



OFFICE OF THE PRESIDENT

September 7, 2016

TO: President's Council
Administrative Council
Planning Fiscal Council

FROM: Sandy Sandello

SUBJECT: REVIEW BPs / APs

The following BPs have been revised:

BP 6400	Financial Audits
BP 7110	Delegation of Authority, Human Resources
BP 7130	Compensation
BP 7160	Professional Development
BP 7330	Communicable Disease
BP 7340	Leaves

The following APS have been revised

AP 3440	Service Animals
AP 5015	Residence Determination

FINANCIAL AUDITS

BP No. 6400

Board Adopted: 11/10/04

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I. There shall be an annual outside audit of all funds, books, and accounts of the District in accordance with the regulations of Title 5. The Superintendent/President shall assure that an annual outside audit is completed. The Superintendent/President shall recommend a certified public accountancy firm to the Board of **Trustees** with which to contract for the annual audit. ~~Multi-year contracts for auditors shall not exceed three years.~~

II. Source/Reference

Education Code Section 84040(b)
ACCJC Accreditation Standard III.D.7

BP 6400 Financial Audits

References:

Education Code Section 84040(b)
ACCJC Accreditation Standard III.D.7

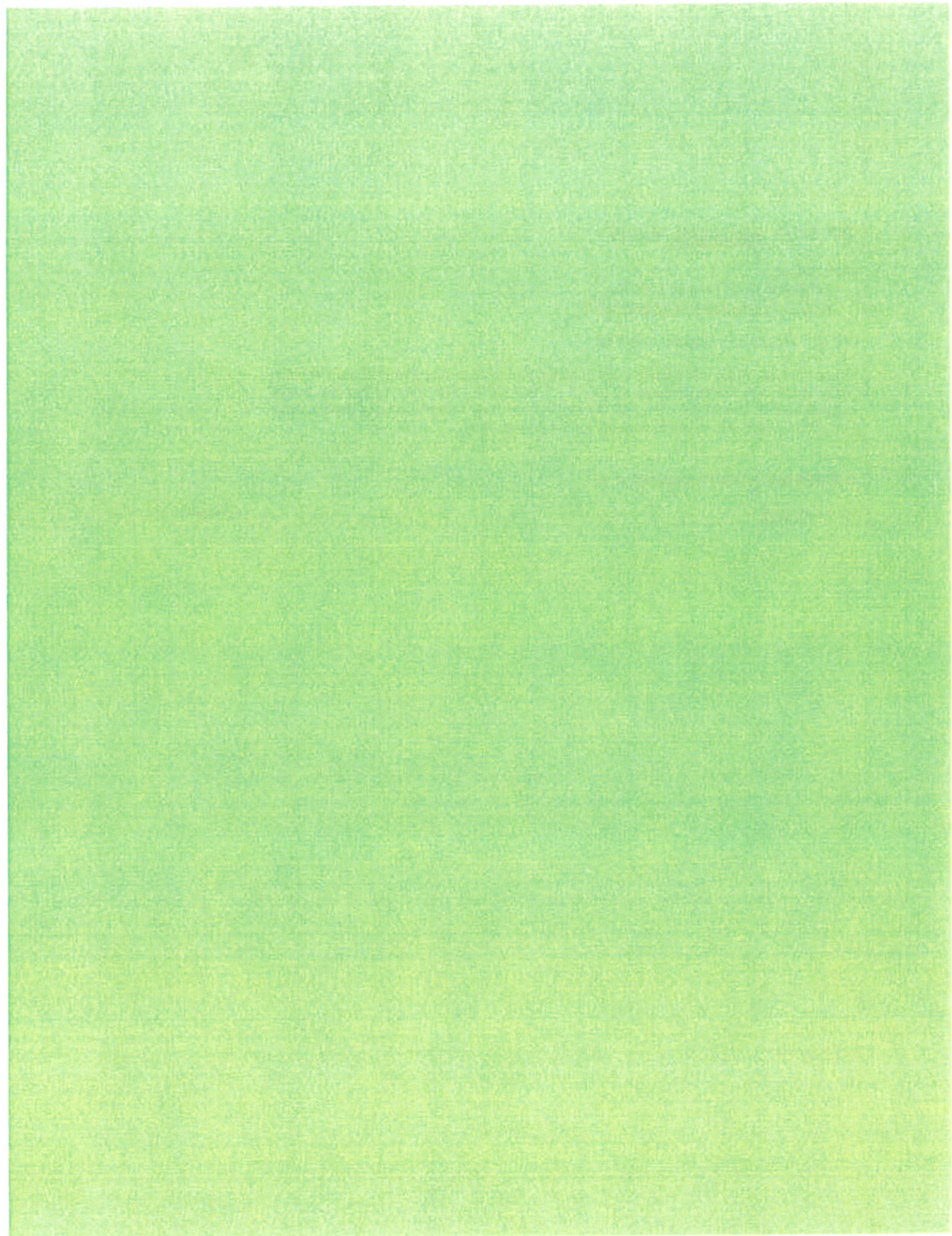
NOTE: *This policy is **legally required**.*

There shall be an annual outside audit of all funds, books and accounts of the District in accordance with the regulations of Title 5. The [CEO] shall assure that an annual outside audit is completed. The [CEO] shall recommend a certified public accountancy firm to the Board with which to contract for the annual audit.

See Administrative Procedure [#].

Revised: 4/15

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DELEGATION OF AUTHORITY, HUMAN RESOURCES

BP No. 7110

Board Adopted: 4-13-05

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- I. The Board **of Trustees** delegates authority to the Superintendent/President to authorize employment, correct job responsibilities and perform other personnel actions provided that all federal and state laws and regulations and board policies and college procedures are followed subject to confirmation by the Board.

- II. Source/Reference
Ed Code 70902(d)

BP 7110 Delegation of Authority, Human Resources

Reference:

Education Code Section 70902(d)

NOTE: *This policy is legally advised*

The Board delegates authority to the [CEO] to authorize employment, fix job responsibilities, and perform other personnel actions provided that all federal and state laws and regulations and board policies and administrative procedures have been followed.

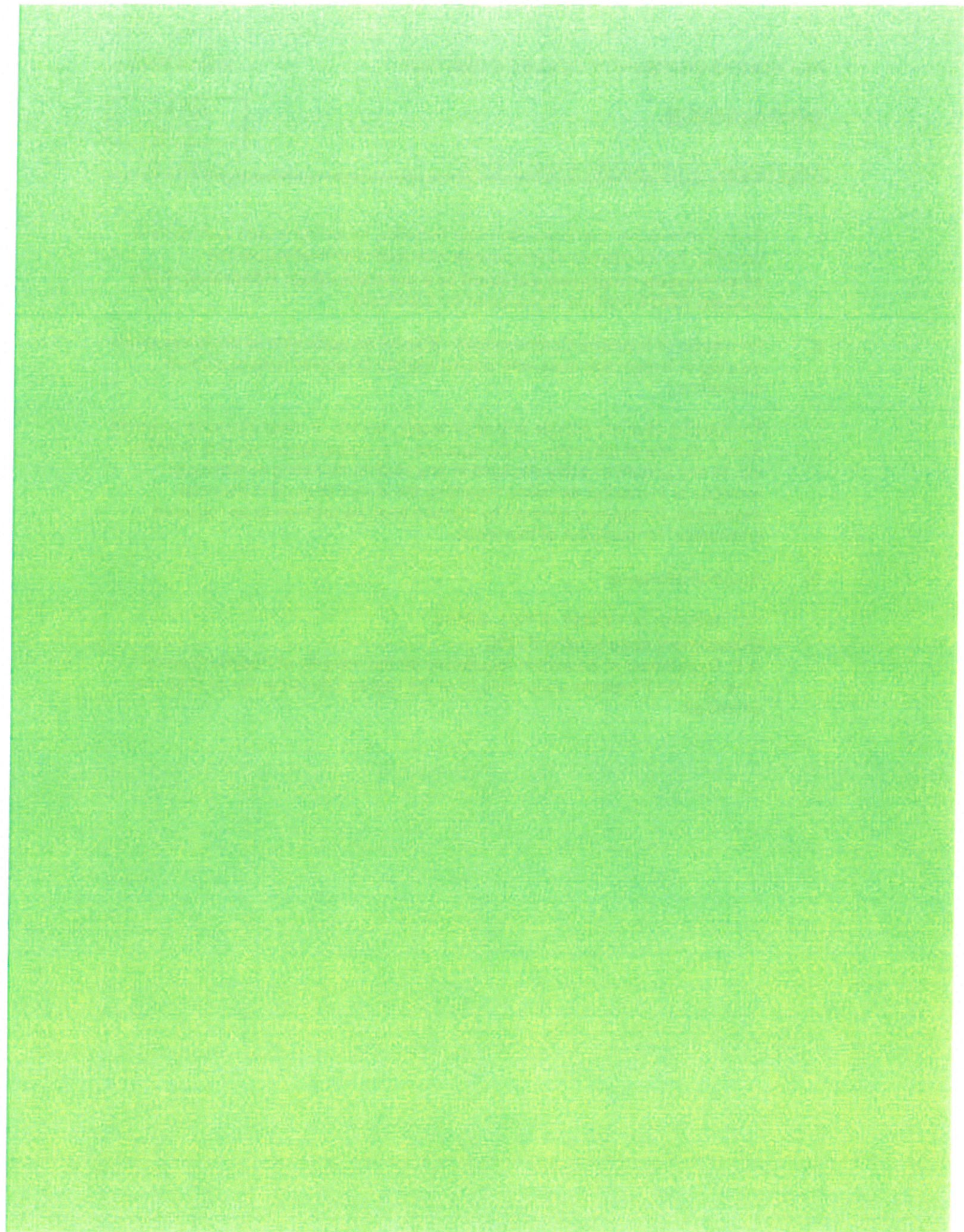
NOTE: *While Education Code Section 70902 authorizes the Board to delegate this authority to the CEO, it is legally advised that the following language be placed at the end of this policy.*

"... subject to confirmation by the Board."

See Administrative Procedures [#].

Revised 4/15

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COMPENSATION

BP No. 7130

Board Adopted: 2-27-80; 3-23-83; 4-13-05; 1/11/12

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- I. Salary schedules, compensation and benefits, including health and welfare benefits, for all classes of employees and each ~~contract employee~~ **administrator employed pursuant to a contract under Education Code section 72411** shall be established by the Board

- II. Prohibition of Incentive Compensation - [Except as applicable to foreign students residing in foreign countries who are not eligible to receive federal student assistance.]

The District shall not provide any commission, bonus, or other incentive payment based, directly or indirectly, on the success in securing enrollments or financial aid, to any person or entity engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance. Employees covered by this ban shall be referred to as "covered employees" for purposes of this policy.

- III. Source/Reference

EC 70902(b) (4,) **72411**, 87801, 88160,
Government code section 53200
U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended;

BP 7130 Compensation

References:

Education Code Sections 70902(b)(4), [72411](#), 87801, and 88160;
Government Code Section 53200;
34 Code of Federal Regulations 668 (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended)

Salary schedules, compensation, and benefits, including health and welfare benefits, for all classes of employees and each [contract employee administrator employed pursuant to a contract under Education Code section 72411](#) shall be established by the Board.

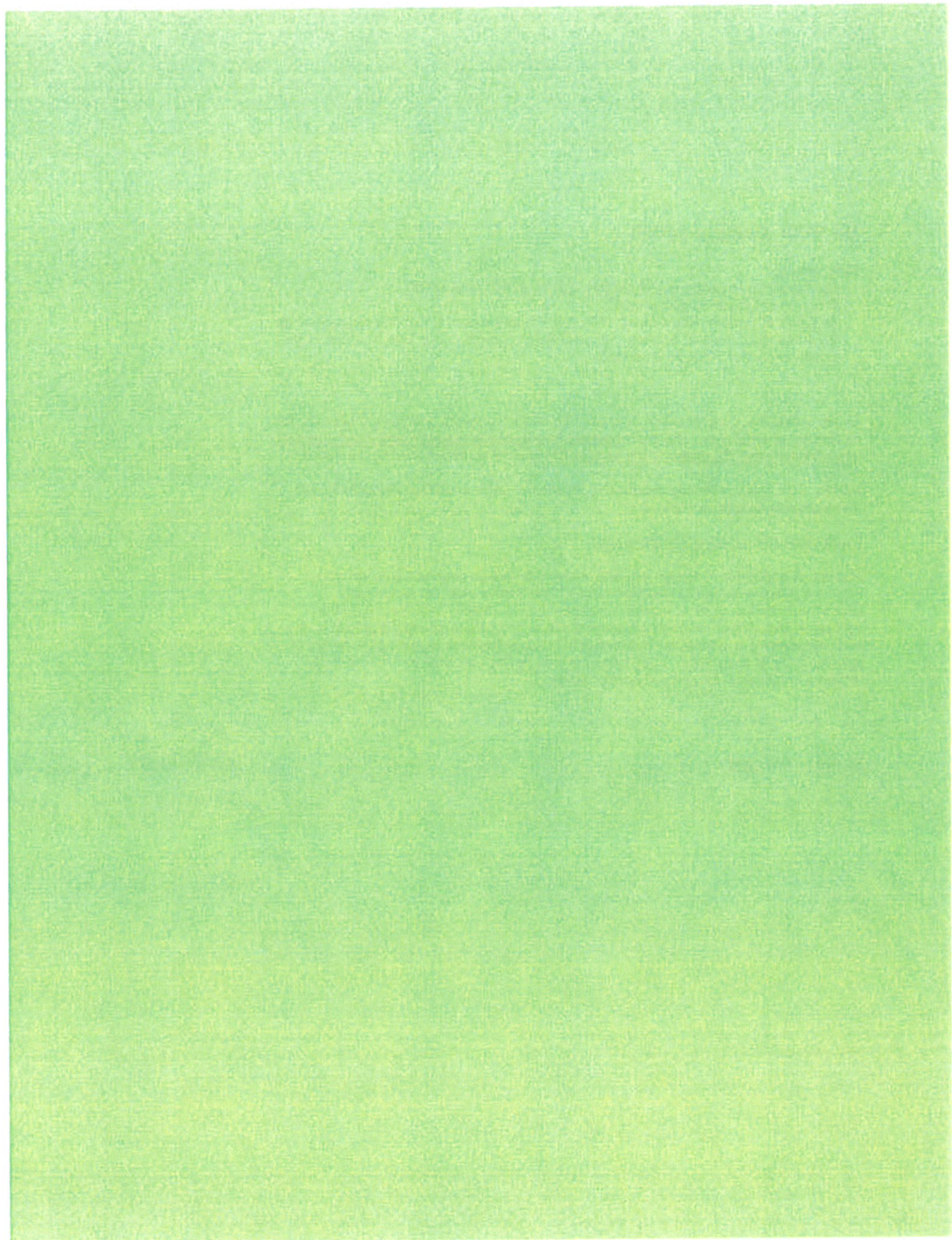
NOTE: *This policy is **legally required** in an effort to show good faith compliance with the applicable federal regulations.*

Prohibition of Incentive Compensation

[Except as applicable to foreign students residing in foreign countries who are not eligible to receive federal student assistance,] The District shall not provide any commission, bonus, or other incentive payment based, directly or indirectly, on the success in securing enrollments or financial aid, to any person or entity engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance. Employees covered by this ban shall be referred to as "covered employees" for purposes of this policy.

Revised: 7/11, [4/15](#)

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PROFESSIONAL DEVELOPMENT

BP No. 7160

Board Adopted: NEW

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I. It is the intent of the District to maximize professional development opportunities for its employees.

II. Reference

ACCJC Accreditation Standard III.A.14

BP 7160 Professional Development

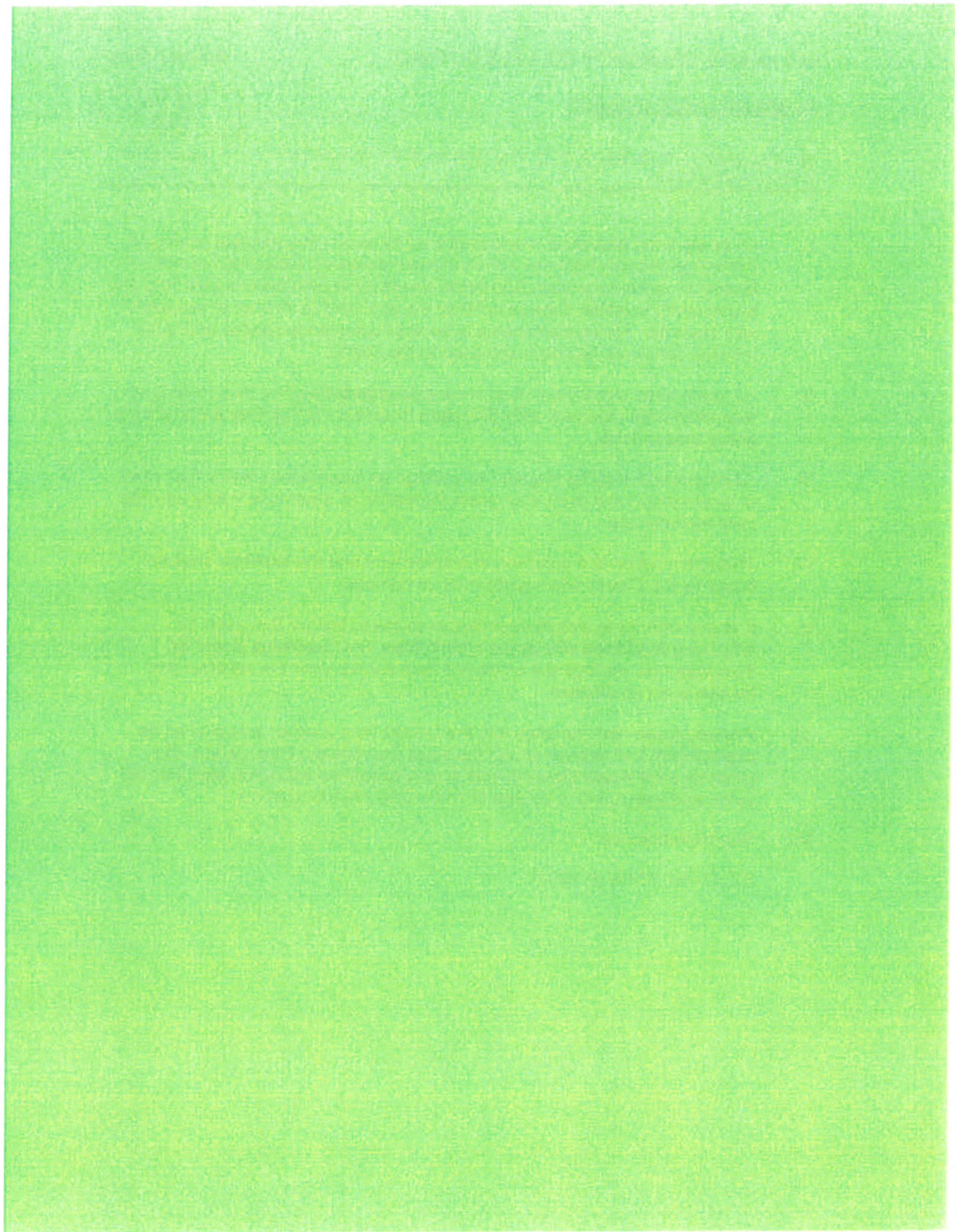
Reference:

ACCJC Accreditation Standard III.A.14

NOTE: *The following is **suggested as good practice**. Districts may insert their own policy language pertaining to professional development.*

It is the intent of the District to maximize professional development opportunities for its employees.

New 4/15



COMMUNICABLE DISEASEBP No.
7330

Board Adopted: 12-12-63; Rev. 5-27-70; 11-8-72; 6-29-76; 6-7-78; 4-25-79; 1-9-80; 3-23-83; 4-13-05

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- I. All newly hired academic employees shall have on file a medical certificate indicating freedom from any communicable diseases, including, but not limited to, active tuberculosis to determine that the employee is free from any active communicable disease unfitting the applicant to instruct or associate with students. No academic employee shall commence service until such medical certificate has been provided to the District.
- II. All newly hired employees must show **documentation** that they have been examined within the past sixty (60) days to determine that they are free from active tuberculosis.
- III. All employees shall be required to undergo an examination within four years of employment and every four years thereafter, to determine if they are free from tuberculosis.
- IV. This examination is a condition of employment and the expense shall be borne by the District when performed on campus.
- V. If at any time there should be probable cause to believe that such an employee is afflicted with active tuberculosis, the **Governing Board of Trustees** may exclude the employee from service until it is satisfied that he/she is not so afflicted.
- VI. Any employee who transfers into the District from another school shall be exempt from the requirement of the initial examination if the person can produce a certificate showing he/she was examined within the past four (4) years and was found to be free of communicable tuberculosis.
- VII. Source/Reference
EC 87408; 87408.6; 88021

BP 7330 Communicable Disease

References:

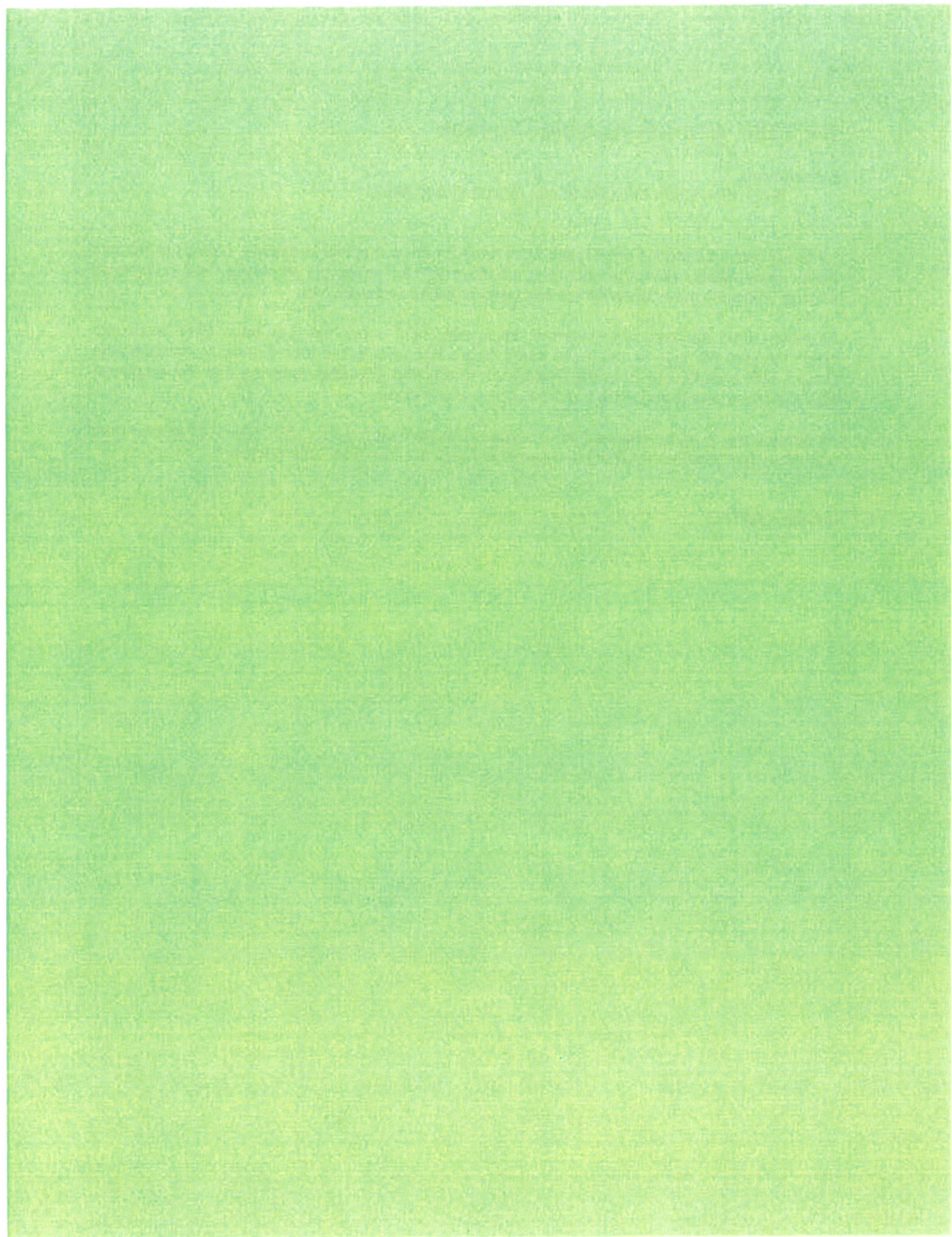
Education Code Sections 87408, 87408.6, and 88021

All newly hired academic employees shall have on file a medical certificate indicating freedom from communicable diseases, including tuberculosis. No academic employee shall commence service until such medical certificate has been provided to the District.

All newly hired academic or classified employees must show that they have been examined within the past 60 days to determine that they are free from active tuberculosis by providing the District with a certificate from the employee's examining physician showing that the employee was examined and found to be free from active tuberculosis.

All employees shall be required to undergo an examination within [*four years of employment and every four years thereafter,*] to determine if they are free from tuberculosis.

Revised 10/15



LEAVESBP No.
7340

Board Adopted: 1-23-64; 6-29-76; 1-18-78; 1-10-79; 1-14-81; 1-23-64;
6-25-69; 3-21-73; 6-29-76; 5-10-78; 1-10-79; 4-13-05; 1-15-14

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- I. The Superintendent/President shall establish procedures for employee leaves as authorized by law and by any collective bargaining agreements entered into by the District. Such leaves shall include, but are not limited to:
 - A. Illness **or injury** leaves for all classes of permanent employees (**Ed Code Sections 87781 and 88192**);
 - B. Paid Sick Leave (**Labor Code Section 246**)
 - C. Vacation leave for members of the classified service, administrators, supervisors, and managers;
 - D. Leave for service as an elected official of a community college District public employee organization, or of any statewide or national employee organization with which the local organization is affiliated, or leave for a reasonable number of unelected classified employees for the purpose of enabling an employee to attend important organizational activities authorized by the public employee organization; (EC 87768.5; 88210
 - E. Leave of absence to serve as an elected member of the legislature (Ed Code 87701);
 - F. Pregnancy leave (Ed Code 87766; 88193; Government Code Section 12945);
 - G. Leave to bond with a new child (Ed Code Sections 87784.5 and 88207.5);**
 - H. Use of illness leave for personal necessity (Ed Code 87784; 88207);
 - I. Industrial accident **and illness** leave (**Ed Code Sections 87787 and 88192** ~~88192, 87787~~);
 - J. Bereavement leave (Ed Code 87788, 88194,);
 - K. Jury Service or appearance as a witness in court (Ed Code 87035; 87036);

LEAVES

BP No. 7340

Board Adopted: 1-23-64; 6-29-76; 1-18-78; 1-10-79; 1-14-81; 1-23-64;
6-25-69; 3-21-73; 6-29-76; 5-10-78; 1-10-79; 4-13-05; 1-15-14

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- L. Military service (Ed Code 87700);
 - M. Sabbatical leaves for permanent **full-time** faculty;
 - N. Family Medical Leave Act;
 - O. California Family Care Act;
 - P. Quarantine (Ed Code 88199);
 - Q. Catastrophic leave (Ed Code 870450)
- II. Vacation leave for, educational administrators, and classified administrators shall not accumulate beyond the total days of paid leave accrued for two years of work. Employees shall be permitted to take vacation in a timely manner to avoid accumulation of excess vacation.
- III. In addition to these policies and collective bargaining agreements, the Board retains the power to grant leaves with or without pay for other purposes or for other periods of time.
- IV. Source/Reference:
~~EC 79020, 87034, 87036, 87037, 87700, 87768.5, 87782, 87784, 87787, 87788, 88190, 88192, 88194, 88199, 88203, 88210, 88027, 87701,~~
Education Code 87763 et seq., 88190 et seq. and cites above. *State and Federal Employment Law.
Labor Code Sections 245 et seq.

BP 7340 Leaves

References:

Education Code Sections 87763 et seq. and 88190 et seq. and cites below,
[Labor Code Sections 245 et seq.](#)

NOTE: *This policy is legally required.*

The [CEO] shall establish procedures for employee leaves as authorized by law and by any collective bargaining agreements entered into by the District. Such leaves shall include, but are not limited to:

- [illness or injury](#) leaves for all classes of permanent employees; [\(Education Code Sections 87781 and 88192\)](#);
- paid sick leave; [\(Labor Code Section 246\)](#);
- vacation leave for members of the classified service, administrators, supervisors and managers;
- leave for service as an elected official of a community college District public employee organization, or of any statewide or national employee organization with which the local organization is affiliated or leave for a reasonable number of unelected classified employees for the purpose of enabling an employee to attend important organizational activities authorized by the public employee organization; [\(Education Code Sections 87768.5 and 88210\)](#);
- leave of absence to serve as an elected member of the legislature; [\(Education Code Section 87701\)](#);
- pregnancy leave; [\(Education Code Sections 87766 and 88193; Government Code Section 12945\)](#);
- [leave to bond with a new child; \(Education Code Sections 87784.5 and 88207.5\)](#);
- use of illness leave for personal necessity; [\(Education Code Sections 87784; 88207\)](#);
- industrial accident [and illness](#) leave [\(Education Code Sections 87787 and 88192\)](#);
- bereavement leave [\(Education Code Sections 87788 and 88194\)](#);
- jury service or appearance as a witness in court; [\(Education Code Sections 87036 and 87037\)](#);
- military service; [\(Education Code Section 87700\)](#); and
- sabbatical leaves for [*permanent faculty; academic employees, administrators and managers*].

Vacation leave for members of the classified service, educational administrators and classified supervisors and managers shall not accumulate beyond [#] days of paid leave or [#] hours of paid leave. Employees shall be permitted to take vacation in a timely manner to avoid accumulation of excess vacation.

In addition to these policies and collective bargaining agreements, the Board retains the power to grant leaves with or without pay for other purposes or for other periods of time.

See Administrative Procedures [#].

Revised 6/13, 4/15

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