

Palomar College Policy/Proced. Review Task Force Meeting

Friday, March 6, 2009

8:00 – 11:00 a.m.

B-2

Meeting Highlights

Present: Bob Deegan, Darrell McMullen, Bonnie Dowd, John Tortarolo, Joe Madrigal, Brent Gowen, Shannon Leinhart, Monika Brannick, Mike Dimmick, Kelley Hudson MacIsaac, Susan Coleman (designated representative for Dr. Dowd), Michelle Barton, Mark Vernoy, Karen Robinson, Josie Silva, and Jane Wright (via CCC Confer)

I. Review and Approval of the February Meeting Highlights – The Task Force members reviewed the February 20, 2009 Meeting Highlights. Shannon recommended that no academic titles be used in future meeting highlights. John clarified that in AP 7361 titled Academic Due Process there are “separate academic due processes for faculty and staff. Tortarolo motioned approval and Brannick seconded the motion. The meeting highlights were approved as corrected. Following the approval of the meeting highlights, Monika explained that at the February 20 Task Force Meeting, she had confused AP 7361 with BP 7210 titled Academic Employees and AP 7216 titled Employee Grievance/Complaint Procedures. Monika said she wanted to review all of those documents.

II. Continue Reviewing the Chapter 3 (General Institution) Policies and Procedures:

- **AP 3310 – Records Retention & Destruction:** John explained the three classifications of records. Karen described electronically stored information (ESI) and discussed that it is an evolving area of law. Karen reported that a separate procedure (AP 3320) titled Electronically Stored Information will address these documents and the retention, tracking, and disposal of them. Joe, Bonnie, and John discussed plans for scanning records. Monika asked whose decision it would be to recommend disposal of continuing records. Bob explained that the recommendation for disposal of continuing records is a departmental decision. Susan recommended including a definition of the acronym “ESI” in the first paragraph. Susan recommended that the reference to “State 320 Form” in Table 1 be moved from Finance & Administrative Services to Student Services. Susan also recommended moving the reference to “Conflict of Interest Statements (Form 700) from Finance & Administrative Services to the Superintendent/President’s Office. Mike also asked whether references to other records such as those related to health (used for workman’s comp claims) and other records should be referenced in the table. Karen and John responded that the table only includes examples of key documents and is not meant to be comprehensive as there are far too many specific records to site by name. Jane was asked to fix the pagination in this procedure. The Task Force approved this procedure with the recommended revisions by Susan. Jane will send this document to Josie for the March 17 SPC Agenda. MSCU Madrigal/Gowen
- **BP 3810 – Claims Against the District:** Bonnie asked Jane to revise the last sentence in red ink so that “place(s)” would be “place” and “is/are” would be “is”

in order to centralize the serving of legal documents in the Office of the President. Task Force members approved this policy. Jane will send this document to Josie for the March 17 SPC Agenda. MSCU Brannick/Gowen

- **AP 3810 – Claims Against the District:** Jane deleted the note at the beginning of this procedure (in red italics). Jane bolded the headers and justified the text for consistency. Shannon sought clarification on the retroactivity statement at the end of the procedure. Bonnie and Susan explained that statement. Shannon discussed the importance of making the appropriate forms readily available to the public should claims need to be filed. The Task Force discussed the need to make office personnel and others aware of the location of forms in order to direct those who request such forms to the proper location. The Task Force approved this procedure. Jane will send this document to Josie for the March 17 SPC Agenda. MSCU Gowen/Tortarolo

III. Newly Recommended Policies and Procedures in Chapter 6 (Finance and Administrative Services):

- **BP 6450 – Cellular or Wireless Phone/Mobile Device Use:** Mike discussed whether this policy needs to be reviewed by the negotiations team. John and Bonnie responded that it truly is not a matter for negotiations but clarifies the use of such devices prompted by the Internal Revenue Service (IRS) Guidelines that delineates the responsibility of an individual employee to report to the IRS any benefits in terms of income or personal savings from such a device. The IRS views these benefits as taxable income. The following statement was added as the new second paragraph of this policy: “This policy is subject to the applicable collective bargaining agreement or employee handbook.” The term “mobile devices” was added throughout the policy for consistency with the title and to address other forms of transportable communication (other than cell phones) such as walkie talkies, two way radios, etc. Shannon discussed the issue of laptop computers. Task Force members suggested adding a sentence at the end of the first paragraph clarifying that laptop computers are not considered mobile devices for the purposes of this policy and the related procedure. The Task Force approved this policy. Jane will send this document to Josie for the March 17 SPC Agenda. MSCU Tortarolo/Brannick
- **AP 6450 – Cellular or Wireless Phone/Mobile Device Use:** The following statement was added as the new second paragraph of this procedure: “This policy is subject to the applicable collective bargaining agreement or employee handbook.” Mike raised the question about monitoring the use of District-provided cell phones versus monitoring the usage records. Task Force members recommended revising the first sentence in the sixth paragraph to be: “The District shall monitor the cellular or wireless phone usage records of the District-provided cellular or wireless phones/mobile devices to ensure compliance with this procedure.” The Task Force approved this procedure. Jane will send this document to Josie for the March 17 SPC Agenda. MSCU Vernoy/Gowen

IV. Continue Reviewing the Chapter 7 (Human Resources) Policies and Procedures:

- **BP 7330 – Communicable Disease:** Shannon shared concerns about privacy issues related to communicable diseases. Karen explained that Human Resource Services used the “direct threat” test when reviewing the language in this policy and the related procedure. John had Palomar College legal counsel review the language in the policy and procedure to verify that it complies with the related laws. John explained that the key is to balance the issue of a potential threat with the sensitivity to privacy issues. The intent of this policy and the related procedure is to protect students and employees from exposure to communicable diseases that pose a significant threat as identified by the San Diego County Public Health Services. John was asked to review the language in the first paragraph which states, “All applicants for positions shall affirm, via medical certificate, that they are free from communicable diseases, including but not limited to active tuberculosis, that could be transmitted via activities reasonably within the scope of the position.” The Task Force agreed to “hold” this policy for review at a future meeting.
- **AP 7330 – Communicable Disease:** At Shannon’s request, the following language was added as the new first paragraph of this procedure: “The intent of this procedure is to protect public health from diseases that could be transmitted via the scope of the position and not to discriminate against individuals.” John was asked to re-word the language in the first bullet and bring this procedure and the related policy to the next Task Force Meeting. The Task Force agreed to “hold” this procedure for review at a future meeting.
- **BP 7120 – Recruitment and Hiring:** Susan asked that the first sentence be modified from “select and recruit” to “recruit and select.” Susan also asked to remove the “Office of Primary Responsibility” at the end of this policy and to check all of the Chapter 7 Board Policies to make certain that the “Office of Primary Responsibility” is not included in those documents (only in the procedures). Jane and Josie will double-check all of the policies and will remove the reference to “office of primary responsibility” if it appears in a BP. The Task Force approved this policy. Jane will send this document to Josie for the March 17 SPC Agenda. MSCU Tortarolo/Vernoy
- **AP 7120 – Recruitment and Hiring:** John thanked Karen and Shawna in Human Resource Services for their time and effort dedicated to drafting a much improved and clarified procedure on hiring. They had to combine information from a variety of documents, former Palomar policies, and former Palomar procedures. Bonnie asked Jane and Josie to review the pagination in this procedure due to the tables and necessary page breaks. John indicated that he would be reviewing this procedure in detail with the Academic Senate later that afternoon. This procedure will be reviewed again at a future Task Force Meeting.

V. Policies/Procedures from Previous Task Force Meetings

- **BP 3100 – Organizational Structure:** Michelle asked Task Force members to review the highlighted language in the draft policy compared with the second sentence in the policy. Task Force members discussed the concept of organizational structure versus organizational charts. The members agreed to delete the highlighted sentence and modify the new first sentence to be: “The

Superintendent/President shall ensure that an organizational structure is established that delineates the lines of responsibility and prescribes the general duties of employees within the District.” The Task Force approved this policy. Jane will send this document to Josie for the March 17 SPC Agenda. MSCU Tortarolo/Vernoy

- **AP 3100 – Organizational Structure:** Michelle explained that the language in the procedure may need to be revised as the process for developing the District’s organizational structure and related organizational charts is further clarified. The language in the first paragraph was modified to: “The District’s organizational charts reflecting the current organizational structure shall be included in the Palomar College Governance and Administrative Structure posted on the District’s website.” The Task Force approved this procedure. MSCU Tortarolo/Vernoy

VI. Adjournment – The meeting was adjourned at 10:58 a.m. The next meeting is scheduled for Friday, March 20, 2009 from 8:00 – 11:00 a.m. in B-2.