

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6150 Designation of Authorized Signatures

References: Education Code Sections 85232, 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 county superintendent of schools.

See Administrative Procedure 6150

Formerly BP 2245

Approved by the Board of Trustees: June 3, 2014

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6200 Budget Preparation

Reference: ACCJC Accreditation Standard 3; Education Code 70902(b)(5), Title 5, Sections 58300 et seq.

Each year, the president/superintendent 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 master and education plans (including the facilities, technology, and strategic plans) of the District.
- Assumptions upon which the budget is based are presented to the Board for review.
- A schedule is provided to the Board by January 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.
- Unrestricted general reserves shall be no less than 20%.
- 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.

Adopted by Board of Trustees: April 8, 2014
Replaces BP 2200

See Administrative Procedure 6200

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6250 Budget Management

Reference: Title 5, Sections 58307, 58308

The budget shall be managed in accordance with Title 5 and the CCC Budget and Accounting Manual. Budget revisions shall be made only in accordance with these policies and as provided bylaw. Unrestricted general reserves shall be no less than 20%.

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.

The Board's first priority is to fund facilities for the District through local facilities bond measures rather than the use of operational dollars, thus preserving operational dollars to the extent possible for District operations.

See Administrative Procedure 6250

Adopted by Board of Trustees: April 8, 2014

Replaces BP 2260

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6300 Fiscal Management

References: Education Code Section 84040(c); Title 5 Section 58311; ACCJC Accreditation Standard 3, 2 Code of Federal Regulations Parts 200.302 subdivision (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:

- Adequate internal controls exist
- 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 are clearly delineated

The superintendent/president shall also establish procedures that satisfy the U.S. Education Department General Administrative Regulations (EDGAR) Second Edition 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 monthly 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.

Adopted: Board of Trustees: April 8, 2014

Replaced: Board Policies 2205, 2210, 2215, 2250, 2265, 2270

See Administrative Procedure 6300

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6307 Debt Issuance and Management

Reference: Government Code Section 8855

The Chief Business Officer 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 implemented, or will implement, to ensure that the proceeds of the proposed debt issuance will be directed to the intended use.

Adopted by Board of Trustees: February 7, 2017

Rev: January 11, 2022

Formerly 6730

See Administrative Procedure 6307

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6330 Purchasing

References: Education Code Section 81656; Public Contract Code Sections 20650 and 20651

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.

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

See Administrative Procedure 6330

Adopted by the Board of Trustees: January 11, 2022

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6340 Bids and Contracts - Goods and Services

Reference: Education Code Sections 81641 et seq.; Public Contract Code Sections 20650 et seq.; Government Code Section 53060; Title 5 Sections 59130 et seq.; 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 Contracts Code Section 20651 shall require prior approval by the Board.
- When bids are required according to Public Contracts Code Section 20651, 20111 (a), 22002(c), 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 and may reject all bids.
- When the Superintendent/President, in consultation with the Chief Business Officer or Chief Facilities Officer, determines that the District can obtain a contract for goods or services through the California Community Colleges Chancellor's Office CollegeBuys Program for the Procurement of Goods and Services for Community College Districts at a lower price upon the same terms, conditions and specifications, the Chief Business Officer or Chief Facilities Officer may proceed with the contract without conducting a formal bidding process.

If the Superintendent/President or the Superintendent/President's delegate concludes that the best interests of the District will be served by pre-qualification of bidders in accordance with Public Contracts 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 Contracts Code Section 20652, the Superintendent/President is authorized to proceed with a contract.

Adopted: Board of Trustees: January 13, 2015
Replaced BP 2230

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See Board Policy 6300

See Administrative Procedures 6300, 6340, 6341, 6345, 6346, 6350, 6365, and 6370

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6341 Selection of Contractor Based Upon Best Value

References: Pub. Cont. Code § 20651.7; BP 6340

The Board has determined that for certain services and procurement of materials, equipment and supplies, 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 by selecting the lowest responsible bidder on the basis of best value.

Best value means the most ~~advantageous.balance~~advantageous. Balance of price, quality, services, performance, and other elements and determined by objective performance criteria that may include price, features, long-term functionality, life-cycle costs, overall sustainability, and required services.

Any contract award based on best value shall be awarded based upon criteria set forth in a request for proposal that objectively evaluates, as applicable, to the particular services or project.

The Board shall award the contract at an open public meeting, identifying the bidder to which the award is made, the price proposal of the contract awarded the contract, and the overall combined rating on the request for proposal evaluation factors. The announcement shall also include the ranking of the contractor awarded the contract in relation to all other responsive bidders and their respective price proposals and summary of the rationale for the contract award.

See Administrative Procedure 6341

Approved by Board of Trustees: August 5, 2014

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6345 Construction Change Orders

Reference: Public Contract Code 20651, 20655, 20659

The Superintendent/President or designee is authorized to issue and execute change orders on behalf of the District which increase the cost of a construction project and contract subject to the following conditions:

- (a) individual change orders shall not exceed the amount specified in the applicable Public Contract Code Section 20651, 20655, or 20659
- (b) or ten percent (10%) of the original contract price, whichever is greater.

The Superintendent/President or authorized designee is authorized to direct the performance by the contractor/vendor under a Change Order.

The Superintendent/President or designee is authorized to issue and execute change orders on behalf of the District which decrease the cost of a construction project.

Change orders shall be ratified by the Board.

Adopted: 4/5/11

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6365 Accessibility of Information Technology

References: Section 508 of the Rehabilitation Act of 1973 (29 U.S. Code Section 794d); 36, Code of Federal Regulations Sections 1194.1 et seq.; Government Code Section 11135; Title 5 Sections 59300 et seq.

Whenever the District enters into a contract for the purchase, development, procurement, maintenance or use of any electronic or information technology, the vendor shall certify that it complies with the requirements of Section 508 of the Rehabilitation Act of 1973 and its related regulations. This requirement shall apply to all electronic or information technology, including, but not limited to, software applications, operating systems, web-based intranet and internet information and applications, telecommunications products, video or multimedia products, self-contained closed products such as copiers, and desktop and portable computers.

See Administrative Procedure 6365

Approved by the Board of Trustees: 11/4/2014

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6400 Financial Audits

References: Education Code Section 84040 subdivision (b); ACCJC Accreditation Standard 3

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.

Adopted by the Board of Trustees: January 11, 2022

See Administrative Procedure 6400

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6450 Wireless or Cellular Telephone Use

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

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

Cellular telephones provided by the District for compensatory reasons are classified by the Internal Revenue Service as a fringe benefit, the value of which must be included in an employee's gross income.

The value of a cellular telephone provided by the District primarily for non-compensatory business purposes is excludable from an employee's income. Record keeping of business and personal use of District-issued cellular telephones shall not generally be required when the telephones are issued for non-compensatory business reasons.

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

Adopted by the Board of Trustees: January 11, 2022

HARTNELL COMMUNITY COLLEGE DISTRICT

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

Adopted by the Board of Trustees: January 11, 2022

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6520 Security for District Property

References: Education Code Sections 81600 et seq., ACCJC Accreditation Standard 3.8

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.

Adopted Board of Trustees: January 13, 2015
See Administrative Procedure 6520

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6540 Insurance

References: Education Code Sections 70902, 72502, 72506, and 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/her/their 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.

See Administrative Procedure 6540

Adopted by the Board of Trustees: January 11, 2022

HARTNELL COMMUNITY COLLEGE DISTRICT

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 Chief Business Officer 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 *Chief Business Officer* 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

Adopted by the Board of Trustees: January 11, 2022

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6620 Naming of Facilities and Properties

Reference: Ed Code Section 72000 (2)

The Governing Board retains authority to name Hartnell College buildings and facilities. This includes all buildings, major areas of buildings; streets and roads, sports facilities, areas of major assembly or activity, malls, large areas of campus circulation, and other highly visible property and facilities. Campus, satellite campuses, extension, or educational centers shall retain the name of the community where they are located (i.e. King City, Soledad, Alisal, North County/Castroville) These naming conventions apply to naming opportunities for buildings, areas, classrooms, and other college facilities. The Board delegates to the superintendent/president or designee the authority to name the following facilities: individual rooms, limited areas, individual items or features within buildings, and individual landscape items or areas. Naming of District building(s) remain with the authority of the Board. In all naming circumstances, the placement and size of the naming shall not interfere with the visible promotion of Hartnell College, a public institution.

Each proposal naming a District building, facility, or property shall be considered on its own merits.

When a gift is involved, a name for a District, building, facility, or property must meet one or more of the following criteria:

1. Designate a major building or facility;
2. Designate an instructional program or activity located in a particular property or facility;
3. Reflect natural or geographical features or a traditional theme, or;
4. Honor an individual.

When a gift is involved, the Board will consider the significance and amount of the gift as it relates to the planned facility or its enhancement. A gift shall be considered significant when the gift amount covers the total cost of the facility or funds a portion of the total cost which would not be funded from other sources. The naming recognition is to honor the philanthropist and to inspire further philanthropy for the district. No goods or services will be rendered in exchange for the philanthropic gift.

In special situations, the Board may consider recommendation for naming buildings or facilities other than in terms of function, use or name of a person.

When a gift is not involved, the Board may name the property or facility any designation appropriate under this policy. If a person's name is used, that person must meet following criteria:

1. Achieved unique distinction in higher education or other significant areas of public service that manifests the mission of the District; or
2. Served the District in an academic or administrative capacity and/or has earned a reputation as a scholar, or made extraordinary contributions to the Hartnell Community College District warranting special recognition; or
3. In sub-section 2 above, a proposal shall not be considered unless the individual resigned, retired or died at least one year prior to the proposal.

For this board policy to retain its relevancy with the philanthropic landscape this policy will be revised at least every five years.

The superintendent/president shall receive suggestions for naming buildings and facilities and shall develop procedures for implementing this policy.

Adopted by the Board of Trustees: June 2, 2020

See AP 6620

Formerly Board Policy 2305, revised and renumbered

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6800 Occupational Safety

Reference: 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 10442

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
Replaces BP 1435 and 1445

Approved by the Board of Trustees: June 4, 2013; Rev: January 12, 2021

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 6910 Housing

References: Education Code Sections 94100 et seq.

The superintendent/president is delegated the authority to enter into agreements ~~with nonprofit entities~~ to finance the cost of constructing ~~Board-approved~~ student, faculty, and staff housing near the campus(es) of the District.

See Administrative Procedure 6910

Adopted by the Board of Trustees: January 11, 2022