

**Board of Trustees Regular Meeting
Tuesday, December 14, 2021 6:00 PM
District Office, Board Room, 3801 Market Street,
Riverside CA 92501**

ORDER OF BUSINESS

Pledge of Allegiance

Board [Resolution No. 02-21/22](#), specifies that District facilities can only be accessed by individuals with evidence of fully vaccinated status or evidence of a negative COVID-19 test results within 48 hours of attending on-site activities, including attending Board meetings in person. Public access to the in-person meeting will begin 30 minutes prior to the start of the meeting. In order to encourage public participation to the greatest extent possible, a continued virtual link will be provided via live streaming on [Riverside City College's YouTube Channel](#).

Submission of Public Comments

1. Anyone who wishes to make a presentation to the Board on an agenda item in person is requested to complete a "REQUEST TO ADDRESS THE BOARD OF TRUSTEES" card, available from the Public Affairs Officer. However, the Board Chairperson will invite comments on specific agenda items during the meeting before final votes are taken. Please make sure that the Secretary of the Board has the correct spelling of your name and address to maintain proper records. Comments should be limited to five (5) minutes or less. (This time limit will be doubled for members of the public utilizing a translator to ensure the non-English speaker receives the same opportunity to directly address the Board, unless simultaneous translation equipment is used.)
2. Members of the public may also join the meeting virtually through Zoom to directly voice their comments to the Board. Visit the Board of Trustees page on the RCCD website and complete the form to speak. A link to join the meeting will automatically be sent to you.
3. Written public comments may be sent to WrittenPublicComments@rccd.edu, which will be read during the public comment portion of the meeting. Submissions by email must be received prior to 4:00 pm the day of the meeting to be included.

Anyone who requires a disability-related modification or accommodation in order to participate in any meeting should contact the Chancellor's Office at (951) 222-8801 and speak to an Executive Administrative Assistant as far in advance of the meeting as possible.

Any public records relating to an open session agenda item that is distributed within 72 hours prior to the meeting is available for public inspection at the Riverside Community College District Chancellor's Office, 3rd Floor, 3801 Market Street, Riverside, California, 92501 during regular business hours or [online](#).

I.COMMENTS FROM THE PUBLIC

- VIII.B. [Planning, Effectiveness and Governance](#)
[Chapter 4 Board Policies \(BP\) and Administrative Procedures \(AP\)](#)
Recommend approving the Chapter 4 Board Policy updates.
[Chapter 4 Board Policies \(redlined\)](#)
- VIII.C. [Resources](#)
[2020-2021 Proposition 39 Independent Financial and Performance Audits](#)
Recommend approving the Proposition 39 independent financial and performance audits of the District's Measure C general obligation bond for the year ended June 30, 2021 for the permanent file of the District.
[Prop 39 Audit Report and CLA USAS Letter](#)
- VIII.D. [Resources](#)
[2020-2021 Independent Audit Report for the Riverside Community College District](#)
Recommend approving the Riverside Community College District's independent audit report for the year ended June 30, 2021 for the permanent file of the District.
[RCCD Audit Report and Governance Letter](#)
- VIII.E. [Resources](#)
[2020-2021 Independent Audit Report for the Riverside Community College District Foundation](#)
Recommend approving the Riverside Community College District Foundation's independent audit report for the year ended June 30, 2021 for the permanent file of the District.
[Foundation Audit Report and CLA USAS Letter](#)

IX.ADMINISTRATIVE REPORTS

- IX.A. [Administrative Reports](#)
[Resolution No. 18-21/22 – Riverside Community College District Establishment of the Juneteenth National Independence Day under Education Code Section 79020](#)
Recommend approving Resolution No. 18-21/22, Riverside Community College District Establishment of the Juneteenth National Independence Day under Education Code Section 79020.
[Resolution No. 18-21/22 – Riverside Community College District Establishment of the Juneteenth National Independence Day](#)
- IX.B. [Vice Chancellors](#)

Board of Trustees Regular Meeting (VIII.B)

Meeting	December 14, 2021
Agenda Item	Planning, Effectiveness & Governance (VIII.B)
Subject	Planning, Effectiveness and Governance Chapter 4 Board Policies (BP) and Administrative Procedures (AP)
College/District	District
Funding	N/A
Recommended Action	Recommend approving the Chapter 4 Board Policy updates.

Background Narrative:

The Chapter 4 Board Policies (BP) and Administrative Procedures (AP) have been reviewed by the Community College League of California (CCLC), prior RCCD General Counsel, and the District Strategic Planning Committee (DSPC). The DSPC and Chancellor's Cabinet approved the Chapter 4 policies to move forward for review and approval by the Board of Trustees.

Chapter 4 Board Policies:

- BP 4010 (Grants) – redlined and clean version are attached
- BP 4200 (Gifts) – no changes
- BP 4400 (Naming of Facilities, Events and Programs) – no changes
- BP 4500 (Student News Media) – no changes

For informational purposes, the Chapter 4 Administrative Procedures updates are also included. A number of the Grants related APs will be consolidated and or operationalized through materials such as the Administrative Grants manual. Additionally, there is one administrative change to AP 4200 Gifts.

Chapter 4 Administrative Policy updates include:

- AP 4010 (Grants suggestion for new title of Grants – Structure, Roles and Responsibilities) – policy updates included
- AP 4010 [A] (Federal Funded Guidelines) – delete
- AP 4010 [B] (Time and Effort Reporting for Federally Funded Grants) – delete
- AP 4010 [C] (Cost Transfers) – delete
- AP 4010 [D] (Participant Support Costs) – delete
- AP 4010 [E] (Grants – Implementation suggestion for new procedure number of AP 4011 and new title of Grants – Grant Management and Implementation) – policy updates included
- AP 4010 [F] (Subaward Monitoring) – delete
- AP 4200 (Gifts) – policy updates included
- AP 4400 (Name of Facilities, Events and Programs) – no changes
- AP 4500 (News Media) – no changes

Prepared By: Rebecca Goldware, Vice Chancellor, Institutional Advancement & Economic Development

MINUTES OF THE REGULAR BOARD OF TRUSTEES MEETING
OF DECEMBER 14, 2021

President Hedrick called the Board of Trustees meeting CALL TO ORDER
to order at 6:00 p.m. in the District Office, Board Room,
3801 Market Street, Riverside, California and via
teleconference.

Trustees Present

Bill Hedrick, President
Jose Alcala, Vice President
Virginia Blumenthal, Secretary
Tracey Vackar, Board Member
Mary Figueroa, Board Member
Jack Harris, Student Trustee

Trustees Absent

Staff Present

Dr. Wolde-Ab Isaac, Chancellor
Mr. Aaron Brown, Vice Chancellor, Business & Financial Services
Ms. Tammy Few, Vice Chancellor Human Resources & Employee Relations
Ms. Rebeccah Goldware, Vice Chancellor, Institutional Advancement & Economic Development
Dr. Robin Steinback, President, Moreno Valley College
Dr. Monica Green, President, Norco College
Dr. Gregory Anderson, President, Riverside City College
Ms. Jennifer Floerke, Academic Senate Representative, District/Moreno Valley College
Dr. Virgil Lee, Academic Senate Representative, Norco College
Dr. Mark Sellick, Academic Senate Representative, Riverside City College

Guests Present

Mr. Carlos Lopez, Vice President, Academic Affairs, Moreno Valley College
Dr. Charles Wilhite, Assistant Professor, Moreno Valley College
Dr. Rhonda Taube, President, California Teachers Association (CTA)
Ms. Elena Santa Cruz, California Schools Employee Association (CSEA)

The Pledge of Allegiance was performed at 5:45 PLEDGE OF ALLEGIANCE
during the Special Board meeting

Ray Placencia commented on the direction of the COMMENTS FROM THE PUBLIC
RCCD Police Department.

Blumenthal/Vackar moved that the Board of Trustees APPROVAL OF MINUTES
approve the minutes of the Board of Trustees MINUTES OF THE BOARD OF
Regular/Committee Meeting of November 2, 2021. TRUSTEES REGULAR/COMMITTEE
Motion carried. (5 ayes) MEETING OF NOVEMBER 2, 2021

Alcala/Figueroa moved that the Board of Trustees MINUTES OF THE BOARD OF
approve the minutes of the Board of Trustees Regular TRUSTEES REGULAR MEETING OF
Meeting of November 16, 2021. Motion carried. (5 NOVEMBER 16, 2021
ayes)

Riverside City College Life Science and Physical Science Reconstruction for Business Education and Computer Science Systems Project;

Contractors Prequalification Package for the Riverside City College Life Science and Physical Science Reconstruction for Business Education and Computer Science Systems Project

Certify the verified signatures of each Trustee and authorize designated District administrators to sign vendor warrant orders, salary payment orders, notices of employment, bank checks, investment and brokerage accounts, purchase orders, change orders, and grant documents.

Signature Authorization

Motion carried. (5 ayes)

Information

The Board received the Monthly Financial Report for Month Ending – November 30, 2021.

Monthly Financial Report for Month Ending – November 30, 2021

The Board received the 2020-2021 CCFS-311 – Annual Financial and Budget Report.

2020-2021 CCFS-311 – Annual Financial and Budget Report

The Board received the CCFS-311Q – Quarterly Financial Status Report for the 1st Quarter Ended September 30, 2021.

CCFS-311Q – Quarterly Financial Status Report for the 1st Quarter Ended September 30, 2021

The Board received the Capital Program Executive Summary Report as of November 30, 2021

Capital Program Executive Summary Report as of November 30, 2021

BOARD COMMITTEE REPORTS

Teaching and Learning

Vackar/Blumenthal moved that the Board of Trustees approve the proposed curricular changes for inclusion in the college catalogs and in the schedule of class offerings. Motion carried. (5 ayes)

Proposed Curricular Changes

Planning, Effectiveness and Governance

Blumenthal/Figueroa moved that the Board of Trustees approve the Chapter 4 Board Policies (BP) and Administrative Procedures (AP). Motion carried. (5 ayes)

Chapter 4 Board Policies (BP) and Administrative Procedures (AP)

Resources

No reportable action.

Conference with Legal Counsel –
Existing Litigation Pursuant to
Government Code Section
54956.9(d)(1), Case Name:
Thompson v. Riverside
Community College District, Case
Number: RIC 1825186

No reportable action.

Pursuant to Government Code
Section 54957.6, Conference with
Labor Negotiators Agency
Designated Representative:
Wolde-Ab Isaac, Chancellor
Employee Organization: RCCD
California Schools Employees
Association (CSEA), Chapter 535

A closed session was held by the Riverside
Community College District Governing Board on
October 19, 2021, to discuss the dismissal of an
academic employee and to act upon a
recommendation of dismissal. The Governing Board,
by a vote of 4-0 took action to dismiss a permanent
academic employee of the District. AYES in favor of
said resolution: Hedrick, Alcala, Blumenthal and
Vackar. ABSENT BOARD MEMBER: Figueroa.

Statement from the Board of
Trustees.

The Board adjourned the meeting at 8:55 p.m.

ADJOURNMENT

Official Minutes

Approved on 01/18/2022

Certified By:

Tanya D. Wilson

Riverside Community College District Policy

No. 4010

Institutional Advancement & Economic Development

BP 4010 GRANTS

Reference:

Education Code Section 70902

Riverside Community College District embraces the acquisition of extramural funding in the form of grants to achieve the mission, goals, outcomes, and strategic initiatives of the District and its colleges. In this regard, the District and its colleges shall facilitate a coordinated program for the grant acquisition and management of federal, state, and local funding, both public, to support the students, faculty, and programs of the District and its colleges.

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The Chancellor shall ensure that all grants applied for and received by the District and its colleges directly support the mission, goals, and outcomes of the District and its colleges and shall inform the Board of Trustees of these efforts.

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The Chancellor shall establish administrative procedures at the District- and college-level to assure timely application and processing of grant proposals and funds. These procedures shall ensure that the grant funding received by the District and its colleges are administered in accordance with federal, state, and local requirements.

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NOTE: The language in **red ink** is **legally advised** and recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore).

Date Adopted: November 18, 2008

Revised: December 15, 2009

Date Reviewed:

Formerly: BP 3280

**Institutional Advancement &
Economic Development**

BP 4010 GRANTS

Reference:

Education Code Section 70902

Riverside Community College District embraces the acquisition of extramural funding to support the District's mission, goals, and initiatives.

The Board of Trustees will be informed about all grant applications made and grants received by the District.

The Chancellor shall establish procedures to assure timely application and processing of grant applications and funds, and that the grants for which the District applies directly support the purposes of the District.

NOTE: The language in **red ink** is **legally advised** and recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore).

Date Adopted: November 18, 2008

Revised: December 15, 2009

Date Reviewed:

Formerly: BP 3280

Legal Citation for BP 4010

EDUCATION CODE - EDC

TITLE 3. POSTSECONDARY EDUCATION [66000 - 101060]

(Title 3 enacted by Stats. 1976, Ch. 1010.)

DIVISION 7. COMMUNITY COLLEGES [70900 - 88651]

(Division 7 enacted by Stats. 1976, Ch. 1010.)

PART 43. THE CALIFORNIA COMMUNITY COLLEGES [70900 - 70902]

(Heading of Part 43 renumbered from Part 43.5 by Stats. 1995, Ch. 758, Sec. 78.)

70902.

(a) (1) Every community college district shall be under the control of a board of trustees, which is referred to herein as the "governing board." The governing board of each community college district shall establish, maintain, operate, and govern one or more community colleges in accordance with law. In so doing, the governing board may initiate and carry on any program, activity, or may otherwise act in any manner that is not in conflict with or inconsistent with, or preempted by, any law and that is not in conflict with the purposes for which community college districts are established.

(2) The governing board of each community college district shall establish rules and regulations not inconsistent with the regulations of the board of governors and the laws of this state for the government and operation of one or more community colleges in the district.

(b) In furtherance of subdivision (a), the governing board of each community college district shall do all of the following:

(1) Establish policies for, and approve, current and long-range academic and facilities plans and programs and promote orderly growth and development of the community colleges within the district. In so doing, the governing board shall, as required by law, establish policies for, develop, and approve, comprehensive plans. The governing board shall submit the comprehensive plans to the board of governors for review and approval.

(2) Establish policies for and approve courses of instruction and educational programs. The educational programs shall be submitted to the board of governors for approval. Courses of instruction that are not offered in approved educational programs shall be submitted to the board of governors for approval. The governing board shall establish policies for, and approve, individual courses that are offered in approved educational programs, without referral to the board of governors.

(3) Establish academic standards, probation and dismissal and readmission policies, and graduation requirements not inconsistent with the minimum standards adopted by the board of governors.

(4) Employ and assign all personnel not inconsistent with the minimum standards adopted by the board of governors and establish employment practices, salaries, and benefits for all employees not inconsistent with the laws of this state.

(5) To the extent authorized by law, determine and control the district's operational and capital outlay budgets. The district governing board shall determine the need

for elections for override tax levies and bond measures and request that those elections be called.

(6) Manage and control district property. The governing board may contract for the procurement of goods and services as authorized by law.

(7) Establish procedures that are consistent with minimum standards established by the board of governors to ensure faculty, staff, and students the opportunity to express their opinions at the campus level, to ensure that these opinions are given every reasonable consideration, to ensure the right to participate effectively in district and college governance, and to ensure the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards.

(8) Establish rules and regulations governing student conduct.

(9) Establish student fees as it is required to establish by law, and, in its discretion, fees as it is authorized to establish by law.

(10) In its discretion, receive and administer gifts, grants, and scholarships.

(11) Provide auxiliary services as deemed necessary to achieve the purposes of the community college.

(12) Within the framework provided by law, determine the district's academic calendar, including the holidays it will observe.

(13) Hold and convey property for the use and benefit of the district. The governing board may acquire by eminent domain any property necessary to carry out the powers or functions of the district.

(14) Participate in the consultation process established by the board of governors for the development and review of policy proposals.

(c) In carrying out the powers and duties specified in subdivision (b) or other provisions of statute, the governing board of each community college district shall have full authority to adopt rules and regulations, not inconsistent with the regulations of the board of governors and the laws of this state, that are necessary and proper to executing these prescribed functions.

(d) Wherever in this section or any other statute a power is vested in the governing board, the governing board of a community college district, by majority vote, may adopt a rule delegating the power to the district's chief executive officer or any other employee or committee as the governing board may designate. However, the governing board shall not delegate any power that is expressly made nondelegable by statute. Any rule delegating authority shall prescribe the limits of the delegation.

(e) This section shall become operative on January 1, 2014.

(Amended (as added by Stats. 2006, Ch. 817, Sec. 5) by Stats. 2011, Ch. 112, Sec. 4. Effective January 1, 2012. Section operative January 1, 2014, by its own provisions.)

**Institutional Advancement &
Economic Development****BP 4200 GIFTS****Reference:**

Education Code Sections 72205

The **Board of Trustees shall consider all** gifts, donations, bequests, and devises for the benefit of the District. Consideration and acceptance of such gifts, donations, bequests, and devises will be through the Riverside Community College District Foundation pursuant to the “Master Agreement by and Between the Riverside Community College District and the Riverside Community College District Foundation,” and any amendments thereto. The Board **of Trustees** reserves the right to refuse to accept any gift, donation, bequest, or devise that does not contribute toward the goals of the District, or the ownership of which would have the potential to deplete resources of the District.

The District shall assume no responsibility for appraising the value of gifts, donations, bequests, or devises made to the District.

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

In no event shall the **District**, pursuant to and in accordance with the “Master Agreement by and Between the Riverside Community College District and the Riverside Community College District Foundation,” and any amendments thereto, accept a gift, donation, bequest, or devise from any party who engages in practices or policies which discriminate against any person on the basis of nationality, religion, age, gender, gender identity, gender expression, race or ethnicity, medical condition (including pregnancy), genetic information, ancestry, sexual orientation, marital status, physical or mental disability, or military **or** veteran status; or when the stated purposes of the donation are to facilitate such discrimination in providing educational opportunity.

NOTE: The language in **red ink** is **legally advised** and recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore).

Date Adopted: March 17, 2009

Revised: September 18, 2012

Revised: June 26, 2015

Revised: [REDACTED]

(Replaces RCCD Policy 6140)

Formerly: 3820

Legal Citation for BP 3820

Education Code Section 72205

EDUCATION CODE - EDC

TITLE 3. POSTSECONDARY EDUCATION [66000 - 101060]

(Title 3 enacted by Stats. 1976, Ch. 1010.)

DIVISION 7. COMMUNITY COLLEGES [70900 - 88922]

(Division 7 enacted by Stats. 1976, Ch. 1010.)

PART 45. DISTRICTS AND GOVERNING BOARDS [72000 - 72701]

(Part 45 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 3. Powers and Duties [72203.5 - 72332]

(Chapter 3 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 1. General Provisions [72203.5 - 72208]

(Article 1 enacted by Stats. 1976, Ch. 1010.)

72205.

The approval of any state agency shall not be a prerequisite to acceptance by the governing board of any community college district of a gift, donation, bequest, or devise. No real or personal property, including money, accepted by a governing board pursuant to this section shall be considered in determining the eligibility of the district for an apportionment from the State School Fund nor in determining the amount thereof.

(Added by Stats. 1993, Ch. 8, Sec. 28. Effective April 15, 1993.)

BP 4400 NAMING OF FACILITIES, EVENTS AND PROGRAMS**Reference:**

California Code of Regulations Title 5 Section 53200 subdivision (c)(4)

All recommendations for naming of facilities, events and programs shall be submitted for decision to the Board of Trustees by the Chancellor.

As designees of the Chancellor, the Facilities Recognition and Naming Committee shall develop the procedures for presenting proposed names for facilities, events and programs to the Board of Trustees for consideration.

THE NAMING OF A FACILITY, EVENT OR PROGRAM

Facilities, events and programs shall generally be named in a manner descriptive of their basic functions. In the case of a unique, extraordinary, or significant personal contribution of someone closely associated with the District or a significant financial gift made through the RCCD Foundation, it will be proper for an individual's name to be bestowed upon a facility, event or program. All proposed names for facilities, events and programs shall be consistent with the principles and mission of the District.

In addition to facilities, plaques, memorials and monuments, selected events – such as athletics, fine arts, lectures – and other activities and programs will be eligible under this policy.

Decisions to name facilities, events or programs after an individual when no financial gift is involved shall be made under circumstances free from emotion and transitory pressures. Therefore, when a nomination involves service or professional contributions to the institution, a proposal shall not be submitted to the Facilities Recognition and Naming Committee until the individual has been retired or deceased at least one year.

DISCONTINUING THE NAME OF A FACILITY, EVENT OR PROGRAM

The District recognizes that the name conferred on a facility, event or program in recognition of an individual or group is an important factor in the public image of the institution.

Accordingly, the Board of Trustees may discontinue an approved name when the Board determines that it is no longer appropriate for the District to retain the name previously assigned to the facility, event, or program.

Date Adopted: August 18, 2009
(Replaces RCCD Policy 7070)

Revised: May 21, 2019

Revised:

Formerly: 3950

Legal Citation for BP 4400

Title 5. Education
Division 6. California Community Colleges
Chapter 4. Employees
Subchapter 2. Certificated Positions
Article 2. Academic Senates

5 CCR § 53200 § 53200. Definitions.

For the purpose of this Subchapter:

(a) “Faculty” means those employees of a community college district who are employed in positions that are not designated as supervisory or management for the purposes of Article 5 (commencing with Section 3540) of Chapter 10.7 of Division 4 of Title 1 of the Government Code, and for which minimum qualifications for hire are specified by the Board of Governors.

(b) “Academic senate,” “faculty council,” and “faculty senate” means an organization formed in accordance with the provisions of this Subchapter whose primary function, as the representative of the faculty, is to make recommendations to the administration of a college and to the governing board of a district with respect to academic and professional matters. For purposes of this Subchapter, reference to the term “academic senate” also constitutes reference to “faculty council” or “faculty senate.”

(c) “Academic and professional matters” means the following policy development and implementation matters:

- (1) curriculum, including establishing prerequisites and placing courses within disciplines;
- (2) degree and certificate requirements;
- (3) grading policies;

(4) educational program development;

- (5) standards or policies regarding student preparation and success;
- (6) district and college governance structures, as related to faculty roles;
- (7) faculty roles and involvement in accreditation processes, including self-study and annual reports;
- (8) policies for faculty professional development activities;
- (9) processes for program review;
- (10) processes for institutional planning and budget development; and
- (11) other academic and professional matters as are mutually agreed upon between the governing board and the academic senate.

(d) “Consult collegially” means that the district governing board shall develop policies on academic and professional matters through either or both of the following methods, according to its own discretion:

- (1) relying primarily upon the advice and judgment of the academic senate; or
- (2) agreeing that the district governing board, or such representatives as it may designate, and the representatives of the academic senate shall have the obligation to reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

HISTORY

1. Amendment of NOTE filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
2. Amendment of NOTE filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).
3. Amendment filed 10-30-90 with Secretary of State by Board of Governors, California Community Colleges; operative 11-30-90 (Register 90, No. 49). Submitted to OAL for printing only pursuant to Education Code section 70901.5(b).
4. Relocation of article 2 heading filed 5-15-93; operative 6-4-93 (Register 93, No. 25).
5. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

BP 4500 STUDENT NEWS MEDIA

Reference:

Education Code Section 66301

The District supports the availability of a comprehensive writing experience for its students. An integral part of this experience shall be the establishment of a Board of Publications which shall function as a review board for all student produced publications. The detailed functions of the Board of Publications shall be as outlined in the related administrative procedure.

Date Adopted: March 17, 2009

Date Reviewed:

(Replaces RCCD Policy 6000)

Formerly: 4600

Legal Citation for BP 4500

EDUCATION CODE - EDC

TITLE 3. POSTSECONDARY EDUCATION [66000 - 101060]

(Title 3 enacted by Stats. 1976, Ch. 1010.)

DIVISION 5. GENERAL PROVISIONS [66000 - 70115.2]

(Division 5 enacted by Stats. 1976, Ch. 1010.)

PART 40. DONAHOE HIGHER EDUCATION ACT [66000 - 67400]

(Part 40 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 5. Rules of Student Conduct [66300 - 66303]

(Chapter 5 enacted by Stats. 1976, Ch. 1010.)

66301.

(a) Neither the Regents of the University of California, the Trustees of the California State University, the governing board of a community college district, nor an administrator of any campus of those institutions, shall make or enforce a rule subjecting a student to disciplinary sanction solely on the basis of conduct that is speech or other communication that, when engaged in outside a campus of those institutions, is protected from governmental restriction by the First Amendment to the United States Constitution or Section 2 of Article I of the California Constitution.

(b) A student enrolled in an institution, as specified in subdivision (a), at the time that the institution has made or enforced a rule in violation of subdivision (a) may commence a civil action to obtain appropriate injunctive and declaratory relief as determined by the court. Upon a motion, a court may award attorney's fees to a prevailing plaintiff in a civil action pursuant to this section.

(c) This section does not authorize a prior restraint of student speech or the student press.

(d) This section does not prohibit the imposition of discipline for harassment, threats, or intimidation, unless constitutionally protected.

(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.

(f) An employee shall not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in conduct authorized under this section, or refusing to infringe upon conduct that is protected by this section, the First Amendment to the United States Constitution, or Section 2 of Article I of the California Constitution.

(Amended by Stats. 2008, Ch. 525, Sec. 4. Effective January 1, 2009.)

Institutional Advancement & Economic Development

AP 4010 GRANTS – STRUCTURE, ROLES and RESPONSIBILITIES

References:

Education Code Section 70902

Purpose

To augment funding received from the state of California, Riverside Community College District (RCCD) and its colleges, individually and , pursue external funding through grants and contracts to support institutional efforts to achieve the vision, mission, goals and strategic priorities of the District and its colleges. This procedure outlines the structure by which the District and its colleges will pursue and manage grant funding and the roles and responsibilities of the parties involved.

Definition

As defined, a grant is a written proposal developed in response to a competitive or non-competitive request for applications solicited by a funder. The grant proposal or contract bid generally includes specific activities, outcomes, timelines and reporting requirements to be accomplished with the requested amount of money. Grants can be received from both public and private sources.

Organizational Structure

The District and its colleges pursue external grant and contract funding through a three-pronged structure that includes distinct, yet integrated, functions at the District-level, the college level and the RCCD Foundation. The following outlines the primary roles and responsibilities of each office on the pre- and post-award side.

Pre-Award – Grant Development, Roles and Responsibilities

District Grants Office

- Identify, develop, and submit public grant proposals to support District-wide initiatives
- Identify, develop, and submit collaborative grant proposals that support more than one college
- Submit federal grant proposals through online submission systems, including but not limited to Grants.gov, Fastlane, NSPIRES, etc.
- Monitor and track the development and submission of public grant proposals
- Communicate public grant development outcomes to RCCD Board of Trustees
- Maintain grant files on all grants submitted by the college and District Grants offices
- Provide technical assistance and support to the colleges with regard to pre-award functions
- Support the colleges and RCCD Foundation, as needed, with grant development, including grant writing

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- Offer training for faculty and staff interested in pursuing grant funding

College Grants Offices

- Identify and develop public grant proposals to support college strategic initiatives
- Submit public grant proposals at the local and state level
- Coordinate with the District office to submit federal grant proposals
- Coordinate with the RCCD Foundation office to submit private grant proposals
- Monitor and track the development and submission of publicly-funded college grants, as well as other grants submitted and awarded to the colleges
- Communicate grant development outcomes to the college leadership and District Grants office for reporting purposes and District-wide tracking

RCCD Foundation

- Identify, develop, and submit private grant proposals to support initiatives at both the college and district level
- Submit private grant proposals in collaboration with the relevant District or College department
- Monitor and track the development and submission of private grant proposals
- Communicate private grant development outcomes to RCCD Board of Trustees
- Maintain grant files on private grants
- Provide technical assistance and support to the colleges with regard to pre-award functions
- Support the colleges with grant development, including grant writing

Post Award

District Grants Office

- Offer professional development for grant-funded personnel at the District and the colleges
- Provide technical assistance and support to the colleges with regard to post-award functions of publicly funded grants
- Maintain grant files on all active grants submitted by the college and District grants offices and awarded to the District and its colleges to include at a minimum award agreement, grant management guidelines, program reports, subaward agreements if applicable, and grant modifications and justifications
- Work with project directors of District-level grants to ensure that District grants are making satisfactory progress toward program goals, objectives and activities and are spending their funds in a timely manner in compliance with local, state and/or federal policies and procedures.
- Serve as the project manager for District led grants as appropriate
- Offer District-wide training for grant staff on effective grant management

College Grants Office

- Negotiate budgets as required, working in conjunction with project directors/project administrators
- Work with grant staff and college Business offices to process new grant awards and prepare contract documents

Deleted: Funding opportunities that are pursued will align with and support the strategic plans of the District and colleges, as applicable, and be one which the respective District department/college has the expertise and available resources to competitively win and successfully implement. District departments/colleges will determine which funding opportunities to pursue.¶

¶ The Grants Office serves the District and colleges by providing Grant Development Assistance, Grant Implementation Support Services and Technical Assistance. Each fall, the Grants Office will present the Board of Trustees with a listing of grant opportunities identified and approved by District departments/colleges for which the District/colleges intend to apply in the coming academic year. Each winter, the Grants Office will update the Board on the progress and status of grant opportunities, applications and awards. Each spring, the Board will be informed about the status of all grant applications.¶

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- Help connect new program directors to available resources, including those available at the District office
- Supervise grant administrative specialists, as appropriate and requested
- Provide grant management training in collaboration with District or by connecting college personnel to external professional development

RCCD Foundation

- Provide technical assistance and support to the colleges and grant funded personnel working on private grants managed by the RCCD Foundation regarding post-award functions
- Maintain grant files on all private grants awarded to the District and its colleges to include at a minimum award agreement, grant management guidelines, program reports, subaward agreements if applicable, and grant modifications and justifications
- Work with project directors of privately-funded grants to ensure that grants are making satisfactory progress toward program goals, objectives and activities and are spending their funds in a timely manner in compliance with the grant award agreement
- Work with project directors of privately-funded grants to ensure that reporting requirements are fulfilled in a timely manner in compliance with the grant award agreement
- Negotiate budgets with grantors as required, working in conjunction with project directors/project administrators
- Work with grant staff and college/District Business offices to process private grant awards that will be passed through from the RCCD Foundation to the college/District

The Grants Offices at the District- and College-level will develop a Grants Administrative Handbook to guide the process for identifying, pursuing, and managing grants and contract. This Handbook will be reviewed and updated, as necessary, once per year.

Office of Responsibility: Vice Chancellor, Institutional Advancement & Economic Development

Date Approved: September 22, 2008

Revised: September 14, 2009

Revised: April 20, 2010

Revised: February 27, 2012

Revised: January 29, 2013

Revised: February 23, 2015

Reviewed: [REDACTED]

Formerly: 3280

Deleted: <#>Grant Development Assistance for Grants \$100K and Over:

To align articulated needs and goals with potential grant funding opportunities, the Grants Office will participate in the appropriate committees of the three colleges, the Foundation, and the District as requested. The Grants Office will work with senior administrators at the District, and each college, to agree on, and approve, a master list of potential grant submissions. After District Executive Cabinet approval, the list will be included in the fall Grants Office report to the Board. Grants approved in this manner will have undergone individual analysis and approval as outlined below. Additional grant requests not identified on this list will be subject to review and approval as detailed in this procedure.

Grant requests for less than \$100K would be processed according to the procedures for small college/District-based grants. Once a potential source of funding is identified, the Grants Office will provide the college administration and faculty, or District administration with information about the grant and an opinion regarding the feasibility of winning an award.

Each college or District department will conduct an analysis of the grant to determine whether the grant aligns with the strategic plan of the college or District, to identify the impact of the grant on all operational areas, and to ascertain whether the college or District department possesses the expertise and resources to successfully implement the grant. This analysis will be conducted according to the process established by the respective college or District department and may involve college and District administrators responsible for the areas determined to be impacted by the grant, including the areas of Information Services, Facilities Planning and Development, Administration and Finance and Institutional Research. A Sample Funding Opportunity Analysis tool is available on the Grants Office web-site and may be utilized to guide this process.

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Appendix A **Sample Project Director Responsibilities**

Fully understanding the terms and conditions of the grant they are responsible for directing. Participating in training workshops provided by Grants Office: Best Practices in Grant Management, Audit-Readiness, and Year-End Closing requirements in addition to any required granting agency training. Keeping representatives from all areas of the college and district that are impacted by the implementation of the grant informed as to the grant's progress. Completing and reviewing the Sample Project Director Issue Identification Tool with their supervisor along with any grant reports showing progress toward the objectives of the grant. Providing copies of completed grant applications, grant award documents, documentation reflecting agen

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**Institutional Advancement &
Economic Development****AP 4010 GRANTS****References:**

Education Code Section 70902

Purpose

One of the District's primary roles is to secure funding to support institutional efforts to enhance the learning environment for students. In addition to local, state, and federal funding, this effort includes the pursuit of private and public grants through the Grants Office and for grants less than \$100K, from individual college, District or foundation personnel. These procedures apply to all grants, both federal and non-federal. All federal and state grants must be submitted by the District Grants Office. All private, corporate, and philanthropic applications, and all grants requiring non-profit registration or 501(c)(3) status, must be submitted by the Riverside Community College District Foundation.

Roles and Responsibilities

Funding opportunities that are pursued will align with and support the strategic plans of the District and colleges, as applicable, and be one which the respective District department/college has the expertise and available resources to competitively win and successfully implement. District departments/colleges will determine which funding opportunities to pursue.

The Grants Office serves the District and colleges by providing Grant Development Assistance, Grant Implementation Support Services and Technical Assistance. Each fall, the Grants Office will present the Board of Trustees with a listing of grant opportunities identified and approved by District departments/colleges for which the District/colleges intend to apply in the coming academic year. Each winter, the Grants Office will update the Board on the progress and status of grant opportunities, applications and awards. Each spring, the Board will be informed about the status of all grant applications.

I. Grant Development Assistance for Grants \$100K and Over:

1. To align articulated needs and goals with potential grant funding opportunities, the Grants Office will participate in the appropriate committees of the three colleges, the Foundation, and the District as requested.
2. The Grants Office will work with senior administrators at the District, and each college, to agree on, and approve, a master list of potential grant submissions. After District Executive Cabinet approval, the list will be included in the fall Grants Office report to the Board.
 - Grants approved in this manner will have undergone individual analysis and approval as outlined below.

- Additional grant requests not identified on this list will be subject to review and approval as detailed in this procedure.
 - Grant requests for less than \$100K would be processed according to the procedures for small college/District-based grants.
3. Once a potential source of funding is identified, the Grants Office will provide the college administration and faculty, or District administration with information about the grant and an opinion regarding the feasibility of winning an award.
 4. Each college or District department will conduct an analysis of the grant to determine whether the grant aligns with the strategic plan of the college or District, to identify the impact of the grant on all operational areas, and to ascertain whether the college or District department possesses the expertise and resources to successfully implement the grant. This analysis will be conducted according to the process established by the respective college or District department and may involve college and District administrators responsible for the areas determined to be impacted by the grant, including the areas of Information Services, Facilities Planning and Development, Administration and Finance and Institutional Research. A Sample Funding Opportunity Analysis tool is available on the Grants Office web-site and may be utilized to guide this process.
 5. If this analysis results in a decision to develop an application, the Chancellor/College President, or designee will notify the Grants Office administration by sending a written approval.
 6. The content developer(s) will participate in the proposal development process with the Grants Office team members. The Grants Office will provide complete support in the development of the grant budget.
 7. The Chancellor, college President, or designee, will work in collaboration with the Grants Office to determine the indirect rate to be charged in the grant (the minimum being 10% and a maximum being our full approved rate, unless alternatively prescribed by the funding agency).
 8. Draft budgets for college grants will be forwarded to the College Vice President of Business Services for preliminary review.
 9. The college President/highest level administrator of a District department will advise the Grants Office which individual has been designated as the grant administrator for the project. The content developer working with the Grants Office team will be advised of submission requirements and will be given a timeline of necessary deadline dates for a successful submission. In the event that deadline dates cannot be met, and this will impede successful submission, the Grants Office will send an e-mail apprising the grant administrator of the situation. After discussion with the content developer(s), the grant administrator will advise the Grants Office, in writing, of the proposed course of action.
 10. The college Vice President of Business Services will review and approve the final grant budget and e-mail the Grants Office an approval.
 11. The Grants Office will forward the approved grant budget and e-mail to the District Budget Office for review. Unless the District Budget Office review

results in significant budget changes, the Grants office will proceed with the processing of the final application and will coordinate with the Administration and Finance Office and other necessary signatories to obtain final signatures.

12. In the event that more than one college intends to apply for the same grant program, and multiple submissions are not allowed or would negatively impact the probability of award, the matter will be discussed and decided by the Executive Cabinet. The Grants Office will be informed of the decision.
13. In the event that the collective workload of the Grants Office cannot accommodate the approved grant request, they will advise the college or District administration of the support that can be provided. Consideration of hiring a consultant or faculty member to write the grant can be addressed with college/District administrators at this time.
14. The Grants Office will assist individuals in the revision and resubmission of unfunded proposals.

II. Grant Development Process for Grants Under \$100K:

1. Once a potential source of funding is identified, the college/District leadership will decide whether or not to pursue the funding opportunity. If the grant meets eligibility for submission by the RCCD Foundation, an approval by the RCCD Foundation Executive Director must be obtained.
2. If an individual obtains college/District approval and submits a grant without the assistance of the Grants Office, the Vice President of Business Services, or designee, or the District/college administrator who approves the submission, will provide oversight to the submission of the grant. A copy of the final application package will be provided to the Grants office and the District Budget Office, in electronic format.

III. Grant Development Process for All Grants

1. No grant applications may be submitted without respective college or District leadership approval. All private, corporate, and public foundation grants must meet the standards of and be submitted by the RCCD Foundation. If a grant requires that the applicant be a 501(c)3 organization, the applicant must be the RCCD Foundation. Such grants require prior review and written approval by the Foundation Executive Director, with a timeline for the application process developed between the applicant, the Foundation Executive Director, and the Grants Office.
2. The RCCD Foundation may also initiate grant requests that meet college or District priorities. If a Foundation grant request impacts college/district resources, the request must be submitted to the college/District for approval. If the Foundation office is requesting Grants Office support, the request must be submitted via an e-mail that describes the funding opportunity and indicates which strategic initiative it supports, for review

by the Grants Office and the college/district. Foundation opportunities that do not address a Board-approved initiative or those that do, but are determined to impact personnel, resources, or facilities, will be addressed according to the grant development flowchart. If the process results in a request for Grants Office assistance, the grant will be prioritized appropriately within the confines of the above procedures.

IV. Grant Implementation Support Services:

Colleges and District departments that receive a grant award will be responsible for its successful implementation and compliance with all applicable regulatory and audit requirements. This includes support to the project director in initiating, authorizing and implementing all grant-related activities. All staff who are responsible for administering federal and non-federal grants will comply with all District policies and administrative procedures that address how they are to carry out their responsibilities.

1. The Grants Office is available to provide training and consultation services that include:
 - A. Training geared toward project directors to facilitate a best practices approach to grant management. Project directors will be given a list of responsibilities (see appendix A) available resources (see appendix B) and an issue-identification tool (see appendix C). Training will be offered every academic year. A minimum of two workshops will be offered each academic year on each campus.
 - B. Training for current and potential project directors in audit-readiness for effective practices in compliance. A minimum of two workshops will be offered each academic year on each campus.
 - C. Training for project directors in preparing for year-end closing requirements. A workshop will be offered each academic year on each campus.
 - D. An individual training for new project directors and their grant administrators to facilitate a best-practices approach to grant management, upon request. The training will include discussion of compliance responsibilities (see appendices A and C).

All training is based on principles for administering federal grants and includes content derived from EDGAR and OMB Circulars A-21, A-110 and A-133.

2. The District Finance Office (consisting of budget, purchasing, accounts payable, payroll, etc.) is available to provide training and consultation services related to budget and fiscal matters, including training on the use of the Galaxy System, business processes, practices and procedures. College Vice Presidents of Business Services are the primary contacts for

- business and fiscal matters related to a respective college and also provide periodic and “as needed” training opportunities.
3. Although the project director has authority to make all final grant-related decisions, if a compliance issue is raised to the Grants Office, the office will respond to the project director and grant administrator with a recommendation for compliance.
 4. Project directors will retain all grant records in accordance with the grant agreement and make them available to the Grants Office and Administration and Finance when requested.

Technical Assistance:

The Grants Office and the District Budget Office will provide technical assistance related to grant implementation, budget matters and the development of any needed contracts when requested. The type of assistance provided will be tailored to meet the individual requirements of the grant.

Office of Responsibility: Vice Chancellor, Institutional Advancement & Economic Development

Date Approved: September 22, 2008

Revised: September 14, 2009

Revised: April 20, 2010

Revised: February 27, 2012

Revised: January 29, 2013

Revised: February 23, 2015

Reviewed:

Formerly: 3280

Appendix A

Sample Project Director Responsibilities

- Fully understanding the terms and conditions of the grant they are responsible for directing.
- Participating in training workshops provided by Grants Office: Best Practices in Grant Management, Audit-Readiness, and Year-End Closing requirements in addition to any required granting agency training.
- Keeping representatives from all areas of the college and district that are impacted by the implementation of the grant informed as to the grant's progress.
- Completing and reviewing the Sample Project Director Issue Identification Tool with their supervisor along with any grant reports showing progress toward the objectives of the grant.
- Providing copies of completed grant applications, grant award documents, documentation reflecting agency-approved revisions, and all program reports to the Grants Office and the District Budget Office.
- Maintaining a calendar of significant deadlines for the grant they direct.
- Facilitating communications among all stakeholders (e.g. district, college and external partners).
- Ensuring compliance with the grant agreement, all applicable federal, state and other regulations listed in the grant award, and adhering to district policies, including those related to year end closing and budget development. Applicable federal regulations include EDGAR, OMB Circulars A-21, A-110 and A-133 as well as specific terms and conditions of award stipulated by each respective federal agency.
- Ensuring that the budget and associated expenditures in the District's ledgers (Galaxy) accurately reflect the approved budget awarded by the granting agency.
- Keeping records suitable for audits.
- Accurately monitoring all expenditures over the course of the grant.
- Verifying the faculty load for each semester of the grant being proposed and remaining within required limits.
- Ensuring that FTE allocations to the grant are registered with and approved by the necessary individuals.
- Preparing and submitting all required Board materials and fiscal transactions, such as budget transfers.
- All program and fiscal reporting connected with the grant, including adherence to reporting deadlines.
- Providing the required notice of termination of employment to staff funded by the grant.
- Note: All fiscal reports require review by the District Budget Office prior to submission.

A minimum of two weeks' lead time should be allowed for these reviews.

Appendix B

Grant Management and Compliance Resources

- Associate Director Grants x8932
- Grant award notification (cites applicable regulations)
- Code of Federal Regulations (CFRs) @ www.ecfr.gov
- Education Department General Administrative Regulations (EDGAR) @ <http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html>
- Office of Management and Budget (OMB) Circulars @ www.whitehouse.gov/omb/
 - Federal Grants Management Forms @ <https://www.grants.gov/>
- U.S. Department of Education Grants Forms @ <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>
- Office of Inspector General (audit reports and findings) @ <http://www.ed.gov/about/offices/list/oig/areports.html>
- Chancellor's Office Grants and Contracts Guidelines @ <https://www.cccco.edu/About-Us/Chancellors-Office/Divisions/Digital-Innovation-and-Infrastructure/initiatives/Grant-Information>

Appendix C

Sample Project Director Issue Identification Tool			
<p>As a project director, ultimate responsibility for the administration of your grant and compliance with all applicable regulations vests in you. This issue identification tool has been developed to enhance your readiness for the project director role by helping you to identify any areas that may require action on your part. It is not mandatory, but rather a recommendation that you complete the survey, develop an action plan to address any areas that received a negative response and share both documents with your supervisor.</p>			
#	Question	Response	
		Yes	No
1	I understand that any compliance violation jeopardizes the District's ability to secure future federal funding, including federal student financial aid.		
2	I have read my grant application in its entirety.		
3	I have read and fully understand all of the terms and conditions of the grant that I administer.		
4	I have participated in all training workshops provided by Grants Office (GO).		
5	I have provided the GO with copies of all program reports, grant award documents, completed grant applications, and any documentation reflecting agency approved revisions.		
6	I have maintained a calendar of significant deadlines for my grant to ensure that all deliverables are completed on time.		
7	I know and adhere to all district policies relating to the implementation of my grant's activities.		
8	I have ensured that the budget and associated expenditures in the District's ledgers (Galaxy) accurately reflect the approved budget awarded by the granting agency.		
9	I utilize Galaxy to ensure that all expenditures posted to my grant account are accurate and allowable.		
10	I have obtained written approval for all revisions and maintain them on file.		
11	If my grant requires a match, I have ensured that the match contribution is met and is comprised of allowable expenditures.		
12	I have created and maintained records suitable for audits in my day-to-day operations.		
13	If I employ faculty in my program, I have ensured that his/her collective teaching load remains within the required limits.		
14	I have ensured that staff allocations to the grant are registered with and approved by the necessary individuals.		
15	I have in my possession all of the agreements and handbooks required for the management of staff (e.g. CTA and CSEA agreements, classified staff handbook).		

16	I have consistently met all reporting deadlines established for the grant.		
17	I have allowed sufficient time for fiscal reports to be reviewed by the District Budget Office prior to submission.		

18	My performance report data is accurate and reliable. I have evidentiary documentation to demonstrate this.
19	I document my deliverables (e.g. materials created, students served).
20	I am proficient in preparing and submitting all required Board materials and fiscal transactions, such as final budget allocation worksheets and budget transfers.
21	I check to see that sub-awardees are not disbarred.
22	I ensure that all sub-awardees perform and adhere to all audit requirements.
23	If I'm not sure if an activity or expenditure is allowable and the regulations do not address it, I contact my program officer before proceeding.
24	My staff and I complete the required personnel statements at required intervals.
25	I educate my staff and sub-awardees about how their role contributes to the success of the grant and inform them of the regulations that apply to them.
26	I have an effective evaluation plan in place.
	Project Director's Signature: _____
	Supervising Administrator's Signature _____
<p>Didn't receive a perfect score? Don't despair! Your action plan along with the resources available to you through the Grants Office will get you there!</p>	

**Institutional Advancement &
Economic Development**

**AP 4010[B] GRANTS – TIME AND EFFORT REPORTING FOR
FEDERALLY FUNDED GRANTS**

References:

As a recipient of federal funding, Riverside Community College District (RCCD), along with its colleges, centers and other administrative units, is required to comply with the Office of Management and Budget Circular Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ([Uniform Guidance](#)) in addition to other federal and/or specific grant requirements for certifying effort committed to and expended on federal grant awards.

RATIONALE

Time and effort reporting ensures salaries paid to individuals by federal grants are consistent with time and effort actually expended on the project. Adherence to this procedure is necessary to prevent cost disallowances and penalties by the federal government and other sponsoring agencies. RCCD time and effort procedures employ “after-the-fact” certification and reporting to confirm salaries paid match the level of effort charged to federally funded activities. Time and effort reports are critical in the audit process to 1) ensure compliance with the level of effort agreed to in the award document; and, 2) document any committed cost share effort.

Time and Effort Reporting

All staff, faculty, and administrators who commit any percentage of time (>0%) to a grant- funded project must complete district Time and Effort Certification Forms. These forms are available on the RCCD [Grants Office](#) website.

The Time and Effort Certification Forms will include the actual percentage for both federally compensated and cost-shared time and effort as required for each individual who receives salary or wage compensation from federal funds.

Time and Effort Certification Forms are reviewed and included in the District’s annual audit as requested.

CERTIFICATION OF EFFORT

Individual colleges and administrative units may develop internal practices for documenting and monitoring time and effort expended. Regardless of internal record-keeping practices, all colleges and administrative units are required to complete district standard Time and Effort Certification Forms.

It is the responsibility of the Principal Investigator/Project Director to maintain on file Time and Effort Certification Forms for the grant project in electronic and/or hard copy files.

All personnel must certify the time and effort they have expended on the federally funded project.

The grant Principal Investigator/Project Director, assigned administrator or designee is responsible for explaining to grant employees how to complete the Time and Effort Certification Form.

The Principle Investigator/Project Director must certify the effort for other project personnel.

The Principle Investigator/Project Director's effort must be certified by his/her immediate supervisor or designee.

Sub-recipient institutions are responsible for certifying personnel employed on their sub- awards and must maintain appropriate records of time and effort for their organization.

Time and Effort reporting for employees who are paid 100% from a single program (single cost objective):

1. On a monthly basis, an employee whose salary is paid in whole from one federal source must certify they worked solely on that program (single cost objective) by filling out the Time and Effort Certification Form.
2. The form must be signed and dated by the employee and the Principal Investigator/Project Director or other supervisor having first-hand knowledge of the activities performed by the employee.
3. Forms are maintained on file by the Principal Investigator/Project Director of the grant.

Time and Effort reporting for employees whose work effort is split between more than one federal program (multiple cost objectives):

1. On a monthly basis, an employee who works on more than one federal program, a combination of a federal programs or a combination of federal and non-federal programs must complete the Time and Effort Certification Form which accurately reflects the percentage of time/hours the employee spent performing the federal work activity and any other duties.
2. Forms must reflect an "after-the-fact" distribution of activities performed and account for the total activity for which employees are compensated.
3. Forms must reflect the distribution of time and effort across all assigned programs or cost objectives, both federal and non-federal.

4. The certification must be signed and dated by the employee and the Principal Investigator/Project Director or other supervisor having first-hand knowledge of the activities performed by the employee.
5. Forms are maintained on file by the Principal Investigator/Project Director of the grant.

Annual Time and Effort Report

Annual Time and Effort Report forms for employees working on a grant must be completed within 30 days of the conclusion of each grant project year and maintained on file with the Principal Investigator/Project Director of the grant.

RECONCILING TIME AND EFFORT

On a monthly basis, the Principal Investigator/Project Director will reconcile Time and Effort Certification Forms with actual financial expenditures for grant funded projects.

1. If there is a discrepancy between the percentages worked on the grant (as reported on the form) and the actual financial expenditure in an amount equal to or greater than 5%, the Principal Investigator/Project Director must check the adjustment box at the bottom of the form and forward a copy to the budget office. The budget office will then adjust salary expenditures accordingly.
2. If it is anticipated that the payroll distribution split may continue into the next pay cycle, the Principal Investigator/Project Director shall fill out and submit the Request to Change Salary Budget Code form so the employee's personnel file may be updated.
3. Salary charged to a sponsored project must never exceed the amount of actual time and effort devoted to that project.
4. If a change in time and effort indicated on the Time and Effort Certification Form requires approval from the sponsor based on terms and conditions of the award, the Principle Investigator/Project Director must contact the sponsor to request written approval.

RELATED DOCUMENTS AVAILABLE VIA

<https://www.whitehouse.gov/omb/information-for-agencies/circulars/>

- 2 CFR 200, "*Grants and Agreements*"
- OMB Circular A-21, "*Cost Principles for Educational Institutions*"
- OMB Circular A-110, "*Uniform Administrative Requirements for Grants and Agreements with Higher Education, Hospitals and other Non-Profit Organizations*"
- OMB Circular A-133, "*Audits of States, Local Governments and Non-Profit Organizations*"

Office of Responsibility: Vice Chancellor, Institutional Advancement & Economic Development

Date Approved: November 23, 2015

Revised:

Formerly: 3282

**Institutional Advancement &
Economic Development**

AP 4010[C] GRANTS – COST TRANSFERS

References:

Education Code Section 84040;
U.S. Office of Management and Budget Circular A-21

Institutions receiving federal grants or grants from other external sponsors are expected to maintain accurate and timely accounting records with the proper classification of expenditures. To accomplish this requirement, college administrators are required to coordinate transaction reviews with grant Principal Investigators on a monthly basis and reconcile appropriate cost transfers within a reasonable timeframe.

COST TRANSFER STANDARDS

To be allowable, corrections of clerical or bookkeeping errors to or from sponsored grants, contracts and cooperative agreements should be made promptly, be fully documented, conform to sponsor guidelines and have the appropriate signatures.

Sponsors' guidelines on cost transfers vary; department administrators and Principal Investigators/Project Directors should consult with their College's Vice President of Business Services and/or the District's Business and Financial Services Office when in doubt concerning the allowability of a proposed cost transfer. Cost transfers are generally allowable under the following circumstances:

- Error correction
- Pre-award costs when allowed by the sponsor
- Allocation of costs benefiting more than one project
- When the work supported by one sponsored project is determined to represent work closely related to another project
- Retroactive Staff Change Notices

A retroactive transfer can be approved based upon the circumstances and the amount of time that has passed since the expenses were posted to the cost center/fund number.

COST TRANSFERS LESS THAN 90 DAYS OLD

Cost transfers less than 90 days old include circumstances when the cost transfer request is made within 90 days of receiving the financial report in which the original charge was recorded.

The expense is transferred by journal entry prepared at the department level accompanied by a Cost Transfer Explanation & Justification Form (Attachment A)

answering questions 1 and 2 and signed by the appropriate staff and administrators as indicated on the form. The journal entry, form and supporting documentation are submitted to the District Business and Financial Services Office for review, approval and entry.

COST TRANSFERS MORE THAN 90 DAYS OLD

In addition to the above, transfers requested after 90 days from the month originally recorded will require a justification why the cost transfer exceeds 90 days and actions which will be implemented to eliminate future late transfers. Cost Transfers after the 90- day period require approval of the Principal Investigator/Project Director's supervising administrator, the College's Vice President of Business Services, or the Vice Chancellor of Business and Financial Services or designee.

COST TRANSFER SUPPORTING DOCUMENTS

Any supporting documentation justifying the lateness of the cost transfer should be submitted with the form (Attachment A).

Financial transactions should be reviewed monthly and errors immediately corrected. Cost transfers submitted later than 90 days will be granted only in extraordinary circumstances. Examples of unacceptable transfers over 90 days include but are not limited to:

- Correction of an error
- Transfer to the correct cost line item
- Absence of the Principal Investigator/Project Director or lack of experienced staff.

The District's Business and Financial Services Office has review and approval responsibility for cost transfers. The Office is available to assist in the interpretation and implementation of Cost Transfer procedures.

Office of Responsibility: Vice Chancellor, Institutional Advancement & Economic Development

Date Approved: January 5, 2016

Revised:

Formerly: 3283

**Institutional Advancement &
Economic Development**

AP 4010[D] GRANTS – PARTICIPANT SUPPORT COSTS

References:

Education Code Section 84040;
U.S. Office of Management and Budget Circular A-21

Participant support costs procedures ensure funds provided for participant costs are separately accounted for and expended for intended objectives. This procedure adheres to federal regulations which define participant support costs as “direct costs for items such as stipends or subsistence allowances, travel allowances and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with meetings, conferences, symposia or training projects.”

Funds provided for participant support may not be used by grantees for other categories of expense without specific prior written approval of the cognizant Program Officer. Therefore, awardee organizations must account for participant support costs separately.

DEFINITIONS

Participants are individuals who are recipients or beneficiaries of service, training or experience in connection with formal meetings, conferences, symposia or training projects.

Participants are not required to produce any deliverable or service to the District or Colleges in return for participant support costs. Participants are not District or College employee but may include students, national scholars and scientists, private sector representatives, agency personnel, teachers and others who attend and participate in formal meetings, conferences, symposia or training activities.

Participant Support Costs are costs paid to or on behalf of participants or trainees (but not employees) in connection with formal meetings, conferences, symposia or training activities. These costs may include stipends or subsistence allowances, travel allowances and registration fees paid to or on behalf of participants or trainees. Costs that cannot be specifically identified to participants are not allowed as a participant support cost.

PARTICIPANT SUPPORT COST STANDARDS

When participant support costs are proposed in a budget, a detailed justification must describe the purpose for the costs and the way in which the costs will directly benefit the project’s scope of work. Upon receipt of an award which includes participant support costs, the Principal Investigator/Project Director will be notified of the specific

restrictions governing the expenditure of these funds. When an award provides funding for participant support, District Business and Financial Services will separate activity codes in the financial system, if necessary. Activity codes more easily identify and isolate participant costs and restrict budget changes.

The Principal Investigator/Project Director will be responsible for reviewing project budget reports, transactions and source documents to ensure participant support funds are expended according to federal regulations and award terms of agreement.

LIMITATIONS

Participant support costs are restricted and cannot be re-budgeted to other categories without prior agency approval. Any unexpended participant support costs must be returned to the agency. Participant support allowances may not be paid to trainees who are receiving compensation, either directly or indirectly, from other federal government sources while participating in the project. A non-NSF federal employee may receive participating support allowances from project funds provided there is no duplication of funding items and provided no single item of participant support cost is divided between such person's parent agency and NSF grant funds. Local participants may participate in conference meals and coffee breaks, however, project funds may not be used to pay per diem or similar expenses for these participants.

APPLICABILITY

Participant support costs provided by sponsors other than NSF will follow the same requirements as specified in this policy unless an award specifies otherwise.

Office of Responsibility: Vice Chancellor, Institutional Advancement & Economic Development

Date Approved: April 18, 2016

Revised:

Formerly: 3284

AP 4010[E] GRANTS – IMPLEMENTATION

Reference:

Code of Federal Regulations Title 2, Subtitle A, Chapter II, Part 200

This procedure applies to all grants and their corresponding agreements that are federally sponsored at the District and its Colleges; where appropriate, requirements under AP 5304 Bids and Contracts must also be met.

PROCUREMENT

The Chancellor or designee shall comply with the standards specified in 2 Code of Federal Regulations 200.317-200.326 and Appendix II of Part 200 when procuring goods and services needed to carry out a federal grant as well as any more restrictive state laws and District policies concerning the procurement of goods and services.

As appropriate to encourage greater economy and efficiency, the Chancellor or designee shall avoid acquisition of unnecessary or duplicative items, give consideration to consolidating or breaking out procurements, analyze lease versus purchase alternatives, consider entering into an interagency agreement for procurement of common or shared goods and services, and/or use federal excess or surplus property.

The procurement of goods or services with federal funds shall be conducted in a manner that provides full and open competition in accordance with state laws and District regulations and the following requirements:

1. Any purchase of supplies or services that does not exceed the \$10,000 threshold specified in 48 Code of Federal Regulations 2.101 may be awarded without soliciting competitive quotes, provided that the District considers the price to be reasonable and maintains written evidence of this reasonableness in the record of all micro-purchases. (2 Code of Federal Regulations 200.67, 200.320)
2. For any purchase that exceeds the micro-purchase threshold but is less than the bid limit required by Public Contract Code Section 20111, the Chancellor or designee shall obtain price or rate quotes from an adequate number of, **but no less than** qualified sources. (2 Code of Federal Regulations 200.320)
3. Contracts for goods or services over the bid limits required by Public Contract Code 20111 shall be awarded pursuant to California law and AP 5304 Bids and Contracts, unless exempt from bidding under the law.

Commented [WD1]: The District sets the number. The regulatory language is, "as determined appropriate by the non-Federal entity."

4. If a purchase is exempt from bidding and the District's solicitation is by a request for proposals, the award may be made by either a fixed-price or cost reimbursement type contract awarded to the entity whose proposal is most advantageous to the program, with price and other factors considered. (2 Code of Federal Regulations 200.320)
5. Procurement by noncompetitive proposals (sole sourcing) may be used only when the item is available from a single source, the need or emergency will not permit a delay resulting from competitive solicitation, the awarding agency expressly authorizes sole sourcing in response to the District's request, and/or competition is determined inadequate after solicitation of a number of sources. (2 Code of Federal Regulations 200.320)
6. Time and materials type contracts may be used only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost is the sum of the actual cost of materials and direct labor hours charged at fixed hourly rates that reflect wages, general administrative expenses, and profit. (2 Code of Federal Regulations 200.328)

For any purchase of \$25,000 or more, the Chancellor or designee shall verify that any vendor which is used to procure goods or services is not excluded or disqualified by the federal government. (2 Code of Federal Regulations 180.220, 200.213)

All solicitations shall incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description shall avoid detailed product specifications to the extent possible, but may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. When it is impractical or not economical to make a clear and accurate description of the technical requirements, a brand name or equivalent description may be used to define the performance or other salient requirements of procurement, clearly stating the specific features of the named brand which must be met by offers. In addition, every solicitation shall identify all requirements which the offer must fulfill and any other factors to be used in evaluating bids or proposals. (2 Code of Federal Regulations 200.319)

The Chancellor or designee shall maintain sufficient records to document the procurement, including, but not limited to, the rationale for the method of procurement, selection of the contract type, contractor selection or rejection, and the basis for the contract price. (2 Code of Federal Regulations 200.318)

The Chancellor or designee shall ensure that all contracts for purchases using federal grant funds contain the applicable contract provisions described in Appendix II to Part

200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards. (2 Code of Federal Regulations 200.326)

CONFLICT OF INTEREST

No Governing Board member, District employee, or District representative shall participate in the selection, award, or administration of a contract supported by federal funds if such person has a real or apparent conflict of interest, such as when such person or a member or a member of such person's immediate family, partner, or an organization which employs or is about to employ any of them has a financial interest in or a tangible personal benefit from a firm considered for a contract. Such persons are prohibited from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or subcontractors unless the gift is an unsolicited item of nominal value. (2 Code of Federal Regulations 200.318)

Employees engaged in the selection, award, and administration of contracts shall also comply with BP/AP 1710 Conflict of Interest.

PERIOD OF PERFORMANCE

All obligations of federal funds shall occur on or between the beginning and ending dates of the grant project and shall be paid no later than 90 days after the end of the funding period, unless specifically authorized by the grant award to be carried over beyond the initial term of the grant. (2 Code of Federal Regulations 200.77, 200.308, 200.309, 200.343) See also AP 4010[C] Grants - Cost Transfers.

CASH MANAGEMENT

The Chancellor or designee shall ensure the District's compliance with 2 Code of Federal Regulations 200.305 pertaining to payments and cash management, including compliance with applicable methods and procedures that minimize the time elapsing between the transfer of funds to the District and the District's disbursement of funds. (2 Code of Federal Regulations 200.305)

When authorized by law, the District may receive advance payments of federal grant funds, limited to the minimum amounts needed and timed in accordance with the actual immediate cash requirements of the District for carrying out the purpose of the program or project. Except under specified conditions, the District shall maintain the advance payments in an interest-bearing account. The District shall remit interest earned on the advanced payment to the awarding agency on an annual basis, but may retain interest amounts specified in 2 Code of Federal Regulations 200.305 for administrative expenses. (2 Code of Federal Regulations 200.305) When required by the awarding agency, the District shall instead submit a request for reimbursement of actual expenses incurred. The District may also request reimbursement as an alternative to receiving advance payments. (2 Code of Federal Regulations 200.305) The Chancellor or designee shall maintain source documentation supporting the expenditure of federal funds, such as invoices, time sheets, payroll stubs, or other appropriate documentation.

CAPITAL EXPENDITURES

Where the award is not explicitly for capital expenditures, the Chancellor or designee shall obtain prior written approval from the awarding agency before using federal funds to make capital expenditures, including the acquisition of land, facilities, equipment, and intellectual property and expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life. (2 Code of Federal Regulations 200.12, 200.13, 200.20, 200.33, 200.48, 200.58, 200.89, 200.313, 200.439)

AUDITS

Whenever the District expends \$750,000 or more in federal grant funds during a fiscal year, it shall arrange for either a single audit or a program-specific audit in accordance with 2 Code of Federal Regulations 200.507 or 200.514. (2 Code of Federal Regulations 200.501)

The Chancellor or designee shall ensure that the audit meets the requirements specified in 2 Code of Federal Regulations 200.500-200.521.

Specified records pertaining to the audit of federal funds expended by the District shall be transmitted to the clearinghouse designated by the federal Office of Management and Budget and shall be made available for public inspection. Such records shall be transmitted within 30 days after receipt of the auditor's report or within nine months after the end of the audit period, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (2 Code of Federal Regulations 200.512)

In the event that the audit identifies any deficiency, the Chancellor or designee shall promptly act to either correct the identified deficiency, produce recommended improvements, or demonstrate that the audit finding is invalid or does not warrant action. (2 Code of Federal Regulations 200.26, 200.508, 200.511)

ALLOWABLE COSTS

Prior to obligating or spending any federal grant funds, the Chancellor or designee shall determine whether a proposed purchase is an allowable expenditure of federal funds in accordance with 2 Code of Federal Regulations 200.400-200.475 and the terms and conditions of the federal grant award. The Chancellor or designee shall also determine whether the expense is a direct or indirect cost as defined in 2 Code of Federal Regulations R 200.413 and 200.414 and, if the purchase will benefit other programs not included in the grant award, the appropriate share to be allocated to the federal grant.

The Chancellor or designee shall review and approve all transactions involving federal grant funds and shall ensure the proper coding of expenditures consistent with the Budget and Accounting Manual.

PERSONNEL

All District employees who are paid in full or in part with federal funds, including employees whose salary is paid with state or local funds but is used to meet a required

match or in-kind contribution to a federal program, shall document the amount of time they spend on grant activities. (2 Code of Federal Regulations 200.430)

RECORDS

Except as otherwise provided in 2 Code of Federal Regulations 200.334, or where state law or District policy requires a longer retention period, financial records, supporting documents, statistical records, and all other District records related to a federal award shall be retained for a period of three years from the date of submission of the final expenditure report or, for a federal award that is renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the federal awarding agency. (2 Code of Federal Regulations 200.334)

Office of Responsibility: Vice Chancellor, Institutional Advancement & Economic Development

Date Approved: November 14, 2016

Revised: August 28, 2018

Revised:

Formerly: 3285

Institutional Advancement &
Economic Development

AP 401011, GRANTS – GRANT MANAGEMENT and
IMPLEMENTATION

Reference:

Code of Federal Regulations Title 2, Subtitle A, Chapter II, Part 200

Procedure Statement

Riverside Community College District is committed to the efficient and effective implementation of grant award agreements on time, within budget and in compliance with the grantor policies, procedures, and requirements.

Procedure Rationale

Effective grant management requires adherence to institutional policy and procedures, the grant award agreement, the funding guidance and the funding mandate. Deviation from any of these requirements may result in project delays, an audit finding and/or the need to return funding to the granting source.

The District will develop, maintain, and adhere to grant management practices that comply with state and federal policies and procedures in the following areas:

PROCUREMENT

The District shall develop procurement processes and practices for procuring goods and services needed to carry out external grant awards in accordance with AP 5304 Bids and Contract. As appropriate, institutional procurement processes for grant awards may vary if specific requirements set out in the grant award agreements, as well as other more restrictive, state, federal and District policies and procedures regarding the procurement of goods and services exist.

CONFLICT OF INTEREST

Board Policy/Administrative Procedure 1710 Conflict of Interest will apply to all grants and contracts received, managed and implemented by the District and its colleges. No Governing Board member, District employee or District representative shall participate in the selection, award or administration of a contract supported by external grant funds if they have a real or apparent conflict of interest, such as when they or a member of their immediate family, their partner or an organization which employs or is about to employ any of them has a financial interest in or a tangible personal benefit from a firm considered for a contract. Such persons are prohibited from soliciting or accepting gratuities, favors or anything of monetary value from contractors or subcontractors unless the gift is an unsolicited item of nominal value.

PERIOD OF PERFORMANCE

The District shall establish operating practices to ensure that all obligations of external grant funds shall occur on or between the beginning and ending dates of the grant project and shall

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¶ As appropriate to encourage greater economy and efficiency, the Chancellor or designee shall avoid acquisition of unnecessary or duplicative items, give consideration to consolidating or breaking out procurements, analyze lease versus purchase alternatives, consider entering into an interagency agreement for procurement of common or shared goods and services, and/or use federal excess or surplus property.¶

¶ The procurement of goods or services with federal funds shall be conducted in a manner that provides full and open competition in accordance with state laws and District regulations and the following requirements:¶

¶ Any purchase of supplies or services that does not exceed the \$10,000 threshold specified in 48 Code of Federal Regulations 2.101 may be awarded without soliciting competitive quotes, provided that the District considers the price to be reasonable and maintains written evidence of this reasonableness in the record of all micro-purchases. (2 Code of Federal Regulations 200.67, 200.320)¶

¶ For any purchase that exceeds the micro-purchase threshold but is less than the bid limit required by Public Contract Code Section 20111, the Chancellor or designee shall obtain price or rate quotes from an ... [1]

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4. If a purchase is exempt from bidding and the District's solicitation is by a request for proposals, the award may be made by either a fixed-price or cost reimbursement type contract awarded to the entity whose proposal is most advantageous to the program, with price and other factors considered. (2 Code of Federal Regulations 200.320)
5. Procurement by noncompetitive proposals (sole sourcing) may be used only when the item is available from a single source, the need or emergency will not permit a delay resulting from competitive solicitation, the awarding agency expressly authorizes sole sourcing in response to the District's request, and/or competition is determined inadequate after solicitation of a number of sources. (2 Code of Federal Regulations 200.320)
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All solicitations shall incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description shall avoid detailed product specifications to the extent possible, but may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. When it is impractical or not economical to make a clear and accurate description of the technical requirements, a brand name or equivalent description may be used to define the performance or other salient requirements of procurement, clearly stating the specific features of the named brand which must be met by offers. In addition, every solicitation shall identify all requirements which the offer must fulfill and any other factors to be used in evaluating bids or proposals. (2 Code of Federal Regulations 200.319)

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PERIOD OF PERFORMANCE

All obligations of federal funds shall occur on or between the beginning and ending dates of the grant project and shall be paid no later than 90 days after the end of the funding period, unless specifically authorized by the grant award to be carried over beyond the initial term of the grant. (2 Code of Federal Regulations 200.77, 200.308, 200.309, 200.343) See also AP 4010[C] Grants - Cost Transfers.

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The Chancellor or designee shall ensure the District's compliance with 2 Code of Federal Regulations 200.305 pertaining to payments and cash management, including compliance with applicable methods and procedures that minimize the time elapsing between the transfer of funds to the District and the District's disbursement of funds. (2 Code of Federal Regulations 200.305)

When authorized by law, the District may receive advance payments of federal grant funds, limited to the minimum amounts needed and timed in accordance with the actual immediate cash requirements of the District for carrying out the purpose of the program or project. Except under specified conditions, the District shall maintain the advance payments in an interest-bearing account. The District shall remit interest earned on the advanced payment to the awarding agency on an annual basis, but may retain interest amounts specified in 2 Code of Federal Regulations 200.305 for administrative expenses. (2 Code of Federal Regulations 200.305) When required by the awarding agency, the District shall instead submit a request for reimbursement of actual expenses incurred. The District may also request reimbursement as an alternative to receiving advance payments. (2 Code of Federal Regulations 200.305) The Chancellor or designee shall maintain source documentation supporting the expenditure of federal funds, such as invoices, time sheets, payroll stubs, or other appropriate documentation.

CAPITAL EXPENDITURES

Where the award is not explicitly for capital expenditures, the Chancellor or designee shall obtain prior written approval from the awarding agency before using federal funds to make capital expenditures, including the acquisition of land, facilities, equipment, and intellectual property and expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life. (2 Code of Federal Regulations 200.12, 200.13, 200.20, 200.33, 200.48, 200.58, 200.89, 200.313, 200.439)

AUDITS

Whenever the District expends \$750,000 or more in federal grant funds during a fiscal year, it shall arrange for either a single audit or a program-specific audit in accordance with 2 Code of Federal Regulations 200.507 or 200.514. (2 Code of Federal Regulations 200.501)

The Chancellor or designee shall ensure that the audit meets the requirements specified in 2 Code of Federal Regulations 200.500-200.521.

Specified records pertaining to the audit of federal funds expended by the District shall be transmitted to the clearinghouse designated by the federal Office of Management and Budget and shall be made available for public inspection. Such records shall be transmitted within 30 days after receipt of the auditor's report or within nine months after the end of the audit period, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (2 Code of Federal Regulations 200.512)

In the event that the audit identifies any deficiency, the Chancellor or designee shall promptly act to either correct the identified deficiency, produce recommended improvements, or demonstrate that the audit finding is invalid or does not warrant action. (2 Code of Federal Regulations 200.26, 200.508, 200.511)

ALLOWABLE COSTS

Prior to obligating or spending any federal grant funds, the Chancellor or designee shall determine whether a proposed purchase is an allowable expenditure of federal funds in accordance with 2 Code of Federal Regulations 200.400-200.475 and the terms and conditions of the federal grant award. The Chancellor or designee shall also determine whether the expense is a direct or indirect cost as defined in 2 Code of Federal Regulations R 200.413 and 200.414 and, if the purchase will benefit other programs not included in the grant award, the appropriate share to be allocated to the federal grant.

The Chancellor or designee shall review and approve all transactions involving federal grant funds and shall ensure the proper coding of expenditures consistent with the Budget and Accounting Manual.

PERSONNEL

All District employees who are paid in full or in part with federal funds, including employees whose salary is paid with state or local funds but is used to meet a required

match or in-kind contribution to a federal program, shall document the amount of time they spend on grant activities. (2 Code of Federal Regulations 200.430)

RECORDS

Except as otherwise provided in 2 Code of Federal Regulations 200.334, or where state law or District policy requires a longer retention period, financial records, supporting documents, statistical records, and all other District records related to a federal award shall be retained for a period of three years from the date of submission of the final expenditure report or, for a federal award that is renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the federal awarding agency. (2 Code of Federal Regulations 200.334)

Office of Responsibility: Vice Chancellor, Institutional Advancement & Economic Development

Date Approved: November 14, 2016

Revised: August 28, 2018

Revised:

Formerly: 3285

**Institutional Advancement &
Economic Development****AP 4010[F] GRANTS – Subaward Monitoring****Reference:**

U.S. Office of Management and Budget 2 Code of Federal Regulations 200 Uniform Guidance

A portion of the goals and processes of grants is typically achieved through the issuance of subawards to subrecipients. Through this practice, the District is able to leverage external providers of such added value to secure the highest quality grant outcomes. Subawardees are required to comply with grant directives in a manner consistent with that of the awardee. When the District is awarded grant funds and any portion of those funds is provided to a subrecipient, the District must ensure the Subawardee is in full compliance as required. The purpose of this procedure is to inform all RCCD units responsible for the administration of Federal Awards of the procedures regarding the monitoring of these subawards.

RATIONALE

Federal Funding Agencies require that RCCD's colleges, centers and other administrative units monitor the performance, both programmatic and administrative, of any Subawardee and, if necessary, take action to ensure completion of the subaward.

Subaward Agreements

It is the responsibility of the Principal Investigator (PI), in conjunction with their Office of Grants and/or College Business Services Office, to draft the subaward agreement to govern the performance of the subaward. The subaward agreement must contain all required elements identified by 2 Code of Federal Regulations Part 200.331 including the master award identifying CFDA # and:

- Statutory requirements such as non-discrimination, drug-free workplace, animal rights, human subjects, and any applicable grant terms and conditions;
- Any additional requirements necessary in order for the pass-through entity to meet its own responsibility to the Federal awarding agency (such as the timely submission of financial, technical, and performance reports);
- The indirect cost rate(s) and base(s) approved for use on the subaward;
- Audit requirements and the pass-through entity's access to records;
- The pass-through entity's right to conduct technical and administrative site visits;
- Termination clauses and/or legal remedies for non-performance; and
- Closeout procedures (when the subaward is completed).

In the case of District level awards, it is the responsibility of the Principal Investigator (PI), in conjunction with the District's Business and Financial Services Office and the District's Grants Office, to draft the subaward agreement to govern the performance of the subaward.

Monitoring Subawards

It is the responsibility of the Principal Investigator (PI) to monitor the programmatic performance of the Subawardee. This will normally be accomplished by the PI's review of all deliverables submitted by the Subawardee. Furthermore, the PI, in conjunction with their College Business Services Office, or the District Business and Financial Services Office with District level awards (hereafter, "appropriate Business Services Office"), is responsible for reviewing Subawardee invoices and financial reports to ensure costs are reasonable and allowable. The PI/Grants Office/appropriate Business and Financial Services Office is also responsible for monitoring and ensuring that the Subawardee is properly reporting the subaward on their respective Schedule of Expenditures of Federal Awards (SEFA). Proper SEFA reporting includes correct identification of the program's name, CFDA #, awarding federal agency, identification of the College or District as the pass-through entity, and expenditures reported for the fiscal year.

In the event that programmatic performance is unsatisfactory, or that certain costs appearing on an invoice are questionable, the PI and the appropriate Business and Financial Services Office will work with the Subawardee to resolve all questions and concerns.

The final invoice is usually required within 60 days of the end of the subaward, and will not be paid until all subaward requirements have been met.

A. The PI/Grants Office/appropriate Business and Financial Services Office is responsible for:

1. Reviewing subaward invoices to ensure that:
 - a. Costs are reasonable, allowable, and allocable;
 - b. The period of the invoice is within the period of the subaward;
 - c. The amount of the invoice, when added to all previous invoices, does not exceed the total obligated amount of the subaward;
 - d. The invoice has an approval from the Subawardee.
2. Determining whether or not the PI is satisfied with the programmatic performance of the Subawardee and whether technical reports have been received.
3. Approving the invoice for payment, if satisfied with the above.
4. Timely forwarding of approved invoices to Accounts Payable.

Closing Out Subawards

A. The PI/ Grants Office/appropriate Business and Financial Services Office/Academic Affairs/Educational Services are responsible for:

1. Reviewing the subaward to determine that all deliverables and/or reporting requirements have been met.
2. Reviewing final invoices and/or the final financial report to ensure that:

- a. costs were incurred in accordance with the terms of the subaward;
 - b. all costs were incurred within the period of the subaward;
 - c. the amount of the final invoice, when added to all previous invoices, does not exceed the total obligated amount of the subaward;
 - d. verify that the invoice has an approval and/or certification from the Subawardee.
3. Approving the final invoice for payment, if satisfied with 1 and 2 above.
4. Submitting the final invoice to Accounts Payable.

Office of Responsibility: Vice Chancellor, Institutional Advancement & Economic Development

Date Approved: October 15, 2018

Revised:

Formerly: 3286

**Institutional Advancement &
Economic Development**

AP 4200 GIFTS

Reference:

Education Code Section 72122

Responsibility

- A. The Chancellor or designee is responsible for the implementation of all procedures regarding gifts, sponsorships, bequests, and fund raising activities.
- B. The Riverside Community College District Foundation Board of Directors is the entity which accepts all such gifts. That Board will establish procedures for the acceptance of donations which are consistent with the District's Policies and the By-Laws of the Foundation.

Donation Process

Anyone wishing to give a gift to the District in the way of monetary donations, bequests, real property, tangible items, or any other donation, should contact the Executive Director of the Foundation. The Executive Director, or the Executive Director's designee, will guide the caller through the process and provide any necessary forms.

Acceptance of gifts to the District in the way of monetary donations, bequests, real property, tangible items, or any other donation shall be in accordance with the "Master Agreement by and Between the Riverside Community College District and the Riverside Community College District Foundation," and any amendments thereto.

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Reports

The Foundation, on an annual basis, will present a report to the Board of Trustees which summarizes the Foundation's activity for donations received in the prior 12 months. Said report will coincide with the Foundation's audit report to the Board.

Office of Responsibility: Vice Chancellor, Institutional Advancement & Economic Development

Administrative Approval: April 13, 2009

Revised: April 27, 2015

Revised: [REDACTED]

(Replaces RCCD Regulation 6140)

Formerly: 3820

**Institutional Advancement &
Economic Development**

AP 4200 GIFTS

Reference:

Education Code Section 72122

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Reports

The Foundation, on an annual basis, will present a report to the Board of Trustees which summarizes the Foundation's activity for donations received in the prior 12 months. Said report will coincide with the Foundation's audit report to the Board.

Office of Responsibility: Vice Chancellor, Institutional Advancement & Economic Development

Administrative Approval: April 13, 2009

Revised: April 27, 2015

Revised:

(Replaces RCCD Regulation 6140)

Formerly: 3820

Legal Citation for AP 4200

Education Code Section 72122

EDUCATION CODE - EDC

TITLE 3. POSTSECONDARY EDUCATION [66000 - 101060]

(Title 3 enacted by Stats. 1976, Ch. 1010.)

DIVISION 7. COMMUNITY COLLEGES [70900 - 88922]

(Division 7 enacted by Stats. 1976, Ch. 1010.)

PART 45. DISTRICTS AND GOVERNING BOARDS [72000 - 72701]

(Part 45 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 2. Meetings and Members [72101 - 72129]

(Chapter 2 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 2. Meetings [72121 - 72129]

(Article 2 enacted by Stats. 1976, Ch. 1010.)

72122.

The governing board of a community college district shall, unless a request by the student has been made pursuant to this section, hold closed sessions if the board is considering the suspension of, or disciplinary action or any other action in connection with any student of the community college district, if a public hearing upon the question would lead to the giving out of information concerning students which would be in violation of state or federal law regarding the privacy of student records.

Before calling a closed session of the governing board of the district to consider these matters, the governing board of the district shall, in writing, by registered or certified mail or by personal service, if the student is a minor, notify the student and his or her parent or guardian, or the student if the student is an adult, of the intent of the governing board of the district to call and hold the closed session. Unless the student, or his or her parent, or guardian shall, in writing, within 48 hours after receipt of the written notice of intention, request that the hearing of the governing board be held as a public meeting, then the hearing to consider those matters shall be conducted by the governing board in closed session. If the written request is served upon the clerk or secretary of the governing board, the meeting shall be public except that any discussion at the meeting that might be in conflict with the right to privacy of any student other than the student requesting the public meeting or on behalf of whom the meeting is requested, shall be in closed session. Whether the matter is considered at a closed session or at a public meeting, the final action of the governing board of the community college district shall be taken at a public meeting and the result of that action shall be a public record of the community college district.

The governing board of a community college district may hold closed sessions to consider the conferring of honorary degrees or to consider gifts from a donor who wants to remain anonymous.

(Amended by Stats. 1990, Ch. 1372, Sec. 307.)

**Institutional Advancement &
Economic Development****AP 4400 NAMING OF FACILITIES, EVENTS AND PROGRAMS****References:**

- I. The Board of Trustees retains authority for naming all facilities, events, programs, or other aspects within the District. The Board delegates to the Chancellor the process of evaluating and making the recommendation for naming facilities, events and programs. To aid in this process, an established committee, the Facilities Recognition and Naming Committee ("Committee"), will gather the request and other required data, and make a recommendation to the Chancellor for any suggested naming.

II. The Facilities Recognition and Naming Committee shall be comprised of: one member of the faculty from each College in the District, as determined by the College President in consultation with the Academic Senate; one member of the staff union, as determined by the CSEA; one member of management from each College in the District, as determined by the College President in consultation with the MLA; one member of the Board of Directors of the RCCD Foundation, as determined by their Executive Committee; the President of the District Academic Senate; the Associate Vice Chancellor, Facilities Planning and Development; the Vice Chancellor, Institutional Advancement and Economic Development or Designee; one member of the public solely for each specific naming situation if and as determined by the pertinent College President; and the student trustee.

Whenever a naming situation involves an academic program, the current District Discipline Facilitator, or designee, for the academic area concerned shall be included on the Committee for that matter. When naming involves academic programs, the Board shall rely primarily on the advice of the Committee's faculty, consistent with Title 5.

The Committee shall have a faculty co-chair and an administrative co-chair. The faculty co-chair shall be a faculty Committee member as determined by consensus of the faculty Committee members. The administrative co-chair shall be the Executive Director of the RCCD Foundation. Once selected, members will continue on the Committee until they resign, they no longer fill the role through which they were placed on the Committee, or they are replaced with someone else through the applicable determination process.

- III. Each proposal for naming a District facility shall be considered on its own merits.

No commitment for naming shall be made prior to Board of Trustees' approval of the proposed name.

IV. General Guidelines

- A. Individual or group requests are to be submitted in writing to the RCCD Foundation. A "PRESENTATION OF A CANDIDATE FOR RECOGNITION" Form must be completed as required by the Committee.
- B. Individuals or groups submitting applications should be prepared to make a presentation to the Committee with supporting materials and additional information. The Committee will keep the requesting individual or group informed on the application's progress.
- C. The Committee will seek input from pertinent operational experts to ensure there are no functional limitations on requests for placement. Preliminary input will be obtained from the College directly involved. The Committee will then review all information obtained and provide a written recommendation forwarded to the President of the College directly involved. Once approved by the College President, any recommendation will be then forwarded to the District Chancellor for approval before being brought to the Board of Trustees.
- D. An appropriate relationship between the use of the facility or its function and the person for whom it will be named should exist. When possible, a building name should include the function of that facility in its title.
- E. In addition, plaques, memorials or any form of recognition to be affixed to any building, structure or facility of the District shall be subject to the aforementioned procedure for approval.
- F. Any event associated with a naming opportunity will be managed between the RCCD Foundation and the pertinent College President's Office. The RCCD Foundation will have primary responsibility where a gift is connected to the naming; the pertinent College President's Office will have primary responsibility where the naming is for honorary purposes.
- G. Any academic program associated with a naming opportunity will be judged according to the fit between the suggested name and the program. All naming requests should reflect a logical and meaningful relationship between themselves and the program and shall reflect the mission and values of the District.

V. A name for a District facility must meet one or more of the following criteria:

- A. It must designate the function of a facility.
- B. It must reflect natural or geographic features.

- C. It must reflect a traditional theme of a college.
- D. It must reflect the mission and values of the District.
- E. It must honor an individual:
 - 1. When no gift is involved:
 - a. It must honor a person who has achieved unique distinction in higher education or other areas of public service; or
 - b. It must honor a person who has served the District in an academic capacity and has earned a reputation as a scholar; or
 - c. It must honor a person who has served the District and made extraordinary contributions to the District.
 - d. When a proposal for naming in honor of an individual involves service in an academic or administrative capacity, a proposal shall not be made until the individual has been retired or deceased at least one year.
 - 2. When a significant gift is involved:
 - a. A facility, event or program may also be named for a benefactor or an individual nominated by a benefactor for a significant gift to the District.
 - b. For an amount to be considered significant, it shall either:
 - Fund the total cost of the facility, event or program to be named; or
 - Provide funding for that portion of the total cost which would not have been available from other sources; or
 - Fit established naming opportunities presented to the Facilities Recognition and Naming Committee as part of the RCCD Foundation fundraising activities.

Such facilities, events or programs will not be named in return for revocable deferred gifts. Irrevocable gifts of property (real or personal) will be considered.

VI. **Duration of Naming Recognition**

Naming of District facilities, events or programs may be granted by the Board of Trustees as either permanent or for a defined period of time. The recommendation to the Board shall include the recommended duration of the recognition.

VII. **Transferability of Naming Recognition**

Naming of a designated piece of District property may not survive the named property's existence. Should the named property be removed, renovated or redesigned for another use, the naming recognition shall not automatically be assigned to its replacement or any other like property without the express authorization of the Board of Trustees. A recommendation for the transfer of the naming rights may be presented to the Board for consideration through this Committee process. In the event that a naming designation will be either transferred or discontinued, the District will attempt to contact and inform any living heirs.

VIII. **Signage**

Buildings to be named should normally bear the last name of the person for whom it is to be named and the building name. For instance, "The Doe Memorial." The sign should be in a typeface and style consistent with College signage. The wording of the nameplate must be approved by the Chancellor and pertinent College President (or designees). The cost of signage will be borne by the associated gift, or by the District when the naming is solely for honorary purposes. The RCCD Foundation will work with the appropriate College President's Office to manage the accomplishment of proper signage.

Lecture halls, classrooms, and labs named may also be identified with a plaque of appropriate materials and design mounted on the wall directly outside the main entrance to the facility, or in a position otherwise most appropriate under specific circumstances.

All areas where students, staff, and the public gather, including walkways, benches, and gardens, may also be identified with a plaque or acknowledgement plate of appropriate materials and design mounted near the area. The plaque or acknowledgement plate design should be consistent with the design of the facility and easily maintained.

Office of Primary Responsibility: Office of the Chancellor

Administrative Approval: August 16, 2011

(Replaces current Riverside CCD
Regulation 7070)

Revised: May 21, 2019

Revised:

Formerly: 3950

**Institutional Advancement &
Economic Development****AP 4500 STUDENT NEWS MEDIA****Reference:**

Education Code Section 66301

Philosophy

College news media are any news/feature publications issued under the name of the college, funded by the District, and produced by students as an integral part of instruction in areas such as English, Communications, Applied Digital Media, and Journalism. It may include, but is not limited to, student newspaper reporting, broadcast news journalism, and internet news journalism. The term "editorial" refers to all content other than advertising.

College news media, as public forum student publications related to a department and/or program's curriculum, shall provide vehicles for student expression of news and opinion and train students for careers in mass communication. College news media serve the college community by reporting the news, including college events and activities, providing a forum for comment and criticism, and encouraging free expression as guaranteed in the First Amendment to the Constitution of the United States and state law.

College news media are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion. College news media shall exercise editorial freedom in order to maintain their integrity as vehicles for free inquiry and free expression in the college community. At the same time, the editorial freedom of college news media shall entail corollary responsibilities.

College newspaper(s) or other news media are published to provide forums for student expression of news and opinion and as learning experiences. The editorial and advertising materials published in each news medium, including any opinions expressed, are the responsibility of the student staff. An editorial board should be formed for the news media involved. Under appropriate state and federal court decisions, these materials are free from prior restraint by virtue of the First Amendment to the United States Constitution and state law. These procedures are adopted so as to encourage a responsible exercise of such freedom.

Whenever the term "college newspaper" appears in this document it is intended to refer to the college newspaper published on each campus of the District.

Journalism Grievance Procedures

Definition of a Grievance – A grievance is a complaint that alleges facts which, if true, would demonstrate a violation of the grievant's right to free inquiry, free speech, or fair treatment; contains allegations that appear to be substantially credible; and is not frivolous.

Informal Grievance Proceedings – Describe a procedure that includes a written complaint to those with direct responsibility for the program and their responsibilities to respond in a timely manner.

Formal Grievance Proceedings – More formal grievance procedures may include a grievance hearing committee and appeal to the Chancellor or designee in a timely fashion. The procedures should include how grievance hearings should be conducted, access to and maintenance of related records, and the responsibility of the authorities to respond to the grievance in a timely fashion.

BOARD OF PUBLICATIONS

I. Organization

- A. The membership of the Board of Publications shall be as follows:
 - 1. Advisor of college Newspaper
 - 2. Chair of department related to college newspaper (e.g. English, Communications, etc.)
 - 3. Dean of Instruction or designee
 - 4. Executive Director, External Relations and Strategic Communications and Relations, or designee
 - 5. Vice President/Dean, Student Services, or designee
 - 6. Student Editor of college newspaper
 - 7. Student member of college newspaper, selected by Student Editor of college newspaper
 - 8. Associated Student Vice President
 - 9. Student-at-large, selected by Associated Student Executive Cabinet
- B. The Vice President/Dean of Student Services or designee serves as the chairman of the Board of Publications. The Board of Publications will meet only when there has been a substantially credible allegation of a violation of Board Policy or Administrative Procedure 4500, or for grievances that appear to be substantially credible filed against the college newspaper and the complaint has not been resolved after attempting to discuss the complaint with the student newspaper editor-in-chief.

II. Functions

- A. The Board of Publications shall act as a review board for substantially credible allegations of violations of Board Policy 4500 and Administrative Procedure 4500, and for substantially credible grievances filed against college newspapers.
- B. The Board shall mediate and/or settle disputes arising from conflicting interpretations of existing policies, while recognizing and protecting the First Amendment rights and state rights of student journalists. Should the Board of Publications find itself unable to resolve disagreements, these matters shall be referred to the Vice President of Student Services and, where class related publications are involved, to the Vice President of Academic Affairs.
- C. Publications reviewed by the Board are the student newspapers at each campus within the District.
- D. Unresolved grievances will be channeled through the Board of Publications.

III. College Newspaper Editorial Regulations

- A. The college newspaper is published under the sponsorship of the Riverside Community College Board of Trustees. The functions of the paper are:
 - 1. To provide journalism students with instruction and practical experience in applying skills necessary for publishing a newspaper.
 - 2. To provide students, faculty and administrators with information about the college and its activities, to inform readers about issues of importance to them (whether on-campus or off-campus), to provide opportunities for student journalists to comment on those issues and to provide a forum for reader discussion and opinion.
- B. The obligations of the college newspaper staff are to report as accurately, objectively, and fairly as possible, considering the stress of deadlines.
- C. Realizing that the college newspaper is a student newspaper and a vital means of communication for the District and colleges, the staff will give greater emphasis to activities and issues originating within the colleges, although this will not preclude printing news and opinions about off-campus activities and issues that will affect the students and/or the colleges.

- D. At no time will the college newspaper print matter that is libelous or obscene or that contains ethnic, religious or racial slurs.
- E. College newspaper editorials are the opinions of the editorial board, which is composed of student. All other editorial page material, such as columns and commentaries, is the opinion of the individual writer, not of the college newspaper.
- F. The college newspaper is entitled to the rights accorded the press in a free society, and therefore has the right to criticize and point out shortcomings in any phase of school life or in any situation which affects students or the college. However, freedom without responsibility is merely license; therefore, the newspaper staff is encouraged to consider the following responsibilities:
 - 1. Controversial editorials, columns and commentaries shall be based on the issues. Although individuals and organizations may be named, comment should focus on their activities, policies and stated opinions regarding the issue under discussion.
 - 2. The student newspaper editor is encouraged to consider providing to any individual or group criticized in the college newspaper's editorials or columns space for a reply. To be considered for publication, replies must reach the college newspaper's editorial board by no later than eight (8) days prior to publication of the following issue. The student newspaper editor reserves the First Amendment right to reject any reply the same as any other story in the student newspaper.
 - 3. Statements made "in public" shall be defined as those made in any meeting or gathering officially sanctioned by the college and open to the student, faculty or public. When such statements contain material unfavorable to any individual or group, the quoting or paraphrasing of the statements in the news columns of the college newspaper shall be construed as reporting the news, not as attacks emanating from the college newspaper. The same shall apply to interviews. However, the staff writer covering the story is encouraged to give the criticized or accused person or group the opportunity to reply in the same story. Failure to reply shall not be grounds for delaying publication.
- G. The college newspaper editorials shall not endorse any political candidates. However, columnists will be free to take any position on any candidate, party or issue because columns are only the opinions of the individual writers.

- H. Letters to the editor, guest columns and guest editorials are encouraged. However, columns and editorials from non-staff writers must meet the same standards required of student journalists. Letters to the editor need not meet journalistic standards, but may be edited to correct mechanical errors or to fit available space. When space is limited, letters dealing with on-campus issues will be given first priority. Letters must be signed and will be printed bearing the complete name of the writer.

IV. **Advertising Regulations**

- A. The following rules are provided as a guide for acceptance in college newspapers. In cases where the policy does not provide clear guidance, the advertising manager and faculty adviser can make the ad hoc decisions as to whether a timely ad is acceptable. These decisions will be reviewed by the Publications Board in terms of future policy making.
- B. The college newspaper has the right to refuse any ad.
- C. Advertising decision criteria include:
1. The probable effect of the product on the health, safety and well-being of the college community.
 2. College District policies.
 3. Community standards of taste and decency as reflected in the content of local daily newspapers with general distribution (Riverside Press-Enterprise, etc.)
- D. The college newspaper will not accept ads for:
1. Abortion/contraception information from any organization other than a recognized, non-profit group.
 2. Sexual liaisons.
 3. The promotion of hard liquor consumption, although beer and wine will be accepted.
 4. X-rated movies from establishments which predominantly show x-rated movies.
 5. Term paper research.
 6. Tobacco.
 7. Religious teachings, scriptural citations, faith healing, prayers.
- E. **Special Considerations:**
1. Political advertising must be paid for in advance and will be limited to 15 column inches per subject per issue. This limitation applies to both candidates and propositions.
 2. In areas of employment and quasi-medical services, the advertising manager will try to make sure these are legitimate.

Office of Responsibility: Vice Chancellor, Institutional Advancement & Economic Development

NOTE: The language in **red ink** is **legally advised** (as opposed to legally required) and recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore).

Administrative Approval: April 13, 2009

Revised: [REDACTED]

(Replaces RCCD Regulation 6000)

Formerly: 4600

Legal Citation for AP 4500

EDUCATION CODE - EDC

TITLE 3. POSTSECONDARY EDUCATION [66000 - 101060]

(Title 3 enacted by Stats. 1976, Ch. 1010.)

DIVISION 5. GENERAL PROVISIONS [66000 - 70115.2]

(Division 5 enacted by Stats. 1976, Ch. 1010.)

PART 40. DONAHOE HIGHER EDUCATION ACT [66000 - 67400]

(Part 40 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 5. Rules of Student Conduct [66300 - 66303]

(Chapter 5 enacted by Stats. 1976, Ch. 1010.)

66301.

(a) Neither the Regents of the University of California, the Trustees of the California State University, the governing board of a community college district, nor an administrator of any campus of those institutions, shall make or enforce a rule subjecting a student to disciplinary sanction solely on the basis of conduct that is speech or other communication that, when engaged in outside a campus of those institutions, is protected from governmental restriction by the First Amendment to the United States Constitution or Section 2 of Article I of the California Constitution.

(b) A student enrolled in an institution, as specified in subdivision (a), at the time that the institution has made or enforced a rule in violation of subdivision (a) may commence a civil action to obtain appropriate injunctive and declaratory relief as determined by the court. Upon a motion, a court may award attorney's fees to a prevailing plaintiff in a civil action pursuant to this section.

(c) This section does not authorize a prior restraint of student speech or the student press.

(d) This section does not prohibit the imposition of discipline for harassment, threats, or intimidation, unless constitutionally protected.

(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.

(f) An employee shall not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in conduct authorized under this section, or refusing to infringe upon conduct that is protected by this section, the First Amendment to the United States Constitution, or Section 2 of Article I of the California Constitution.

(Amended by Stats. 2008, Ch. 525, Sec. 4. Effective January 1, 2009.)