

Human Resources  
DRAFT as of 9/12/08

BP 7900 CONSULTANTS

**This procedure will be reviewed at the October 17, 2008 Task Force Meeting**

❖ From current Palomar Policy 508 titled Consultants

Consultants shall exercise no administrative authority over the work of College District employees unless specifically provided by their contract with the District, but shall act only as advisers in those fields in which they are qualified to offer assistance. They shall be selected on a nondiscriminatory basis and without regard to such matters as ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, or physical or mental disability.

The role of consultants is also addressed in AP 2712 titled Conflict of Interest Code

Office of Primary Responsibility: Human Resource Services

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**NOTE:** The wording in **blue ink** is additional language to consider including in this policy. The information in **black ink** is current Palomar Policy 508 titled Consultants with no adoption date. The language in **green ink** reflects revisions/additions made by Human Resource Services. This policy was reviewed on September 12, 2008 by the Policy and Procedure Task Force.

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**Date Adopted:**

*(This policy is unique to Palomar College – there is no CC League recommended language. Replaces current Palomar Policy 508)*

**BP 7210 ACADEMIC EMPLOYEES**

**References:**

Education Code Sections 87400 et seq., 87419.1, 87482 et seq., 87600 et seq., and 87482.8;

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, the Disability Resource Center (DRC), and Extended Opportunity Programs and Services (EOPS).

Decisions regarding tenure of faculty shall be made in accordance with the procedures established for the evaluation of probationary faculty and in accordance with the requirements of the Education Code. The Governing Board 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 Governing Board delegates authority to the Superintendent/President to determine the extent of the District's needs for temporary faculty. (See AP 7212 titled Temporary Faculty)

Notwithstanding this policy, the District shall comply with its obligation 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.

❖ **From current Palomar Policy 151 titled Definition**

~~Academic personnel include all faculty and educational administrators. Policy exceptions to applicable groups are noted.~~

❖ **From current Palomar Policy 154 titled Faculty**

~~The Constitution of The Faculty of Palomar College and the Faculty Senate Bylaws are included in the Faculty Manual.~~

❖ **From current Palomar Policy 154.32 titled Adjunct Faculty (84-10725, 92-15740)**

**Adjunct Faculty**

~~Any person employed to teach adult or community college classes for not more than 60 percent of the hours per week considered a full-time assignment for regular employees having comparable duties shall be classified as a temporary employee, and shall not become a contract employee under the provisions of Education Code Section 87604. Community Service seminars and workshops and Worksite Education courses (which can be credit, noncredit, or not-for-credit) will not be used to determine the load status for part-time, temporary faculty.~~

~~EC 87482.5;~~

~~GB 6-11-85; GB 5-25-93~~

❖ **From current Palomar Policy 154.41 titled Regular and Contract Staff, Academic Year (84-10725, 92-15741, 96-18381)**

**Regular and Contract Staff, Academic Year**

~~The appropriate paid overload limit during the regular academic ten-month contract year shall not exceed 40 percent of the program's full-time load for the academic year. The full 40 percent shall not be assigned in one semester.~~

~~Exceptions for special circumstances must be approved by the Assistant Superintendent/Vice President for Instruction, in consultation with the Faculty Senate President and appropriate dean. Community Service seminars and workshops and Worksite Education courses (which can be credit, noncredit, or not-for-credit) and internships will not be used to determine the load status.~~

~~GB 6-11-85; GB 5-25-93; GB 6-10-97~~

❖ **From current Palomar Policy 154.5 titled Extended Day (80-8235)**

**Extended Day (80-8235)**

~~A faculty member may request an extended-day teaching assignment as a part of his/her salary contract.~~

~~These requests should be approved when consistent with the needs of the department. In the event the request is not approved at the department level, the faculty member may follow the Academic Due Process.~~

~~In the event of compelling budget restraints or if any department or program is adversely affected by a decrease in day student enrollment, the division dean, with the concurrence of the department chairperson, may recommend the reassignment of a faculty member. This reassignment may include day, extended day, and/or off-campus duties as partial or complete fulfillment of the individual's contract.~~

~~This recommendation is subject to approval by the Assistant Superintendent/Vice President for Instruction. If such reassignments cross divisional lines, they may be initiated and approved by the Assistant Superintendent/Vice President for Instruction with the concurrence of the appropriate division dean and department chairperson and conformity with the Lateral Transfer Policy. If concurrence is not possible, the division dean shall recommend the assignment change to the Assistant Superintendent/Vice President for Instruction, who will make the final decision.~~

~~GB 11-25-80~~

#### ~~❖ From current Palomar Procedure 170 titled Reduced Workload~~

##### ~~Reduced Workload~~

##### ~~**Guidelines for Eligibility Determination**~~

~~The following guidelines are used to determine member eligibility for the Reduced Workload Program:~~

~~A. Will the employee have reached the age of 55 prior to participating in the reduced workload program?~~

~~B. Has the employee been employed in a full-time academic position for at least ten years?~~

~~C. Has the employee been continuously employed in a full-time academic position for the five consecutive school years immediately preceding entering the reduced workload program?~~

~~(Sabbatical and other approved leaves do not constitute a break in service and are not used to compute the five years' full-time service requirement.)~~

~~If any of the above answers is No, the employee is not eligible to participate in the reduced workload program.~~

~~Office of Primary Responsibility: [Human Resource Services](#)~~

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**NOTE:** This policy is **legally required**. The language in **red type** is recommended by the Community College League and legal counsel (Liebert Cassidy Whitmore). The information in **blue type** is additional language to consider including in this policy. The language in **black type** is current Palomar Policies 151 titled Definition with no adoption

date; 154 titled Faculty with no adoption date; 154.32 titled Adjunct Faculty adopted on 6-11-85 and revised on 5-25-93; 154.41 titled Regular and Contract Staff, Academic Year adopted on 6-11-85, revised 5-25-93, and revised 6-10-97; 154.5 titled Extended Day adopted on 11-25-80 and current Palomar College Procedure 170 titled Reduced Workload with no date. The language in **green ink** reflects revisions/additions made by Human Resource Services.

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**Date Adopted:**

(Replaces current Palomar Policies 151, 154, 154.32, 154.41, 154.5 and current Palomar Procedure 170)

Human Resources  
DRAFT as of 10/2/08

BP 7230 CLASSIFIED EMPLOYEES

References:

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. Procedures specific to classified employees are delineated in the applicable collective bargaining agreement or employee handbook.

The classified service does not include:

- Substitute employees
- Short-term employees who are employed and paid for less than 75 percent of the fiscal year
- Professional experts employed on a temporary basis for a specific project, regardless of length of employment
- Interns, 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 Governing Board shall fix and prescribe the duties of the members of the classified service. (See BP 7110 titled Delegation of Authority)

The Superintendent/President 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.

Office of Primary Responsibility: Human Resource Services

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**Date Adopted:**

(This is a new policy recommended by the CC League and the League's legal counsel)

Human Resources  
DRAFT as of 10/2/08

## BP 7340 LEAVES

### References:

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

The Superintendent/President shall establish procedures for employee leaves as authorized by law, by collective bargaining agreements, and by employee handbooks. Such leaves shall include, but are not limited to:

- illness leaves for all classes of permanent employees
- 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 (Education Code Sections 87768.5 and 88210)
- leave of absence to serve as an elected member of the legislature (Education Code Section 87701)
- family medical leave and pregnancy leave (Education Code Sections 87766 and 88193; Government Code Section 12945; See BP 7347 titled Family Medical Leave)
- use of illness leave for personal necessity (Education Code Sections 87784 and 88207)
- industrial accident leave (See BP/AP 7343 titled Industrial Accidents and Illness)
- bereavement leave
- jury service or appearance as a witness in court (Education Code Sections 87036 and 87037)
- military service (Education Code Section 87700)
- sabbatical leaves and
- load bank leaves (Education Code Section 87790)

Vacation leave for members of the classified bargaining unit, confidential and supervisory team employees (CAST), and educational and classified administrators shall not accumulate beyond two times the annual leave accrual. 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 Governing Board retains the power to grant leaves with or without pay for other purposes or for other periods of time.

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**Date Adopted:**

*(this is a new policy recommended by the CC League and the League's legal counsel)*

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BP 7250 EDUCATIONAL ADMINISTRATORS

References:

Education Code Sections 72411 et seq., 87002(b), 87356, and 87457-87460;  
Government Code Sections 3540.1(g) and (m)

Educational administrator means an administrator employed in an academic position designed by the Governing Board of the District as having direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services programs of the District. Educational administrators include, but are not limited to, superintendents, presidents, and other supervisory or management employees designated by the Governing Board as educational administrators.

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

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Human Resources  
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BP 7260 CLASSIFIED ADMINISTRATORS AND SUPERVISORS

References:

Education Code Sections 72411 and 87002 (b) and (c);  
Government Code Sections 3540.1(g) and (m)

Classified administrators are administrators who are not employed as educational administrators and who, regardless of job description, have significant responsibilities for formulating District policies or administering District programs other than the instructional or student services programs of the District.

Classified supervisors are supervisors of classified employees not employed in academic positions.

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

Refer to the appropriate employee handbook for additional details regarding classified administrators and supervisors.

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**Date Adopted:**

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Human Resources  
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BP 7270 STUDENT WORKERS

**References:**

Education Code Sections 69960(f) and 88003

The District shall provide employment opportunities for its students through various local, state, and federally funded programs.

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**Date Adopted:**

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Human Resources  
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BP 7335 HEALTH EXAMINATIONS

References:

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

The District may require medical examinations of candidates for appropriate positions prior to assuming the duties of the position. Such pre-employment medical examinations shall be required of any candidate for a position for which a pre-employment medical examination has been deemed appropriate. No candidate will be required to participate in such an examination solely on the basis of the candidate's age or disability.

The Governing Board authorizes the Superintendent/President or designee to require any employee to undergo a physical or mental examination at any time it appears to be in the District's interest to obtain verification of an employee's fitness for duty and where such a fitness for duty exam is job related and consistent with business necessity. Such medical examinations will be at the District's expense and will be conducted by a physician chosen by the District, subject to provisions in applicable collective bargaining agreements or employee handbooks.

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**Date Adopted:**

(This is a new policy recommended by the CC League and the League's legal counsel)

Human Resources  
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BP 7385 SALARY DEDUCTIONS

References:

Education Code Sections 87040, 87833, 87834, and 88167

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

- participation in a tax-sheltered annuity and/or 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, or other periodic charges on any hospital service contract and/or
- any voluntary deductions

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

Without charge to the employee, the District shall reduce the salary payment by the amount which the employee has authorized in writing for the purpose of paying his or 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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