



TABLE OF CONTENTS

ARTICLE 3100: GENERAL PROVISIONS - ALL PERSONNEL

Number	Board Policy	Page No.
BP 3110	AIDS Education	3
BP 3111	Drug and Alcohol Free Workplace	3
BP 3112	Drug and Alcohol Testing for Transportation Employees	4
BP 3113	Injury and Illness Prevention Plan	4
BP 3114	Bloodborne Pathogens Standard Plan	4
BP 3115	Catastrophic Leave	5
BP 3116	Health Examinations	5
BP 3120	Diversity/Affirmative Action	6
BP 3121	Non Discrimination in Employment	7
BP 3122	Sexual Harassment	7
BP 3123	Workplace and Campus Violence	8
BP 3130	Citizen Complaints Against District Personnel	8
BP 3131	Personnel Records	8
BP 3132	Reassignment	8
BP 3133	Conferences, Workshops and Meetings Attendance	9
BP 3134	Initial Collective Bargaining Proposals	9

ARTICLE 3200: ACADEMIC PERSONNEL

BP 3210	Classification of Academic Personnel	10
BP 3211	Recruitment and Selection - Permanent Personnel	10
BP 3212	Evaluation	10
BP 3213	Compensation	11
BP 3214	Tutoring	11
BP 3215	Sabbaticals	11
BP 3216	Payroll Deductions	11
BP 3220	Retirement Policy	12
BP 3221	Limited Retirement Program	12
BP 3222	Retirement Incentive Program	12
BP 3223	Resignation	12
BP 3224	Personnel Reduction	13
BP 3225	Disciplinary Action and Release of Contract Employees	13
BP 3230	Temporary Personnel	14
BP 3231	Fringe Benefits - Non Collective Bargaining Unit Employees	14



ARTICLE 3300: CLASSIFIED PERSONNEL

BP 3310	Collective Bargaining Agreement	15
BP 3320	Merit System	15

**ARTICLE 3400: ACADEMIC ADMINISTRATORS, CLASSIFIED ADMINISTRATORS
AND MANAGERS AND CONFIDENTIAL EMPLOYEES**

BP 3410	Recruitment and Selection – Academic Personnel	16
BP 3420	Retreat Rights - Academic Administrators	16
BP 3430	Compensation	16
BP 3440	Leaves and Vacations	17
BP 3450	Evaluation	17



ARTICLE 3100 GENERAL PROVISIONS ALL PERSONNEL

BP 3110 AIDS Education

The Board of Trustees recognizes that Acquired Immune Deficiency Syndrome (AIDS) has emerged as the worst infectious epidemic of the twentieth century and therefore sets the following policy:

1. All employees should be provided with a safe as well as fair, sensitive, and nondiscriminatory environment for work.
2. AIDS, ARC, or a positive HIV antibody test should in no way infringe on the above and individuals must be guaranteed the right of privacy on this issue. The individual's right of employment shall not be curtailed. The individual with AIDS, ARC or a positive HIV antibody test shall receive any benefit or service to which any individual is entitled.
3. The District will provide appropriate educational programs and materials that are accurate and portray the illness in its proper context.

Reviewed and Adopted: 7/9/2001

BP 3111 Drug and Alcohol Free Workplace

The guidelines required for federal contracts dealing with the drug and alcohol free workplace will apply to the entire campus.

1. The District will publish a statement notifying employees that it is unlawful to manufacture, distribute, or possess a controlled substance in the workplace and that appropriate action will be taken against an employee violating this regulation.
2. The District will establish a Drug and Alcohol-Free Awareness Program for employees which will:
 - A. Outline the dangers of drug and alcohol abuse in the workplace.
 - B. Describe the District's drug and alcohol counseling and rehabilitation program.
 - C. Identify the penalties that may be imposed for drug and/or alcohol use and violations occurring in the workplace.
 - D. Notify full-time employees that as a condition of employment, he or she will abide by the terms of the statement in paragraph number 1 above.
3. For those employees whose position is funded by Federal funds, the District will notify the employee of additional conditions of employment under the Drug Free Workplace Act of 1988, 34 CFR Part 5, Subpart F and will notify the proper federal agency regarding any violations of the Act.

Reviewed and Adopted: 7/9/2001



ARTICLE 3100 GENERAL PROVISIONS ALL PERSONNEL

BP 3112 Drug and Alcohol Testing for Transportation Employees

The Santa Monica Community College District is committed to establishing and maintaining an alcohol and drug testing program to help prevent accidents and injuries resulting from the misuse of alcohol and use of controlled substances by any of the District's employees employed in classifications where such employees are required to possess a commercial driver's license.

This policy is implemented pursuant to and in compliance with requirements of the Omnibus Transportation Employer Testing Act of 1991. The District shall adhere to all federal regulations adopted to enforce the Omnibus Transportation Employer Testing Act of 1991.

Any covered employee who violates the provisions of this policy, as more specifically set forth in Administrative Regulation 3112 (a) may be subject to discipline, up to and including dismissal, in accordance with applicable Education Code provisions and provisions of any applicable collective bargaining agreement.

Legal References:

- Omnibus Transportation Employee Testing Act of 1991.
- 49 U.S.C. § 2717.
- 49 C.F.R. § 382 et seq.
- 49 C.F.R. § 40 et seq.

Reviewed and Adopted: 7/9/2001

BP 3113 Injury and Illness Prevention Plan

The District is committed to providing a safe and healthful workplace for all of its employees and to providing a safe and healthful facility for students as well as visitors. To accomplish this, and also to comply with the requirements of SB 198, the administration shall maintain an Injury and Illness Prevention Program as part of the administrative regulations.

Reviewed and Adopted: 7/9/2001

BP 3114 Bloodborne Pathogens Standard Plan

The administration shall maintain an Exposure Control Plan to establish procedures to protect Santa Monica Community College District employees from occupational exposure to bloodborne pathogens.

Reviewed and Adopted: 7/9/2001



ARTICLE 3100 GENERAL PROVISIONS ALL PERSONNEL

BP 3115 Catastrophic Leave

The purpose of this plan is to ensure that an employee with a catastrophic illness or injury continues to receive medical benefits during the recovery period and continues to receive his/her regular salary to the extent possible. This will be accomplished through the establishment of a program for leave donations which may be made to a specific individual or to a District-wide Leave Bank.

Catastrophic illness or injury is defined as one that is expected to incapacitate the employee for an extended period of time, and taking extended time off work creates a financial hardship for the employee because he or she has exhausted all of his or her sick leave and other paid time off. Examples include, but are not limited to, life threatening injury or illness such as cancer, AIDS, heart surgery, or stroke.

Reviewed and Adopted: 7/9/2001

BP 3116 Health Examinations

In compliance with all applicable state and federal laws, the District may request a health or physical examination of District personnel:

- (1) after an offer of permanent employment has been presented to an applicant,
- (2) when an employee returns to work following a medical leave of absence, or
- (3) to determine that the employee will not pose a "direct threat" to the health and safety of self or others.

Employees and volunteers are required to obtain and submit reports of evidence of freedom of tuberculosis as required pursuant to applicable provisions of the Education Code and in compliance with Administrative Regulation 3116.

Reviewed and Adopted: 7/9/2001



ARTICLE 3100 GENERAL PROVISIONS ALL PERSONNEL

BP 3120 Diversity/Affirmative Action

The Santa Monica Community College District believes that academic quality, evidenced in both teaching and learning, demonstrated by the instructional, library, counseling, and support staff members, and an administration dedicated to quality in teaching and learning, must be the goal of the college as an academic institution. In accomplishing this goal of quality teaching and learning, the college must have a diverse staff and student body reflective of our pluralistic society, for such diversity is an essential component of the learning environment. Diversity within the academic environment provides daily opportunity to foster cultural awareness, knowledge, and sensitivity, to challenge ingrained stereotypes, and to promote mutual understanding and respect. Lessons concerning democratic principles and the richness that ethnic and cultural diversity bring to our national heritage can best be taught by the presence of a diverse staff and student body working toward a common goal.

AB 1725 sets as a goal that by the year 2005, the faculty and staff of the California Community Colleges shall reflect proportionately the state's adult population. Realization of these goals will require the creative imagination, unflagging commitment, and uncompromising effort of every member of the Santa Monica College community, beginning with the Board of Trustees and the Superintendent and President and continuing throughout the administration, faculty, and staff.

The District is committed to a work and learning environment conducive to open discussion and free of intimidation, harassment, or unlawful discrimination, whether purposeful or inadvertent. The Board commits the District to vigorous affirmative action in all aspects of its employment program, including recruitment, selection, assignment, retention, promotion, and transfer, and with respect to all position classifications.

With reference to equal opportunity, the Board also assures that all employees and applicants for employment will be treated equally regardless of race, color, religion, gender, national origin, age, disability, status as a Vietnam-era veteran, sexual orientation, or marital status.

The Board of Trustees, in approving the Diversity/Affirmative Action policy, assumes overall responsibility for the success or failure of the District's effort to achieve its diversity/affirmative action goals. The Board delegates to the Superintendent/President the responsibility for implementing this policy consistent with all applicable provisions of the Education Code and Title 5.

Reviewed and Adopted: 7/9/2001



ARTICLE 3100 GENERAL PROVISIONS ALL PERSONNEL

BP 3121 Non-Discrimination in Employment

The Santa Monica Community College District is a multicultural community of people from diverse racial, ethnic, linguistic and class backgrounds, national origins, religious and political beliefs, physical and mental abilities, and sexual orientations. The activities, programs, classes, workshops/lectures and everyday interactions of this District are enriched by our acceptance of one another, and we strive to learn from each other in an atmosphere of positive engagement and mutual respect.

Implicit in this mutual respect is the right of each of us to live, study, teach, and work free from harassment or denigration on the basis of race, color, religion, gender, national origin, age, disability, status as a Vietnam-era veteran, sexual orientation, or marital status.

The District is committed to providing an equal opportunity for employment regardless of race, religious creed, color, age, sex, sexual orientation, national origin, ancestry, marital status, medical condition, or disability in accordance with federal, state, and local regulations. This nondiscrimination policy covers treatment in District employment.

Reviewed and Adopted: 7/9/2001

BP 3122 Sexual Harassment

Sexual harassment of employees or students in the academic and work environments violates both federal and state law and this District policy, and it will not be tolerated. It also violates federal and state law and this policy to retaliate against any individual for filing a complaint of sexual harassment, or for participation in the investigation or resolution of a formal or informal, written or oral complaint of sexual harassment.

This policy applies to the unlawful harassment of any employee as to all terms and conditions of employment with the District, including but not limited to hiring, placement, evaluation, promotion, disciplinary action, layoff, recall, transfer, leaves of absence, training opportunities, compensation, work assignments, and hours of work, shifts, or workload.

This policy also applies to the unlawful harassment of any student on the basis of sex by any employee of the District including but not limited to, classroom conditions, grades, academic standing, scholarships, recommendations, employment opportunities, disciplinary action, or any other aspect of college life within the control of the District or its employees.

This policy shall be posted in prominent locations on college campuses and in the Office of Human Resources, incorporated into orientation materials for new students and for new and current faculty and staff. Questions regarding this policy should be directed to the Vice President, Human Resources.

Reviewed and Adopted: 7/9/2001



ARTICLE 3100 GENERAL PROVISIONS ALL PERSONNEL

BP 3123 Workplace and Campus Violence

Santa Monica College will maintain a safe environment in which to fulfill its mission. A climate of fear or intimidation will not be tolerated.

Any verbal or written abuse, threats, harassment, intimidation, or violence against person or property will be considered a violation of the principles of a community of mutual respect that are an integral part of the focus, goals, and mission of the Santa Monica Community College District.

Reviewed and Adopted: 7/9/2001

BP 3130 Citizen Complaints Against District Personnel

The normal procedure for complaints by citizens concerning District personnel shall be to encourage the complainant to begin with a discussion with the employee in an attempt to resolve the complaint. In the event that the complaint is not resolved at this informal level, the citizen may file a formal written complaint as set forth in Administrative Regulation 3130.

Reviewed and Adopted: 7/9/2001

BP 3131 Personnel Records

Materials in personnel files of employees which may serve as a basis for affecting the status of their employment shall be made available for the inspection of the person involved. Such material shall not include ratings, reports, or other records which (1) were obtained prior to the employment of the person involved, (2) were prepared by identifiable examination committee members, or (3) were obtained in connection with a promotional examination.

An employee's official personnel file shall be maintained by the District's Office of Human Resources.

Reviewed and Adopted: 7/9/2001

BP 3132 Reassignment

Personnel may be assigned at any time during the academic year at the discretion of the Superintendent/President. Any such assignment or reassignment shall be in accordance with any applicable collective bargaining agreement.

Personnel returning from any type of leave shall be assigned to a position within an appropriate assignment or classification. Such assignment shall be in accordance with any applicable collective bargaining agreement.

Reviewed and Adopted: 7/9/2001



ARTICLE 3100 GENERAL PROVISIONS ALL PERSONNEL

BP 3133 Conferences, Workshops and Meeting Attendance

Conferences, workshops, meetings and college visitations are conducted to enable employees to keep in touch with developments and trends in college administration, college operations, curriculum instruction and business management.

The primary purpose of attendance at conferences, workshops, and meetings is to assist the staff to better serve the District through sharing information and experiences with board members and staff from other districts.

The Board of Trustees delegates to the Superintendent/President or designee, authority to authorize travel for employees in accordance with applicable provisions of Board Policy and/or Administrative Regulation.

Reviewed and Adopted: 7/9/2001

BP 3134 Initial Collective Bargaining Proposals

The initial proposal of an exclusive representative of the District, which relates to matters within the scope of representation, shall be presented at a public meeting of the Board of Trustees.

After the public has been given a reasonable time within which to become informed of the contents of the proposal, the Board of Trustees shall schedule a public hearing for the purpose of receiving comments from the public on any initial proposal. The public hearing shall be scheduled at a regular or special meeting.

After the public has had the opportunity to express itself, the District shall, during public session, adopt its initial proposal.

Reviewed and Adopted: 7/9/2001



ARTICLE 3200 ACADEMIC PERSONNEL

BP 3210 Classification of Academic Personnel

The Board of Trustees reserves the right to assign all academic employees consistent with applicable provisions of the Education Code, Title 5 and the collective bargaining agreement between the District and the Santa Monica College Faculty Association.

Reviewed and Adopted: 7/9/2001

BP 3211 Recruitment and Selection of Permanent Personnel

The actual employment of personnel is a discretionary function of the Board of Trustees according to State law and cannot be delegated. The Board, however, recognizes and embraces its further legal responsibility under Education Code Section 87360 to adopt hiring criteria, policies, and procedures for faculty which have been jointly developed and agreed upon with the Academic Senate.

Procedures and guidelines set forth in AR 3211 are established to employ highly qualified college faculty who are expert in their subject areas, who are skilled in teaching and serving the needs of a varied student population, who can foster overall college effectiveness, and who are sensitive to and represent the diversity of the District community.

The Superintendent/President and the Academic Senate shall jointly develop and agree upon Administrative Regulations governing specific procedures for the hiring of faculty.

All offers of contract regular academic employment are official only when approved by the Board of Trustees and issued in contract form from the Office of Human Resources.

Official employment begins on the date specified by the Board of Trustees consistent with the academic calendar.

Reviewed and Adopted: 7/9/2001

BP 3212 Evaluation

All faculty shall be evaluated in accordance with applicable provisions of the collective bargaining agreement and/or consistent with Administrative Regulation 3212.

Reviewed and Adopted: 7/9/2001



ARTICLE 3200 ACADEMIC PERSONNEL

BP 3213 Compensation

The Board of Trustees, after negotiations with the representatives of the bargaining unit, shall adopt salaries and related benefits for members of the unit.

The Board of Trustees shall adopt salaries and related benefits for non-unit academic employees.

Reviewed and Adopted: 7/9/2001

BP 3214 Tutoring

It shall be considered unethical for a faculty member to receive remuneration above his/her regular salary to tutor or coach any student who is at the same time a student in the faculty member's classes, or who may be making up a deficiency arising from his/her having been a student in the faculty member's class.

Reviewed and Adopted: 7/9/2001

BP 3215 Sabbaticals

The District shall offer sabbatical leaves consistent with the terms of the collective bargaining agreement. Sabbaticals are intended to improve instruction; therefore, a wide variety of sabbatical programs will be considered, such as, institutional research, travel, independent study, and industrial research.

Reviewed and Adopted: 7/9/2001

BP 3216 Payroll Deductions

The Superintendent/President or designee shall permit the making of legally authorized monthly deductions from employees' salary payments for the convenience of the employees when such action shall not be of serious disadvantage to the District.

Reference: Education Code Section 87040

Reviewed and Adopted: 7/9/2001



ARTICLE 3200 ACADEMIC PERSONNEL

BP 3220 Retirement Policy

Academic personnel may retire as provided for in applicable law and Administrative Regulation 3220.

Reviewed and Adopted: 7/9/2001

BP 3221 Limited Retirement Program

The Board of Trustees shall offer qualified faculty the limited retirement program as set forth in Administrative Regulation 3221.

Reviewed and Adopted: 7/9/2001

BP 3222 Retirement Incentive Program

Academic employees currently employed by the District who have completed ten (10) or more years of consecutive, contract and regular, satisfactory service in the District will be eligible and may be considered for a "Retirement Incentive Program" as set forth in Administrative Regulation 3222.

Reviewed and Adopted: 7/9/2001

BP 3223 Resignation

Resignation letters are to be submitted to the Office of Human Resources by October 1 by those persons who expect to resign as of the end of the fall semester and by March 1 by those persons who expect to resign as of the end of the spring semester.

Reviewed and Adopted: 7/9/2001



ARTICLE 3200 ACADEMIC PERSONNEL

BP 3224 Personnel Reduction

In the event that it is necessary to reduce the academic personnel staff, the District will follow the applicable provisions in the faculty collective bargaining agreement regarding reductions in force and all applicable provisions of the collective bargaining agreement.

Reviewed and Adopted: 7/9/2001

BP 3225 Disciplinary Action and Release of Contract Employees

The Board of Trustees, in accordance with applicable provisions of the Education Code, may suspend or dismiss any regular or contract employee during the academic year.

Disciplinary action will be imposed consistent with applicable provisions of the Education Code and Administrative Regulation 3225.

At the end of a contract employee's first or second contract, the Board of Trustees may elect not to enter into a contract for the following academic year. At the end of a contract employees third contract, the Board of Trustees may elect not to employ the employee as a tenured employee.

Reviewed and Adopted: 7/9/2001



ARTICLE 3200 ACADEMIC PERSONNEL

BP 3230 Temporary Faculty

Definition

The term “temporary faculty” refers to all faculty with an hourly assignment. The term “temporary faculty” may be referred to in Board Policy or Administrative Regulations as either “hourly” or “part-time” faculty.

Recruitment and Selection

The actual employment of personnel is a discretionary function of the Board of Trustees according to State law and cannot be delegated. The Board, however, recognizes and embraces its further legal responsibility under Education Code Section 87360 to adopt hiring criteria, policies, and procedures for faculty which have been jointly developed and agreed upon with the Academic Senate.

Procedures and guidelines are established to employ highly qualified college faculty who are expert in their subject areas, who are skilled in teaching and serving the needs of a varied student population, who can foster overall college effectiveness, and who are sensitive to and themselves represent the diversity of the District community.

The Superintendent/President and the Academic Senate shall jointly develop and agree upon Administrative Regulations governing specific procedures for the hiring of faculty.

All offers of employment are official only when approved by the Board of Trustees and issued a contract, as set forth in the faculty collective bargaining agreement, from the Office of Human Resources.

Official employment begins on the date specified by the Board of Trustees at the election of an applicant.

Substitutes

Faculty substitutes with minimum qualifications, other than tenured and probationary academic personnel, may be employed on either an hourly or daily basis at the discretion of the Superintendent/President or designee.

Dismissal

The Board of Trustees, in accordance with applicable provisions of the Education Code, may terminate the employment of a temporary employee at its discretion at the end of a day or week, whichever is appropriate.

Reviewed and Adopted: 7/9/2001

BP 3231 Fringe Benefits-Non Collective Bargaining Unit Employees

The fringe benefit policy for non-college bargaining unit regular and contract employees will be the same as the policy negotiated in the collective bargaining agreement for unit members.

Reviewed and Adopted: 7/9/2001



ARTICLE 3300 **CLASSIFIED EMPLOYEES**

BP 3310 **Collective Bargaining Agreement**

The terms and conditions of employment for classified employees are set forth in the collective bargaining agreement between the District and CSEA, Chapter 36.

Reviewed and Adopted: 7/9/2001

BP 3320 **Merit System**

Provisions related to the hiring process and employment status are set forth in the Personnel Commission Rules and Regulations. The Personnel Commission Rules and Regulations shall apply to all bargaining unit employees, except where the subject of any Personnel Commission Rule and Regulation is addressed in the collective bargaining unit. In such cases, the provisions of the collective bargaining agreement shall be applicable.

Reviewed and Adopted: 7/9/2001



ARTICLE 3400 **ACADEMIC ADMINISTRATORS, CLASSIFIED ADMINISTRATORS AND MANAGERS AND CONFIDENTIAL EMPLOYEES**

BP 3410 **Recruitment and Selection - Academic Administrators**

The selection of academic administrative personnel shall be accomplished in compliance with applicable provisions of the Education Code, Title 5 and the District's affirmative action policy.

The Board of Trustees reserves the right to select the Superintendent/President. All other academic administrative positions may be filled by the Superintendent/President subject to final approval by the Board of Trustees.

All academic administrative employees shall serve at the pleasure of the Board of Trustees unless the administrator and the District have entered into an employment contract. In such cases, the terms of employment shall be those set forth in the employment contract and any applicable Board Policy and Administrative Regulation.

Reviewed and Adopted: 7/9/2001

BP 3420 **Retreat Rights- Academic Administrators**

Academic administrators shall have retreat rights to a faculty position consistent with applicable provisions of the Education Code and Administrative Regulation 3420.

Reviewed and Adopted: 7/9/2001

BP 3430 **Compensation**

Academic Administrators

The Academic Administration Salary schedule shall be adopted annually by the Board of Trustees.

Classified Administrators and Managers

The appropriate salary schedules shall annually be adopted by the Board of Trustees for all classified administrator and manager positions.

Reviewed and Adopted: 7/9/2001

Confidential

The confidential salary schedule shall be annually adopted by the Board of Trustees.

Reviewed and Adopted: 7/9/2001



ARTICLE 3400 **ACADEMIC ADMINISTRATORS, CLASSIFIED ADMINISTRATORS AND MANAGERS AND CONFIDENTIAL EMPLOYEES**

BP 3440 **Leaves and Vacations**

Academic Administrators

The District shall provide academic administrators leaves of absence and vacation as specified under the terms of any employment contract and/or Administrative Regulation 3440.

Classified Administrators and Managers

The District shall provide classified administrators and managers leaves of absence and vacation as specified under the terms of any employment contract and/or Personnel Commission Rule.

Confidential Employees

The District shall provide confidential employees leaves of absence and vacation as set forth under the Personnel Commission Rules.

Reviewed and Adopted: 7/9/2001

BP 3450 **Evaluation**

The Board of Trustees is committed to the evaluation of the performance of the administrative and management personnel. The Superintendent/President shall be responsible for implementing those procedures required for an evaluation process which assures continued excellent performances of administrative and management staff.

The procedure for the evaluation of academic administrators is set forth in Administrative Regulation [insert]. The procedure for the evaluation of classified administrators and managers and confidential employees shall be in accordance with applicable provisions of the Personnel Commission Rules.

Reviewed and Adopted: 7/9/2001