



Board Policy
Chapter 3 – General Institution

BP 3050 INSTITUTIONAL CODE OF ETHICS

The following Code of Ethics applies to all members of the Santa Monica College community. The college is committed to upholding the following ethical standards in carrying out its mission, vision, values, and goals:

Fairness

Members of the college community will treat others fairly.

Responsibility

Members of the college community will be responsible stewards of the public trust by ensuring the proper use of public position, public resources, and college time, and by abiding by all laws and college policies.

Integrity

Members of the college community will be guided in all their activities by a high regard for the truth and committed to making decisions in the best interests of the college.

Civility

Members of the college community will show concern for others and their ideas and will create an environment of trust, care, and respect that is sensitive to the individuality and ideas of others.

Also see BP 2715 Code of Ethics/Standards of Practice.

References:

- ACCJC Accreditation Standard III.A.13;
- District Mission, Vision, Values and Goals (See BP 1200 District Mission);
- Faculty Code of Ethics;
- Code of Ethics for Managers

(Replaces SMC BP 2405)



Board Policy
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BP 3100 ORGANIZATIONAL STRUCTURE

The Superintendent/President shall establish and operate an organizational structure for the administration of the District.

The Superintendent/President shall be directly responsible and accountable to the Board of Trustees. All other District personnel shall be responsible and accountable, either directly or indirectly, to the Superintendent/President unless through Board action an employee is specifically hired who will report directly to the Board of Trustees.

The Superintendent/President shall establish organizational charts that delineate the lines of responsibility and fix the general duties of employees within the District.

Reference: Education Code Section 72400

Adopted: May 1, 2000

Revised: November 15, 2004; _____

(Replaces SMC BP 2110)



BP 3150

Board Policy
Chapter 3 – General Institution

BP 3150 ORGANIZATIONAL MEMBERSHIPS

Memberships in local, state, and national organizations, including the renewal of memberships and the payment of dues, must have the prior and annual approval of the Board of Trustees. Individual memberships in local, state, and national organizations may be paid by the District provided the membership is a necessary and reasonable extension of the employment duties of the employee and such membership is approved by the Board of Trustees.

References: No specific references

Adopted: August 7, 2000

Revised:

(Replaces SMC BP 6210)



Board Policy
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BP 3200 ACCREDITATION

The Superintendent/President shall ensure the District complies with the accreditation process and standards of the Western Association of Schools and Colleges (WASC) Accrediting Commission of Community and Junior Colleges (ACCJC) and of other District programs that seek special accreditation.

The Superintendent/President shall keep the Board of Trustees informed of approved accrediting organizations and the status of accreditations.

The Superintendent/President shall ensure that the Board of Trustees is involved in a substantive manner in any accreditation process in which Board participation is germane and provide the Board with an accreditation report and any proposed actions to be taken in response to recommendations in an accreditation report.

The Superintendent/President shall provide the Board with a summary of any accreditation report and any actions taken or to be taken in response to recommendations in an accreditation report.

References:

- Title 5 Section 51016;
- ACCJC Accreditation Eligibility Requirement 21;
- ACCJC Accreditation Standards I.C.12 and 13

Adopted: November 15, 2004

Revised:

(Replaces SMC BP 2130)



Board Policy
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References:

- Title 5 Section 51016;
- ACCJC Accreditation Eligibility Requirement 21;
- ACCJC Accreditation Standards I.C.12 and 13

Adopted: November 15, 2004

Revised:

(Replaces SMC BP 2130)



Board Policy
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BP 3225 INSTITUTIONAL EFFECTIVENESS

The Board of Trustees is committed to developing goals that measure the ongoing condition of the District's operational environment. The Board regularly assesses the District's institutional effectiveness.

Institutional Accountability

The Board of Trustees recognizes its responsibility to ensure accountability to the public for the performance of the Santa Monica Community College District. The Board of Trustees shall regularly review the effectiveness of the District's programs, personnel, and fiscal operations, with a focus on the District's effectiveness in accomplishing its mission and goals. The Board of Trustees shall establish systems and processes to monitor results and to evaluate the District's progress toward accomplishing the District's mission and goals.

The Board of Trustees and the Superintendent/President shall agree upon appropriate areas of District accountability and shall establish a schedule for providing regular reports to the Board and the public regarding District progress.

Members of the college community shall abide by all board policies and administrative regulations. The District has the following expectations:

- All board policies and administrative regulations will be promptly distributed upon their adoption/approval.
- All board policy and administrative regulation changes will be reviewed with administrators upon adoption of the board policy or approval of administrative regulation.
- All administrators will be familiar with board policies and administrative regulations and will communicate them to those they supervise.
- All administrators will ensure that those they supervise follow board policies and administrative regulations.
- All employees are expected to follow board policies and administrative regulations.

References:

Education Code Sections 78210 et seq. and 84754.6;
ACCJC Accreditation Standard I.B.5 - 9

Adopted: June 2, 2009

Revised:

(Replaces SMC BP 2115 and BP 5160)



Board Policy
Chapter 3 – General Institution

BP 3250 INSTITUTIONAL PLANNING

Institutional Planning

The Superintendent/President shall ensure that the District implements a Board-approved broad-based comprehensive, systematic, and integrated system of planning. This plan should involve appropriate segments of the college community, should be supported by institutional effectiveness research and include plans required by law.

The planning system shall include plans required by law, including, but not limited to:

- Master Plan for Education, which shall be updated annually;
- Facilities Plan;
- Equal Employment Opportunity (EEO) Plan;
- Student Equity Plan;
- Student Success and Support Program Plan;
- Transfer Center Plan;
- Cooperative Work Experience Plan; and
- Extended Opportunity Programs and Services (EOPS) Plan

The Superintendent/President shall submit those plans (as required by Title 5 of the California Code of Regulations) to the Board of Trustees for approval.

The Superintendent/President shall inform the Board of Trustees about the status of planning and the various plans.

The Superintendent/President shall ensure the Board of Trustees has an opportunity to assist in developing the general institutional mission and goals for the comprehensive plans.

District Committees

The Superintendent/President is empowered to establish District committees as are necessary for the fulfillment of the mission of the college.

The Superintendent/ President shall take necessary administrative action to implement state laws regulating representative organizations.

References:

Title 5 Sections 51008, 51010, 51027, 53003, 54220, 55080, 55190, 55250, 55510, and 56270 et seq.;
ACCJC Accreditation Standards I.B.9, III.B.4, III.C.2, III.D.2, and IV.B.3

Adopted: November 15, 2004



Board Policy
Chapter 3 – General Institution

BP 3260 DISTRICT PLANNING AND ADVISORY COUNCIL

The Board of Trustees establishes the District Planning and Advisory Council. The Board recognizes the Council as the body primarily responsible for making recommendations to the Superintendent/President on matters that are not otherwise the primary responsibility of the Academic Senate, Classified Staff, Associated Students, or the Management Association. Issues include, but are not limited to, District budget, facilities, human resources, instruction, student services and technology planning. Discussion of these issues by the Council will not supplant the collective bargaining process.

DPAC is the College's primary planning body and coordinates institutional planning. It is the responsibility of DPAC to develop the annual Master Plan for Education Update and oversee the long-term planning efforts of reviewing the Vision, Mission, Values, and Goals, assessing the College's planning process, and developing new Strategic Initiatives every five years.

The District Planning and Advisory Council shall comprise representatives of the faculty (Academic Senate and Faculty Association), classified staff (CSEA Chapter 36), students (Associated Students) and management (Administration/Management Association), who shall mutually agree upon the numbers, privileges, and obligations of Council members. The District Planning and Advisory Council shall establish its own procedures in conformity with the law.

References:

Title 5 Sections 51008, 51010, 51027, 53003, 54220, 55080, 55190, 55250, 55510, and 56270 et seq.;
ACCJC Accreditation Standards I.B.9, III.B.4, III.C.2, III.D.2, and IV.B.3

Adopted: November 15, 2004 (for BP 2140) and January 10, 2005 (for BP 2250)

Revised: May 4, 2009 (for BP 2250); December 10, 2013 (for BP 2250); _____

(Replaces SMC BP 2140, BP 2150, and BP 2250)



BP 3280

Board Policy
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BP 3280 GRANTS

Santa Monica College shall actively seek external funds in the form of grants to support educational programs consistent with the vision and mission of the District. The Board of Trustees will be informed about all grants received by the District.

The Superintendent/President shall assure timely application and processing of grant applications and funds, and that the grants that are applied for directly support the purposes of the District.

Reference: Education Code Section 70902

Adopted: August 7, 2000

Revised:

(Replaces SMC BP 6245)



Board Policy
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BP 3300 PUBLIC RECORDS

The Superintendent/President shall establish administrative regulations for records management, including access by the public, that comply with the requirements of the California Public Records Act.

Records Management

The Superintendent/President shall ensure that the District maintains a records management program for the appropriate retention and destruction of all District records, including but not limited to student records, employment records, and financial records, that comply with Title 5 and other relevant laws.

District Records

Records of the District shall be accessible to the public during normal hours of business. When access to District records is granted, examination thereof will be made in the presence of the record custodian regularly responsible for maintenance of files or designee.

If requested, copies of records of the District shall be provided at a reasonable cost per copy to be paid in advance at a rate determined by the District.

If requested, records of the District shall be provided in appropriate alternative formats at a reasonable rate as determined by the District so as to be accessible to persons with a disability.

Not included in the category of records to which the privilege of access is given are the following:

1. Personnel records
2. Student records
3. Personal correspondence
4. Records exempt from public disclosure under the California Public Records Act such as those pertaining to pending litigation and closed sessions.

Also see AR 3300 Public Records and BP/AR 3310 Records Retention and Destruction.

References: Government Code Sections 6250 et seq. (California Public Records Act)

Adopted: May 1, 2000 (for BP 2175) and November 15, 2004 (for BP 2170)
Revised: November 15, 2004 (for BP 2175)

(Replaces SMC BP 2170 and BP 2175)



BP 3310

Board Policy
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BP 3310 RECORDS RETENTION AND DESTRUCTION

The Superintendent/President shall establish administrative regulations to assure the retention and destruction of all District records—including electronically stored information (ESI) as defined by the Federal Rules of Civil Procedure—in compliance with Title 5. Such records shall include, but not be limited to student records, employment records, and financial records.

The Board of Trustees authorizes the administrators responsible for Admissions and Records and Financial Aid to annually classify student records in order to maintain or discard them in accordance with AR 3310 Records Retention and Destruction.

References:

Education Code Section 76220;

Title 5 Sections 59020 et seq.;

Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, 45

Adopted: My 7, 2001

Revised:

(Replaces SMC BP 4131)



Board Policy
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BP 3410 NONDISCRIMINATION

The Santa Monica Community College District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because he/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.

The Superintendent/President shall establish administrative regulations that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are unlawfully discriminatory on the basis of the protected status categories as cited above, or because of his/her association with a person or group with one or more of these actual or perceived characteristics.

NonDiscrimination on the Basis of Disability

In accordance with federal and state laws, the District prohibits discrimination on the basis of disability in the provision of services, programs, contracts, employment, and other activities. Standards for what constitutes discrimination on the basis of mental or physical disability, the definition of disability and qualified individual with a disability, and the establishment of a complaint mechanism for resolving allegations of discrimination are also upheld as specified in public law.

When an employee has disclosed a disability as defined by the Americans with Disabilities Act (ADA) and the Fair Employment and Housing Act (FEHA), the District shall explore possibilities of reasonable accommodation prior to making any employment related decision, in accordance with applicable State and Federal laws.

An accommodation is reasonable if it does not impose an undue hardship on the District. Undue hardship is defined as actions that are excessively costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the business.

At the District's request, the employee will be responsible for providing medical documentation which describes the employee's physical limitations in order to assist managers in understanding the nature of the employee's functional limitations which require accommodation. The medical information that is provided by the employee will be used by the District for the sole purpose of evaluating the employee's reasonable accommodations. The District will protect the medical information that is provided by the employee in accordance with applicable State and Federal laws.

The employee and manager/supervisor with the assistance of the District's Human Resources Office will participate in a timely, good faith interactive discussion concerning the functional limitations, the ability to perform the essential functions of the job with or without accommodation, and to determine the possibility of an effective accommodation. Employees will be afforded the opportunity to have a representative present during the interactive discussion.

Also see applicable SMC Board Policies and Administrative Regulations that cover information on discrimination and harassment prevention, and discrimination complaint procedures.

References:

Education Code Sections 200, 210.2, 220, 66250 et seq., 72010 et seq., and 87100 et seq.;
Title 5 California Code of Regulations Sections 53000 et seq. and 59300 et seq.;
Penal Code Section 422.55, 422.57;
Government Code Sections 1135 et. seq; 12926.1 and 12940 et seq.;
Title 2 Sections 10500 et seq.;
ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard Catalog Requirements;
Americans with Disabilities Act, Public L. 101-336; 42 U.S. Code. Sections 12101 et seq. and 12132 et seq.; 29 Code. of Federal. Regulations. Part 1630;)
Title VI of the Civil Rights Act of 1964 (42 U.S. Code. Sections 2000d-1 et seq.; 34 Code of Federal. Regulations. Part 100; 29 Code. of Federal. Regulations. Part 1691);
Title VII of the Civil Rights Act of 1974 (42 U.S. Code. Sections 2000e et seq.);
Age Discrimination in Employment Act (42 U.S. Code. Sections 6101 et. seq.; 29 Code. of Federal. Regulations. Part 1625);
Section 504 of the Rehabilitation Act of 1973 (29 U.S. Code. Sections 794; §§ 34 Code. of Federal. Regulations. Part 104);

Adopted: November 15, 2004

Revised:

(Replaces SMC BP 2410)



Board Policy
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BP 3420 EQUAL EMPLOYMENT OPPORTUNITY

The Board of Trustees supports the intent set forth by the California Legislature to assure that effort is made to build a community in which opportunity is equalized, and community colleges foster a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding and respect, harmony and respect, and suitable role models for all students. The Board therefore commits itself to promote the total realization of equal employment through a continuing equal employment opportunity program.

The District is committed to the principles of equal employment opportunity. The District will provide equal employment opportunity in accordance with all applicable federal, state, and local laws, and will implement a comprehensive program to put those principles into practice.

The Board commits the District to vigorous equal employment opportunity in all aspects of its academic and classified employment programs, including recruitment, selection, assignment, retention, promotion, and transfer. The District will strive to achieve a workforce that reflects and welcomes diversity to ensure an inclusive educational environment. Such an environment fosters cooperation, acceptance, democracy, and free expression of ideas.

The Superintendent/President shall develop, for review and adoption by the Board, a plan for equal employment opportunity that complies with the Education Code and Title 5 requirements as from time to time modified or clarified by judicial interpretation.

The Board of Trustees shall approve the Equal Employment Opportunity Plan and assumes overall responsibility for the success or failure of the Plan. 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. The Equal Employment Opportunity Plan will be maintained to ensure principles that conform to all applicable federal, state, and local laws.

Also see applicable SMC Board Policies and Administrative Regulations that cover information on Equal Employment Opportunity, and discrimination and harassment prevention.

References:

Education Code Sections 87100 et seq.
Title 5 Sections 53000 et seq.;
ACCJC Accreditation Standard III.A.12

Adopted: August 3, 2010

Revised: September 2, 2014; _____

(Replaces SMC BP 3120)



Board Policy
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BP 3430 PROHIBITION OF HARASSMENT

All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. The Santa Monica Community College District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence. It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: race or ethnicity, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation of any person, pregnancy, or military and veteran status, or because they are perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees, students, unpaid interns, and volunteers and other members of the campus community feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. All allegations of retaliation will be swiftly and thoroughly investigated. If the District determines that retaliation has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any student, employee, unpaid intern, or volunteer who believes that they have been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in applicable Administrative Regulations that cover information on discrimination and harassment prevention and complaint. Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, evaluation, disciplinary action, layoff, recall, transfer, leaves of absence, training opportunities, compensation, work assignments, and hours of work, shifts, or workload.

To this end, the Superintendent/President shall ensure that the institution undertakes education and training activities to counter discrimination and to prevent and eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Superintendent/President shall establish administrative regulations that define harassment on campus or in connection with District-sponsored events. The Superintendent/President shall further establish regulations for employees, students, unpaid interns, volunteers, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and regulations for students to resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

This policy and related administrative regulations (including the procedure for making complaints) shall be widely published and publicized to administrators, faculty, staff, students, unpaid interns, and volunteers particularly when they are new to the institution. They shall be available for students, employees, unpaid interns, and volunteers in all administrative offices, and shall be posted on the District's website. This policy shall also be posted in the Office of Human Resources, in prominent locations on college campuses and the SMC website, incorporated into orientation materials for new students and for new and current faculty and staff.

Employees who violate the policy and administrative regulations may be subject to disciplinary action up to and including termination. Students who violate this policy and related administrative regulations may be subject to disciplinary measures up to and including expulsion. Unpaid interns who violate this policy and related regulations may be subject to disciplinary measure up to and including termination from the internship or other unpaid work experience program.

Also see applicable SMC Board Policies and Administrative Regulations that cover information on discrimination and harassment prevention, and discrimination complaint procedures.

References:

Education Code Sections 212.5, 44100, 66252, and 66281.5;
Government Code Sections 12940 and 12950.1;
Title 2 Sections 10500 et seq.;
Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e

Adopted: July 9, 2001

Revised:

(Replaces SMC BP 3123)



BP 3440

Board Policy
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BP 3440 ANIMALS

Animals on Campus

Except as provided below, dogs, cats and other pets shall not be permitted on campus. Roaming or unattended animals will be controlled by appropriate authority.

Service Animals

In order to prevent discrimination on the basis of disability, the District will allow an individual with a disability to use a service animal, miniature horse or guide dogs in District facilities and on District campuses in compliance with state and federal law.

References:

- 42 United States Code Sections 12101 et seq. (The Americans with Disabilities Act of 1990);
- 28 Code of Federal Regulations Part 35;
- 28 Code of Federal Regulations Part 36;
- 34 Code of Federal Regulations Part 104.44(b);
- City of Santa Monica Municipal Code Section 4.04.160

Adopted: No date

Revised:

(Replaces SMC BP 2450)



Board Policy
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BP 3500 CAMPUS SAFETY

The Board of Trustees recognizes the importance of faculty, staff, students, and the community to a safe campus environment. Violent or coercive behavior or the threat of such behavior will not be tolerated. The District, through the development and enforcement of violence prevention procedures, will seek to provide a safe environment for students, staff, and faculty.

Because the Board of Trustees is committed to a safe and secure District work and learning environment, it shall ensure that the Superintendent/President establishes a campus safety plan and ensure that it is posted or otherwise made available to students. The campus safety plan shall include availability and location of security personnel, methods for summoning assistance of security personnel, any special safeguards that have been established, any actions taken in the preceding 18 months to increase safety, and any changes in safety precautions to be made during the next 24 months.

Also see BP/AR 3501 Campus Security and Access, BP/AR 3505 Emergency Preparedness Plan, BP/AR 3520 Local Law Enforcement, BP/AR 6800 Safety, AR 6850 Hazardous Materials, AR 7343 Industrial Accident and Illness Leave, and BP/AR 7600 SMC Police Department.

Reference: Education Code 67380(a)(4)

Adopted: November 15, 2004

Revised:

(Replaces SMC BP 2415)



BP 3501

Board Policy
Chapter 3 – General Institution

BP 3501 CAMPUS SECURITY AND ACCESS

The Superintendent/President shall establish administrative regulations for security and access to District facilities.

Also see BP/AR 6520 Security for District Property.

References:

34 Code of Federal Regulations Part 668.46(b)(3);
ACCJC Accreditation Standard III.B.1

Adopted:

(This is a new policy)



Board Policy
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BP 3505 EMERGENCY RESPONSE PLAN

The District shall have emergency response and evacuation procedures for notifying the campus community in the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

The Board shall approve an emergency operations plan. The plan to be activated in the event of an emergency, or when a natural disaster or hazardous condition occurs. This plan shall comply with the National Incident Management System (NIMS), and the Standardized Emergency Management System (SEMS) and should incorporate the functions and principles of the Incident Command System (ICS), the Master Mutual Aid Agreement (MMAA), and any other relevant programs

References:

- Education Code Sections, 32280 et seq., 35296, and 71095;
- Government Code Sections 3100 and 8607(a);
- Homeland Security Act of 2002;
- National Fire Protection Association 1600;
- Homeland Security Presidential Directive-5;
- Executive Order S-2-05;
- 19 California Code of Regulations Sections 2400-2450;
- 34 Code of Federal Regulations 668.46(g)

Adopted: January 12, 2009

Revised:

(Replaces SMC BP 2416)



Board Policy
Chapter 3 – General Institution

BP 3510 WORKPLACE VIOLENCE

The Board of Trustees is committed to providing a District work and learning environment that is free of violence and the threat of violence. The Board's priority is the effective handling of critical workplace violence incidents, including those dealing with actual or potential violence.

Santa Monica College prohibits workplace and campus violence and strongly promotes civility in the workplace. The District is committed to maintaining a safe, collegial environment in which fear, intimidation, and bullying will not be tolerated. Treating others with civility and respect and refusing to perpetuate or tolerate bullying behavior are expected performance standards of administrators, management, faculty, staff, volunteers, and students as well as vendors, independent contractors, and visitors to the College.

Verbal, written, and/or emotional or physical abuse, threats, intimidation, or violence against others will be considered a violation of the community of mutual respect which is an integral part of the goals, objectives, and mission of the Santa Monica Community College District.

"Bullying" is any habitually cruel, hostile behavior perpetrated upon individuals or groups for the purpose of intimidation. This behavior may result in physical and/or emotional distress to the target of such acts and has the potential to lead to violent outcomes.

Employee witnesses to acts of bullying must take responsible action to report such acts to the District. Complaints should be forwarded to the Superintendent/President or Designee. Upon conclusion of an investigation of a complaint, and if the complaint is found to be valid, the District will ensure that remedial action is taken. Anyone who files a complaint in which he/she knowingly makes a false accusation may be subject to appropriate discipline.

The Superintendent/President shall establish administrative regulations that assure that employees are informed regarding what actions will be considered violent acts, and requiring any employee who is the victim of any violent conduct in the workplace, or is a witness to violent conduct to report the incident, and that employees are informed that there will be no retaliation for such reporting.

This policy will be published in college publications (e.g. Website, catalog).

References:

- Cal/OSHA: Labor Code Sections 6300 et seq.;
- 8 California Code of Regulations Section 3203;
- "Workplace Violence Safety Act of 1994" (Code of Civil Procedure Section 527.8 and Penal Code Section 273.6)

Adopted: July 9, 2001

Revised: July 7, 2009; _____

(Replaces SMC BP 3124)



BP 3515

Board Policy
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BP 3515 REPORTING OF CRIMES

The Superintendent/President shall assure that, as required by law, reports are prepared of all occurrences reported to the SMC Police Department of and arrests for crimes committed on campus that involve violence, sexual assault violence, hate violence, theft, or destruction of property, illegal drugs, or alcohol intoxication. The Superintendent/President shall further assure that required reports of non-criminal acts of hate violence are prepared. Such reports shall be made available as required by law.

Reference: Education Code Section 67380

Adopted:

(This is a new policy)



BP 3518

Board Policy
Chapter 3 – General Institution

BP 3518 CHILD ABUSE REPORTING

The Superintendent/President shall establish administrative regulations related to the responsibility of employees, within the scope of employment or in their professional capacity, to report suspected abuse and neglect of children.

References:

Penal Code Sections 261, 264.1, 273a, 273d, 285, 286, 288, 288a, 289, 647a, and 11164-11174.3;
Welfare and Institutions Code Sections 300, 318, and 601;
Family Code Sections 7802, 7807, 7808, 7820-7829, 7890, and 7892

Adopted:

(This is a new policy)



Board Policy
Chapter 3 – General Institution

BP 3520 LOCAL LAW ENFORCEMENT

The District shall enter into written agreements with local law enforcement agencies. The agreement clarifies operational responsibilities for investigations of: Part I violent crimes, defined by law as willful homicide, forcible rape, robbery, and aggravated assault; sexual assaults, including, but not limited to rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of any of these; and hate crimes as defined by law, occurring at each location.

The written agreement designates which law enforcement agency has operational responsibility for violent crimes, sexual assaults, and hate crimes, and delineates the specific geographical boundaries of each agency's operational responsibility, including maps as necessary.

The written agreements required by the board policy are public records and are made available for inspection by members of the public upon request to the Campus Police Office. Written agreements shall be reviewed and updated if necessary every five years.

The District encourages accurate and prompt reporting of all crimes to the campus police and/or the appropriate police agencies.

References:

Education Code Sections 67381 and 67381.1;

34 Code of Federal Regulations Section 668.46(b)(4)

Adopted:

(This is a new policy)



BP 3530

Board Policy
Chapter 3 – General Institution

BP 3530 WEAPONS ON DISTRICT PROPERTY

Firearms, including imitation firearms as defined in Section 16700 of the California Penal Code, or other weapons shall be prohibited on any District property or facility, except for activities conducted under the direction of the District's Chief of Police or as authorized by an official law enforcement agency.

References: Penal Code Sections 626.9 and 626.10

Adopted: No date

Revised:

(Replaces SMC BP 2424)



Board Policy
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BP 3540 SEXUAL AND OTHER ASSAULTS ON CAMPUS

The Santa Monica Community College District recognizes that sexual assault is a serious issue and will not tolerate acts of sexual assault at District activities or on District property or. Any sexual assault or physical abuse, including, but not limited to rape as defined by California law committed by an employee, student, or member of the public that occurs on District property or at District activities is a violation of District Board policies and administrative regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Students, faculty, and staff who may be survivors of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

The Superintendent/President shall establish administrative regulations to ensure that students, faculty, and staff who are victims of sexual and other assaults receive appropriate information and treatment (Education Code Section 67385), that educational information about preventing sexual violence is provided and publicized as required by law, and that perpetrators of sexual and other assaults are appropriately punished.

The administrative regulations shall meet the criteria contained in Education Code Sections 67385, 67385.7, and 67386 and 34 Code of Federal Regulations Section 668.46.

References:

- Education Code Sections 67382, 67385, 67385.7, and 67386, 67389(a)(1), 67395.7, 67200 et seq.
- 20 U.S. Code Section 1092(f); The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)
- 34 Code of Federal Regulations Section 668.46(b)(11)
- California Penal Code Sections 242, 243, 245, and 261 et seq.
- Title IX of the Education Amendments of 1972 (20 U.S. Code Sections 1681 et seq; 29 Code of Federal Regulations, Part 1691)

Adopted: July 7, 2015

Revised:

(Replaces SMC BP 3122)



Board Policy
Chapter 3 – General Institution

BP 3550 DRUG-FREE ENVIRONMENT AND DRUG PREVENTION PROGRAM

The unlawful possession, use, or distribution of illicit drugs, controlled substances, and/or alcohol by students and employees of Santa Monica College is prohibited on all property owned or controlled by the District.

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in all facilities under the control and use of the District.

Any student or employee who violates this board policy will be subject to disciplinary action (consistent with local, state, or federal law), which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion, or dismissal.

The Superintendent/President shall assure that the District distributes annually to each student and employee the information required by the Drug-Free Schools and Communities Act Amendments of 1989 and complies with other requirements of the Act.

Marijuana

Possession and/or use of marijuana, including medical marijuana, is prohibited in all property owned or controlled by the Santa Monica Community College District.

Reference: Drug Free Schools and Communities Act
 Drug Free Workplace Act of 1988
 California Health and Safety Code Section 11362.79

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 all 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 provide information on Drug and Alcohol-Free Awareness for all employees which will include the following:
 - 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 Code of Federal Regulations Part 5, Subpart F and will notify the proper federal agency regarding any violations of the Act.

Also see BP/AR 3560 Alcoholic Beverages, AR 6950 Drug and Alcohol Testing (U.S. Department of Transportation), and BP/AR 7335 Health Examinations.

References:

- Drug Free Schools and Communities Act, 20 U.S. Code Section 1145g;
- 34 Code of Federal Regulations Sections 86.1 et seq.;
- Drug Free Workplace Act of 1988, 41 U.S. Code Section 702

Adopted: July 9, 2001 (for BP 3111) and November 15, 2004 (for BP 2430)

Revised:

(Replaces SMC BP 2430 and BP 3111)



Board Policy
Chapter 3 – General Institution

BP 3560 ALCOHOLIC BEVERAGES

Alcoholic beverages may be served pursuant to a license or permit obtained for special events held at the facilities of the Santa Monica Community College District. Special events include festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of Santa Monica College, pursuant to a license or permit, and for which the principal attendees are members of the general public or invited guests and not students of the College.

The Superintendent/President is authorized to enact administrative regulations as appropriate and permitted by law regarding serving alcoholic beverages on campus or at fundraising events held to benefit non-profit corporations.

References:

Business and Professions Code Section 25608;
34 Code of Federal Regulations Section 668.46(b)

Adopted: May 1, 2000

Revised: April 6, 2009: _____

(Replaces SMC BP 2621)



BP 3570

Board Policy
Chapter 3 – General Institution

BP 3570 SMOKE FREE CAMPUS

Santa Monica College is committed to providing a healthy, comfortable, and productive environment, free from the effects of second-hand smoke, for its students, faculty, and staff. Smoking shall not be permitted in any District building, vehicle, facility, or on District grounds.

The Superintendent/President shall establish administrative regulations to enforce this policy.

Government Code Sections 7596-et seq.;
Business and Professions Code Section 22950.5

Adopted: July 9, 2007

Revised:

(Replaces SMC BP 2440)



Board Policy
Chapter 3 – General Institution

BP 3600 AUXILIARY ORGANIZATIONS

District Support Organizations

The Board of Trustees may recognize and approve support organizations established for the purpose of providing supportive services and specialized programs for the general benefit of the District.

References:

Education Code Sections 72670 et seq.;
Title 5 Sections 59250 et seq.

Adopted: May 1, 2000

Revised: November 15, 2004; _____

(Replaces SMC BP 2610)



Board Policy
Chapter 3 – General Institution

BP 3625 GENERAL ADVISORY BOARD

The General Advisory Board is an advisory group comprised of representative community members interested in the concerns of the College. The General Advisory Board provides a valuable resource to the College and its prime functions are:

1. To provide the college with community participation in the various aspects of college activities, primarily through participation in periodic general meetings and as the need arises through service on specific college committees.
2. To become better informed about the college through general meetings.
3. To act as informed college ambassadors to the community by extending and sharing their knowledge of the college with a broader population.

Also see BP 4800 Advisory Boards.

References: No specific references

Adopted: May 1, 2000

Revised: November 15, 2000

(Replaces SMC BP 2630)



Board Policy
Chapter 3 – General Institution

BP 3650 SMC FOUNDATION

The SMC Foundation is a fund raising organization of Santa Monica College. It is a 501(c)(3) non-profit organization governed by an independent Board of Directors which proposes and administers private fundraising and private funds management for the College.

1. **Fundraising:** The Foundation coordinates campus fund raising programs to ensure appropriate recognition of donors, standardization of donor benefits, strategic growth of overall fundraising on campus, and adherence to professional fundraising practices in accordance with the Foundation’s non-profit status.
2. **Money Management:** The Foundation manages an endowment which is carefully invested to provide annual income in perpetuity. In addition, the Foundation monitors funds for scholarships and other SMC programs as designated.
3. **Expertise:** The Foundation staff provides fundraising planning and expertise to assist and coordinate departments, programs, and clubs in their fundraising efforts, in accordance with established regulations.

References: No specific references

Adopted: May 1, 2000

Revised: November 15, 2004: _____

(Replaces SMC BP 2620)



BP 3710

Board Policy
Chapter 3 – General Institution

BP 3715 SECURING OF COPYRIGHT

The Superintendent/President shall develop appropriate administrative regulations to implement the provisions of the Education Code which authorize the securing of copyright protection for works, including but not limited to registering copyrights and policing infringements, on behalf of the District. The administrative regulations developed by the Superintendent/President shall assure that the District may use, sell, give, or exchange published materials and may license materials prepared by the District in connection with its curricular and special services.

In the development of the administrative regulations, the Superintendent/President shall solicit the input of the proper representatives of the college community in accordance with the board policies regarding participation in local decision-making.

References:

Education Code Sections 72207 and 81459;
17 U.S. Code Section 201

Adopted:

(This is a new policy)



BP 3715

Board Policy
Chapter 3 – General Institution

BP 3715 INTELLECTUAL PROPERTY

The Superintendent/President shall develop administrative regulations that define the rights, interests, protection, and transfer of intellectual property created by the District employees and students. Intellectual property rights of faculty are addressed in the collective bargaining agreement with the Santa Monica College Faculty Association.

References:

- 17 U.S. Code Sections 101 et seq.;
- 35 U.S. Code Sections 101 et seq.;
- 37 Code of Federal Regulations Sections 1.1 et seq.

Adopted:

(This is a new policy)



BP 3720

Board Policy
Chapter 3 – General Institution

BP 3720 USE OF COPYRIGHTED MATERIAL

Santa Monica College requires that all college personnel and students adhere to the provisions of the United States Copyright Law (Title 17, United States Code) and amendments; the Technology, Education, and Copyright Harmonization (TEACH) Act of 2002; and the Digital Millennium Copyright Act of 1998. These laws apply to anyone at the College who wants to reproduce, alter, perform, or post online works that are protected by copyright. Examples of these works include printed materials, sound recordings, video recordings, visual art, computer software, and multimedia.

The District shall inform and educate faculty and staff about their rights and responsibilities regarding the use of copyrighted materials.

Also see BP/AR 3710 Securing of Copyright.

References:

Education Code Sections 32360 and 67302;
U.S. Code Title 17, Copyright Act of 1976

Adopted: July 6, 2005

Revised:

(Replaces SMC BP 2190)



Board Policy
Chapter 3 – General Institution

BP 3750 COMPUTER AND NETWORK USE

Employees and students who use District computers and networks and the information they contain, and related resources have a responsibility not to abuse those resources and to respect the rights of others.

The Superintendent/President shall establish administrative regulations that provide guidelines to students and employees for the appropriate use of information technologies. The administrative regulations shall include 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.

AR 3720 Computer and Network Use provides guidelines to students and staff for the appropriate use of information technologies. Guidelines for faculty are included in the collective bargaining agreement.

Information Technology Mission Statement

The Information Technology mission, in academic and instructional computing, administrative information systems, multimedia support, network services, and telecommunications, shall be designed to support institutional goals and objectives as adopted by the Board of Trustees.

Information Management and Network Programming

The function of Information Management and Network Programming is to provide administration and all college departments with data and technology needs critical for their operation and function at the college.

References:

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

Adopted: No date (for BP 2510, BP 2511, and BP 2512)

Revised:

(Replaces SMC BP 2510, BP 2511, and BP 2512)



Board Policy
Chapter 3 – General Institution

BP 3810 CLAIMS AGAINST THE DISTRICT

Any claims against the District for money or damages, which are not governed by any other statutes or regulations expressly relating thereto, shall be presented and acted upon in accordance with Title I, Division 3.6, Part 3, Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of the California Government Code.

Claims must be presented according to this board policy and related administrative regulation as a prerequisite to filing suit against the District.

Claims that are subject to the requirements of this board policy include, but are not limited to, the following:

1. Claims for money or damages relating to a cause of action for death or for injury to person, personal property or growing crops shall be presented to the Governing Board not later than six months after the accrual of the cause of action. (Government Code Sections 905, and 911.2)
2. Claims for money or damages as authorized in Government Code Section 905 and not included in paragraph 1 above shall be filed not later than one year from the date the cause of action accrues. (Government Code Sections 905, and 911.2)
3. Claims for money or damages specifically excepted from Government Code Section 905, including, but not limited to, claims by public employees for fees, salaries, wage, mileage, or other expenses and allowances, shall be filed not later than six months after the accrual of the cause of action. (Government Code Sections 905, 911.2, and 935)

The designated place for service of claims, lawsuits or other types of legal process upon the District is: Recording Secretary to the Board of Trustees, 2714 Pico Boulevard, Suite 320, Santa Monica, California 90405. The mailing address for the Recording Secretary is 1900 Pico Boulevard, Santa Monica, California 90405.

The Superintendent/President is authorized to settle claims for an amount not to exceed \$10,000.

Action on Claims Against the District

The Board of Trustees authorizes the Superintendent/President to take the following action on behalf of the Santa Monica Community College District in connection with any claim filed against the District:

1. Give notice of insufficiency of the claim as authorized by Government Code Section 910.8.
2. Give notice that the claim was filed late and return the claim without further action as authorized by Government Code Section 911.3.
3. Reject the claim as authorized by Government Code Section 912.6.

References:

Education Code Section 72502;
Government Code Sections 900 et seq., 910, 910.8, 911.2, 911.3, 912.6, 935, and 935.4

Adopted: August 7, 2000 (for BP 6230 and BP 6231)

Revised: April 6, 2009 (for BP 6230) and September 15, 2009 (for BP 6231)

(Replaces SMC BP 6230 and BP 6231)



BP 3820

Board Policy
Chapter 3 – General Institution

BP 3820 GIFTS OR DONATIONS TO THE DISTRICT

The Board of Trustees shall consider all gifts, donations, and bequests made to the District. The Board reserves the right to refuse to accept any gift which does not contribute toward the goals of the District, or the ownership of which would have the potential to unduly deplete resources of the District.

The District shall assume no responsibility for appraising the value of gifts made to the District.

Acceptance of a gift shall not be considered endorsement by the District of a product, enterprise, or entity.

Reference: Education Code Section 72205

Adopted:

(This is a new policy)



BP 3900

Board Policy
Chapter 3 – General Institution

BP 3900 SPEECH: TIME, PLACE, AND MANNER

Students, employees, and members of the public shall be free to exercise their rights of free expression, subject to the requirements of this board policy.

The college of the District is a non-public forum, except for those areas that are designated as public forums or limited public forums available for the exercise of expression by students, employees, and members of the public. The Superintendent/President shall enact such administrative regulations as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in the designated public forums.

Speech shall be prohibited that is defamatory, obscene according to current legal standards, or which so incites others as to create a clear and present danger of the commission of unlawful acts on District property or the violation of District policies or procedures, or the substantial disruption of the orderly operation of the District.

Nothing in this board policy shall prohibit the regulation of hate violence directed at students in a manner that denies their full participation in the educational process (Education Code Section 66301(e)), so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution, and of Section 2 of Article 1 of the California Constitution. Persons engaged in such conduct may be disciplined unless such speech is constitutionally protected.

Also see BP 4030 Academic Freedom and BP/AR 6700 Civic Center and Other Facilities Use.

References: Education Code Sections 66301 and 76120

Adopted:
(This is a new policy)



Board Policy
Chapter 3 – General Institution

BP 3950 DISPLAY OF FEDERAL AND STATE FLAGS

Display of Federal or State flags shall show respect and honor to these flags and shall conform to Title 36, Sections 174 and 175 of the United States Code and Sections 430 through 439 of the California Government Code.

Federal or State flags may be lowered to half-staff only as a mark of respect to a deceased person by order of the Superintendent/President, upon proclamation of the President of the United States or the Governor of California. The Superintendent/President or Board of Trustees may issue a special directive ordering the lowering of the flag upon the death of a person directly affiliated with the District.

References: Government Code Sections 430-439;
36 U.S. Code Sections 174 and 175

Adopted: May 1, 2000

Revised: November 15, 2004: _____

(Replaces SMC BP 2180)



BP 3960

Board Policy
Chapter 3 – General Institution

BP 3960 PARTICIPATION IN COMMUNITY ACTIVITIES AND ORGANIZATIONS

Santa Monica College should reflect the policies and practices of the local community and, therefore, the Board of Trustees actively encourages and expects an interchange among the Board of Trustees, the staff, the students, and the community.

The Board of Trustees encourages the staff to maintain an active liaison with community groups and when possible, have members of the staff actively participate in community organizations.

References: No specific references

Adopted: May 1, 2000

Revised:

(Replaces SMC BP 2310)



Board Policy
Chapter 3 – General Institution

BP 3990 PUBLIC INFORMATION

Public Information Office

The Public Information Officer is the official college representative to the media and releases all college-related matters, including news of employees, students, and events. The Public Information Office will exercise judgment on what constitutes news and the timing of the release of news. Official college press releases, publications and responses to the press should be channeled through the Public Information Office. When interviews are made which involve a District **policy** or position, the Public Information Officer should be consulted or present when appropriate.

Statements by Individual Staff Members

Unless representing an official college/District policy or position, it should be made clear that the statements made by the faculty and staff do not necessarily reflect the policy or position of the Board of Trustees or the District. When speaking or writing as an individual, the individual should be free from institutional censorship or discipline. Persons should be accurate, should show respect for the opinions of others, and should indicate that they are not institutional spokespersons.

Listing of Board of Trustees on District Publications

All college publications, flyers, written programs and other materials should include a list of the SMC Board of Trustees, including the Student Trustee, and the name of the Superintendent/President. Restrictions as set forth in regulations of the state Fair Political Practices Commission ("Mass Mailings Sent at Public Expense") will be followed.

References: No specific references

Adopted: May 1, 2000

Revised: November 15, 2004; _____

(Replaces SMC BP 2340)



Board Policy
Chapter 3 – General Institution

BP 3996 RADIO STATION KCRW-FM

❖ **From current SMC BP 2650 Radio Station KCRW-FM**

KCRW-FM is owned and operated by the Santa Monica Community College District. In addition to all District policies dealing with personnel, budgeting, and finance, KCRW-FM is subject to the rules, regulations, and laws of the State of California and the Federal government. The rules and regulations of the Federal Communications Commission set requirements for operational standards for KCRW-FM.

Programming

The objective of KCRW-FM is to serve the public interest by presenting educational, cultural and informational material. The station will support the mission of the college (see BP 1200 District Mission) through the promotion of creativity and the free exchange of ideas, encouraging development of individual talents, and the understanding of social, cultural, political, economic, technological, and natural environments.

KCRW-FM programs are to reflect the highest broadcast performance standards of the radio profession. These broadcasts should adhere to the highest standards of broadcast journalism in preparation, format, and production. It is essential that the station maintain an objective posture making sure that differing points of view have a fair hearing. KCRW-FM permits the various educational functions of the college to be extended through the radio station's broadcast capabilities. The station shall use these capabilities to further the college's mission of lifelong learning and shall on a regular basis inform the public of the programs provided by the college.

Funding

KCRW-FM may accept gifts, contributions, and memberships to help defray costs of operating the station. These funds will be audited annually in the prescribed legal manner. KCRW-FM may not sell airtime to promote a product or a commercial organization. However, KCRW-FM may accept underwriting donations for specific programs to cover the cost of production, KCRW-FM may give public service credit to the underwriter as allowed under FCC regulations.

Reference: No specific references

Adopted: May 1, 2000

Revised:

(Replaces SMC BP 2650)