



Chancellor's Advisory Council

Meeting Agenda – March 12, 2021

Zoom

<https://cccconfer.zoom.us/j/91761411938?pwd=bDlySTAYsUUp5QVJlVDhRM3J5WHRHUT09>

9:00-10:30 a.m.

AGENDA TOPIC	PURPOSE/DESIRED OUTCOME	DISCUSSION LEADER
1. Welcome and introductions	<i>I</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 January 15, 2021, meeting summary (<i>attachment 2</i>)	<i>A</i> – Provide accurate record of previous meeting.	Judy Miner
3. Proposed revised board policy (BP) and administrative procedure (AP) (Second Reading) (<i>attachment 3</i>) • BP/AP 3900 Speech: Time, Place, and Manner	<i>D/A</i> – Share feedback from constituents and approve.	Judy Miner
4. Proposed new BP 6307 Debt Issuance and Management (<i>attachment 4</i>)	<i>D/A</i> – Waive first reading and approve due to requirement to have in place before financing closing.	Susan Cheu
5. Classified professionals' participation in shared governance at De Anza	<i>I/D</i> – Gain understanding, provide feedback/advice, and share information with constituencies.	Lloyd Holmes and Heidi King
6. Board of Trustees Priorities 2020-21 (standing item)	<i>I/D</i> – 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
7. District initiatives update (standing item)	<i>I/D</i> – Broaden awareness regarding districtwide initiatives, provide feedback/advice, and share information with constituencies.	Judy Miner
8. Enrollment management (standing item)	<i>I/D</i> – Gain understanding of enrollment initiatives, provide feedback/advice, and share information with constituencies.	Thuy Nguyen and Lloyd Holmes
9. District Governance Committee/Constituent Group Reports • 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>I</i> – Broaden awareness. Provide information for council members to disseminate to constituents about work/actions of districtwide governance groups and constituent groups.	All
10. Dates to remember/other information and updates	<i>I</i> – Share information for council members to disseminate to constituents.	All

I – Information, D – Discussion, A – Action

2020-21 Chancellor's Advisory Council meeting dates:

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



FOOTHILL-DE ANZA
Community College District

Office of the Chancellor

CHANCELLOR'S ADVISORY COUNCIL
Meeting Summary
January 15, 2021

Present: Melissa Aguilar, Becky Bartindale, Anthony Cervantes, Susan Cheu, Karen Chow, Isaac Escoto, Christina Espinosa-Pieb, Rich Hansen, Lloyd Holmes, Kurt Hueg, Heidi King, Gracian Lecue, Kathryn Maurer, Kevin Metcalf, Judy Miner, Joe Moreau, Abhiraj Muhar, Thuy Nguyen, Dorene Novotny, Katelyn Pan, David Ulate, Priya Vasu, Myisha Washington, Chris White, Hyon Chu Yi-Baker

1. Welcome and introductions

Chancellor Miner welcomed council members and guests.

2. Approval of November 13, 2020, meeting summary and December 2, 2020, e-meeting summary

The November 13, 2020, Chancellor's Advisory Council (CAC) meeting summary and December 2, 2020, e-meeting summary were approved by consensus.

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

The council approved the new and revised administrative procedures by consensus.

4. Draft revised BP and AP 3900 Speech: Time, Place, and Manner (First Reading)

Proposed revisions to the board policy and 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.

Dorene questioned the use of the term "hate violence" in the final paragraph of the proposed policy. It was determined following the meeting that the term comes from Education Code Section 66301(e), which states:

(e) This section does not prohibit an institution from adopting rules and regulations that are designed to prevent hate violence, as defined in subdivision (a) of Section 4 of Chapter 1363 of the Statutes of 1992, from being directed at students in a manner that denies them their full

participation in the educational process, if the rules and regulations conform to standards established by the First Amendment to the United States Constitution and Section 2 of Article I of the California Constitution for citizens generally.

5. **Draft redistricting timeline**

Judy explained that the district would be moving from at-large trustee elections to by-trustee area elections prior to the next governing board election in November 2022. She shared a tentative timeline for the process, which requires a series of five public hearings, approval by the California Community Colleges Board of Governors, and coordination with Santa Clara County's Registrar of Voters.

6. **2021-22 Governor's proposed budget**

Susan reviewed key aspects of Governor Gavin Newsom's budget proposal, which she stated was much better than expected because sales, property, and income taxes grew at a higher rate than anticipated. She cautioned, however, that many changes may be made to the proposals before the budget is adopted in June. Susan noted that COVID-19 relief continues to be a big focus, and the governor and legislature are considering an early action plan to provide targeted relief to certain populations, including \$100 million in emergency student financial assistance grants and \$20 million for retention and reenrollment strategies.

Susan also shared the governor's proposals for a 1.5 percent cost of living adjustment for community colleges, funding for increased access to online technology and mental health services, \$15 million to expand apprenticeships, and \$100 million in one-time funding for student basic needs related to housing and food.

Joe remarked that the governor's proposal included money for both the University of California and California State University systems to move its campuses to Canvas and remarked, which he considers a wonderful endorsement of the work of CVC-OEI and the district's leadership.

Judy advised that based on the state's proposed budget, the "collateral" previously identified by the colleges and Central Services will not be needed.

In response to Kathryn's questions about additional full-time faculty positions, Thuy noted that the proposed budget includes mostly one-time funds that provide breathing room but are short lived. Lloyd agreed that while he hopes to look at attrition and to use any new dollars to fill gaps that exist across the board, including in the classified ranks, the colleges have to be careful in committing one-time funds.

Rich questioned whether the colleges and district will limit new administrative hires given the budget's reliance on one-time funding. Judy indicated that the district is considering adding an in-house general counsel, Susan commented that directors may be added to manage the bond projects, and Thuy reported that college is looking at a vice president of Student Services position.

7. **Board of Trustees Priorities 2020-21**

Judy advised that she and the presidents have adopted goals that align with the Board's priorities and will present a report at the February 1, 2021, Board meeting regarding actions taken toward meeting the goals from July 1, 2020-December 31, 2020. Lloyd pointed out that the February 1 report will not mention everything the colleges are doing, but eventually everything will be covered as the reports will be presented every quarter going forward.

8. **District initiatives update**

Judy announced that districtwide meetings are being planned to discuss housing, return-to-campus planning, and campus safety. She reported that the district is continuing to explore the possibility of partnering with Alta Housing for student and employee housing and that Susan has been working with bond counsel and a real estate consultant to ensure the proper use of bond dollars for any such projects.

Judy advised that the district has hired Bahia Overton as a consultant to frame an approach and structure for the district's campus safety discussions. In response to a question from Abhi, Judy acknowledged that the district will not have recommendations ready for the June Board meeting as originally hoped, but a report to the Board is still scheduled. She explained that the consultant's expertise is in high demand, so scheduling has been difficult, but the consultant has been made aware that the timeliness, comprehensiveness, and inclusiveness of the process are important to the district.

With regard to return-to campus planning, Judy reported that the district has hired Pat James, former CVC-OEI Executive Director, to coordinate districtwide efforts. She noted that the colleges will be responsible for identifying priorities, and a task force will meet with those who are experts in the programs prioritized for return to discuss logistics and compliance issues.

8. **Enrollment managements**

Thuy reported that enrollment at Foothill is flat compared to the same period last year/ She noted that flat enrollment is extraordinary given a decrease in nonresident enrollment of 30 percent and an average decline in enrollment nationwide of 10 percent.

Lloyd thanked everyone at De Anza for contributing to a two percent increase in enrollment compared to the same period last year. He reported being surprised in reviewing responses to its Facilities Master Plan survey that students reported a high sense of belonging, even during the pandemic. He attributed the strong enrollment to the caring environment employees have created.

Kurt praised faculty for identifying potentially fraudulent enrollments and stated that the college has been working closely with Educational Technology Services on preventive measures. Joe added that the district is working to develop analysis tools to better differentiate criminals from students. Anthony expressed concern about legitimate students losing the opportunity to take classes because of fraudulent enrollments and questioned whether law enforcement should be involved.

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 First Quarter Report, Measure G program planning, 2020-21 budget collateral, and CARES and COVID-19 block grants at the meeting held November 17, 2020. She noted that the committee would be discussing the Governor's Proposed 2021-22 Budget and the new federal stimulus package at its meeting of January 19, 2021.

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

Myisha reported that the District Diversity and Equity Advisory Committee continues to work on hiring procedures and expressed hope that the procedures could be ready for the council's review at the next meeting. Judy explained that there were concerns about communication of the proposed changes to administrators as well as concerns about implementation and interpretation that need to be addressed before approval.

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

Joe reported that the Educational Technology Advisory Committee has been reviewing the technology component of the bond project list; working on the district Technology Master Plan, including surveying Central Services employees; and implementing new information security training.

7. Dates to remember/Other information and updates

Susan reported that new Executive Director of Facilities and Operations Joel Cadiz has toured both campuses and seems to have hit the ground running.

Lloyd invited council members to attend the Black Faculty, Staff and Administrators Network's Martin Luther King Jr. Day event at 11:00 a.m. He announced that Nathaly Aguilar, new executive assistant in the President's Office, started work on Monday and thanked Pippa Gibson, who has returned to her previous position as Pam Grey's executive assistant, for serving as President's Office executive assistant on a temporary basis.

Judy thanked all of the classified professionals on the front line who are working to keep students and employees safe.

The meeting adjourned at 10:27 a.m.



**FOOTHILL-DE ANZA
Community College District**

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



**FOOTHILL-DE ANZA
Community College District**

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.~~

~~**II. 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



FOOTHILL-DE ANZA
Community College District

Book	Board Policy
Section	Chapter 6 - Business and Fiscal Affairs (including former Article 3 - Business, Operations, Systems and Facilities)
Title	Debt Issuance and Management
Code	BP 6307
Status	New
Legal	Government Code Section 8855 California Code of Regulations Title 4, Sections 6000 et seq.
Origin	Bond counsel David Casnocha - Legally required
Office	Vice Chancellor Business Services

This Debt Management Policy (the “Policy”) provides written guidelines for the issuance of indebtedness by the Foothill-De Anza Community College District (the “District”) in satisfaction of the requirements of S.B. 1029, codified as part of Government Code Section 8855.

Article I
Purpose and Goals

This Policy provides a framework for debt management and capital planning by the District.

This Policy has been developed to meet the following goals:

- (1) Identifying the purposes for which the debt proceeds may be used.**
- (2) Identifying the types of debt that may be issued.**
- (3) Describing the relationship of the debt to, and integration with, the District’s capital improvement program or budget.**
- (4) Establishing policy goals related to the District’s planning goals and objectives.**
- (5) Implementing internal control procedures to ensure that the proceeds of the proposed debt issuance will be directed to the intended use upon completion of the issuance.**

Article II
Purposes for Which Debt Proceeds May be Used

Section 2.01. Authority and Purposes of the Issuance of Debt

The laws of the State of California (the “State”) authorize the District to incur debt to make lease payments, contract debt, and issue bonds for college improvement projects. The District is authorized to contract debt to acquire, construct,

reconstruct, rehabilitate, replace, improve, extend, enlarge, and equip such projects; to refund existing debt; or to provide for cash flow needs.

Section 2.02. State Law

Section 18 of Article XVI of the State Constitution contains the “debt limitation” formula applicable to the District.

There are a number of State laws that govern the issuance of general obligation bonds (“GO Bonds”) by community college districts. Sections 1(b)(2) (Proposition 46) and 1(b)(3) of Article XIII A (Proposition 39) of the State Constitution allow the District to issue GO Bonds. The statutory authority for issuing GO Bonds is contained in Education Code Section 15000 et seq. Additional provisions applicable only to Proposition 39 GO Bonds are contained in Education Code Section 15264 et seq. An alternative procedure for issuing GO Bonds is also available in Government Code Section 53506 et seq. The District may also issue GO refunding bonds pursuant to Government Code Sections 53550 et seq. and 53580 et seq.

The statutory authority for issuing Tax and Revenue Anticipation Notes (“TRANS”) is contained in Government Code Section 53850 et seq. Certain lease financings may be undertaken pursuant to Government Code 4217.10 et seq. Lease financings may also be undertaken pursuant to applicable provisions of the Education Code. Revenue refunding bonds may be issued pursuant to Government Code Sections 53570 et seq.

Section 2.03. Debt Issued to Finance Operating Costs

The District may deem it necessary to finance cash flow requirements under certain conditions. Such cash flow borrowing must be payable from taxes, income, revenue, cash receipts and other moneys attributable to the fiscal year in which the debt is issued.

General operating costs include, but are not limited to, those items normally funded in the District’s annual operating budget.

The District’s Chancellor or Vice Chancellor of Business Services will review potential financing methods to determine which method is most prudent for the District. Potential financing sources include but are not limited to tax and revenue anticipation notes, temporary borrowing from the Director of Finance of Santa Clara County, and temporary interfund borrowing.

Article III Types of Debt That May be Issued

Section 3.01. Types of Debt Authorized to be Issued

A. Short-Term: The District may issue fixed-rate and/or variable rate short-term debt, which may include TRANS, when such instruments allow the District to meet its cash flow requirements. The District may also issue bond anticipation notes (“BANs”) to provide interim financing for bond projects that will ultimately be paid from GO Bonds.

B. Long-Term: Debt issues may be used to finance essential capital facilities, projects and certain equipment where it is appropriate to spread the cost of the projects over more than one budget year. Long-term debt should not be used to fund District operations.

Long term debt in the form of GO Bonds may be issued under Article XIII A of the State Constitution, either under Proposition 46, which requires approval by at least a two-thirds (66.67%) majority of voters, or Proposition 39, which requires approval by at least 55% of voters, subject to certain accountability requirements and additional restrictions.

The District may also enter into long-term leases and/or participate in the sale of certificates of participation or lease revenue bonds for public facilities, property, and equipment.

C. Lease/Equipment Financing: Lease-purchase obligations or appropriation leases are a routine and appropriate means of financing capital equipment and certain capital facilities. However, lease obligations may impact on budget flexibility.

D. Use of General Obligation Bonds: A significant portion of the District's capital projects are projected to be funded by GO Bond proceeds. Projects financed by the GO Bonds will be determined by the constraints of applicable law and the project list approved by voters.

Article IV

Relationship of Debt to and Integration with District's Capital Improvement Program or Budget

Section 4.01. Impact on Operating Budget and District Debt Burden

In evaluating financing options for capital projects, both short and long-term debt amortization will be evaluated when considering a debt issuance, along with the potential impact of debt service, and additional costs associated with new projects on the operating budget of the District. The cost of debt issued for major capital repairs or replacements may be judged against the potential cost of delaying such repairs.

Section 4.02. Capital Improvement Program

The Chancellor or Vice Chancellor of Business Services and the facilities staff have responsibility for the planning and management of the District's capital improvement program subject to review and approval by the Board of Trustees. Staff will, as appropriate, supplement and revise any applicable facilities master plan in keeping with the District's current needs for the acquisition, development and/or improvement of District's real estate and facilities. Such plans may include a summary of the estimated cost of each project, schedules for the projects, the expected quarterly cash requirements, and annual appropriations, in order for the projects to be completed.

Section 4.03. Refunding and Restructuring Policy

A. Considerations for Refunding.

1. District's Best Interest. Whenever deemed to be in the best interest of the District, the District shall consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility.

2. Net Present Value Analysis. The District shall review a net present value analysis of any proposed refunding in order to make a determination regarding the cost-effectiveness of the proposed refunding.

3. Maximize Expected Net Savings. The District shall time the refinancing of debt to maximize the District's expected net savings over the life of the debt.

4. Comply with Existing Legal Requirements. The refunding of any existing debt shall comply with all applicable State and Federal laws governing such issuance.

Article V

Policy Goals Related to District's Planning Goals and Objectives

In following this Policy, the District shall pursue the following goals:

1. The District shall strive to fund capital improvements from voter-approved GO Bond issues to preserve the availability of its General Fund for District operating purposes and other purposes that cannot be funded by such bond issues.

2. To the extent applicable, the District shall endeavor to attain the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements.

3. The District shall take all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues.

4. The District shall, with respect to GO Bonds, remain mindful of its statutory debt limit in relation to assessed value growth within the district and the tax burden needed to meet long-term capital requirements.

5. The District shall consider market conditions and District cash flows when timing the issuance of debt.
6. The District shall determine the amortization (maturity) schedule which will fit best within the overall debt structure of the District at the time the new debt is issued.
7. The District shall match the term of the issue to the useful lives of assets funded by that issue whenever practicable and economical, while considering repair and replacement costs of those assets to be incurred in future.
8. The District shall, when issuing debt, assess financial alternatives to include new and innovative financing approaches, including whenever feasible, categorical grants, revolving loans or other State/federal aid, so as to minimize the encroachment on the District's General Fund.
9. The District shall, when planning for the sizing and timing of debt issuance, consider its ability to expend the funds obtained in a timely, efficient and economical manner.
10. The District shall monitor (i) agreements or other obligations entered into by the District, and any modifications to such agreements or other obligations, to determine whether they constitute "financial obligations" under Rule 15c2-12 of the Securities and Exchange Commission promulgated under the Securities Exchange Act of 1934, as amended (the "Rule"), and (ii) agreements to covenants, events of default, remedies, priority rights or other similar terms of a financial obligation, any of which affect Bondholders, and, if material, shall file a notice of the events described in (i) or (ii) within 10 business days on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System ("EMMA"). In addition, the District shall file a notice on EMMA within 10 business days, of a default, event of acceleration, termination event, modification to terms, or other similar events under the terms of a "financial obligation" (as defined by the Rule), any of which reflect financial difficulties.

Article VI

Internal Control Procedures for Issuance of Debt to Ensure Intended Use of Proceeds

Section 6.01. Structure of Debt Issues

A. Maturity of Debt: The duration of a debt issue shall be consistent, to the extent possible, with the economic or useful life of the improvement or asset that the issue is financing. In addition, the average life of tax-exempt financing shall not exceed 120% of the weighted average economic life of the assets being financed. The District shall also consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.

B. Debt Structure:

1. GO Bonds:

a. New Money Bond Issuances: For tax-exempt new money bond issuances, the District shall size the bond issuance consistent with the "spend-down" requirements of the Internal Revenue Code and within any limits approved by the District's voters. To the extent possible, the District will also consider credit issues, market factors (e.g. bank qualification) and tax law when sizing the District's bond issuance.

b. Refunding Bond Issuances: The sizing of refunding bonds will be determined by the amount of money that will be required to cover the principal of, accrued interest (if any) on, and redemption premium for the bonds to be defeased on the call date and to cover appropriate financing costs.

c. Maximum Maturity: All bonds issued by the District shall mature within the limits set forth in applicable provisions of the Education Code or the Government Code. The final maturity of tax-exempt bonds will also be limited to the weighted average economic life of the assets financed or as otherwise required by tax law.

d. Taxable Bonds: Taxable bonds shall be considered for funding projects which do not satisfy the "spend-down" requirements of the Internal Revenue Code.

2. Lease-Purchase Obligations: The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed.

C. Debt Service Structure: The District shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, provide flexibility, and, as practical, to recapture or maximize its debt capacity for future use.

Section 6.02. Use of Proceeds

The District shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred. In furtherance of the policy, and in connection with the issuance of all GO Bonds:

1. As required by Government Code Section 53410, the District shall only use GO Bond proceeds for the purposes approved by the District's voters; and

2. The Vice Chancellor of Business Services shall have the responsibility, no less often than annually, to provide to the District's Board of Trustees a written report which shall contain at least the following information:

(i) The amount of the debt proceeds received and expended during the applicable reporting period; and

(ii) The status of the acquisition, construction or financing of the school facility projects, as identified in any applicable bond measure, with the proceeds of the debt.

These reports may be combined with other periodic reports which include the same information, including but not limited to, periodic reports made to the California Debt and Investment Advisory Commission, or continuing disclosure reports or other reports made in connection with the debt. These requirements shall apply only until the earliest of the following: (i) all the debt is redeemed or defeased, but if the debt is refunded, such provisions shall apply until all such refunding bonds are redeemed or defeased, or (ii) all proceeds of the debt, or any investment earnings thereon, are fully expended.

3. The District shall post on the District website the Annual Report of the District's Independent Bond Oversight Committee which has been given the responsibility to review the expenditure of GO Bond proceeds to assure the community that all GO Bond funds have been used for the construction, renovation, repair, furnishing and equipping of school facilities, and not used for teacher or administrator salaries or other operating expenses.

4. The District shall hire an independent auditor to perform an annual independent financial and performance audit of the expenditure of GO Bond proceeds, and to post such audits on the District website.