interest.

(a) Members of the Committee are not subject to the Political Reform Act (Gov. Code §§ 81000, et seq.), and are not required to complete Form 700; but, each member shall comply with the Committee Ethics Policy attached as "Attachment A" to these Bylaws.

(b) Pursuant to Section 35233 of the Education Code, the prohibitions contained in Article 4 (commencing with Section 1090) of Division 4 of Title 1 of the Government Code ("Article 4") and Article 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code ("Article 4.7") are applicable to members of the Committee. Accordingly:

(i) Members of the Committee shall not be financially interested in any contract made by them in their official capacities or by the Committee, nor shall they be purchasers at any sale or vendors at any purchase made by them in their official capacity, all as prohibited by Article 4; and

(ii) Members of the Committee shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to duties as a member of the Committee or with the duties, functions, or responsibilities of the Committee or the District. A member of the Committee shall not perform any work, service, or counsel for compensation where any part of his or her efforts will be subject to approval by any other officer, employee, board, or commission of the District's Board of Trustees, except as permitted under Article 4.7.

5.4 Term. Except as otherwise provided herein, each member shall serve a term of two

(2) years, commencing on the date of the member's appointment by the Board. No member may serve more than three (3) consecutive terms. At the Committee's first meeting, members will draw lots or otherwise select a minimum of two members to serve for an initial one (1) year term and the remaining members for an initial two (2) year term. Members whose terms have expired may continue to serve on the Committee until a successor has been appointed. Members who have previously served on the Measure C Committee shall be permitted to serve on the Committee and, if appointed by the Board, are entitled to serve three (3) new consecutive two (2) year terms from the date of their appointment.

5.5 Appointment. Members of the Committee shall be appointed by the Board through the following process: (a) the District will advertise in the local newspapers, on its website and in other customary forums as well as solicit appropriate local groups for applications; (b) the Chancellor will review the applications; and (c) the Chancellor will make recommendations to the Board.

5.6 Removal; Vacancy. The Board may remove any Committee member for any reason, including failure to attend two consecutive Committee meetings without reasonable excuse or for failure to comply with the Committee Ethics Policy. Upon a member's removal, his or her seat shall be declared vacant. The Board, in accordance with the established

appointment process shall fill any vacancies on the Committee. The Board shall seek to fill vacancies within 90 days of the date of occurrence of a vacancy.

5.7 Compensation. The Committee members shall not be compensated for their services.

5.8 Authority of Members. (a) Committee members shall not have the authority to direct staff of the District; (b) individual members of the Committee retain the right to address the Board, either on behalf of the Committee or as an individual; (c) the Committee shall not establish sub-committees for any purpose; and (d) the Committee shall have the right to request and receive copies of any public records relating to projects funded by Measure C and Measure G.

Section 6. Meetings of the Committee.

6.1 Regular Meetings. The Committee shall meet at least once a year, including an annual organizational meeting, but shall not meet more frequently than quarterly.

6.2 Location. All meetings shall be held within the boundaries of the Foothill-De Anza Community College District located in Santa Clara County, California.

6.3 Procedures. All meetings shall be open to the public in accordance with the Ralph M. Brown Act, Government Code Section 54950, et seq. Meetings shall be conducted according to such additional procedural rules as the Committee may adopt. A majority of the number of Committee members shall constitute a quorum for the transaction of any business of the Committee except adjournment.

Section 7. District Support.

7.1 The District shall provide to the Committee necessary technical and administrative assistance as follows:

- (a) Preparation of and posting of public notices as required by the Brown Act, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the District Board;
- (b) Provision of a meeting room, including any necessary audio/visual equipment;
- (c) Preparation, translation and copies of any documentary meeting materials, such as agendas and reports; and
- (d) Retention of all Committee records, and providing public access to such records on an Internet website maintained by the District.

7.2 District staff and/or District consultants shall attend Committee proceedings in order to report on the status of projects and the expenditures of bond proceeds.

Section 8. Reports. In addition to the Annual Report required in Section 3.3, the Committee may report to the Board from time to time in order to advise the Board on the activities of the Committee. The Annual Report shall be in writing and shall summarize the proceedings and activities conducted by the Committee.

Section 9. Officers. The Chancellor shall appoint the initial Chair. Thereafter, the Committee shall elect a Chair and a Vice-Chair who shall act as Chair only when the Chair is absent. The Chair and Vice-Chair shall serve in such capacities for a term of one (1) year and may be re-elected by vote of a majority of the members of the Committee.

Section 10. Amendment of Bylaws. Any amendment to these Bylaws shall be approved by a majority vote of the Board.

Section 11. Termination. The Committee shall automatically terminate and disband concurrently with the Committee's submission of the final Annual Report which reflects the final accounting of the expenditure of all Measure C and Measure G monies.

This Ethics Policy Statement provides general guidelines for Committee members in carrying out their responsibilities. Not all ethical issues that Committee members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for Committee members. The provisions of this Statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. Committee members are expected to strictly adhere to the provisions of this Ethics Policy.

POLICY

- CONFLICT OF INTEREST. A Committee member shall not make or influence a District decision related to: (1) any contract funded by bond proceeds, or (2) any construction project which will benefit the Committee member's outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.
- OUTSIDE EMPLOYMENT. A Committee member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to: (1) any contract funded by bond proceeds, or (2) any construction project. A Committee member shall not make or influence a District decision related to any construction project involving the interest of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind. For a period of two (2) years after leaving the Committee, a former Committee member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a Committee member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the Committee, a former Committee member and the companies and businesses for which the member works shall be prohibited from contracting with the District with respect to: (1) bidding on projects funded by the bond proceeds; and (2) any construction project.
- COMMITMENT TO UPHOLD LAW. A Committee member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California (particularly the Education Code) and all other applicable government entities, and the policies, procedures, rules and regulations of the Foothill-De Anza Community College District;
- COMMITMENT TO DISTRICT. A Committee member shall place the interests of the District above any personal or business interest of the member.

[See Board Policy 6740 Citizens' Bond Oversight Committee](#)

Approved by the Chancellor's Advisory Council 11/15/13
Revised 1/17/14



Book	Board Policy
Section	Chapter 3 - General Institution
Title	Speech: Time, Place, and Manner (formerly Time, Place, and Manner/Limitation of Activities of Off-Campus Individuals and Groups: Loitering, Solicitation, Distribution of Materials and Demonstration)
Code	BP 3900 (formerly BP 5550 and BP 1240)
Status	Up For Revision
Legal	Education Code Section 66301 Education Code Section 76120
Adopted	January 4, 1999
Last Revised	June 5, 2006
Origin	Legally required - CCLC update to reflect recent court decisions and trends. Replace outdated language with CCLC template language.
Upload	February 18, 2015

~~BP 1240 Limitation of Activities of Off-Campus Individuals and Groups: Loitering, Solicitation, Distribution of Materials and Demonstration~~

~~The Colleges of the District were established by the community primarily as educational institutions. Unregulated activities and loitering on a campus by individuals or groups not associated with the College may interfere with the educational function.~~

~~The Board adopts the following policy to cover instances where off-campus groups or individuals on a campus might interfere with the objectives of the District.~~

~~Loitering~~

~~Because visitation to a District facility by an individual or group may disrupt the educational program, may utilize space required for those regularly enrolled, may be a danger to students, and/or may be a hazard to property, the Board will be the sole determiner of who will be permitted to visit a District facility. Therefore, the Board may withdraw the visitation privilege of any individual or group at any time.~~

~~Individuals on District property must identify themselves on request and must abide by all District regulations.~~

Solicitation

~~Solicitation by off-campus groups or individuals must comply with times and places as prescribed by campus regulations and must not in any way interfere with College functions.~~

Distribution of Material

~~Distribution of materials by off-campus groups or individuals must comply with times and places as prescribed by campus regulations and must not in any way interfere with College functions.~~

~~Demonstrations~~

~~Off-campus groups or organizations wishing to hold a demonstration on campus must first obtain a permit to do so from the college administration. Permit for such purposes will be considered consistent with District regulations and security concerns. Groups obtaining permits must comply with the same regulations and requirements as have been established for student groups wishing to demonstrate on the campus.~~

~~[See Board Policy 6160 Speakers](#)~~

~~Approved 4/6/66~~

~~Amended 3/8/72, 11/15/93~~

~~BP 5550 Time, Place and Manner~~

~~In order to provide an atmosphere in which groups and organizations can function without disrupting the College's curricular programs, the Governing Board places the following restrictions on the time, place and manner of non-curricular activities at Foothill De Anza:~~

~~College-recognized student organizations may conduct activities which utilize the name and resources of the colleges only in compliance with the Education Code and Time, Place and Manner Regulations authorized by the Board.~~

~~Public service agents, charitable and non-profit organizations, and other non-college groups as defined in the Civic Center Act, may distribute and/or post materials, collect signatures on petitions, solicit funds, or engage in informational activities on campus only in compliance with the Education Code and the Time, Place and Manner Regulations referred to above, and included as AP 5550.1 and AP 5550.2 of the Administrative Procedures Manual.~~

~~Groups and individuals other than those designated above are also subject to these regulations of time, place and manner and to other restrictions as deemed necessary by the administration for ensuring an orderly learning environment for Foothill and De Anza Colleges.~~

~~Use of college facilities or resources shall be denied to those whose conduct reflects an intent to use in violation of federal and state anti-discrimination laws. Membership in secret student societies is prohibited.~~

~~[See Administrative Procedure 5550.1 Regulations Concerning Time, Place, and Manner for Student Clubs and Organizations](#)
[See Administrative Procedure 5550.2 Regulations Concerning Time, Place, and Manner for Community Organizations](#)~~

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

The colleges of the District have areas that are designated public forums available for the exercise of expression by students, employees, and members of the public. The Chancellor shall enact such administrative procedures as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in the designated public forums.

The administrative procedures promulgated by the Chancellor shall not prohibit the right of students to exercise free expression, including but not limited to the use of bulletin boards, the distribution of printed materials or petitions, and the wearing of buttons, badges or other insignia.

Speech shall be prohibited that is defamatory, obscene according to current legal standards, or which so incites others as to create a clear and present danger of 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.

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 subdivision (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, or intimidation unless such speech is constitutionally protected.

Approved 1/4/99

Amended 6/5/06



Book	Administrative Procedures
Section	Chapter 3 - General Institution
Title	Speech: Time, Place, and Manner (formerly Regulations Concerning Time, Place, and Manner for Student Clubs and Organizations and Regulations Concerning Time, Place, and Manner for Community Organizations)
Code	AP 3900 (formerly AP 5550.1 and 5550.2)
Status	Up For Revision
Legal	Education Code Section 66301 Education Code Section 76120
Adopted	June 9, 2006
Origin	Legally advised. CCLC update to reflect recent court decisions and trends. Replace outdated language.
Office	College Presidents
Upload	February 25, 2015

~~College-recognized student clubs and organizations, such as the De Anza Associated Student Body (DASB) and the Associated Students of Foothill College (ASFC), may conduct activities that utilize the name and resources of the College only in compliance with Education Code Sections 76060 et. seq. and the following regulations authorized by the Governing Board:~~

~~No student organization that denies membership or participation in any of its activities on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, marital status, sex, age, sexual orientation or gender identity shall be allowed to use College facilities or resources. Membership in secret student societies is prohibited.~~

~~I. Recognized Student Clubs and Organizations~~

~~A. Definition:~~

- ~~1. Maintains, in the Student Activities Office, a constitution which has been approved by De Anza InterClub Council (ICC), Foothill Organizations Board of Directors (OBD), and Vice President of Student Services at De Anza or the Vice President of Student Development and Instruction at Foothill or their designee, and a current list of officers. Voting membership is limited to registered students of the College/District.~~
- ~~2. Holds meetings regularly which are open to all students and announces its meetings on campus via recognized campus publications or bulletin boards.~~
- ~~3. Deposits all club funds in a College account as required by established College procedure.~~
- ~~4. Campus faculty or staff advisors are required. Each student club is free to choose its own advisor.~~

~~[\(See AP 5500 Student Rights and Responsibilities, section III.A.2\)](#)~~

~~B. Privileges~~

~~The privileges of recognized student organizations include:~~

- ~~1. The use of the name of the College, as a part of its title.~~
- ~~2. The use of the buildings, grounds, equipment and services of the College when available for an officially scheduled event.~~
- ~~3. Publicity through appropriate College channels.~~
- ~~4. Appropriate advice and assistance from the Student Activities Office.~~

H. Procedure for the presentation of club programs or activities

~~A. Programs or activities intended solely for members of recognized student clubs require no approval other than that of the advisor or, in the absence of a faculty or staff advisor, the approval of the designated staff person in the Student Activities office on each campus. Scheduling of rooms and facilities requires adhering to the procedures as required by the Student Activities Office on each campus.~~

~~B. The presentation of programs or activities open to the entire student body requires that the sponsor adhere to the following procedures:~~

- ~~1. In order to obtain authorization to schedule the program or activity, the sponsor is required to furnish the designated staff person in the Student Activities Office with appropriate details regarding the planned program. The information provided is to include the nature of the activity, date and time, anticipated attendance, services needed (e.g., custodial, ushering, security, publicity, audio-visual, etc.), equipment required, proposed facility to be utilized, and all details regarding admission charges or other funds to be collected in conjunction with the program. Upon review of this data, the designated staff person in the Student Activities Office will place the event, if approved on the Student Activities Calendar. If approval is denied, the designated staff person in the Student Activities Office will inform the sponsor of the reason.~~

~~— All decisions of the designated staff person in this regard are subject to appeal and review by the Vice President of Student Services (De Anza) or the Vice President of Student Development and Instruction (Foothill).~~

- ~~2. Programs must be presented in the appropriate authorized areas and times to be determined by the Student Activities Office in accordance with college policies.~~

~~C. Sponsors of events which involve professional performers, speakers, artisans, or such, may pay these individuals for their services at a rate in accordance with the financial guidelines of the funding source. This rate will be established by an agreement between the performer, the sponsor, and the designated person in the Student Activities Office. All agreements are subject to the approval by the Vice President of Student Services (De Anza) or the Vice President of Student Development and Instruction (Foothill) and/or their designee.~~

III. Use of facilities for meetings or other purposes

~~A. The sponsor of an approved program or activity must reserve the desired facility through the Student Activities Office in accordance with established procedures. The initial determination of the availability of a facility will be indicated by the Campus Center Director or Facilities Coordinator.~~

~~B. Facilities are normally available for use at any regular hour of operation during the week, other than when being used in conjunction with the instructional program of the College. An exception to this is the Campus Center, which may not be utilized for presentation of programs unless the appropriate person in the Campus Center/Student Activities Offices grants approval.~~

~~C. Reservations for College facilities by student organizations are to be made through the Student Activities Office. Details of the program being proposed must accompany the request for facilities and be submitted to the Student Activities Office designee for review. Once the program plans have been reviewed and the availability of the facility has been established, the facility reservation will be confirmed through the use of a Student Activities Event Planning Request form.~~

~~D. Programs must be produced in such a manner so as not to constitute interference with the instructional program or the orderly operation of the college. Sound amplification equipment cannot be used for outdoor activities if it determined by the Director of Student Activities that it will interfere with the instructional program of the college or the orderly operation of the college. Exceptions to this policy may be granted by the Vice President of Student Services (De Anza) or Vice President of Student Development and Instruction (Foothill) or their designee, but such exceptions will not be based on the content of the program.~~

~~E. Before a request for an exception may be submitted to the Student Activities Office, the sponsor of the program must make every effort to schedule the program into authorized facilities that will not interfere with the instructional program of the college. Sponsors must also indicate why it is necessary to have this activity outside, while classes are in session.~~

IV. Distribution of Materials

~~The College regulations governing the distribution of printed and manufactured materials are designed to permit maximum freedom of expression and to prevent attempts to coerce or intimidate students into buying or receiving printed materials. Material to be distributed on campus is subject to the review of the Director of Student Activities or his/her designee and must be approved for distribution prior to dissemination.~~

~~A. Clubs, organizations and individuals distributing such material on campus shall be appropriately identified.~~

~~B. Distribution of any such material in classrooms is expressly prohibited.~~

~~C. Distribution of such material through the College mail services and facilities is permitted subject to the approval of the Vice President of Student Services (De Anza) or Vice President of Student Development and Instruction (Foothill) or their designee. The nature of the information to be disseminated in this manner should be such that the regularly available channels of campus communication cannot be effectively utilized (e.g. posters, bulletin boards).~~

~~D. The distribution or posting of commercial material must be authorized by the Director of Student Activities or his/her designee.~~

~~E. Materials may not be distributed or posted in any building on campus except for designated areas on the Campus Center, unless special permission is received from the Director of Student Activities.~~

~~F. Tables may be set up in authorized areas of the College by campus organizations and individuals. Requests must be submitted to the Student Activities Office for approval. Tables will be scheduled on an availability basis. Institutional and campus organizations will receive priority use of tables.~~

~~G. Tables must be staffed at all times and a placard identifying the organization must be displayed.~~

~~H. Distribution of all materials is to be coordinated with the Director of Student Activities or his/her designee. An information copy of any material to be distributed must be made available to the Director of Student Activities or his/her designee prior to distribution. All material to be distributed must bear the name of the sponsor.~~

~~I. The collection of signatures for petitions is subject to the same regulations as those which govern the distribution of materials. Such matters as coordination with the Director of Student Activities, identification of the sponsor, and the restrictions as to the areas of circulation, govern petitions as well as distribution of materials.~~

~~J. All materials must be in English or accompanied with a translation in English.~~

V. Posting of Materials

~~A. All materials to be posted must be approved for posting, dated and stamped by the Student Activities Office.~~

~~B. All materials must clearly designate the sponsoring organization.~~

~~C. Materials that have been approved for posting may only be posted in the Campus Center, kiosks, or other approved areas. Classroom bulletin boards are intended for instructional usage only. All materials posted on bulletin boards of buildings other than the College Center must have specific approval of the Director of Student Activities or his/her designee. Any materials posted in unauthorized locations, or without being stamped and dated by the Student Activities Office, are subject to removal, at the expense of person(s) or organization(s) responsible for its posting.~~

~~D. Material may not be posted on doors, windows, tables, painted surfaces, trees, the outside of buildings, or on the ground.~~

~~E. Any outdated material may be removed by any member of the College staff.~~

~~F. Permission may be granted to post materials, on a space available basis, to educational institutions or public service agencies.~~

~~G. The number and size of posters any one organization may post is subject to limitation by the Director of Student Activities or his/her designee.~~

~~H. Placement of materials on parked vehicles is expressly forbidden. Violators will not be allowed to distribute materials on campus.~~

~~I. Exceptions to any of the preceding requirements must be approved in advance by the Director of Student Activities.~~

VI. Fund Raising on Campus

~~A recognized student club may raise funds for purposes related to the objectives of the organization.~~

~~A. The solicitation of funds in classrooms is expressly prohibited.~~

~~B. All funds collected on campus must be deposited to the credit of the organization involved, in the Student Accounts Office, within twenty-four (24) hours of collection or on the following Monday, whichever occurs first. Funds may be withdrawn in the form of a check against the organization's account by means of a properly approved check requisition submitted to the Student Accounts Clerk.~~

VII. Ad-Hoc Student Organizations

~~A. Definition: An ad-hoc student club is defined as a group which:~~

- ~~1. Is organized for a specific and temporary purpose that is compatible with the educational objectives of the College.~~
- ~~2. Operates under the advisorship of a member of the College staff.~~
- ~~3. Files a statement of purpose with the Student Activities Office and a roster of at least six (6) student members.~~
- ~~4. Operates for a period not to exceed thirty (30) school days.~~
- ~~5. Is composed entirely of students currently enrolled in the College.~~

AP 5550.2 Regulations Concerning Time, Place, and Manner for Community Organizations

~~Recognized community organizations may conduct activities which utilize college facilities or grounds only in compliance with Education Code Sections 82537 et. seq. and the following regulations authorized by the Governing Board.~~

~~No community organization which prohibits participation in any of its activities on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, marital status, sex, age, sexual orientation or gender identity shall be allowed to use College facilities or grounds. Use of College facilities and grounds by secret societies is prohibited.~~

I. ~~Recognized Community Organizations~~

A. ~~Definition~~

- ~~1. Organizations that further the mission of Foothill and De Anza College(s) are educational and/or student centered.~~
- ~~2. Literary, scientific, recreational, educational, or public agencies which in the judgment of the Foothill-De Anza Board of Trustees pertain to the educational, political, economic, artistic, and moral interest of the citizens of the community in which the college resides.~~
- ~~3. Non-Profit organizations, clubs, associations and public agencies organized for character building or welfare purposes.~~
- ~~4. Religious organizations, churches and private or commercial groups, including churches and religious groups that charge fees or solicit contributions.~~

B. ~~Privileges~~

~~The privileges of recognized community organizations include:~~

- ~~1. The use of the buildings, grounds, equipment and services of the College when available for an officially scheduled event per the *Facility Use Policy, Fees, Process and Procedures* document.~~

II. ~~Procedure for the presentation of programs or activities~~

~~A. Programs or activities intended for members of community organizations and/or the general public require approval from the Coordinator of Facility Rentals.~~

~~B. The presentation of programs or activities requires that the sponsor adhere to the following procedures:~~

- ~~1. Submit a request for the use of college facilities.~~
- ~~2. Complete a Facilities Application Contract.~~
- ~~3. Review of the event/program by the President of the College if a controversial speaker or issue is involved. Determination of the applicability of this section will be made by the Vice President of Finance and College Services (De Anza) or the Vice President of Educational Resources and Instruction (Foothill) or their designee.~~
- ~~4. Submit applicable application, fees and deposits.~~

III. ~~Use of facilities for meetings or other purposes~~

~~A. The sponsor of a community meeting or activity must reserve the desired facility in accordance with established procedures. The Coordinator(s) of Facility Rentals at each campus will indicate the initial determination of the availability of a facility.~~

~~B. Facilities are normally available for use during non-class times or weekends when the event does not interfere with instructional activities.~~

~~C. Reservations for College facilities by community organizations are to be made through the Coordinator(s) of Facility Rentals. Details of the program being proposed must accompany the request for facilities. Once the program plans have been reviewed, the availability of the facility established, applicable fees and deposits received, the facility reservation will be confirmed by the Coordinator of Facility Rentals through the issuance of a Facility Application Contract.~~

~~D. Programs and events must be produced in such a manner as not to constitute interference with the instructional program or the orderly operation of the college.~~

IV. ~~Distribution of Materials~~

~~The College regulations governing the distribution of printed and manufactured materials by community organizations are designed to permit maximum freedom of expression and to prevent attempts to coerce or intimidate students or members of the public into buying or receiving printed materials. Material from community organizations is subject to the review of the Director of Student Activities or his/her designee and must be approved for distribution before dissemination.~~

- ~~A. Organizations and individuals distributing such material on campus shall be appropriately identified.~~
- ~~B. Distribution of any such material in classrooms is expressly prohibited.~~
- ~~C. Distribution of materials by community organizations through the College mail services and facilities is not permitted.~~
- ~~D. Materials to be distributed must be approved for distribution by the Director of Student Activities or his/her designee.~~
- ~~E. Materials may not be distributed or posted in or on any building on campus except at designated kiosks.~~
- ~~F. Tables may be set up in authorized areas of the College by community organizations or individuals. Requests must be submitted to the Director of Student Activities or his/her designee for approval. Tables will be scheduled on an availability basis. Institutional and campus organizations will receive priority use of tables.~~
- ~~G. Tables must be staffed at all times and a placard identifying the community organization must be displayed.~~
- ~~H. Distribution of all materials is to be reviewed by the Director of Student Activities or his/her designee. An information copy of any material to be distributed must be made available to the Director of Student Activities prior to distribution. All material to be distributed must bear the name of the sponsor.~~
- ~~I. The collection of signatures for petitions is subject to the same regulations as those which govern the distribution of materials. Such matters as coordination with the Director of Student Activities or his/her designee, identification of the sponsor, and the restrictions as to the areas of circulation, govern petitions as well as distribution of materials.~~
- ~~J. All materials must be in English or have English interpretations included.~~

~~V. Posting of Materials~~

- ~~A. All materials to be posted must be approved for posting, dated and stamped by the Student Activities Office.~~
- ~~B. All materials must clearly designate the sponsoring community organization.~~
- ~~C. Materials that have been approved for posting may only be posted in the Campus Center, kiosks, or other approved areas. Classroom bulletin boards are intended for instructional usage only. Any materials posted in unauthorized locations, or without being stamped and dated by the Student Activities Office, are subject to removal, at the expense of person(s) or community organization(s) responsible for its posting.~~
- ~~D. Material may not be posted on doors, windows, tables, painted surfaces, trees, the outside of buildings, or on the ground.~~
- ~~E. Any outdated material may be removed by any member of the College staff.~~
- ~~F. Permission may be granted to post materials, on a space available basis, to educational institutions or public service agencies.~~
- ~~G. The number and size of posters any one organization may post is subject to limitation by the Director of Student Activities or his/her designee.~~
- ~~H. Placement of materials on parked vehicles is expressly forbidden. Violators will not be allowed to distribute materials on campus.~~
- ~~I. External banners or electronic messages on campus message boards are reserved for organizations holding events on campus and may only be posted in designated areas when space is available and upon the approval of the Director of College~~

Services (De Anza) or the Director of Student Activities (Foothill).

J. ~~Exceptions to any of the preceding requirements must be approved in advance by the Director of Student Activities (Foothill) or the Director of College Services (De Anza) for banners and electronic messages.~~

VI. Fund Raising on Campus

Community organizations or individuals may not solicit funds on campus unless it is during an approved fund raising event that has been scheduled through the Coordinator of Facility Rentals (De Anza) or the Director of Student Activities (Foothill).

(CCLC note: This procedure is legally advised. Local practice may be inserted, but should comply with these minimums and those in the related Board Policy.)

The students and employees of the District and members of the public shall be permitted to exercise their rights of free expression subject to the time, place, and manner policies and procedures contained in BP 3900 Speech: Time, Place, and Manner and this procedure.

The colleges of the District designate those areas generally available to students and the community, defined as grassy areas, walkways, and other similar common areas, as reserved for expressive activities which do not violate District policy and which are lawful. These areas are chosen so as to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on campus but also so as not to disrupt educational and other activities of the District on behalf of students:

- These areas are designated public forums. The District reserves the right to revoke that designation as to one or more areas and apply a non-public forum or other 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 college. Areas of the college that are non-public forums specifically include campus offices, classrooms, warehouses, maintenance yards, or locker rooms, and any other area not by tradition or designation a forum for public communication.

The use of these areas reserved and open for expressive activities is subject to the following:

- No person using the areas shall touch, strike, or physically impede the progress of passersby, except for incidental or accidental contact or contact initiated by a passerby.
- Persons using areas shall not use any means of amplification that creates a noise or diversion that disturbs the orderly conduct of the campus or classes taking place at that time.
- Persons using the areas reserved for expressive activities shall not disrupt the orderly operation of the college.

Non-student, community groups wishing to engage in speech or expressive activities on the Foothill College campus in the areas designated as public forums must check in with the Smart Shop at Foothill College prior to engaging in the activities. This does not involve an advance approval process. De Anza College does not require check in. No illegal activities will be permitted, no activities that violate District or campus rules, including rules and laws on illegal harassment and discrimination, and none that will substantially interfere with or disrupt activities already scheduled for that day and time in the designated areas, as described below. In the event the area sought to be used for expressive activities has already been reserved for another activity so that there will be substantial interference or disruption based on noise, overcrowding, or other considerations unrelated to content, the District will offer alternative available areas or if none is available offer alternative dates. Students, outside organizations, and others are encouraged to make reservations in advance to use the areas for their expressive activities through the use of optional reservation forms.

All persons using the areas that are designated public forums shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within those areas. Those persons distributing printed material must, prior to their departure from the areas that day, make reasonable efforts to retrieve, remove or properly discard material that is discarded or dropped in or around the areas other than in an appropriate receptacle.

Hours of Access

The hours of operation of the District are 8:00 a.m. to 5:00 p.m. Expressive activities are not permitted outside the District's hours of operation. Overnight use or sleeping on campus is not permitted, nor is use of the campus areas for sleeping, camping, or laying down of bedding. Nor is use of facilities for similar purposes permitted during hours of operation.

Posting

Bulletin boards shall be provided for use in posting materials at campus locations convenient for use by students, staff, and members of the public. All materials displayed on a bulletin board shall clearly indicate the author or agency responsible for its production and shall be dated with the date of posting by the Foothill College Office of Student Affairs and Activities or De Anza College Office of College Life. Materials displayed shall be removed after the passage of 30 days.

[See Board Policy 5550 Time, Place and Manner](#)

Revised and approved by Chancellor's Advisory Council 6/9/06

Timeline for Transitioning to Trustee Area Elections

2020 census data expected to be released July 31, 2021

The Board's resolution of intention specifies that implementation of trustee area elections shall occur **no later than April 29, 2022**.

Steps

- December 2020/January 2021 - Work with purchasing to move forward with the Foundation for California Community Colleges package with Redistricting Partners for Board ratification.
- March 8, 2021– Demographer conducts board presentation regarding redistricting process. Timeline released to public, added to website, publicized.
- April 5 and May 3, 2021 - Hold two public hearings within 30 days of one another to gather community input. (This is the minimum legal requirement. We anticipate holding additional community meetings.)
- June/July 2021 - Have draft maps drawn and published (at least seven days prior to the first hearing on the maps) and publish a potential sequence of elections. Map must be published by July 26 to meet deadline for August 2 hearing.
- August 2 and September 14, 2021 - Hold two hearings on the draft maps and sequence of elections over a period no more than 45 days (If the map is revised, it will need to be published again, and the Board will have to wait another seven days to adopt.) (This is the minimum legal requirement. We anticipate holding additional community meetings.)
- October 4, 2021 - Present resolution to change the election and approve the map for Board approval.
- October 2021 (for November 2021/January 2022 meeting) - Ask the Board of Governors (BOG) to approve a request to change the election system. Request must be reviewed and approved by California Community Colleges Chancellor's Office General Counsel before approval by BOG (BOG meets in January, March, May, July, September, and November).
- December 2021/January 2022 (Depending on BOG approval) - Work with the county election's office on updating the precinct and district maps.