
**Kern Community College District
Board Policy
Chapter 7 – Human Resources**

BP 7100 COMMITMENT TO DIVERSITY

References:

Education Code Sections 87100 et seq.; Title 5 Sections 53000 et seq.

This policy is legally required

The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success. The Board of Trustees recognizes that diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students. The Board is committed to hiring and staff development processes that support the goals of equal opportunity and diversity and provide equal consideration for all qualified candidates.

Also see BP/AP 3410 titled Nondiscrimination and BP/AP 3420 titled Equal Employment Opportunity.

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BP 7110 DELEGATION OF AUTHORITY, HUMAN RESOURCES

Reference:
Education Code Section 70902(d)

The Board of Trustees shall delegate authority to the District Chancellor or Chancellor's designee, 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 subject to confirmation by the Board.

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BP 7120 RECRUITMENT AND HIRING

References:

Education Code Sections 70901.2, 70902(b)(7) & (d), and 87100 et seq.;
Title 5 Sections 53000 et seq. and 51023.5;
WASC/ACCJC Accreditation Standard III.A.1

The **District** Chancellor shall nominate or recommend employees, and the Board of **Trustees** shall employ from those who have been nominated or recommended by the **District** Chancellor. It shall be the responsibility of the **District** Chancellor to employ and retain well-qualified, competent staff members. The **District** Chancellor may authorize interim employment and payment prior to Board action to accommodate payroll processing; however, Board action is required to ratify employment at the next regularly scheduled Board meeting.

The **District** Chancellor shall establish procedures for the recruitment and selection of employees including, but not limited to, the following criteria.

An Equal Employment Opportunity Plan shall be implemented according to Title 5 and BP 3420 titled Equal Employment Opportunity.

Academic employees shall possess the minimum qualifications prescribed for their positions by the Board of Governors.

The criteria and procedures for hiring academic employees shall be established and implemented in accordance with board policies and procedures regarding the Academic Senate's role in local decision-making.

The criteria and procedures for hiring classified employees shall be established after first affording the CSEA an opportunity to participate in the decisions under the Board's policies regarding local decision making.

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BP 7130 COMPENSATION

References:

Legally Required

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 administrator employed pursuant to a contract under Education Code Section 72411 shall be established by the Board of Trustees.

Prohibition of Incentive Compensation

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.

Also refer to the applicable collective bargaining agreements for specific compensation-related details.

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BP 7140 COLLECTIVE BARGAINING

References:

Legally Required

Government Code Sections 3540 et seq.

If eligible employees of the District select an employee organization as their exclusive representative, and if after recognition by the District or after a properly conducted election, an exclusive representative is certified as the representative of an appropriate unit of employees under the provisions of the Educational Employment Relations Act, Government Code Sections 3540 et seq., the District will meet and negotiate in good faith on matters within the scope of bargaining as defined by law.

Also see BP/AP 2610 titled *Presentation of Initial Collective Bargaining Proposals.*

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BP 7150 EVALUATION

Reference:
WASC/ACCJC Accreditation Standard III.A.5

All employees will periodically undergo a performance evaluation, at prescribed intervals.

All faculty and permanent staff members will periodically undergo a performance evaluation, in accordance with relevant collective bargaining provision.

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BP 7160 PROFESSIONAL DEVELOPMENT

Reference:
WASC/ACCJC Accreditation Standard III.A.14

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

Also see AP 7160 Professional Development.

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BP 7210 ACADEMIC EMPLOYEES

References:

Legally required

Education Code Sections 87400 et seq., 87419.1, 87482.8, and 87600 et seq.;

Title 5 Section 51025

Academic employees are all persons employed by the District in academic positions. Academic positions include every type of service, other than paraprofessional service, for which minimum qualifications have been established by the Board of Governors for the California Community Colleges.

Faculty members are those employees who are employed by the District in academic positions that are not designated as supervisory or management. Faculty employees include, but are not limited to, instructors, librarians, counselors, and professionals in health services, DSPS, and EOPS.

Decisions regarding tenure of faculty shall be made in accordance with the evaluation procedures established for the evaluation of probationary faculty and in accordance with the requirements of the Education Code. The Board of Trustees reserves the right to determine whether a faculty member shall be granted tenure.

The District may employ temporary faculty from time to time as required by the interests of the District. Temporary faculty may be employed full-time or part-time. The Board delegates authority to the District Chancellor to determine the extent of the District's needs for temporary faculty.

Notwithstanding this policy, the District shall comply with its goals under the Education Code regarding the ratio of full-time to part-time faculty to be employed by it and for making progress toward the standard of 75% of total faculty work load hours taught by full-time faculty.

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BP 7230 CLASSIFIED EMPLOYEES

References:

Legally Required

Education Code Sections 88003, 88004, 88009, and 88013

Classified employees are those who are employed in positions that are not academic positions. The employees and positions shall be known as the classified service.

The classified service does not include:

- Substitute and short-term employees who are employed and paid for less than 75 percent of the fiscal year.
- Part-time apprentices and professional experts employed on a temporary basis for a specific project, regardless of length of employment.
- Full-time students employed part-time, and part-time students employed part-time in any college work-study program or in a work experience education program conducted by the District.

The Board of Trustees shall fix and prescribe the duties of the members of the classified service. (See BP 7110 titled Delegation of Authority, Human Resources).

Before a short-term employee is employed, the Board, at a regularly scheduled meeting, shall specify the service required to be performed and certify the ending date of the service. The Board may later act to shorten or extend the ending date, but shall not extend it beyond 75 percent of an academic year.

The District Chancellor shall establish procedures to assure that the requirements of state law and regulations regarding the classified service are met.

The probationary period for classified employees shall be one year.

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BP 7240 CONFIDENTIAL EMPLOYEES

Reference:

Legally Required
Government Code Section 3540.1(c)

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 bargaining unit represented by an exclusive representative and the terms and conditions of their employment are not controlled by any collective bargaining agreement.

The terms and conditions of employment for confidential employees shall be provided for by procedures developed by the District Chancellor. Such terms and conditions of employment shall include, but not be limited to, procedures for evaluation and rules regarding leaves, transfers, and reassignments.

The screening procedures for confidential employees shall be approved by the College President for College positions and the Chancellor for District Office positions.

The selection of College confidential employees shall be upon the recommendation of the College President. The recommendation will be forwarded to the District Chancellor for approval and action by the Board of Trustees.

The selection of District confidential employees shall be approved by the District Chancellor and the Board of Trustees.

Also see BP/AP 7120 titled Recruitment and Hiring.

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BP 7250 EDUCATIONAL ADMINISTRATORS

References:

Legally Required

Education Code Sections 72411 et seq., 87002(b), and 87457-87460;
Government Code Section 3540.1(g) and (m)

An administrator is a person employed by the Board of Trustees in a supervisory or management position as defined in Government Code Sections 3540 et seq.

Educational administrators are those who exercise direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services programs of the District.

An educational administrator who has not previously acquired tenure as a faculty member in the District shall have the right to become a first year probationary faculty member once his/her administrative assignment expires or is terminated, if the following criteria are met:

- The administrator meets the criteria established by the District for minimum qualifications for a faculty position, in accordance with procedures developed jointly by the District Chancellor and the Academic Senate and approved by the Board of Trustees. The Board shall rely primarily on the advice and judgment of the Academic Senate to determine that an administrator possesses minimum qualifications for employment as a faculty member.
- The requirements of Education Code Section 87458(c) and (d), or any successor statute, are met with respect to prior satisfactory service and reason for termination of the administrative assignment.

Educational administrators shall be compensated in the manner provided for by the appointment or contract of employment. Compensation shall be set by the Board upon recommendation by the District Chancellor. Educational Administrators shall further be entitled to health and welfare benefits made available by action of the Board upon recommendation by the District Chancellor.

Educational administrators shall be entitled to vacation leave, sick leave, and other leaves as provided by law, these policies, and administrative procedures adopted by the District Chancellor.

Every educational administrator shall be employed by an appointment or contract of up to four years in duration.

The Board of Trustees may, with the consent of the administrator concerned, terminate, effective on the next succeeding first day of July, the terms of employment and any contract of employment with the administrator, and reemploy the administrator on any terms and conditions as may be mutually agreed upon by the Board and the administrator, for a new term to commence on the effective date of the termination of the existing term of employment.

If the Board determines that the administrator is not to be reemployed when his/her appointment or contract expires, notice to an administrator shall be in accordance with the terms of the existing contract. If the contract is silent, notice shall be in accordance with Education Code Section 72411.

Also see BP/AP 7120 titled Recruitment and Hiring.

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BP 7260 SUPERVISORS AND MANAGERS

References:

Legally required

Education Code Section 72411;

Government Code Section 3540.1(g) and (m)

Classified administrators are administrators who are not employed as educational administrators.

Supervisors are those classified administrators, regardless of job description, having authority to hire, transfer, suspend, recall, promote, discharge, assign, reward, or discipline other employees, or having the responsibility to assign work to and direct them, adjust their grievances, or effectively recommend such action.

Classified managers are those classified administrators, regardless of job description, having significant responsibilities for formulating District policies or administering District programs other than the educational programs of the District.

Classified administrators may be employed in the same manner as the other members of the classified service. If a classified administrator is employed as a regular member of the classified service, employment shall be consistent with other provisions of these policies regarding employment of classified employees.

Confidential and management employees are appointed by the Board of Trustees in accordance with provisions of the Education Code.

Announcements of management and confidential position openings shall be posted at the Colleges, centers, and the District Office of the Kern Community College District.

Assignment of management staff shall be upon the recommendation of the College President. The recommendation for reorganization and assignment of management staff will be forwarded to the District Chancellor for approval and action by the Board of Trustees.

Assignment of District Office management staff shall be recommended by the District Chancellor for action by the Board of Trustees.

The probationary period for confidential and classified management employees is one year from the date of initial Board of Trustees appointment.

The selection procedure for classified management employees shall be approved by the College President for College positions and the District Chancellor for District Office positions.

The selection of College classified management shall be upon the recommendation of the College President. The recommendation will be forwarded to the District Chancellor for approval and action by the Board of Trustees.

The selection of District classified management shall be recommended by the Chancellor for action by the Board of Trustees.

The faculty will be involved in the selection process of candidates for educational administrator positions for which applications are solicited.

A joint committee representing all member Colleges shall be involved in the selection of candidates for District educational administrator positions. A joint College committee shall be involved in the selection of candidates for College educational administrator positions.

Joint committees shall function at all levels in the selection process which includes recommending qualifications and job descriptions, advertising the position, screening and reviewing applications, interviewing candidates, and recommending candidates to the College President or District Chancellor.

A candidate for a position under consideration shall not serve on the joint committee for that position.

Also see BP/AP 7120 titled Recruitment and Hiring, BP/AP 7240 titled Confidential Employees, and BP/AP 7250 titled Educational Administrators.

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BP 7270 STUDENT WORKERS

References:
Education Code Sections 69950 - 69967 and 88003

The District shall provide employment opportunities for its students through various local, state, and federally funded programs. The District Chancellor shall ensure that administrative procedures are written regarding student workers.

Also see AP 7270 Student Workers.

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BP 7310 NEPOTISM

References:

Recommended

Government Code Sections 1090 et seq. and 12940 et seq.

The District does not prohibit the employment of relatives (or domestic partners as defined by District Collective Bargaining Agreement or Family Code Sections 297 et seq.) in the same department or division, with the exception that they shall not be assigned to a regular position within the same department, division, or site that has an immediate family member who is in a position to recommend or influence employee decisions.

Employee decisions include appointment, retention, evaluation, tenure, work assignment, promotion, demotion, or salary of the relative (or domestic partner as defined by District Collective Bargaining Agreement or Family Code Sections 297 et seq.).

Immediate family means spouse, domestic partner, parents, grandparents, siblings, children, grandchildren and in-laws or any other relative living in the employee's home.

The District will make reasonable efforts to assign job duties to minimize the potential for creating an adverse impact on supervision, safety, security, or morale, or creating other potential conflicts of interest.

Notwithstanding the above, the District retains the right where such placement has the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest, to refuse to place immediate family members in the same department, division, or facility. The District retains the right to reassign or transfer any person to eliminate the potential to create an adverse impact on supervision, safety, security, or morale, or involve other potential conflicts of interest.

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BP 7330 COMMUNICABLE DISEASE

References:

Legally Required

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.

Also see BP/AP 5210 Communicable Disease, BP/AP 7335 titled Health Examinations, and AP 7336 titled Certification of Freedom from Tuberculosis.

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BP 7335 HEALTH EXAMINATIONS

References:

Legally Advised

Government Code Section 12940; 42 U.S. Code Section 12112;
29 Code of Federal Regulations, Part 1630

The District Chancellor shall establish administrative procedures related to medical examinations of candidates for appropriate positions prior to assuming the duties of the position. Such pre-employment medical examinations may only be required after a conditional job offer has been made, and shall be required of any candidate for a position for which a pre-employment medical examination has been deemed appropriate. No candidate shall be required to participate in such an examination solely on the basis of the candidate's age or disability.

The procedures may require any employee to undergo a physical or mental examination where such a fitness for duty exam is job related and consistent with business necessity. Such medical examinations shall be at the District's expense and shall be conducted by a physician chosen by the District.

Also see AP 7335 titled Health Examinations and AP 7336 titled Certification of Freedom from Tuberculosis.

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BP 7340 LEAVES

References:

Legally Required

Education Code Sections 87763 et seq. and 88190 et seq. and cites below;

Labor Code Sections 245 et seq.

The District Chancellor 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 and 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 384 hours of paid leave. Vacation leave for classified employees is delineated in the applicable collective bargaining agreement. 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.

Also see AP 7340 titled Leaves, AP 7341 titled Sabbaticals, AP 7342 titled Holidays, AP 7344 titled Industrial Accident and Illness Leave, AP 7344 titled Notifying the District of Illness, BP/AP 7345 titled Catastrophic Leave Program, AP 7346 titled Employees Called to Military Duty, and AP 7347 titled Paid Family Leave.

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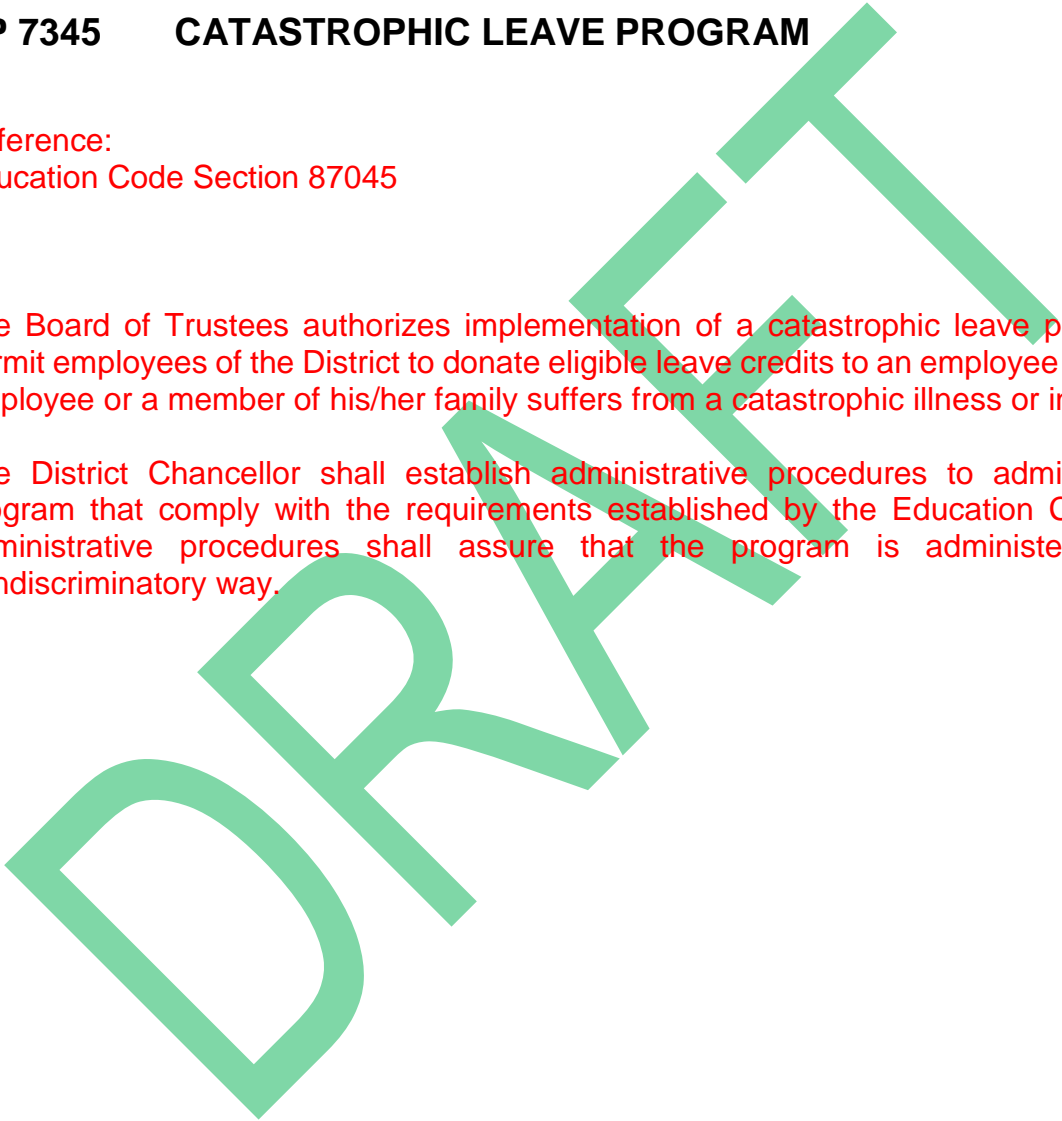
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BP 7345 CATASTROPHIC LEAVE PROGRAM

Reference:
Education Code Section 87045

The Board of Trustees authorizes implementation of a catastrophic leave program to permit employees of the District to donate eligible leave credits to an employee when that employee or a member of his/her family suffers from a catastrophic illness or injury.

The District Chancellor shall establish administrative procedures to administer the program that comply with the requirements established by the Education Code. The administrative procedures shall assure that the program is administered in a nondiscriminatory way.



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BP 7350 RESIGNATIONS

References:

Legally required

Education Code Sections 87730 and 88201

The Board of Trustees shall accept the resignation of any employee and shall fix the time when the resignation takes effect, which shall not be later than the close of the academic year during which the resignation has been received by the Board.

The Board hereby delegates to the District Chancellor, or Chancellor's designee, the authority to accept resignations on its behalf at any time. Resignations shall be deemed accepted by the Board when accepted in writing by the District Chancellor or designee. When accepted by the District Chancellor, or designee, the resignation is final and may not be rescinded. All such resignations shall be forwarded to the Board for ratification.

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BP 7360 DISCIPLINE AND DISMISSAL, ACADEMIC EMPLOYEES

References:

Legally Required

Education Code Sections 87669 and 87732

A contract or regular employee may be dismissed or penalized for one or more of the grounds set forth in Education Code Section 87732. If the employee is to be penalized, the Board of Trustees shall determine the nature of the penalties. If the Board decides to dismiss or penalize a contract or regular employee, it shall assure that each of the following has been satisfied:

- The employee has been evaluated in accordance with standards and procedures established in accordance with the provisions of Education Code Sections 87660 et seq., and any administrative procedure for evaluation contained in a collective bargaining agreement;
- The Board has received all statements of evaluation which considers the events for which dismissal may be imposed;
- The Board has received a recommendation from the District Chancellor; and
- The Board has considered the statements of evaluation and the recommendations in a lawful meeting.

If the Board decides it intends to dismiss a contract or regular employee, it shall take the actions required by the Education Code, and the District Chancellor or designee shall thereafter assure that the employee is afforded the full post-termination due process required by the Education Code Sections 87666-87681 and 87740.

The District Chancellor shall establish procedures that define the conditions and processes for dismissal, discipline, and due process and ensure they are available to employees.

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BP 7365 DISCIPLINE AND DISMISSAL - CLASSIFIED EMPLOYEES

References:

Legally Required

Education Code Section 88013; Government Code Sections 3300 et seq.

The District Chancellor shall enact procedures for the disciplinary proceedings applicable to permanent classified employees of the District. Such procedures shall conform to the requirements of the Education Code, and the applicable collective bargaining agreement.

The Board's determination of the sufficiency of the cause for disciplinary action of a classified employee shall be conclusive.

No disciplinary action shall be taken for any cause that arose prior to the employee becoming permanent, or for any cause that arose more than two years preceding the date of the filing of any charge against the employee, unless the cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee should have disclosed the facts to the District.

A permanent member of the classified service shall be subject to disciplinary action, including, but not limited to, oral reprimand, written reprimand, reduction in pay, demotion, suspension, or discharge, for any of the following grounds:

1. Fraud in securing employment or making a false statement on an application for employment.
2. Incompetence, i.e., inability to comply with the minimum standard of an employee's position for a significant period of time.
3. Inefficiency or inexcusable neglect of duty, i.e., failure to perform duties required of an employee in the position.
4. Willful disobedience and insubordination, a willful failure to submit to duly appointed and acting supervision, conform to duly established orders or directions of, or insulting or demeaning the authority of a supervisor or manager.
5. Dishonesty involving employment.
6. Being impaired by or under the influence of alcohol or illegal drugs or narcotics

while on duty, which could impact the ability to do the job.

7. Excessive absenteeism.
8. Unexcused absence without leave.
9. Abuse or misuse of sick leave.
10. The conviction of either a misdemeanor or a felony involving moral turpitude shall constitute grounds for dismissal of any employee. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred. A plea or verdict of guilty, or a conviction showing a plea of nolo contendere made to charge a felony or any offense involving moral turpitude, is deemed to be a conviction within the meaning of this section.
11. Discourteous treatment of the public or other employees.
12. Improper or unauthorized use of District property.
13. Refusal to subscribe to any oath or affirmation which is required by law in connection with District employment.
14. Any willful act of conduct undertaken in bad faith, either during or outside of duty hours which is of such a nature that it causes discredit to the District, the employee's department or division.
15. Inattention to duty, tardiness, indolence, carelessness, or negligence in the care and handling of District property.
16. Mental or physical impairment which renders the employee unable to perform the essential functions of the job without reasonable accommodation or without presenting a direct threat to the health and safety of self or others.
17. Acceptance from any source of a reward, gift, or other form of remuneration in addition to regular compensation to an employee for the performance of his or her official duties.
18. The refusal of any officer or employee of the District to testify under oath before any court, grand jury, or administrative officer having jurisdiction over any then pending cause of inquiry in which the District is involved. Violation of this provision may constitute of itself sufficient ground for the immediate discharge of such officer or employee.
19. Willful violation of policies, procedures and other rules which may be prescribed by the District, college(s), or departments.
20. Working overtime without authorization.

A permanent member of the classified service shall be subject to disciplinary action, including, but not limited to, oral reprimand, written reprimand, reduction in pay, demotion, suspension, or discharge, for any of the following grounds:

1. Incompetency or inefficiency in the performance of the duties of his/her position.
2. Insubordination or unethical or disgraceful conduct while on duty (including, but not limited to, refusal to do assigned work).
3. Carelessness or negligence in the performance of duty or in the care or use of District property.
4. Offensive or abusive conduct.
5. Dishonesty.
6. Possession of alcoholic beverages while on or in District property. Drinking alcoholic beverages while on duty or report for duty while intoxicated.
7. Possession or use of narcotics or controlled substances without prescription.
8. Conviction of any criminal offense or of a misdemeanor involving moral turpitude.
9. Conviction of a sex offense as defined in the Education Code Sections 88022, 87009, and 87010.
10. Has been charged with an immoral or criminal act.
11. Revocation of any license needed for employment in a specific position.
12. Repeated and unexcused absence or tardiness or the documented abuse of sick leave privileges.
13. Absences from duty without proper authorization.
14. Abandonment of position.
15. Incapacity due to mental or physical disability, to be determined by a medical examination.
16. Falsifying any information supplied to the District, including, but not limited to, information supplied on applications forms, employment records, time sheets or cards, absence forms, or any other District records.
17. Persistent violation or refusal to obey safety rules or regulations or training mandated by the District Injury and Illness Prevention Program or by any appropriate state, federal or local governmental agency.
18. Offering of anything of value or offering any service in exchange for special treatment in connection with the employee's job or employment, or the accepting of anything of value or any service in exchange for granting any special treatment to another employee or to any member of the public.

19. The use, threat to use, or attempt to use political influence in securing promotion, leave-of-absence, transfer, change of range, step or character of work.
20. Has been induced, has induced, or has attempted to induce an officer or employee in the service of the Kern Community College District to commit an unlawful act or to act in violation of any lawful and reasonable departmental or District regulation or order; or has taken any fee, gift or other valuable thing in the course of his/her work or in connection with it, for his/her personal use from any citizen when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other citizens.
21. Willful or persistent violation of the Education Code or rules of the Board of Trustees.
22. Advocacy of or membership in any group which advocates overthrow of federal, state or local government by force, violence or other unlawful means.
23. Termination of CSEA membership for the duration of the current Contract.

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BP 7370 POLITICAL ACTIVITY

References:

Legally Required

Education Code Sections 7054 and 7056;

Government Code Section 8314

Employees shall not use District funds, services, supplies, or equipment to urge the passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the Board of Trustees. This policy prohibits political activity during an employee's working hours, but shall not be construed to prohibit an employee from urging the support or defeat of a ballot measure or candidate during nonworking time.

Also see BP 2716 titled Political Activity.

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BP 7380 RETIREE HEALTH BENEFITS: ACADEMIC EMPLOYEES

References:

Legally Required

Education Code Sections 7000 et seq.

The District shall permit any former academic employee who has retired from the District to enroll in the health and welfare benefit plan and/or dental care benefit plan currently provided to its current academic employees. In addition, the District shall also permit the enrollment of the surviving spouse of a former academic employee who either retired from the District or was, at the time of his or her death, employed by the District as an academic employee and a member of the State Teacher's Retirement System.

Enrollment pursuant to this policy shall be at the retiree or surviving spouse's own expense.

A retired academic employee or surviving spouse may enroll in the District's health and welfare benefit plans only once pursuant to this policy. A retired academic employee or surviving spouse who voluntarily terminates coverage under this policy may be excluded from obtaining coverage again.

The District Chancellor shall establish procedures as may be deemed necessary to administer this policy in accordance with Education Code Sections 7000 et seq.

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BP 7385 SALARY DEDUCTIONS

References:

Legally Required

Education Code Sections 87040, 87833, 87834, and 88167

An employee may request reduction of his/her salary in any amount for any or all of the following purposes:

- participation in a deferred compensation program;
- paying premiums on any policy or certificate of group life insurance or disability insurance or legal expense insurance, or any of them;
- paying rates, dues, fees, and/or other periodic charges on any hospital service contract.

The request provided for above shall be revocable by the employee.

The District shall without charge reduce the salary payment by the amount which the employee has authorized in writing for the purpose of paying his/her membership dues in any local, statewide, or other professional organization. Revocation of such authorization shall be in writing and shall be effective beginning with the next pay period.

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BP 7400 TRAVEL

Reference:
Legally Required
Education Code Section 87032

The District Chancellor is authorized to attend conferences, meetings, and other activities that are appropriate to the functions of the District.

The District Chancellor shall establish procedures regarding the attendance of other employees at conferences, meetings, or activities. The procedures shall include authorized expenses, advance of funds, and reimbursement.

All travel outside the United States must be approved in advance by the Board of Trustees.

Also see BP/AP 4300 titled *Field Trips and Excursions* and BP/AP 6530 titled *District Vehicles*.

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BP 7510 DOMESTIC PARTNERS

References:

Legally Required

Family Code Sections 297, 298, 298.5, 297.5, 299, 299.2, and 299.3

Domestic partners registered with the California Secretary of State shall have, insofar as permitted by California law, all of the same rights, protections, and benefits, as well as the same obligations, responsibilities, and duties of married persons (spouses) under state law. Former domestic partners shall have all of the rights and obligations of former spouses. Surviving domestic partners shall have the same rights, protections, and benefits as are granted to a surviving spouse of a decedent.

Therefore, all references to “spouses” in the District's policies or procedures shall be read to include registered domestic partners as permitted by California law.

**Kern Community College District
Board Policy
Chapter 7 – Human Resources**

BP 7600 CAMPUS PUBLIC SAFETY OFFICERS

Reference:

Legally Required

Education Code Section 72330.5

The District shall employ campus public safety officers, who shall provide services as security guards, or patrol persons on or about the campus(es) owned or operated by the District. Their duties include, but are not limited to protecting persons or property, preventing the theft of District property, and reporting any unlawful activity to the District and local law enforcement.

The District Chancellor shall establish procedures necessary for administration of campus security. In addition, the District Chancellor shall enter into an agreement with local law enforcement, which includes that campus public safety officers shall cooperate with local law enforcement in performing their duties.

Every campus public safety officer who works more than twenty hours per week shall complete a course of training developed by the Bureau of Security and Investigative Services of the Department of Consumer Affairs as required by Education Code Section 72330.5 (b). If an officer is required to carry a firearm, he or she shall also satisfy the training requirements of Penal Code Section 832.

Every campus public safety officer shall meet other requirements set out in Education Code Section 72330.5.

**Kern Community College District
Board Policy
Chapter 7 – Human Resources**

BP 7700 WHISTLEBLOWER PROTECTION

References:

Legally Advised

Education Code Sections 87160-87164; Labor Code Section 1102.5; Government Code Section 53296;

Private Attorney General Act of 2004 (Labor Code Section 2698); Affordable Care Act (29 U.S. Code Section 218C)

The **District** Chancellor shall establish procedures regarding the reporting and investigation of suspected unlawful activities by Kern Community College District employees, and the protection from retaliation of those who make such reports in good faith and/or assist in the investigation of such reports. For the purposes of this policy and any implementing procedures, “unlawful activity” refers to any activity – intentional or negligent – that violates state or federal law, local ordinances, or District Board policy.

The procedures shall provide that individuals are encouraged to report suspected incidents of unlawful activities without fear of retaliation; that such reports are investigated thoroughly and promptly; that remedies are applied for any unlawful practices; and protections are provided to those employees who, in good faith, report these activities and/or assist the District in its investigation.

Employees shall not retaliate against an employee or applicant for employment who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order, or directly or indirectly use or attempt to use the official authority or influence of his/her position for the purpose of interfering with the right of an applicant or an employee to make a protected disclosure to the District.

The District will not tolerate retaliation and will take whatever action may be needed to prevent and correct activities that violate this policy, including discipline of those who violate it up to and including termination.

**Kern Community College District
Board Policy
Chapter 7 – Human Resources**

BP 7800 EMERITUS STATUS

This policy is unique to KCCD

In recognition of years of valued service and contributions to the District, the Board of Trustees has established the title of “Emeritus” to be granted to those who meet the standards as set forth in this Board policy. The objective of this policy is to honor past services and encourage and maximize the inclusion of Emeriti in District and College activities after retirement.

The Board shall have the sole responsibility for officially honoring and recognizing District Faculty and Educational Administrator retirees by granting the designation of Emeritus. The Emeritus designation shall have no contractual obligations, nor shall there be any compensation connected with the title.

District Human Resources shall have the responsibility of verifying eligibility for Emeritus designation and notifying the College President.

For consideration of Emeritus designation, the faculty or educational administrator must have served the District for at least twenty (20) years in full- time status; and shall be retiring or resigning without cause by the end of the academic year in which the Emeritus designation is granted; or must have previously retired from the District.

Emeritus designation may be bestowed on the following groups of District employees:

Faculty – upon retirement or resignation after twenty years of full- time service.

Educational Administrator – includes presidents and other educational administrators; upon retirement or resignation after twenty years of full-time service.

Official recognition of Emeritus status shall be given during an appropriate meeting or ceremony of the Board of Trustees close to the time of the qualifying retirement or resignation.

No public announcement regarding an employee's Emeritus status shall be made prior to designation by the Board of Trustees.

Official recognition of Emeritus status shall provide certain privileges, benefits, and

courtesies as defined in [AP 7800 titled Emeritus Status](#).

District Human Resources shall maintain a file with contact information of all District employees for whom the status of Emeritus has been granted by the Board of Trustees.

The title of Emeritus may be granted under exceptional circumstances to full-time faculty or administrators who have served fewer than twenty years at the institution and are concluding, or have concluded, a career that demonstrates exceptionally dedicated, honorable and distinguished service to the institution, as determined by the Board of Trustees. Consideration may be initiated by the instructional or service area, or by the College President.

The College President shall make recommendations to the District Chancellor for consideration, and the [District](#) Chancellor shall make a recommendation to the Board of Trustees for action with respect to Emeritus designation.

DRAFT