AGENDA

IMPERIAL VALLEY COLLEGE COUNCIL

Monday, February 28, 2011 – 2:30 P.M.
Administration Building Board Room

MEMBERSHIP

Taylor Ruhl, Administrative Representative
Sergio Lopez, Administrative Representative
Alfredo Cuellar, Administrative Representative
Jan Magno, Alternate Administrative Representative
Ted Ceasar, Alternate Administrative Representative

Michael Heumann, Faculty Representative (Chair)
Kevin White, Faculty Representative
Martha Garcia, Faculty Representative
Vacant, Alternate Faculty Representative

Laura Hartsock, Classified Representative
Miriam Trejo, Classified Representative
Michael Boyle, Classified Representative
Marilyn Boyle, Alternate Classified Representative
Matthew Thale, Alternate Classified Representative

Jessica Waddell, CMCA Representative (Vice Chair)
Martha P. Garcia, Alternate CMCA Representative

Joe Trejo, Student Representative
Daniel Bermudez, Student Representative
Jesus Gallegos, Student Representative
Mayra Beltran, Alternate Student Representative

Dr. Ed Gould, Ex Officio

Recording Secretary: Paula Saldana

MEMBERSHIP CHANGES

PUBLIC COMMENT

APPROVAL OF MINUTES DATED MONDAY, JANUARY 24, 2011

AREA REPORTS/UPDATES
College Council Report
Measure J Report
Program Review Update
Budget Update/Financial
ASG President Update
President's Update

COMMITTEE REPORTS
Academic Senate
Environmental Health & Safety Committee
Policy & Procedure Committee
Student Affairs Committee
Budget and Fiscal Planning Committee
Facilities and Environmental Improvement Committee
Marketing Committee
Professional Development Committee
Staffing Committee
Technology Planning Committee

DISCUSSION AND INFORMATION ITEMS
1. IVC Veterans Memorial Project – Gaylla Finnell
2. Election of College Council Chair (Attachment A) – Chair Michael Heumann
3. Naming of the Art Gallery (Attachment B)

ACTION ITEMS
1. BP 3720 Computer and Network Use
2. AP 3720 Computer and Network Use

ADJOURNMENT

2010-2011 College Council Meeting Schedule
at 2:30 p.m. in the Board Room

2011	
March 14 & 28	May 9 & 23
April 11	June 13 & 27

~~Meeting Canceled~~
*Fall Semester Begins
*Spring Semester Begins
Overload rate for 177-day members

MINUTES

College Council Chair Michael Heumann called the meeting to order at 2:43 p.m.

Council members in attendance were as follows:
Taylor Ruhl, Administrative Representative
Alfredo Cuellar, Administrative Representative
Jan Magno, Alternate Administrative Representative

Michael Heumann, Faculty Representative (Chair)

Laura Hartsock, Classified Representative
Matthew Thale, Alternate Classified Representative
Jessica Waddell, CMCA Representative (Vice Chair)

Recording Secretary: Paula Saldana

Council members not in attendance were as follows:
Sergio Lopez, Administrative Representative
Ted Ceasar, Alternate Administrative Representative
Kevin White, Faculty Representative
Martha Garcia, Faculty Representative
Miriam Trejo, Classified Representative
Michael Boyle, Classified Representative
Marilyn Boyle, Alternate Classified Representative
Martha P. Garcia, Alternate CMCA Representative
Joe Trejo, Student Representative
Jesus Gallegos, Student Representative
Mayra Beltran, Alternate Student Representative
Dr. Ed Gould, Ex Officio

Others Present:
Vikki Carr, Rosanna Lugo, Todd Finnell (2:45 p.m.), Kathy Berry (2:45 p.m.)

MEMBERSHIP CHANGES
There were no membership changes.

Chair Heumann introduced Paula Saldana as new recording secretary and welcomed her to the College Council.

PUBLIC COMMENT
There was no public comment.

APPROVAL OF MINUTES DATED MONDAY, NOVEMBER 22, 2010

M/S/C Alfredo Cuellar/Jessica Waddell to approve the Minutes of November 22, 2010.

AREA REPORTS/UPDATES

College Council
Chair Michael Heumann reported the following:

- Reported Atlas Grant is in progress. The College will have training conferences on 2/8/11 and 2/9/11. Faculty will be trained in the areas of technology, collaborative learning, and early responsive learning. The college has employed the services of outside trainers. He stated 16 faculty have volunteered to attend this training. These faculty members will then be the leading trainers for future trainings regarding the Atlas Grant. Chair Heumann will be forwarding updated information regarding the training and is looking forward to the training.

Measure J Report
Chair Michael Heumann stated he had suggested at the last College Council meeting that this area be added to the Agenda. However, no one was present to update Council. This report was tabled for the next meeting. Chair Heumann added there is a lot of construction work on campus, with a great deal of discussion and plans for ongoing construction work. The Council will learn more about ongoing and future construction at the next meeting.

Program Review
Vice President for Academic Services Kathy Berry reported the following:

- Reported Annual Program Reviews are due at the end of this week. Consists of entering Form 5000 categories into annual program review budgets.
- Comprehensive Program Reviews are due sometime in March.

Budget Update
Vice President for Business Services John Lau was not present at the meeting.

ASG President Update
Associate Student Government President Joe Trejo was not present at the meeting.

President's Update
President Gould was not present at the meeting. Vice President for Academic Services Kathy Berry updated the Council with the report that Dr. Gould presented to the Board on 1/19/11.

VP Berry highlighted the following areas:

Construction Update
- Entrances are slated to be in place the day before Spring semester begins
- Stop light to be in service in March/April
- Signage monuments are being erected
- Art Gallery is on schedule
- 400 Building is on schedule

Registration Progress
- The 320 report indicates enrollment numbers are up with 2064.63 FTES, and an estimate for the year at 7524, with a 300 over cap that could be carried over to 2011-12.

Audit
- The auditors presented a letter of caution to the Board expressing their concern over recent spending patterns.

Bonds
- Sold $14,000,956 Measure J General Obligation Bonds in December

State Budget Highlights
- $12.5 billion cut and dependent upon voter approved extension of $12 billion in taxes for 5 years
- $1.4 billion cut for higher education as follows
    - $500 million for UC
    - $500 million for CSU
    - $400 million for California Community Colleges
- Review of the Revenue "Reset" and the structural problem with a baseline revenue and expenditure mismatch graph
- Governor's budget cut proposal to California Community Colleges is as follows:
    - $400 million decrease in apportionment (-6.39%)
    - $110 million (1.9%) increase in growth FTES funding
    - Student Fee increase from $26 to $36 per credit
    - An additional $129 million in deferred payments making the total $961 million to CCs to be paid in fall 2011
    - 11% of Proposition 98 funding at minimal level
    - No categorical cuts
    - Adjustments for week property taxes in budget year
    - $14.7 million 2010 – 11 property tax shortfall (not backfilled)
    - Increase for financial aid administration ($1.7 million) for increase in BOG Waivers

State Budget Scenarios
She went over best and worst case scenarios:
- Governor's Proposal: 6.4% reduction
- Prop 98 minimum: 9.9% reduction
- Prop 98 suspended: 14.4%

Proposed Budget Impact on IVC
- $1.8 million reduction in apportionment
- If the voters do not approve the extension, IVC's budget cut would be approximately $4 million (14.35%)
- $741,000 growth revenue (equal to the projected proportionate fee increase) (1.9%)

VP Berry reviewed the IVC 2011-12 Net Revenue Loss Compared to the Baseline of the 2010-11 Revenue Budget, the 2 Year Comparison of Major Expenditures, and the 2011-12

IVC Governor's Proposed Budget graph that showed the expenses break even and the reserve 6%.

President's Blue Ribbon Task Force
- The committee would be charged with reviewing budget allocations for academic program, service offerings, and administrative changes or restructuring. The requested product would be a written report that would recommend a budget that is in the best interest of providing the best possible academic offering to the Imperial Valley.
- Each Trustee District would be represented
- Internal Budget Strategy
  - Each Vice President and President's reports are reviewing budgets to make first recommendations based on 6.4%, 9.9%, and 14.4% reductions.

Budget Advocacy Strategy
- A concerted effort will be made to eliminate the census proposal and replace it with workload reduction
- Community colleges should not be asked to contribute more than their fair share
- Student fees should protect quality of instruction and services

Grants Report
Provided an update on grants and prospective grants.

Upcoming Events
- IVC Foundation Hall of Fame Dinner on 2/10/11 at the Old Eucalyptus Schoolhouse
- Professional Development Day on 1/27/11
- Board Retreat tentatively scheduled for 3/26/11

COMMITTEE REPORTS

Marketing Committee – Rosanna Lugo
- Reported the course schedule is now available via most cell phones with the exception of the Blackberry.

Technology Planning Committee – Todd Finnell
- VP Finnell stated the committee discussed the framework for technology on campus.

DISCUSSION AND INFORMATION ITEMS

1. IVC Veterans Memorial Project – Gaylla Finnell

Gaylla Finnell was not present at the meeting. The item was tabled for the next College Council meeting.

2. **BP 3720 Computer and Network Use – Todd Finnell (Attachment 1)**
3. **AP 3720 Computer and Network Use – Todd Finnell (Attachment 2)**

VP Finnell stated that BP 3720 and AP 3720 are not new policies. He stated the AP 3720 is almost verbatim to the existing BP 3720. The only addition to the new AP is the acknowledgement form to be signed by the employee. He stated that over time this acknowledgement would become part of the HR process.

He stated the new BP 3720 sets the general guidance in terms of networking.

VP Finnell stated another policy having to do with web pages is being created and would first be presented to the Marketing Committee.

ACTION ITEMS

1. None

ADJOURNMENT

Chair Heumann stated the next meeting scheduled for 2/14/11 will be cancelled since it is the first day of the Spring semester. He indicated the next meeting would be on 2/28/11.

Chair Heumann adjourned the meeting at 3:20 p.m.

2010-2011 College Council Meeting Schedule
at 2:30 p.m. in the Board Room

2011	
February 28	May 9 & 23
March 14 & 28	June 13 & 27
April 11	

~~Meeting Canceled~~
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*Spring Semester Begins
Overload rate for 177-day members

DISCUSSION AND INFORMATION ITEMS

IMPERIAL VALLEY COLLEGE
Standing Rules of the College Council
Access to the College Council is available to all members of all constituencies

Board Approval December 11, 1996, Resolution No. 11062
Revision Approval June 19, 2004, Resolution No. 13010
Revision Approval June 21, 2005, Resolution No.13281
College Council Revision Approval May 8, 2006
College Council Revision Approval March 23, 2009

MEETINGS

Meetings are held the 2nd and 4th Monday of the month.

AGENDA

1. The College Council will generate its agenda from items submitted by a College Council member or any member of the campus community of Imperial Valley College.

2. The agenda will be prepared by the Chair and the Vice Chair of the College Council and distributed to the Council members 24 hours in advance of the meeting.

3. In addition, copies of the agenda and minutes of previous meetings will be posted on the College website and available for review, with attachments, at the President's Office.

OPERATIONS

1. A quorum must be present to hold a meeting. For this Council a quorum is seven members.

2. Constituent groups may designate up to three alternates who may serve during a College Council meeting in the absence of the permanent member. The slate of alternates will be selected and presented to the College Council in advance for the duration of the school year.

3. Robert's Rules of Order will be used to conduct meetings.

4. Council members will work to achieve consensus. If the Council cannot achieve consensus, a vote following Robert's Rules of Order will be taken. Records of dissenting and minority opinion will be included in the final recommendation.

TERMS OF OFFICE

1. The Chair of the College Council shall be elected for a two-year term by the College Council and be a member of College Council. The term shall commence with the second meeting in March or the following meeting if spring break precedes.

2. The Vice Chair of the College Council shall be elected for a two-year term by the College Council and be a member of College Council. In the absence of the Chair, the Vice Chair will conduct meetings of the College Council.

3. The Chair and Vice Chair may not succeed himself/herself, but the Vice Chair may be elected Chair and the Chair may be elected Vice Chair.

4. Should an individual who is finishing his/her term be elected as Chair or Vice Chair he/she shall serve the two years of the term of office.

PROCEDURES

Since the Board of Trustees has established the College Council to ensure faculty, classified staff, students, administrators, and classified managers/confidential staff the right to participate effectively in college governance, the following procedures shall apply:

1. The College Council will allow for discussion and recommendations to be a shared process by representatives of all five constituent groups (faculty, classified staff, students, administrators, and classified managers/confidential staff). In addition, visitors will be allowed to share their opinions, suggestions and ideas.

2. Copies of the minutes will be posted on the College website and available for review, with attachments, at the President's Office.

3. Prior to the Board of Trustees receiving any policy recommendation, the College Council will be given the opportunity to express its views and opinions to the College President.

4. The views and opinions of the College Council will be expressed in written form to the College President.

5. When the views and opinions by the members of the College Council are not accepted by the College President a written statement giving the rationale for not accepting the view and opinions will be communicated to the members of the College Council.

6. College Council will serve as the final recommending body to the President on committee recommendations in activities, projects, programs, and plans that have

been developed or are being developed by constituent groups and administration. It is not within the purview of College Council to discuss or advise on personnel topics or student discipline.

REVIEW AND REVISION

These standing rules may be changed by a majority vote of the 13 College Council members.

IMPERIAL COMMUNITY COLLEGE DISTRICT
BOARD POLICY 2510/PROCEDURES SECTION 2510 – SHARED GOVERNANCE

COLLEGE COUNCIL

PHILOSOPHY

Shared governance is a decision-making process committed to the best interests of our students and our institution based upon participation of those affected by decisions in an environment of cooperation and trust.

One of the basic principles of academic governance in higher education is that effective decisions derive from the powers vested by law in governing boards, the faculty, staff, students, and administrators. Because these sources of information are vital to the development and implementation of sound educational policy, Imperial Valley College wishes to encourage, to the best extent possible the practice of shared governance.

Shared governance recognizes and indeed is predicated on the sincere commitment on the part of all participants to our students, our professions, and our institution. It is a complex process of consultation that demands from faculty, staff, students, and administrators, a respect for divergent opinions, a sense of mutual trust, and a willingness to work together for the good of the instructional enterprise.

Shared governance embraces the basic objective that all key parties of interest should be given the opportunity to participate jointly in developing recommendations and priorities for the well-being of the institution.

The College Council is the final recommending body on non-academic matters that go to the President and Board of Trustees, while the Board of Trustees relies primarily on the Academic Senate for academic matters as defined by AB17.5.

PURPOSE

- To deliberate on and recommend to the Superintendent/President all action items referred by College Council subcommittees.

- To ensure faculty, staff, students, and administrators the opportunity to express their opinions and ideas at the campus level and to ensure that these opinions and ideas are given every reasonable consideration.

- To establish a process which allows faculty, staff, students, and administrators the opportunity to make recommendations to the College President.

FUNCTIONS

- To convey to the College President the views of the campus community on matters relevant to the orderly functioning of the college.

- To make final recommendations to the College President on which college committees or task forces are needed.

- To make final recommendations on proposed college policies developed by the College President or other policy recommending college committees.

- To disseminate proposed or current policy, and regulations to the constituent groups for feedback prior to making recommendations to the College President and Board of Trustees or other policy making college committees.

- To recommend action to the President on all committee recommendations.

- To allow for discussion and recommendations to be a shared process by representatives of all five constituent groups.

STRUCTURE

1. The following college constituencies retain all rights granted by law and/or regulations. The five groups represented in this shared governance structure are faculty, classified staff, students, classified managers/confidential, and administrators.

2. The permanent members of the College Council are:

    - Three faculty members: Three faculty representatives appointed by the Academic Senate

    - Three classified at large appointed by CSEA.

    - One member of the Classified Managers/Classified Confidentials appointed by CMCA.

    - Three students at large appointed by the Associated Student Government.

    - Three administrators: appointed by the Administrative Council.

- The College President will be an ex-officio member.

- Terms for faculty, classified, classified managers/confidentials, and administrators shall be for two years.

- Terms for student representatives shall be for one year, commencing with the first meeting of the fall semester and end with the last meeting prior to the start of the fall semester.

3. The Chair and Vice-Chair will be elected by the members of the College Council.

4. The College Council may create ad hoc committees as needed to address college-wide issues and task forces to address specific (single item) issues.

5. Constituent groups must designate three alternates.

OPERATION PROCEDURES

Operational procedures for the College Council will be developed and maintained by its members.

REVIEW AND REVISION

This section of the Imperial Valley College Shared Governance Policy shall be subject to review every two years by the College Council or as directed by the Board of Trustees or its designee. When members of the College Council approve proposed revisions to this section, the recommendations will be presented to the College President and, thereafter, to the Board of Trustees, if necessary.

BP 6620 Naming Buildings

All recommendations for naming buildings shall be submitted to the Board by the Superintendent/President or designee for action. The final responsibility for the naming of any building or facility of the Imperial Community College District rests with the Board of Trustees. Each proposal for naming a District facility or building shall be considered on its own merit.

All recommendations shall comply with AP 6620.

See AP 6620.

AP 6620 Naming of Buildings

Reference: *Board Resolution No. 12647, March 12, 2003*

1. The purpose of the Policy is to provide guidelines for the Campus Community in conferring recognition by the naming of College facilities. The final responsibility for the naming of any building or facility of the Imperial Community College District rests with the Board of Trustees. Each proposal for naming a District facility or building shall be considered on its own merit. No commitment to a proposed name shall be made prior to the Board of Trustees approval.

2. The following guidelines are appropriate for naming a building or facility on the campus:
   a. It will be made known that other avenues for recognition exist; e.g., the naming of programs, scholarship funds and awards, college activities, memorial displays and monuments.
   b. To honor the living and the dead through services and contributions.
   c. There shall be a period of one year from the time a proposal is submitted before a final decision is made.
   d. The recognition must lend prestige to the college.
   e. Facilities shall include, but not limited to, buildings, roads, rooms, outdoor areas and athletic fields.
   f. To designate the function of the building or facility.
   g. Consideration will be given to names with historical or cultural reference in the area.
   h. Buildings or facilities will not be named for former members of the board of trustees, faculty, or staff any sooner than one year after the person honored has served.
   i. District facilities will not be named after a person currently serving on the board of trustees or as an active member of the faculty, staff or administration.
   j. The naming of any district building or facility does not imply or constitute legal ownership.
   k. No more than one facility or building will be named after any one individual.

3. The procedures to be followed when submitting a request are as follows:
   a. Individual or group requests are to be submitted to the Campus Operations Committee for consideration. The Campus Operations committee will submit a recommendation to College Council, which will in turn submit a recommendation to the Superintendent/President for consideration by the Board of Trustees.
   b. If the request is to honor a deceased person, that request will be submitted only after a suitable period of mourning. No request will be considered within a year of death.
   c. If the request is to honor a living person, that person may not be an employee or trustee at the time of consideration. No request will be considered within a year of the employee's or trustee's last day of service with the college.

d. All requests must include the following:

    i. A rationale for requesting the naming of the building or facility: such rationale must include evidence of a broad base of support for the naming of the building or facility.

    ii. A biography of the person for whom the building or facility is to be named after.

e. Once the Imperial Valley College Board of Trustees has approved the naming of a facility or building, the signage will conform to the following campus guidelines:

    i. The signage will conform to other campus signage identifying buildings.

    ii. A plaque approved by the Campus Operations committee may also be placed at the appropriate location on a facility or building.

    iii. Whenever possible, the college will seek outside funding for signage.

ACTION ITEMS

BP 3720 Computer and Network Use

Reference:
Education Code Section 70902; 17 U.S.C. Section 101 et seq.; Penal Code Section 502, Cal. Const., Art. 1 Section 1; Government Code Section 3543.1(b)

1.0   The District owns and operates computer and electronic communication systems that support the District's mission of providing instruction and support services to students. Employees and students who use District computers and networks and the information they contain, and related resources, have a responsibility to not abuse those resources and to respect the rights of others. The Administration shall establish procedures that provide guidelines to students and staff for the appropriate use of information technologies. The procedures shall include, at minimum, that users must respect software copyrights and licenses, respect the integrity of computer-based information resources, refrain from seeking to gain unauthorized access, and respect the rights of other computer users.

See Administrative Procedure 3720.

Date of Adoption: XXXX, 20XX

Reference: 17 U.S.C. Section 101 et seq.; Penal Code Section 502, Cal. Const., Art. 1 Section 1; Government Code Section 3543.1(b); Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, 45

The District Computer and Network systems are the sole property of Imperial Valley College (the district), and may not be used by any person without the proper authorization of the District. The Computer and Network systems are for District instructional and work related purposes only.

This procedure applies to all District students, faculty, and staff and to others granted use of District information resources. This procedure refers to all District information resources whether individually controlled or shared, stand-alone or networked. It applies to all computer and computer communication facilities owned, leased, operated, or contracted by the District. This includes personal computers, workstations, mainframes, minicomputers, and associated peripherals, software and information resources, regardless of whether used for administration, research, teaching, or other purposes.

Conditions of Use
Individual units within the District may define additional conditions of use for information resources under their control. These statements must be consistent with this overall procedure but may provide additional detail, guidelines and/or restrictions.

Legal Process
This procedure exists within the framework of the District Board Policy and state and federal laws. A user of District information resources who is found to have violated any of these policies will be subject to disciplinary action as provided in relevant employment agreements.

Copyrights and Licenses
Computer users must respect copyrights and licenses to software and other on-line information.

Copying - Software protected by copyright may not be copied except as expressly permitted by the owner of the copyright or otherwise permitted by copyright law. Protected software may not be copied into, from, or by any District facility or system, except pursuant to a valid license or as otherwise permitted by copyright law.

Number of Simultaneous Users - The number and distribution of copies must be handled in such a way that the number of simultaneous users in a department does not exceed the number of original copies purchased by that department, unless otherwise stipulated in the purchase contract.

Copyrights - In addition to software, all other copyrighted information (text, images, icons, programs, etc.) retrieved from computer or network resources must be used in conformance

with applicable copyright and other law. Copied material must be properly attributed. Plagiarism of computer information is prohibited in the same way that plagiarism of any other protected work is prohibited.

Integrity of Information Resources
Computer users must respect the integrity of computer-based information resources.

<u>Modification or Removal of Equipment</u> - Computer users must not attempt to modify or remove computer equipment, software, or peripherals that are owned by others, unless they have received proper authorization.

Unauthorized Use
Computer users must not interfere with others access and use of the District computers. This includes but is not limited to the sending of chain letters or excessive messages, either locally or off-campus; printing excess copies of documents, files, data, or programs, beyond those needed to perform the work of the District; running grossly inefficient programs when efficient alternatives have been provided by the District; modifying without proper authorization system facilities, operating systems, or disk partitions; or attempting to crash or attack a District system or District computers.

Unauthorized Programs
Computer users must not intentionally develop or use programs which disrupt other computer users or which access private or restricted portions of the system, or which damage the software or hardware components of the system. Computer users should take appropriate, reasonable measures to ensure that they do not use programs or utilities that interfere with other computer users or that modify normally protected or restricted portions of the system or user accounts. The intentional, malicious use of any unauthorized or destructive program will result in disciplinary action as provided in relevant employment agreements, and may further lead to civil or criminal legal proceedings.

Unauthorized Access
Computer users must not seek to gain unauthorized access to information resources and must not assist any other persons to gain unauthorized access.

Abuse of Computing Privileges
Users of District information resources must not access computers, computer software, computer data or information, or networks without proper authorization, or intentionally enable others to do so. Additionally, abuse of the networks to which the District belongs or the computers at other sites connected to those networks will be treated as an abuse of District computing privileges. Users who abuse these privileges and/or these procedures may lose their access and be subject to disciplinary action.

Reporting Problems
Any defects discovered in system accounting or system security must be reported promptly to the appropriate system administrator so that steps can be taken to investigate and solve the

problem.

Password Protection
A computer user who has been authorized to use a password-protected account may be subject to both civil and criminal liability if the user discloses the password or otherwise makes the account available to others who intend to use this information for fraudulent, malicious or illegal purposes and the computer user knew or should have reasonably known of that person's intent.

Usage
Computer users must respect the rights of other computer users. Attempts to circumvent these mechanisms in order to gain unauthorized access to the system or to another person's information are a violation of District procedure and may violate applicable law.

Unlawful Messages
Users may not use electronic communication facilities to send defamatory, fraudulent, harassing, obscene, threatening, or other messages that violate applicable federal, state, or other law or District policy, or which constitute the unauthorized release of confidential information.

Information Belonging to Others
Users must not intentionally seek or provide information on, obtain copies of, or modify data files, programs, or passwords belonging to other users, without the permission of those other users.

Rights of Individuals
Users must not release any individual's (student, faculty, and staff) personal information except in the circumstances allowed under law or contract.

User identification
Users shall not send communications or messages anonymously or without accurately identifying the originating account or station.

Political, Personal and Commercial Use
The District is a non-profit, tax-exempt organization and, as such, is subject to specific federal, state, and local laws regarding sources of income, political activities, use of property, and similar matters.

Political Use
District information resources must not be used for partisan political activities where prohibited by federal, state, or other applicable laws.

Personal Use
District information resources should not be used for personal activities that interfere in any way with the use of District information resources for official district business.

Commercial Use
Electronic communication facilities may not be used to transmit commercial advertisements, solicitations, or promotions, with the exception of commercial activities that are for the exclusive and sole benefit of the District, officially sanctioned student groups or clubs, or the Imperial Valley College Foundation. Further, District employees may use the District intranet to transmit to other District employees materials of a commercial nature as long as those employees have expressed a direct interest in said materials and as long as transmission of said materials does not interfere in any way with the use of District information resources for official District business. Users also are reminded that the ".cc" and ".edu" domains on the Internet have rules restricting or prohibiting commercial use, and users may not conduct activities not appropriate within those domains.

Nondiscrimination
All users have the right to be free from any conduct connected with the use of the Imperial Valley College network and computer resources which discriminates against any person on the basis of national origin, religion, age, sex (gender), race, color, medical condition, ancestry, sexual orientation, marital status, gender preference, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. No user shall use the District network and computer resources to transmit any message, create any communication of any kind, or store information which violates any District procedure regarding discrimination or harassment, or which is legally defined as defamatory or obscene, or which constitutes the unauthorized release of confidential information.

Disclosure
No Expectation of Privacy - The District reserves the right to monitor all use of the District network and computer to assure compliance with these policies. Users should be aware that they have no expectation of privacy in the use of the District network and computer resources. The District will exercise this right only for legitimate District purposes, including but not limited to ensuring compliance with this procedure and the integrity and security of the system.

Possibility of Disclosure - Users must be aware of the possibility of unintended disclosure of communications.

Retrieval - It is possible for information entered on or transmitted via computer and communications systems to be retrieved, even if a user has deleted such information.

Public Records - The California Public Records Act (Government Code Sections 6250 *et seq.*) includes computer transmissions in the definition of "public record," and nonexempt communications made on the District network and computer must be disclosed if requested by a member of the public.

<u>Litigation</u> - Computer transmissions and electronically stored information may be discoverable in litigation.

Overtime

Prior approval required. The Fair Labor Standards Act (FLSA) requires that each employee be paid appropriately for eligible overtime hours worked. These provisions do not apply to employees who are exempt from overtime compensation.

No time spent in any activity on the District's computer and network systems, including electronic communications systems, for the benefit of the District may be done outside of the employee's scheduled work hours without advance approval from his or her supervisor. In an emergency, an employee may perform the work but must notify the supervisor as soon as possible and by the end of that same day. If the supervisor denies a request to work overtime, then the employee must obey that directive.

Dissemination and User Acknowledgment

All users shall be provided copies of these procedures and be directed to familiarize themselves with them. A signed copy of the acknowledgement and agreement will be placed in all employee personnel files.

Revised January XX, 2011

AP 3720 Computer and Network Use

Computer and Electronic Communication Systems Use Agreement

I have been provided with, and have read District Administrative Procedure 3720, Computer and Network Use. I agree to comply with the provisions of Administrative Procedure 3720 regarding the use of the District's computer and electronic communications systems, and by any future terms and conditions of the procedure that may be developed.

I understand that District computer and electronic communications systems components, devices, and services are the property of the District and that access to the District's computer and electronic communications systems is a privilege that may be revoked or restricted at any time without prior notice and without consent of the user.

I also understand that because of the nature of electronic communications and the public character of the District's business, there is no expectation of privacy or confidentiality in the content of electronic communications or computer files sent and received on the District's computer or electronic communications systems or stored in the users' directories, and that the District reserves the right to inspect, monitor, or disclose electronic communications at any time without prior notice and without the consent of the user.

_____

Signature

_____

Date