

BP 6100 Delegation of Authority, Business and Fiscal Affairs

References:

Education Code Sections 70902(d), 81655, and 81656

The Board delegates to the Superintendent/President the authority to supervise the general business procedures of the District to assure the proper administration of property and contracts; the budget, audit and accounting of funds; the acquisition of supplies, equipment and property; and the protection of assets and persons. All transactions shall comply with applicable laws and regulations, and with the California Community Colleges Budget and Accounting Manual.

No contract shall constitute an enforceable obligation against the District until it has been approved or ratified by the Board. (See BP 6340 titled Bids and Contracts).

The Superintendent/President shall make appropriate periodic reports to the Board and shall keep the Board fully advised regarding the financial status of the District.

See Administrative Procedure 6100

BP 6150 Designation of Authorized Signatures

References:

Education Code Sections 85232 and 85233

Authority to sign orders and other transactions on behalf of the Board is delegated to the Superintendent/President and other officers appointed by the Superintendent/President.

The authorized signatures shall be filed with the Los Angeles County Office of Education.

See Administrative Procedure 6150.

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BP 6200 Budget Preparation

References:

Education Code Section 70902(b)(5);
Title 5 Sections 58300 et seq.;
ACCJC Accreditation Standard III.D

Each year, the Superintendent/President shall present to the Board a budget, prepared in accordance with Title 5 and the California Community Colleges Budget and Accounting Manual. The schedule for presentation and review of budget proposals shall comply with state law and regulations, and provide adequate time for Board study.

Budget development shall meet the following criteria:

- The annual budget shall support the District's master and educational plans.
- Assumptions upon which the budget is based are presented to the Board for review.
- A schedule is provided to the Board by February 15th of each year that includes dates for presentation of the tentative budget, required public hearing(s), Board study session(s), and approval of the final budget. At the public hearings, interested persons may appear and address the Board regarding the proposed budget or any item in the proposed budget.
- Changes in the assumptions upon which the budget was based shall be reported to the Board in a timely manner.
- Budget projections address long-term goals and commitments.

BP 6250 Budget Management

References:

Title 5 Sections 58307 and 58308

The budget shall be managed in accordance with Title 5 and the California Community Colleges Budget and Accounting Manual. Budget revisions shall be made only in accordance with these policies and as provided by law.

The District's unrestricted general reserves shall be no less than 18 %. (A prudent reserve is defined by the State Chancellor's Office as 5%.)

Revenues accruing to the District in excess of amounts budgeted shall be added to the District's reserve for contingencies. They are available for appropriation only upon a resolution of the Board that sets forth the need according to major budget classifications in accordance with applicable law.

Board approval is required for changes between major expenditure classifications. Transfers from the reserve for contingencies to any expenditure classification must be approved by a two-thirds vote of the members of the Board. Transfers between expenditure classifications must be approved by a majority vote of the members of the Board.

See Administrative Procedure 6250.

BP 6300 Fiscal Management

References:

Education Code Section 84040(c);
Title 5 Section 58311;
ACCJC Accreditation Standard III.D;
2 Code of Federal Regulations Parts 200.302(b)(6)-(7), 200.305, and 200.400 et seq.

The Superintendent/President shall establish procedures to assure that the District's fiscal management is in accordance with the principles contained in Title 5 Section 58311, including:

- Provide for appropriate fiscal procedures, protocols, and adequate controls to ensure that established fiscal objectives are met.
- Fiscal objectives, procedures, and constraints are communicated to the Board and employees.
- Adjustments to the budget are made in a timely manner, when necessary.
- The management information system provides timely, accurate, and reliable fiscal information.
- Responsibility and accountability for fiscal management is clearly delineated.

The Superintendent/President shall also establish procedures that satisfy the U.S. Education Department General Administrative Regulations (EDGAR) for any federal funds received by the District.

The books and records of the District shall be maintained pursuant to the California Community Colleges Budget and Accounting Manual.

As required by law, the Board shall be presented with a quarterly report showing the financial and budgetary conditions of the District.

As required by the California Community Colleges Budget and Accounting Manual, expenditures shall be recognized in the accounting period in which the liability is incurred, and shall be limited to the amount budgeted for each major classification of accounts and to the total amount of the budget for each fund.

All bank accounts shall be approved by the Superintendent/President before establishment. Only duly approved accounts may utilize the District's Federal Tax Identification Number

See Administrative Regulation 6300

BP 6307 Debt Issuance and Management

References:

Government Code Section 8855

The Superintendent/President shall establish procedures to ensure the District is professionally managing its debt and fulfills its annual debt issuance reporting requirements to the California Debt and Investment Advisory Commission.

Procedures shall include:

- The purposes for which the debt proceeds may be used.
- The types of debt that may be issued.
- The relationship of the debt to, and integration with, the District's capital improvement program or budget, if applicable.
- Policy goals related to the District's planning goals and objectives.
- The internal control procedures that the District has implement, or will implement, to ensure that the proceeds of the proposed debt issuance will be directed to the intended use.

See Administrative Procedure 6307

BP 6320 Investments

References:

Government Code Sections 53600 et seq.

The Superintendent/President is responsible for ensuring that the funds of the District are invested that are not required for the immediate needs of the District. Investments shall be in accordance with law, including California Government Code Sections 53600 et seq.

Investments shall be made based on the following criteria:

- The preservation of principal shall be of primary importance.

- The investment program must remain sufficiently flexible to permit the District to meet all operating requirements.

- Transactions should be avoided that might impair public confidence.

See Administrative Procedure 6320.

BP 6330 Purchasing

References:

Education Code Section 81656;
Public Contract Code Sections 20650 and 20651
Public Contract Code Section 22000 et seq.

The Superintendent/President is delegated the authority to purchase supplies, materials, apparatus, equipment and services as necessary to the efficient operation of the District. No such purchase shall exceed the amounts specified by Public Contract Code Section 20651 as amended from time to time, without going through the formal bid process, or the amounts specified in the California Public Contract Code, Section 22000, per the California Uniform Public Construction Costs Accounting Act.

No officer or employee, except as designated by the Superintendent/President, may obligate the District for any expenditure of funds without prior approval. Any obligation contracted without appropriate prior approval may become a personal expense of the officer or employee. All purchase orders, contracts, leases, rentals, memorandums of understanding, and service agreements require the signature of the Superintendent/President or designee.

All such transactions shall be reviewed by the Board within 60 days.

See Administrative Procedure 6330

BP 6340 Bids and Contracts

References:

Education Code Sections 81641 et seq.;
Public Contract Code Sections 20650 et seq.;
Government Code Section 53060;
ACCJC Accreditation Standard III.D.16;
2 Code of Federal Regulations Part 200.318

The Board delegates to the Superintendent/President the authority to enter into contracts on behalf of the District and to establish administrative procedures for contract awards and management, subject to the following:

- Contracts are not enforceable obligations until they are ratified by the Board.
- Contracts for work to be done, services to be performed or for goods, equipment or supplies to be furnished or sold to the District that exceed the amounts specified in Public Contract Code Section 20651 shall require prior approval by the Board.
- When bids are required according to Public Contract Code Section 20651, the Board shall award each such contract to the lowest responsible bidder who meets the specifications published by the District and who shall give such security as the Board requires, or reject all bids.
- When the District determines that, according to Public Contract Code Section 20651.7, it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the District may select and award the contract based on best value in accordance with AP 6340. The bidder shall give such security as the Board requires. The Board may reject all bids.

If the Superintendent/President concludes that the best interests of the District will be served by pre-qualification of bidders in accordance with Public Contract Code Section 20651.5, pre-qualification may be conducted in accordance with procedures that provide for a uniform system of rating on the basis of a questionnaire and financial statements.

If the best interests of the District will be served by a contract, lease, requisition or purchase order through any other public corporation or agency in accordance with Public Contract Code Section 20652, the Superintendent/President is authorized to proceed with a contract.

See Administrative Procedure 6340

BP 6400 Financial Audits

References:

Education Code Section 84040(b);
ACCJC Accreditation Standard III.D.7

There shall be an annual outside audit of all funds, books and accounts of the District in accordance with the regulations of Title 5. The Superintendent/President shall assure that an annual outside audit is completed. The Superintendent/President shall recommend a certified public accountancy firm to the Board with which to contract for the annual audit.

See Administrative Procedure 6400

BP 6450 Wireless or Cellular Telephone Use

References:

Vehicle Code Sections 12810.3, 23123, and 23124;
26 U.S. Code Sections 274(d)(4) and 280F(d)(4)

The Superintendent/President or designee shall determine if it is in the best interests of the District to provide a cellular or wireless phone at District expense.

The value of a cellular telephone provided by the District for business purposes is excludable from an employee's income. District cell phones are not to be used for personal use.

Motor vehicle drivers may not use wireless or cellular telephones while operating their vehicles without a hands-free listening device and shall comply with all requirements of California law regarding the use of wireless or cellular telephones in vehicles.

There shall be no expectation of privacy in the use of a District-issued cellular telephone.

See Administrative Procedure 6450

BP 6500 Property Management

References:

Education Code Sections 81300 et seq.

The Superintendent/President is delegated the authority to act as the Board's negotiator regarding all property management matters that are necessary for the benefit of the District. No transaction regarding the lease, sale, use or exchange of real property by the District shall be enforceable until acted on by the Board itself.

The Superintendent/President shall establish such procedures as may be necessary to assure compliance with all applicable laws relating to the sale, lease, use or exchange of real property by the District.

See Administrative Procedures 6500.

BP 6520 Security for District Property

References:

Education Code Sections 81600 et seq.;
ACCJC Accreditation Standard III.B.1

The Superintendent/President shall establish procedures necessary to manage, control and protect the assets of the District, including but not limited to ensuring sufficient security to protect property, equipment, and information from theft, loss, or significant damage.

See Administrative Procedure 6530 and 6535

BP 6540 Insurance

References:

Education Code Sections 70902, 72502, 72506, 81601 et seq.

The Superintendent/President shall be responsible to secure insurance for the District as required by law, which shall include but is not limited to the liabilities described in Education Code Section 72506 as follows:

- Liability for damages for death, injury to persons, or damage or loss of property;
- Personal liability of the members of the Board and the officers and employees of the District for damages for death, injury to a person, or damage or loss of property caused by the negligent act or omission of the member, officer or employee when acting within the scope of his or her office or employment. The Superintendent/President may authorize coverage for persons who perform volunteer services for the District.
- Worker's compensation insurance.

Insurance also shall include fire insurance and insurance against other perils.

The District may join in a joint powers agreement pursuant to Education Code Section 81603 for the purposes described in this policy.

No administrative procedure is required.

BP 6550 Disposal of Property

References:

Education Code Sections 70902(b)(6), 81360 et seq., and 81450 et seq.

The Superintendent/President is delegated authority by the Board to declare as surplus such personal property of the District as is no longer useful for District purposes, and shall establish procedures to dispose of such property in accordance with applicable law. All sales of surplus personal property shall be reported to the Board on a periodic basis. This policy shall not be construed as authorizing any representative of the District to dispose of surplus real property at any time.

See Administrative Procedures 6550

BP 6600 Capital Construction

References:

Education Code Sections 81005 and 81820;
Title 5 Sections 57150 et seq.

The Superintendent/President is responsible for planning and administrative management of the District's capital outlay and construction program.

District construction projects shall be supervised by the Superintendent/President. The Executive Director of Facilities and Construction Services shall monitor the progress of all construction work including inspection of workmanship, completion of work to meet specifications, and the suitability of proposed changes to the scope and original design of the work. The Assistant Superintendent/Vice President of Business and Administrative Services shall assure compliance with laws related to use of state funds to acquire and convert existing buildings.

The Board shall approve and submit to the Board of Governors a five-year capital construction plan as required by law. The Superintendent/President shall annually update the plan and present it to the Board for approval. The plan shall address, but is not limited to, the criteria contained in law.

See Administrative Procedure 6600.

BP 6700 Civic Center and Other Facilities Use

References:

Education Code Sections 82537 and 82542;
Title 5 Sections 59601 et seq.

There is a Civic Center operation at the college. Use of the Civic Center shall be granted as provided by law. The Superintendent/President shall establish procedures regarding the use of District property including but not limited to facilities, equipment, and supplies, by community groups, other outside contractors.

The administrative procedure shall reflect the requirements of applicable law, including Education Code Section 82537, regarding Civic Centers. The procedures shall include reasonable rules regarding the time, place, and manner of use of District facilities. They shall assure that persons or organizations using District property are charged such fees as are authorized by law. Public use of District property shall not interfere with scheduled instructional programs or other activities of the District on behalf of students.

No group or organization may use District property to unlawfully discriminate on the basis of race, color, religion, ancestry, national origin, military or veteran status, disability, gender, gender identity, gender expression, or sexual orientation, or the perception that a person has one or more of the foregoing characteristics, or because a person associates with a person or group with one or more of these actual or perceived characteristics, or on any basis prohibited by law.

Use of the District's Civic Centers will be only for the purposes described by the California Legislature in Education Code Section 82537(a). These purposes include use by associations "formed for recreational, educational, political, economic, artistic, or moral activities of the public school districts" in order to "engage in supervised recreational activities" or "meet and discuss, from time to time, as they may desire, any subjects and questions which in their judgment appertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside." (Education Code Section 82537(a)) In granting permission to use the Civic Centers, the District will not discriminate on the basis of viewpoint with regard to organizations engaging in expressive activities on the topics and subject matters articulated above.

See Administrative Procedure 6700

BP 6740 Citizens Oversight Committee

References:

Education Code Sections 15278, 15280, 15282; California Constitution Article XIII A Section 1(b), Article XVI Section 18 (b)

If a bond measure has been authorized pursuant to the conditions of Proposition 39 as defined in the California Constitution, the Superintendent/President shall establish a Citizens Oversight Committee in accordance with the applicable law and necessary regulations.

See Administrative Procedure 6740

BP 6750 Parking

References:

Education Code Section 76360;
Vehicle Code Sections 21113 and 40220

The Superintendent/President shall establish such administrative procedures regarding vehicles and parking on campus as are necessary for the orderly operation of the instructional program. No person shall drive any vehicle or leave any vehicle unattended on the campus except in accordance with such procedures.

Parking fees may be established in accordance with these board policies. (See BP 5030 Fees)

See Administrative Procedure 6750

BP 6800 Safety

References:

49 Code of Federal Regulations, Parts 40 and 655;
Title 8 Section 3203;
29 Code of Federal Regulations 1910.101 et seq.;
Health & Safety Code Section 104420

The Superintendent/President shall establish administrative procedures to ensure the safety of employees and students on District sites, including the following:

- Compliance with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991. Specifically, the District shall comply with the regulations of the Federal Highway Administration (FHWA) and, if applicable, the Federal Transit Administration (FTA). Compliance with these policies and procedures may be a condition of employment.
- Establishment of an Injury and Illness Prevention Program in compliance with applicable OSHA regulations and state law. These procedures shall promote an active and aggressive program to reduce and/or control safety and health risks.
- Establishment of a Hazardous Material Communications Program, which shall include review of all chemicals or materials received by the District for hazardous properties, instruction for employees and students on the safe handling of such materials, and proper disposal methods for hazardous materials.
- Prohibition of the use of tobacco in all public buildings.

See Administrative Procedure 6800.

BP 6800 Occupational Safety

References:

49 Code of Federal Regulations, Parts 40 and 655;
Title 8 Section 3203;
29 Code of Federal Regulations 1910.101 et seq.;
Health & Safety Code Section 104420

The Superintendent/President shall establish administrative procedures to ensure the safety of employees and students on District sites, including the following:

- Compliance with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991. Specifically, the District shall comply with the regulations of the Federal Highway Administration (FHWA) and, if applicable, the Federal Transit Administration (FTA). Compliance with these policies and procedures may be a condition of employment.
- Establishment of an Injury and Illness Prevention Program in compliance with applicable OSHA regulations and state law. These procedures shall promote an active and aggressive program to reduce and/or control safety and health risks.
- Establishment of a Hazardous Material Communications Program, which shall include review of all chemicals or materials received by the District for hazardous properties, instruction for employees and students on the safe handling of such materials, and proper disposal methods for hazardous materials.
- Prohibition of the use of tobacco in all public buildings.

See Administrative Procedure 6800.

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BP 6900 Bookstore(s)

References:

Education Code Section 81676;
Civil Code Section 1798.90

College bookstore(s) shall be established and operated by *a qualified vendor*.

College bookstore(s) shall comply with the requirements of the Reader Privacy Act.

Contracts for outside vendors to operate bookstores shall be awarded by competitive solicitation process, submitted to the Board for approval, and awarded in the best interests of the students.

No administrative procedure is required.