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**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 full-time 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 full-time 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 Employee Testing Act of 1991.

Any covered employee who violates the provisions of this policy, as more specifically set forth in Administrative Regulation 3111 (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: (insert date)*

**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 appointment 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 3115.

*Reviewed and Adopted: 7/9/2001*

**AR 3117. Assembly Bill 1522 Compliance – Sick Leave**

Student workers and other temporary employees shall be provided sick leave in accordance with Merit Rule 11.10.5.



**ARTICLE 3100 GENERAL PROVISIONS ALL PERSONNEL**

**BP 3120 Equal Employment Opportunity and Nondiscrimination in Employment**

The Santa Monica Community College 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.

No person shall be subjected to unlawful discrimination in any program or activity of the District on the basis of ethnic group identification, race, color, national origin (including language and accent), religious creed, age, sex, gender, physical disability, mental disability, ancestry, sexual orientation, citizenship status, gender identity, gender expression, familial status, marital status, socio-economic status, military and veteran status, genetic information, or medical condition. No person shall be subjected to discrimination on the basis of these actual or perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

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 Board of Trustees approves 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.

*Reference: Education Code 87100, et seq., Title 5, 53000, et seq*

*Approved by DPAC: 2/10/2010*

*Approved: 8/3/2010*

*Revised by DPAC: 6/25/2014 (combined Board Policy sections 3120 and 3122)*

*Approved: 9/2/2014*



**ARTICLE 3100 GENERAL PROVISIONS ALL PERSONNEL**

**BP 3121 Diversity**

The Santa Monica Community College District is committed to building an inclusive and diverse environment and maintains a comprehensive program to ensure that practice reflects these principles. Diversity within the college environment provides opportunity to foster mutual awareness, knowledge, and sensitivity, to challenge ingrained stereotypes, and to promote mutual understanding and respect. The District is committed to a work and learning environment conducive to open discussion and the free exchange of ideas. Global awareness and exploring the diversity of the local communities served by the college are both important components of the College's commitment to diversity. Embodying, promoting and celebrating diversity inspires innovative ideas, practical solutions, and team-building in achieving the District's goal of professional and educational excellence.

*Approved by DPAC: 6/9/10*

*Approved: 8/3/2010*

**BP 3122 Sexual Misconduct**

Any sexual misconduct committed by an employee, student or member of the public that occurs on District property or at District activities is a violation of District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Students, faculty, and staff who may be victims of sexual misconduct shall be treated with dignity and provided comprehensive assistance.

The Superintendent/President shall establish administrative procedures to ensure that students, faculty and staff who are victims of sexual misconduct receive appropriate information and treatment, that educational information about preventing sexual violence is provided and publicized as required by law, and that perpetrators of sexual misconduct are appropriately punished.

*Approved: 7/7/2015*



**ARTICLE 3100 GENERAL PROVISIONS ALL PERSONNEL**

**BP 3123 Sexual Harassment**

Sexual harassment of students or employees 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 also 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 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*

**BP 3124 Workplace and Campus 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.

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

*Reviewed and Adopted: 7/9/2001*

*Revised: 7/7/2009*



**ARTICLE 3100 GENERAL PROVISIONS ALL PERSONNEL**

**BP 3125 Anti-Nepotism**

The Santa Monica Community College District's standards for employment decisions such as hiring, promoting, reappointing, evaluating, awarding salary, disciplining, and terminating employees are based upon an individual's qualifications for the position, ability, and performance. The District attempts to avoid favoritism, the appearance of favoritism, and conflicts of interest in employment, and reserves the right to take action in accordance with existing employee collective bargaining agreements when relationships or associations of employees negatively affect the District's mission and goals.

Employees and applicants for employment shall not be denied employment or advancement opportunities because of their status as a family or household member of another employee. However, no person shall be employed, promoted, or transferred to a position in a department where he/she would be the immediate supervisor of or receive direct supervision from a:

- spouse, domestic partner, or co-habitant;
- child, including adopted, in-laws and step- or half-parent;
- grandchild, including adopted, in-laws and step- or half-grandparent;
- sibling, including in-laws and step- or half-; or
- any other member of the employee's household whether or not related by blood or marriage;
- children and family members of siblings and spouses.

A person serving in a supervisory position may not participate in decisions regarding hiring, reappointment, placement, scheduling, evaluation, rate of pay, salary increases, promotion, monetary awards, or other personal interest for a relative or household member employed by the District, even when the supervisor is not in the direct line of authority. For purposes of this policy, an elected position such as department chair, faculty leader or faculty coordinator shall be considered a "supervisory position".

To avoid the appearance of impropriety, employees shall not be allowed to retain supervisory responsibilities over subordinate employees with whom they have an ongoing intimate relationship. A supervisor who becomes involved in a relationship covered by this policy shall notify the Superintendent/ President or designee within 10 working days after the start of this relationship. Upon receiving notification of such a relationship, the Superintendent/ President or Designee shall take action to remedy the situation. Such action may include reassignment, transfer or acceptance of voluntary resignation for one of the parties.

Reference:

California Education Code Section 70902  
SMC Rules and Regulations of Classified Service Merit Rule 7.1.4

Adopted: 7/7/09



**ARTICLE 3100 GENERAL PROVISIONS ALL PERSONNEL**

**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 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*

**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 experience 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 classify 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 Faculty**

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 experts 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 3220.

*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 3221.

*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 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 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 provision 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 collective 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/Personnel Commission**

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.

The Personnel Commission shall be composed of five members who meet the requirements defined by statute. Members of the Personnel receive compensation in the amount of \$50 per meeting, not to exceed \$250 per month.

Reference: Education Code Sections 88051, 88052, 88060, 88064-88068, 88076

*Reviewed and Adopted: 7/9/2001*



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

**BP 3410**                    **Classified Confidential Employees**

Classified confidential employees are those who are required to develop or represent management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions. The fact that an employee has access to confidential or sensitive information shall not in and of itself make the employee a confidential employee. A determination whether a position is a confidential one shall be made by the Board of Trustees in accordance with applicable law and with the regulations of the California Public Employment Relations Board.

Confidential employees are not eligible for inclusion in a collective bargaining unit that represents the District's classified non-confidential employees.

Classified confidential employees are employed in the same manner as the other members of the classified service. Employment shall be consistent with provisions of the District Merit System regarding employment of classified employees.

Reference:            Government Code Section 3540.1 (c)  
Approved:            5/4/2010

**BP 3420**                    **Classified Managers**

Classified Managers are managers who are not employed as academic administrators. Classified managers have responsibilities for formulating District policies or administering District programs other than the educational programs of the District. Classified managers have responsibility to assign work to and direct other classified employees and have authority to hire, transfer, suspend, recall, promote, discharge, assign, or discipline them.

Classified managers are not eligible for inclusion in a collective bargaining unit that represents the District's classified non-management employees.

Classified managers are employed in the same manner as the other members of the classified service. Employment shall be consistent with provisions of the District Merit System regarding employment of classified employees.

Reference:            Government Code Section 3540.1 (g) and (m)  
                              Education Code Section 72411  
Approved:            5/4/2010

**BP 3430**                    **Academic Administrators**

Academic administrators are employed in supervisory or management positions to exercise direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services programs of the District.

Academic administrators shall be employed by individual contracts which shall not exceed four years duration. Compensation shall be set by the Board of Trustees upon recommendation by the Superintendent/President. Academic administrators shall further be entitled to health and welfare benefits made available by action of the Board of Trustees upon recommendation by the Superintendent/President.

Approved:            5/4/2010



**BP 3431      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 3432      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 3429.

*Reviewed and Adopted: 7/9/2001*

**BP 3433      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 3434**                    **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 3425.

*Reviewed and Adopted: 7/9/2001*

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.

*Reviewed and Adopted: 7/9/2001*

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 3435**                    **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 3420. 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*