

# Chapter 6

## Business and Fiscal Affairs

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## **BP 6100 Delegation of Authority**

Reference:

*Education Code Sections 70902(d); 81655, 81656*

The Board delegates to the Chancellor 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 Board Policy 6340).

The Chancellor 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**

Reference:

*Education Code Section 85232, 85233*

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

**See Administrative Procedure 6150**

## BP 6200 Budget Preparation

Reference:

*Education Code Section 70902(b)(5);  
Title 5, 58300 et seq.*

Each year, the Chancellor shall present to the Board a budget, indicating anticipated expenditures and estimated revenues for the next fiscal year, 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 and colleges 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 each year that which includes dates for presentation of the tentative budget, required public hearing(s), Board study session (if appropriate), 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 5% of the current year unrestricted and designated general fund budgeted expenditures, with targeted reserves between 7% and 15%.
- Changes in the assumptions upon which the budget was based shall be reported to the Board in a timely manner.
- Budget projections will address long term goals and commitments.
- The budget shall be developed each year in accordance with the current District Allocation Model and appropriate shared governance processes.

**See Administrative Procedure 6200**

## **BP 6250 Budget Management**

Reference:

*Title 5 Sections 58307, 58308*

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

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

Reference:

*Education Code Section 84040(c);  
Title 5 Section 58311*

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

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 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.

**See Administrative Procedures 6300**

## **BP 6320 Investments**

Reference:

***Government Code Section 53600 et seq.***

The Chancellor 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

Reference:

***Education Code Section 81656;***

***Public Contracts Code Section 20650***

The Chancellor 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 Section 20651 of the California Public Contract Code as amended from time to time.

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

**See Administrative Procedures 6330**

## BP 6340 Contracts

Reference:

*Education Code Sections 81641, et seq.;*  
*Public Contracts Code Sections 20650, et seq.*

The Board delegates to the Chancellor 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, 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.

If the Chancellor 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 Chancellor is authorized to proceed with a contract.

**See Administrative Procedures 6340**

## **BP 6400 Audits**

Reference:

*Education Code Section 84040(b)*

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 Chancellor shall assure that an annual outside audit is completed. The Chancellor shall recommend a certified public accountancy firm to the Board with which to contract for the annual audit.

**See Administrative Procedure 6400**

## **BP 6500 Property Management**

Reference:

*Education Code Sections 81300, et seq.*

The Chancellor 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 Chancellor 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

Reference:

*Education Code Section 81600 et seq.*

The Chancellor 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 Procedures 6520**

## BP 6540 Insurance

Reference:

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

The Chancellor 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 Chancellor 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.

## **BP 6550 Disposal of Property**

Reference:

*Education Code Section 70902(b)(6), 81452*

The Chancellor 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**

Reference:

*Education Code Section 81005, 81820; Title 5, Section 57150 et seq.*

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

District construction projects shall be supervised by the Chancellor. The Chancellor 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 Chancellor] 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 Chancellor 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 6620 Naming Buildings

All recommendations for naming buildings shall be submitted to the Board by the Chancellor for action.

**The Board of Trustees retains the authority for naming all facilities and properties; i.e., all buildings; major portions of buildings; stadium and baseball fields and other areas of major assembly or activity; and all other highly visible facilities and properties. landscape items or features, limited outdoor areas, and other minor properties**

See Administrative Procedure 6620

## **BP 6700 Civic Center and Other Facilities Use**

Reference:

*Education Code Sections 82537; 82542*

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

These administrative procedures shall reflect the requirements of applicable law, including Education Code Section 82537, regarding Civic Centers. The regulations shall include reasonable rules regarding the time, place and manner of use of District facilities. They shall assure that persons or organizations using college 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.

No group or organization may use District property for purposes that discriminate on the basis of race, color, religion, ancestry, national origin, disability, sex (i.e., gender), or sexual orientation, or the perception that a person has one or more of the foregoing characteristics.

**See Administrative Procedures 6700**

## **BP 6740 Citizens Oversight Committee**

Reference:

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

The Chancellor shall establish a Citizens Oversight Committee in accordance with the applicable law and necessary regulations for the duration of the expenditure any bond funds bond authorized pursuant to the conditions of Proposition 39 as defined in the California Constitution.

**See Administrative Procedure 6740**

## **BP 6750 Parking**

Reference:

***Education Code Section 76360;***  
***Vehicle Code Section 21113***

The Chancellor 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 Board Policy 5030.)

**See Administrative Procedures 6750**

## **BP 6800 Safety**

Reference:

***49 C.F.R., Part 40, 49 C.F.R, Part 655; Title 8, Section 3203; 29 C.F.R. 1910.101 et seq.; Health & Safety Code Section 104420***

The Chancellor 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 6900 Bookstore(s)

Reference:

***Education Code Section 81676***

College bookstores shall be established and operated by either the District or a qualified vendor.

Operational costs of the college bookstore[s] shall be paid from revenue earned from the bookstore.

Fiscal management of the bookstores shall be in accordance with the California Community Colleges Budget and Accounting Manual. An annual audit of the records and accounts of the bookstore shall be provided to the Board.