



## Chancellor's Advisory Council Meeting Agenda - January 25, 2013

District Board Room  
1:30-3:30 p.m.

AGENDA TOPIC	PURPOSE	DISCUSSION LEADER
I. Welcome	I	Linda
II. Approval of 11/16/12 Meeting Summary ( <i>Attachment 1</i> )	A	Linda
III. Budget Update	I	Kevin
IV. Legislative Principles ( <i>Attachment 2</i> )	D/A	Linda
V. Password Change ( <i>Attachment 3</i> )	I	Joe
VI. Policies <ul style="list-style-type: none"> <li>• BP 3440 Service Animals (New) (<i>Attachment 4</i>)</li> <li>• AP 3440 Service Animals (New) (<i>Attachment 5</i>)</li> <li>• AP 3500 Alcohol on Campus (Rev.) (<i>Attachments 6, 7, 8</i>)</li> <li>• AP 3501 Alcohol off Campus (Rev.) (<i>Attachments 9</i>)</li> <li>• BP 3500 Alcohol on Campus (New) (<i>Attachments 10</i>)</li> <li>• BP 5050 Disclosure of Student Records (Rev.) (<i>Attachment 11</i>)</li> <li>• AP 5050 Disclosure of Student Records (Rev.) (<i>Attachment 12</i>)</li> </ul>	D/A	Linda/Kevin/Joe
VII. Other Information and Updates	I	All

**Distribution:** Linda Thor, Karen Chow, Leo Contreras, Robert Cormia, Dolores Davison, Joseline Diaz/ASFC, Araceli Kalingara, Rich Hansen, Truly Hunter, Reza Kazempour Kevin McElroy, Judy Miner, Blanche Monary, Joe Moreau, Brian Murphy, Leif Nelson, Dorene Novotny, Erin Ortiz, George Robles, Rowena Tomaneng, Pablo Zamorano/DASB

**FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT**  
**Office of the Chancellor**

**CHANCELLOR'S ADVISORY COUNCIL**  
**SUMMARY**  
**November 16, 2012**

Present

*Linda Thor, Karen Chow, Robert Cormia for Dolores Davison, Joseline Diaz, Craig Gawick, Meredith Heiser for Rich Hansen, Truly Hunter, Kevin McElroy, Sherri Mines for Erin Ortiz, Blanche Monary, Joe Moreau, Brian Murphy, Dorene Novotny, Kurt Hueg for Rowena Tomaneng*

**I. Welcome**

Chancellor Thor welcomed the council and asked members to introduce themselves.

**II. Approval of October 19, 2012, Meeting Summary**

The October 19, 2012, meeting summary was approved without changes. Linda reported that the acceptance of gifts policy and procedure (BP/AP 3122) approved at the October 19, 2012, Chancellor's Advisory Council meeting will be revised again to address Board concerns and that policies and procedures concerning alcohol on campus, prerequisites and corequisites, credit by examination, and directory information are currently undergoing review.

**III. Post-Proposition 30 Budget Status**

Kevin distributed the best and worst case budget scenarios presented to the Board of Trustees in September and reminded the council that although Proposition 30 passed, the district still needs to address a \$5.7 million deficit. He stated that the colleges and Central Services are finalizing cuts, cautioned that the district must be careful not to fall out of compliance with the 50 Percent Law, and indicated that a deficit factor could be applied to apportionment if the Governor's revenue projections are not realized. Kevin noted that there are still many details left to work out with regard to implementing Proposition 30, or the Education Protection Act (EPA), as the measure included language requiring special reporting and online posting of spending plans. He asked for suggestions to take back to the Fiscal Standards and Accounting Committee, which is developing compliance recommendations.

Linda advised that a recent Legislative Analyst's Office report predicts that the state will have a surplus by 2014 and that job growth reports point to a statewide recovery. Kevin confirmed that revenues resulting from the passage of Proposition 39 could bring \$25 million to community colleges in the next fiscal year according to California Community Colleges Chancellor's Office estimates. Brian stressed that both colleges are working to recapture enrollment, and options including offering additional classes at high schools, private industry sites, and online were discussed.

**IV. Other Information and Updates**

Linda advised that the December 3, 2012, Board of Trustees meeting has been moved to December 10, 2012, due to the timetable for election certification.

Blanche spoke about election results and plans for a calendar that includes all shared governance meetings.

Brian announced that the De Anza College football team has been named North Coast Conference co-champion.

Kurt noted that the Foothill College women's water polo team is participating in the state tournament.

Meredith commented that she is hoping to retain two student interns on each campus with Political Action Committee funds to work with legislators, student groups, and state-level interest groups.

Joe advised that Educational Technology Services will be pursuing new security precautions to help the district get closer to industry best practices for protecting personal information.

Karen provided an overview of discussions at the Academic Senate for California Community Colleges fall plenary session and noted that several presentations are available online at: <http://www.asccc.org/materials>. She also reported that the De Anza College Academic Senate is reviewing program viability and discontinuance processes and made positive comments about collaboration with classified and student senates.

Joseline reported working with the De Anza College student government and the Santa Clara Valley Transportation Authority to secure a districtwide Eco Pass contract and advised that Foothill College students will be asked to approve an Eco Pass fee during winter quarter.

Bob discussed a Career Technical Education Workforce Development presentation that covered emerging and growth sectors as well as the importance of moving to braided funding in which two or three grant streams are shared among partner colleges.

Sherri noted that the Foothill College Classified Senate is also working on program discontinuance policies.

Chancellor Thor adjourned the meeting at 2:47 p.m.



**FOOTHILL-DE ANZA**  
**Community College District**

## **2013 Legislative Principles**

Annual legislative principles are adopted by the Board of Trustees to provide policy guidelines for the Chancellor when addressing matters pending before the California Legislature or the United States Congress. For 2013, the Foothill-De Anza Board of Trustees endorses the following advocacy positions:

### **A. State Legislative Principles**

1. Oppose further cuts to community colleges and support measures that promote financial stability, such as statutory protection for Proposition 30 estimates.
2. Support closing any state structural budget deficit with revenue enhancements.
3. Support constitutional amendments that advantage community colleges such as lowering the vote threshold for the approval for school and community college district parcel taxes from two-thirds (66%) to a super majority of 55%.
4. Advocate for allocating part of any apportionment funding increase in 2013-14 for COLA to address the lack of statutory cost of living adjustments between 2007-08 and 2012-13.
5. If student enrollment fee increases are proposed, support incremental, timely and predictable increases.
6. Oppose measures that restrict state support of higher education based solely on prior credits earned.
7. Contingent on adequate funding, support transfer of adult education and apprenticeship programs to community colleges.
8. Advocate for adequate funding for implementation of Student Success Task Force recommendations that have been adopted by the Board of Governors.
9. Oppose accountability measures that have a disproportionate negative fiscal impact on districts serving large numbers of underrepresented students.
10. Oppose the imposition of unnecessary, duplicative regulatory requirements that create unfunded mandates.

11. Support use of open textbooks, open educational resources and other appropriate approaches to reduce costs for students and community colleges.
12. Advocate for increasing the authority and flexibility of local districts, including flexibility in setting fees (e.g. health, technology).
13. Continue supporting educational access and success for California DREAM Act students.
14. Support removing barriers to transfer of qualified community college students to the University of California and California State universities.
15. Support a statewide capital construction bond measure that benefits community colleges.
16. Support the preservation and enhancement of state financial aid for community college students.
17. Support efforts to strengthen college preparation and align K-12 and community college curriculum.
18. Support measures that enhance the ability of community colleges to quickly respond to the changing needs of local labor markets.
19. Support creation of a statewide P-20 data system that enables better tracking and management of students and their performance.
20. Support programs that enable community colleges to serve disadvantaged and/or underrepresented populations and students who are veterans.
21. Support the advancement of instructional technology to increase access and student success.
22. Support solutions to the escalating costs of health benefits.
23. Support efforts to encourage and sustain public-private partnerships.
24. Support efforts for energy efficiency and sustainability.
25. Support efforts for regional and statewide collaboration that result in lower costs, increased efficiency, and/or improved services to students.

## **B. Federal Legislative Principles**

1. Support increased federal investment in community colleges that enables those institutions to better serve their communities.
2. Support federal student aid and loan repayment programs that ease economic barriers for students and reduce default rates among low-income students.
3. Advocate for robust Perkins Act funding that serves the needs of all types of career-technical education students and maintains flexibility for community colleges.
4. Support programs that enable community colleges to serve disadvantaged populations.
5. Support the DREAM Act and a path to legal residency.
6. Support funding to help institutions serve the particular needs of students who are veterans.
7. Support voluntary accountability measures that accurately reflect the success of community colleges and oppose accountability programs that impose financial penalties.
8. Support improving opportunities for education and training for a maturing workforce.
9. Support inclusion of community colleges as key partners/training providers in Workforce Investment Act reauthorization, and advocate for revisions in the legislation that would benefit community colleges.
10. Advocate for recognition of institutional autonomy and state and local controls in the delivery of education by community colleges in the reauthorization of the Higher Education Act.

1/18/13

**Foothill-De Anza Community College District**  
**Password Change Proposal**  
**January 2013**

Proposal

In an effort to improve the security of Foothill-De Anza information systems, Educational Technology Services (ETS) is recommending that end user passwords be upgraded to the latest industry standard format. Also, in February of each year, passwords for all students, faculty, and staff will expire. After the annual expiration date, users will be required to create the new password upon their next log in with the following format:

- The new password must be a minimum of eight (8) characters
- The new password must include at least one capital letter and one lower case letter
- The new password must include at least one number
- The new password must include at least one special character
  - The following special characters may **NOT** be used { } \ : = @ or a blank space

In addition to this new password format, new passwords may not duplicate a user's current password.

Announcement

In an effort to improve the security of Foothill-De Anza information systems, your password will be upgraded to the latest industry standard format. On February 19<sup>th</sup>, your password will expire, and, upon your next log-in, you will be required to create a new password with the following format:

- The new password must be a minimum of eight (8) characters
- The new password must include at least one capital letter and one lower case letter
- The new password must include at least one number
- The new password must include at least one special character
  - The following special characters may **NOT** be used { } \ : = @ or a blank space

All passwords will expire annually. You will be required to create a new password each year that does not duplicate your current password. A brief video has been produced by Educational Technology Services (ETS) that contains additional details on the password change and can be viewed at <http://ets.fhda.edu/password>.

Consistent with Administrative Procedure 3250 you may not share your Foothill-De Anza username and password with anyone. **Please remember, ETS will NEVER ask you for your user name or password via email or telephone.** It is part of every user's responsibility to protect their username and password to prevent damage to themselves and the District. If you believe your username and password have been compromised, it is your responsibility to notify the District immediately. If you have questions or concerns or need to report a compromised username and password,

*Faculty and staff* - you can contact the ETS Call Center at 408-864-8324 or by email at [techhelp@fhda.edu](mailto:techhelp@fhda.edu).

Please note this password change does not apply to some information systems with standalone security. The passwords for these systems will not be affected by the annual password expiration at this time. For a list of information systems not currently affected by the password expiration, please refer to the ETS Password Project page at <http://ets.fhda.edu/password>.

*Students* – you can contact:

De Anza Admissions & Records 408-864-5300 or [www.deanza.edu/admissions/reghelp.html](http://www.deanza.edu/admissions/reghelp.html)  
Foothill Admissions & Records 650-949-7325 or [webregfh@mercury.fhda.edu](mailto:webregfh@mercury.fhda.edu)

**DRAFT NEW**

**Service Animals**

**BP 3440**

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This policy applies to the use of service animals related to an individual's ability to: 1) access District facilities where members of the public, invitees, clients, customers, and patrons are allowed to go; and 2) access and participate in the District's activities, services and program.

In order to prevent discrimination on the basis of disability, the District will allow an individual with a disability to use a service animal, as defined, in District facilities and on District campuses in compliance with state and federal law. For the purposes of this policy, a service animal is a dog or miniature horse that has been individually trained to do work for the benefit of the disabled person, and which otherwise meets the criteria set out in Administrative Procedure 3440. The District reserves the right to exclude any service animal from all or parts of District property for reasons allowed under applicable law, including if the continued presence of the animal presents a substantial risk of injury to persons or District property.

*See Administrative Procedure 3440 Service Animals*

The ADA of 1990 – 42 United States Code Sections 12101 et seq.  
28 CFR Part 35, 36  
34 CFR Part 104.44(b)

Approved \_\_\_\_\_

**DRAFT NEW**

**Service Animals**

**AP 3440**

This procedure applies to an individual's ability to: 1) access District facilities where members of the public, invitees, clients, customers, and patrons are allowed to go; or 2) access and participate in the District's activities, services and programs.

The District will allow an individual with a disability to use a qualifying service animal, as defined, in District facilities and on District campuses in compliance with state and federal law. The District will allow an individual with a disability to be accompanied by his/her qualifying service animal in all areas of the District's facilities where members of the public, invitees, clients, customers, patrons, or participants in services, programs or activities, as relevant, are allowed to go. These procedures shall also be applicable to an individual who is training a qualifying service animal.

**Service Animal Defined**

A "service animal" for purposes of this procedure means a dog or miniature horse, as provided herein that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability, and which otherwise meets the criteria set forth below. Service animals that meet this definition and the other criteria set forth herein may be referred to as "qualifying service animals."

Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

**Criteria**

To be a qualifying service animal, the animal must meet the following criteria:

- **Work performed.** The work or tasks performed by a service animal must be directly related to the handler's disability. Neither the crime deterrent effects of an animal's presence nor the provision of emotional support, well-being, comfort, or companionship from its presence constitute work or tasks for the purposes of this definition.
- **Control.** The service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
- **Care or Supervision.** The District is not responsible for the care or supervision of the animal. Use of the animal as a service animal on District property shall not involve or require District care or supervision of the animal.

### **Assessment Factors, Miniature Horses**

The District will allow an individual with a disability to use a miniature horse as a service animal in District facilities and on District campuses if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability and the District has determined, based on the assessment factors provided in this procedure that a reasonable accommodation can be made.

In evaluating whether a miniature horse meets the definition of a qualified service animal, the District shall consider the following factors:

- The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- Whether the handler has sufficient control of the miniature horse;
- Whether the miniature horse is housebroken; and
- Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

### **Inquiries by the District**

The District may make two inquiries to determine whether an animal qualifies as a service animal:

- Whether the animal is required because of a disability; and
- What work or task the animal has been trained to perform.

The District will not make either of these inquiries when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

An individual may choose to produce a county service dog license or identification tag as proof that the animal is a service animal. Licensure or certification is not required in order to meet the definition of service animal under this procedure. There are no licensing or certification requirements for miniature horses.

### **No Surcharge**

The District will not ask or require an individual with a disability to pay a surcharge for use of a qualifying service animal, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. The District normally charges an individual for damage to property caused by pets. Thus, an individual with a disability can also expect to be charged for damaged caused by his or her service animal.

### **Exceptions**

Regardless of whether the service animal is otherwise qualifying, the District will require an individual with a disability to remove a service animal from the premises if:

*Foothill-De Anza Community College District  
Administrative Procedures*

- The animal is out of control and the animal's handler does not take effective action to control it;
- The animal is not housebroken; or
- The continuing presence of the service animal creates a substantial risk of injury to persons or District property.

If a service animal is excluded under one of these exceptions, the District will give the individual with a disability the opportunity to obtain goods, services, and accommodations or to participate in the service, program, or activity without having the service animal on the premises.

*See Board Policy 3440 Service Animals*

Civil Code Sections 54 et seq.  
Penal Code Section 365.5  
ADA of 1990 – 42 United States Code Sections 12101 et seq.  
28 CFR Part 35, 36  
34 CFR Part 104.44(b)

Approved by CAC \_\_\_\_\_

**Executive Summary for Recommendation  
To Consider Changing the FHDA Alcohol Use  
Administrative Procedure 3500/01**

**Recommendation:** Approve an FHDA Board Policy and concur with revising current Alcohol Use Administrative Procedure (AP) 3500 and 3501 to include *special events* as an allowable exception as provided for in Business & Professions Code section 25608 (Code 25608).

**Background:** The District currently has in place AP 3500 and 3501 (attached) regarding the use or consumption of any alcoholic beverages on either campus, including any district property and for any off campus events. Code 25608 (attached with key wording high lighted in (a) 15 and 16) generally prohibits the use or consumption of alcohol on community college district property. But the code, under certain circumstances, provides for a variety of exceptions that make it permissible for districts to allow alcohol use and consumption on their property. Some examples of the exceptions include districts that have a state approved vintner program, foundation sponsored fund raising events, sacramental wine for authorized religious services or certain college sporting events held in a large veterans stadium.

FHDA's AP 3500 authorizes two such permissible exceptions under code 25608. Briefly summarized, they include the approval for the district to allow/serve wine at fund raising events by the Foundation and for alcoholic beverages to be sold and consumed in the Flint Center by a third party operator leasing the facility from the district for performances/events.

In January of 2011, Code 25608 was amended to include another category of exemption to the law. The new category is referred to as *Special Events* and allows a district's Board of Trustees to allow the use/consumption of alcohol at a variety of pre-approved events, defined as Special Events. Examples include festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the district, pursuant to a district granted license or permit.

A key component of the *Special Events* exemption states that it must be an event for which the principle attendees are members of the general public or invited guests and not students of the district. A minority of students may be present (such as ASB leadership representatives) at the special event, but no one under the age of 21 may consume any alcoholic beverages. These restrictions are clearly stated in the revised AP being recommended to the Board.

**Rationale for Amending the Current AP3500:** District staff is recommending that the Board add the recently approved Special Events category to our existing AP3500 primarily for two particular types of activities. The first is to allow the district more flexibility in holding community and fund raising events, such as local chamber of commerce mixers and other community building activities. Other campus-

sponsored events that may benefit from the flexibility to include serving wine/sparkling wine include art gallery openings/shows. The second category of activity has the strong potential to increase the revenue generated through facility rentals at the campuses'. Including the option to serve wine and beer at facility rental events on the campuses will significantly enhance the desirability of our facilities for private function events such as weddings, Bar mitzvah's/Bo mitzvah's, milestone anniversaries, and other commemorative events.

Staff is also recommending that the Board consider adding a new Board Policy (BP) for Alcohol Use on FHDA District property in addition to the amended AP 3500. Because Code 25608 specifically states that the Special Events exception provision requires approval from the governing board of trustees, it is both appropriate and necessary to adopt a new BP 3500 to support our amended AP 3500/3501 if approved by the FHDA Board of Trustees.

**Legal Review and Insurance:** Staff has worked with our district liability insurance carriers to be certain there are no gaps in coverage if the Board approves the Special Events category exception. It is important to note that because the district is a purveyor of alcohol, it takes on the same risks as a private-party business serving alcohol. The Business Office and the Risk Services department have reviewed coverage to assure that we do not have any exemptions in our coverage for events we will sponsor and serve wine/beer.

Although research reveals that we have not had any alcohol related claims against the district in the past, any potential future claims will be handled in the same way as any other liability claim filed with the district. If a claim report is filed with the Risk Services department, the Board determines whether to accept or reject the claim and the normal claim resolution process is initiated.

Private parties that rent our facilities and obtain a permit to serve wine/beer at their event will be required to provide a certificate of insurance for not less than \$1,000,000 indemnifying the district for the private party event.

Staff has worked with our legal counsel, Lynch and Shupe, LLP to assure that the language in our amended AP and proposed BP are appropriate and legally compliant with Code 25608 . Counsel has both provided suggested language and fully reviewed the amended AP and new BP being recommended to the Board. Counsel opines that staff is recommending a solid amended AP and new BP. He also suggests that we have written procedures in place for private party events that obtain a permit to serve wine/beer. Written procedures will be included in our Board approved Facility Rental Rates and Procedures.

# California Business and Professions Code

## Section 25608

[Legal Research Home](#) > [California Laws](#) > [Business and Professions Code](#) > California Business and Professions Code Section 25608

(a) Every person who possesses, consumes, sells, gives, or delivers to any other person, any alcoholic beverage in or on any public schoolhouse or any of the grounds of the schoolhouse, is guilty of a misdemeanor. This section does not, however, make it unlawful for any person to acquire, possess, or use any alcoholic beverage in or on any public schoolhouse, or on any grounds of the schoolhouse, if any of the following applies:

(1) The alcoholic beverage possessed, consumed, or sold, pursuant to a license obtained under this division, is wine that is produced by a bonded winery owned or operated as part of an instructional program in viticulture and enology.

(2) The alcoholic beverage is acquired, possessed, or used in connection with a course of instruction given at the school and the person has been authorized to acquire, possess, or use it by the governing body or other administrative head of the school.

(3) The public schoolhouse is surplus school property and the grounds of the schoolhouse are leased to a lessee that is a general law city with a population of less than 50,000, or the public schoolhouse is surplus school property and the grounds of the schoolhouse are located in an unincorporated area and are leased to a lessee that is a civic organization, and the property is to be used for community center purposes and no public school education is to be conducted on the property by either the lessor or the lessee and the property is not being used by persons under the age of 21 years for recreational purposes at any time during which alcoholic beverages are being sold or consumed on the premises.

(4) The alcoholic beverages are acquired, possessed, or used during events at a college-owned or college-operated

veterans stadium with a capacity of over 12,000 people, located in a county with a population of over 6,000,000 people. As used in this paragraph, "events" mean football games sponsored by a college, other than a public community college, or other events sponsored by noncollege groups. (5) The alcoholic beverages are acquired, possessed, or used during an event not sponsored by any college at a performing arts facility built on property owned by a community college district and leased to a nonprofit organization that is a public benefit corporation formed under Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code. As used in this paragraph, "performing arts facility" means an auditorium with more than 300 permanent seats. (6) The alcoholic beverage is wine for sacramental or other religious purposes and is used only during authorized religious services held on or before January 1, 1995. (7) The alcoholic beverages are acquired, possessed, or used during an event at a community center owned by a community services district or a city and the event is not held at a time when students are attending a public school-sponsored activity at the center. (8) The alcoholic beverage is wine that is acquired, possessed, or used during an event sponsored by a community college district or an organization operated for the benefit of the community college district where the college district maintains both an instructional program in viticulture on no less than five acres of land owned by the district and an instructional program in enology, which includes sales and marketing. (9) The alcoholic beverage is acquired, possessed, or used at a professional minor league baseball game conducted at the stadium of a community college located in a county with a population of less than 250,000 inhabitants, and the baseball game is conducted pursuant to a contract between the community college district and a professional sports organization. (10) The

alcoholic beverages are acquired, possessed, or used during events at a college-owned or college-operated stadium or other facility. As used in this paragraph, "events" means fundraisers held to benefit a nonprofit corporation that has obtained a license pursuant to this division for the event.

"Events" does not include football games or other athletic contests sponsored by any college or public community college. This paragraph shall not apply to any public education facility in which any grade from kindergarten to grade 12, inclusive, is schooled. (11) The alcoholic beverages are

possessed, consumed, or sold, pursuant to a license, permit, or authorization obtained under this division, for an event held at an overnight retreat facility owned and operated by a county office of education or a school district at times when pupils are not on the grounds. (12) The

grounds of the public schoolhouse on which the alcoholic beverage is acquired, possessed, used, or consumed is property that has been developed and is used for residential facilities or housing that is offered for rent, lease, or sale exclusively to faculty or staff of a public school or community college. (13) The grounds of a public

schoolhouse on which the alcoholic beverage is acquired, possessed, used, or consumed is property of a community college that is leased, licensed, or otherwise provided for use as a water conservation demonstration garden and community passive recreation resource by a joint powers agency comprised of public agencies, including the community college, and the event at which the alcoholic beverage is acquired, possessed, used, or consumed is conducted pursuant to a written policy adopted by the governing body of the joint powers agency and no public funds are used for the purchase or provision of the alcoholic beverage.

(14) The alcoholic beverage is beer or wine acquired, possessed, used, sold, or consumed only in connection with a course of instruction,

sponsored dinner, or meal demonstration given as part of a culinary arts program at a campus of a California community college and the person has been authorized to acquire, possess, use, sell, or consume the beer or wine by the governing body or other administrative head of the school. (15)

The alcoholic beverages are possessed, consumed, or sold, pursuant to a license or permit obtained under this division for special events held at the facilities of a public community college during the special event. As used in this paragraph, "special event" means events that are held with the permission of the governing board of the community college district that are festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the public community college and for which the principal attendees are members of the general public or invited guests and not students of the public community college. (16)

The alcoholic beverages are acquired, possessed, or used during an event at a community college-owned facility in which any grade from kindergarten to grade 12, inclusive, is schooled, if the event is held at a time when students in any grades from kindergarten to grade 12, inclusive, are not present at the facility. As used in this paragraph, "events" include fundraisers held to benefit a nonprofit corporation that has obtained a license pursuant to this division for the event.

(b) Any person convicted of a violation of this section shall, in addition to the penalty imposed for the misdemeanor, be barred from having or receiving any privilege of the use of public school property which is accorded by Article 2 (commencing with Section 82537) of Chapter 8 of Part 49 of Division 7 of Title 3 the Education Code.

**DRAFT REVISED**

**Alcohol On-Campus**

**AP 3500**

**A. In General.** The use, possession, consumption, sale, supply or delivery (collectively “use”) of alcoholic beverages on District property is generally illegal. (Business & Professions Code section 25608). Exceptions exist for use in courses of instruction (section 25608(a)(2)), *special events* (section 25608 (a) (15), Foundation sponsored *fund raising events* (section 25608(a)(10)) and for certain events at the Flint Center which are not sponsored by the College District and held while the Flint Center is under lease to a private, nonprofit corporation (Section 25608(a)(5). This AP describes the rules and procedures for use of alcohol at special events and fundraising events.

**B. Special Events.** As used in this paragraph, “special event” means events that are held with the permission of the Governing Board of the district that are festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the district, pursuant to a district granted license or permit, and for which the principle attendees are members of the general public or invited guests and not students of the district. Events that DO NOT qualify for special events include, but are not limited to employee parties, employee only functions, and college business meetings. The Chancellor will make the final determination for what qualifies as a special event.

**Special Event Procedures**

- Invitations, notices, programs, flyers, brochures, table tents, posters, letters, advertisements, public service announcements, or communications for special events must include the phrase “Special Event approved by the District Chancellor”. These may not be printed or distributed for the special event prior to granted approval.
- Auxiliary funds generated by self-supporting District Enterprise operations may, at the discretion of the district Chancellor be used to purchase alcohol for special events. Special event alcohol purchases, whether for on-campus or off-campus events, must be made through check-request forms submitted through the District vice chancellor, Business Services office.
- A request to serve alcohol at special events must be submitted in writing to the appropriate college representative (De Anza: Director, Campus Center, Foothill: Director, Campus Center) no less than 45 days prior to the event.
- Requests made to the appropriate college representative shall include the name, date, place, time, purpose, and estimated number of guests at the event, the sponsoring college or District unit, the name and phone number of the individual in charge of the event, and the name of the supervising college or District administrator.
- A check for \$100 payable to Foothill-De Anza CCD for special events, must

be included for the purchase of a one-day alcohol license from the Alcohol Control Board.

- Private party special events not affiliated with either college or the district must complete the appropriate facility use form and submit it through the facility rental office of the appropriate college.
- For special events, the respective college facilities rental office will forward the completed special event facilities use form to the district Chancellor for approval. Once district Chancellor approval is received, the facility use form will be submitted to campus security for approval.
- After receipt of all necessary approvals for a special event, the appropriate college designee for special events will obtain the license from the Alcohol Control Board and notify the applicant no less than 7 days prior to the event so that the individual in charge of the event may pick up the license.
- Unless otherwise directed by the vice chancellor for Business Services, the special event organizer will be required to procure general liability insurance naming both the District as additional insured for all liability exposure associated with the approved special event, including but not limited to those arising from the service and consumption of alcohol, with per occurrence and combined limit coverage as specified by the District Office of Risk Management. Except where waived by the Vice Chancellor the Use Permit form will include an appropriate hold harmless/indemnification clause.
- Special events approved to serve alcoholic beverages at an off-campus facility must follow the same requirements and procedures as an on-campus event. If the event venue is open to the public, the facility must also provide proof of license to serve alcoholic beverages.

**C. Fund Raising Events.** As used in this AP "fund raising events" means a fundraising event sponsored by the Foundation and held at a District facility, but does not include athletic contests sponsored by a college.

Requests for use of alcoholic beverages on District property for **Fund Raising** events shall be processed by the Foothill-De Anza Community Colleges Foundation ("Foundation"). Approval will be granted on a case-by-case basis by the Foundation where the purpose of the event is fund raising, stewardship, prospecting, and Flint Center events that directly benefit Foothill and De Anza colleges. Fund raising events are subject to approval by the appropriate college president or from the district Chancellor. (See *Fund Raising Event Procedures* below for specific details.)

#### **Fund Raising Event Procedures**

- Invitations, notices, programs, flyers, brochures, table tents, posters, letters, advertisements, public service announcements, or communications for fund raising events must include the phrase "Sponsored by the Foothill-De Anza

Foundation”. These may not be printed or distributed for the fund raising event prior to granted approval.

- Non-District funds held in Foundation accounts, at the discretion of the Foundation may be used to purchase alcohol for fundraising events. Foundation event alcohol purchases, whether for on-campus or off-campus events, must be made through Foundation check-request forms.
- A request to serve alcohol at foundation fund raising events must be submitted in writing to the executive director of the Foundation no less than 45 days prior to the event.
- Requests made to the Foundation shall include the name, date, place, time, purpose, and estimated number of guests at the event, the sponsoring college or District unit, the name and phone number of the individual in charge of the event, and the name of the supervising college or District administrator.
- A check for \$100 payable to the Foundation must be included for purchase of a one-day alcohol license from the Alcohol Control Board.
- If a not-for-profit organization in addition to the Foundation is associated with the event, the request must include the name of the organization and contact information for its director or responsible party. A brief statement of the organization's relationship to the college or District must be included.
- The Foundation will forward the completed request package to the respective college president for approval. Once appropriate college presidential approval is received, the Foundation will submit the request to campus security for approval.
- After receipt of all necessary fund raising event approvals, the Foundation will obtain the license from the Alcohol Control Board and notify the sponsoring unit no less than 7 days prior to the event so that the individual in charge of the event may pick up the license.
- At the discretion of the Foundation, the fund raising event organizer will be required to procure general liability insurance naming both the Foundation and District as additional insured for the public liability risks associated with the event.
- Fund raising events approved to serve alcoholic beverages at an off-campus facility must follow the same requirements and procedures as an on campus event. If the event venue is open to the public, the facility must also provide proof of license to serve alcoholic beverages.

**D. Rules Applicable to All Events at Which Alcohol Will be Served.** All applicants for either Special Events or Fundraising Events must adhere to the following:

*Foothill-De Anza Community College District  
Administrative Procedures*

1. No alcohol may be served or used on the campuses of Foothill and De Anza colleges, except at fund-raising events sponsored by the Foundation, special events approved by the Governing Board, or at the Flint Center for events which are not sponsored by the College District and held while the Flint Center is under lease to a private, nonprofit corporation.
2. Alcohol may not be served to or by any individuals who are less than 21 years of age.
3. Alcohol may not be purchased using District General Funds and **District Procurement Cards (Pro-Card) may not be used to purchase alcohol.**
4. "Alcoholic beverages which may be served at events include wine, sparkling wine/champagne and beer but do not include distilled spirits or any beverage containing alcohol by volume in excess of 18%."

*See Board Policy 3500 Alcohol On Campus*

Reviewed by Chancellor's Advisory Council 11/3/06  
Approved by CAC \_\_\_\_\_

**CURRENT VERSION OF AP 3500**

**On-Campus Alcohol Use**

**AP 3500**

The use, possession, consumption, sale, supply or delivery (collectively “use”) of alcoholic beverages on District property is generally illegal (Business & Professions Code section 25608). Exceptions exist for use in courses of instruction (section 25608(b)(2), and for certain events at the Flint Center which are not sponsored by the College District and held while the Flint Center is under lease to a private, nonprofit corporation (Section 25608(b)(5). Requests for use of alcoholic beverages on District property shall be processed by the Foothill-De Anza Community Colleges Foundation (“Foundation”) according to the following standards. Approval will be granted on a case-by-case basis by the Foundation where the purpose of the event is fundraising, stewardship, prospecting, and Flint Center events that directly benefit Foothill and De Anza colleges. All applicants must follow the procedures below. Invitations, notices, programs, flyers, brochures, table tents, posters, letters, advertisements, public service announcements, or communications about the event of any kind must include the phrase “Sponsored by the Foothill-De Anza Foundation.” These may not be printed or distributed prior to granted approval.

1. No alcohol may be served or used on the campuses of Foothill and De Anza colleges, except at fund-raising events sponsored by the Foundation, or at the Flint Center for the Performing Arts.
2. Alcohol may not be served to or by any individuals who are less than 21 years of age, including students, employees of Foothill or De Anza colleges, the Foothill-De Anza Community College District, and any of their contractors.
3. Alcohol may not be purchased with District funds. Non-District funds held in Foundation accounts may, at the discretion of the Foundation, be used. All alcohol purchases, whether for on-campus or off-campus events, must be made through Foundation check-request forms. District Pro Cards may not be used to buy alcohol.
4. A request to serve alcohol at fund-raising events must be submitted in writing to the executive director of the Foundation no less than 45 days prior to the event.
5. Requests shall include the name, date, place, time, purpose, and estimated number of guests at the event, the sponsoring college or District unit, the name and phone number of the individual in charge of the event, and the name of the supervising college or District administrator. A check for \$50, payable to the Foundation, must be included for purchase of a one-day alcohol license from the Alcohol Control Board.
6. If a not-for-profit organization in addition to the Foundation is associated with the event, the request must include the name of the organization and contact

*Foothill-De Anza Community College District  
Administrative Procedures*

information of its director. A brief statement of the organization's relationship to the college or District must be included.

7. The Foundation will in turn forward the completed request package to the respective college president for approval. Once presidential approval is received, the Foundation will submit the request to campus security for approval.
8. After receipt of all necessary approvals, the Foundation will obtain the license from the Alcohol Control Board and notify the sponsoring unit no less than 7 days prior to the event so that the individual in charge of the event may pick up the license.
9. At all Foundation-sponsored events serving alcohol, there must be placards posted in clear sight that provide numbers for taxi services or alternative ride home resources.
10. At the discretion of the Foundation, the event organizer will be required to procure general liability insurance naming both the Foundation and District as additional insureds for the public liability risks associated with the event.

Reviewed by Chancellor's Advisory Council 11/3/06

**DRAFT REVISED**

**Alcohol Use Off-Campus**

**AP 3501**

The purchase of alcohol for college or District-related use off District property is restricted to fundraising or other college-sponsored activities that directly benefit Foothill and De Anza colleges for the Foundation ("*fundraising events*") (Business and Professions Code §25608(a)(10)) and to *special events* approved by the District Chancellor and permitted by the Governing Board. (§25608(a)(15)) Any reimbursement for costs incurred must come from approved Foothill-De Anza Community Colleges Foundation accounts for Foundation *fundraising events* and from approved self-supporting ancillary funds for *special events*. (See AP 3500 for procedural details.) Alcohol for Foundation, District or college sponsored activities cannot be served to or by any individuals who are less than 21 years of age. Any off-campus, college sponsored activity that includes the serving and/or purchase of alcohol, must have identified one member of the college or district staff or faculty as the person responsible for the event. **District ProCards may not be used to purchase alcohol.** Reimbursements for the purchase of alcohol for off-campus events must be made by check requests from Foundation accounts for *fundraising events* and from approved ancillary accounts for district Governing Board and Chancellor approved *special events*. The name of the person responsible for the event must be indicated on the check request. All check requests submitted for alcohol purchase must be approved by the appropriate college president or the district Chancellor for *fundraising events* and by the district Chancellor for *special events*.

*See Board Policy 3500 Alcohol On Campus*

Reviewed by Chancellor's Advisory Council 11/3/06  
Approved by CAC \_\_\_\_\_

**CURRENT AP 3501**

**Off-Campus Alcohol Use**

**AP 3501**

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The purchase of alcohol for college or District-related use off District property is restricted to fundraising or other college-sponsored activities that directly benefit Foothill and De Anza colleges. Any reimbursement for costs incurred must come from approved Foothill-De Anza Community Colleges Foundation (the Foundation) accounts. Alcohol for District- or college-sponsored activities cannot be served to or by any individuals who are less than 21 years of age.

- 1 Any off-campus, college-sponsored activity that includes the serving and/or purchase of alcohol, must have identified one member of the college or district staff or faculty as the person responsible for the event.
2. District Pro Cards may not be used to purchase alcohol.
3. Reimbursements for the purchase of alcohol for off-campus events must be made by check requests from Foundation accounts. The name of the person responsible for the event must be indicated on the check request.
4. All check requests submitted for alcohol purchase must be approved by the responsible college or District administrator.

Reviewed by Chancellor's Advisory Council 11/3/06

**DRAFT NEW**

**Alcohol On Campus**

**BP 3500**

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The use, possession, consumption, sale, supply or delivery (collectively “use”) of alcoholic beverages on District property is generally illegal, and to that extent also prohibited by this Board Policy. (Business & Professions Code section 25608). Exceptions to the legal prohibition, and to this Policy, exist for use in courses of instruction (section 25608(a)(2)), special events (section 25608 (a) (15), Foundation sponsored fund raising events (section 25608(a)(10)) and for certain events at the Flint Center which are not sponsored by the College District and held while the Flint Center is under lease to a private, nonprofit corporation (Section 25608(a)(5). The district administration shall develop procedures and requirements for invoking these exceptions, including mandatory Board action for the approval of special events.

*See Administrative Procedures 3500 Alcohol On Campus and 3501 Alcohol Off Campus*

Business & Professions Code Section 25608

Approved \_\_\_\_\_

**DRAFT REVISED**

**Furnishing Information Concerning Students  
Disclosure of Student Records**

**5050**

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I. Policy

It is the policy of the Foothill-De Anza CCD to comply with the requirements of the Federal Family Educational Rights and Privacy Act (FERPA), known as the Buckley Amendment, as well as Education Code section 76200 et seq., concerning the disclosure of student records.

II. Disclosure of Student Directory Information

Directory Information means those items or categories of student information defined by Education Code section 76210(b) and is information which generally would not be considered harmful or an invasion of privacy if disclosed. It includes a student's name, participation in officially recognized activities and sports, weight and height of individuals on athletic teams, dates of Foothill or De Anza College attendance, and degrees and awards received at Foothill or De Anza College.

This information may be disclosed (disclosure means to permit access to or the release, transfer, or other communication to any party by any means, including oral, written, or electronic) and may appear in public documents unless a student files a written notice not to disclose any or all of the information.

III. Personal Information

Personal information means any item of information directly related to an identifiable current or former student including, but not limited to, the student's name in conjunction with, a name of a student's parent or family members, an address of a student or a student's family, an email address, a personal identifier (such as a social security number or student number), driver's license number, financial account information, medical information, a list of personal characteristics, participation in special programs, or any information that would make a student's identity traceable (to locate or discover by searching).

IV. Furnishing Information Concerning Students

The administration will establish procedures whereby all employees will be informed and reminded regularly that they are not to furnish any personal information concerning a student to any person, agency, or organization, except as provided for in Education Code §76240, or PL 93-380 §438, 20USC§1232g.

The respective campus administrations will develop, disseminate, and implement such regulations, procedures and practices as will effect compliance with the aforementioned statutes.

*Foothill-De Anza Community College District  
Board of Trustees  
Board Policy Manual*

*See Administrative Procedure 5050 Disclosure of Student Records*

California Education Code § 22504.5 \* PL 93-380, § 438 [20 U.S.C.A. 1232g]

Approved 3/21/62  
Amended 10/13/75  
Amended 1/4/99  
Amended

Student Information and Educational Records 5045

~~Information and educational records on students of the Foothill-De Anza Community College District are maintained and available as outlined in the Family Educational Right and Privacy Act.~~

~~*See Administrative Procedures AP 5045*~~

~~Reference: Public Law 93-380§438, 20USC§1232g  
California Education Code §76200-76246  
California Administrative Code Title 5 §54600-54630~~

**DELETED XX/XX/XXX**

**DRAFT REVISED**

**The Family Educational Right and Privacy Act**  
**Disclosure of Student Records**

**AP 5045**  
**AP 5050**

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The Family Educational Rights and Privacy Act (FERPA, Public Law 93-380 §438) requires educational institutions: to provide access to official educational records directly related to the student; to provide an opportunity for a hearing to challenge such records on the ground that they are inaccurate, misleading, or otherwise inappropriate; to obtain the written consent of the student before releasing personally identifiable information about them from records to other than a specified list of persons and agencies; and to extend these rights to present and former students of the college.

The College Registrar is designated as the “Records Officer” as required by the Act. Education records generally include documents and information related to admissions, enrollment in classes, grades, and related academic information.

Current and former students can review their education records by completing or filing a request with the Records Officer (College Registrar). Such records will be made available immediately when possible, but in all cases within fifteen days of the written request during Admission and Records Office hours. If as a result of such an inspection, there arises a dispute over any records, the Records Officer will initiate an informal proceeding in an attempt to resolve the matter.

If the informal proceeding fails to settle the dispute, the student may file a grievance ~~with the Vice President of Student Services. Upon receiving the grievance at De Anza with the Vice President of Student Services~~ Dean of Student Development and at Foothill the ~~Dean of Instruction and Student Affairs~~ Dean Student Affairs and Activities who will initiate the Student Grievance process. As a part of this process a Grievance Hearing Officer will be appointed to oversee the grievance proceeding.

*~~See Board Policy 5045—Student Information and Educational Records~~*  
*See Board Policy 5050 Disclosure of Student Records*

Reviewed 1/4/99  
Approved by CAC \_\_\_\_\_

*Foothill-De Anza Community College District  
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- PIN
- PIN block used to authenticate cardholders and/or authorize payment card transactions.
- Magnetic strip data or chip data
- Card verification code
- Card verification value

**FOR REFERENCE – NOT PART OF REVISION**

Education Code section 76210

As used in this chapter, the following definitions shall apply:

(a) (1) "Student record" means any item of information directly related to an identifiable student, other than directory information, which is maintained by a community college or required to be maintained by any employee in the performance of his or her duties, whether recorded by handwriting, print, tapes, film, microfilm or other means.

(2) "Student record" does not include (A) confidential letters and statements of recommendations maintained by a community college on or before January 1, 1975, if these letters or statements are not used for purposes other than those for which they were specifically intended, (B) information provided by a student's parents relating to applications for financial aid or scholarships, or (C) information related to a student compiled by a community college officer or employee that remains in the sole possession of the maker and is not accessible or revealed to any other person except a substitute. For purposes of this paragraph, "substitute" means a person who performs, on a temporary basis, the duties of the individual who made the notes and does not refer to a person who permanently succeeds the maker of the notes in his or her position.

(3) "Student record" also does not include information related to a student created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity, or assisting in that capacity, and that is created, maintained, or used only in connection with the provision of treatment to the student and is not available to anyone other than persons providing that treatment. However, that record may be personally reviewed by a physician or other appropriate professional of the student's choice.

(4) "Student record" does not include information maintained by a community college law enforcement unit, if the personnel of the unit do not have access to student records pursuant to Section 76243, the information maintained by the unit is kept apart from information maintained pursuant to subdivision (a), the information is maintained solely for law enforcement purposes, and the information is not made available to persons other than law enforcement officials of the same jurisdiction. "Student record" does not include information maintained in the normal course of business pertaining to persons who are employed by a community college, if the information relates exclusively to the person in that person's capacity as an employee and is not available for use for any other purpose.

(b) "Directory information" means one or more of the following items: a student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent

*Foothill-De Anza Community College District  
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previous public or private school attended by the student, and any other information authorized in writing by the student.

(c) "Access" means a personal inspection and review of a record or an accurate copy of a record, or an oral description or communication of a record or an accurate copy of a record, and a request to release a copy of any reco

## Electronic Information Security AP 3260 (SELECTED SECTIONS)

### I. DIRECTORY INFORMATION (FERPA DEFINITION):

~~Information that is generally not considered harmful or an invasion of privacy if released. The primary purpose of directory information is to allow the District / College to include this type of information from a student's education records in certain school publications.~~

Directory Information is defined in Board Policy 5050: Section II.

Examples include:

- A playbill, showing the student's role in a drama production
- The annual yearbook
- Honor roll or other recognition lists
- Graduation programs
- Sports activity sheets, such as for wrestling, showing weight and height of team members

### M. PERSONAL INFORMATION:

Personal information for students is defined in Board Policy 5050: Section III.

*Personal information includes:*

1. For all individuals, ~~an individual's first and last name in combination with any of the following:~~

- social security number
- driver's license number
- financial account or credit card number in combination with any password that would permit access to the individual's financial account
- medical information

2. For students, ~~all personally identifiable information not included as directory information. This would include the students name in conjunction with:~~

- the name of the student's parent(s) or other family members
- the address of the student's family
- a personal identifier, such as a social security number or student number
- the race or ethnicity of the student
- the gender of the student
- a list of personal characteristics of the student
- academic evaluations and grades of the student
- transcripts and other academic records of the student
- scores on tests required for new students
- the student's class schedule

Personal information for employees includes:

1. An individual's first and last name in combination with the:

- employee's ID number

2. Any payment card information (PCI) including

- Primary Account Number (PAN) along with any of the following:
- Cardholder name
- Expiration date

- Service code