

General Institution
DRAFT as of 1/7/09

BP 3050 INSTITUTIONAL CODE OF ETHICS

Reference:

Accreditation Standard III.A.1.d

In accordance with the accreditation standards, the District shall have and uphold a written code of professional ethics for all of its personnel.

❖ **From current Palomar Policy 1.3 titled Ethics and Expectations (94-16731)**

~~The Governing Board recognizes that the District is a model community, an agency to establish and present highly ethical and compassionate behaviors for the community to look up to and emulate.~~

~~We, therefore, shall strive to uphold three central values:~~

~~Respect: _____ for each other, the District, and its cultures.~~

~~Responsibility: _____ for ourselves, our work, and our studies.~~

~~Honesty: _____ towards all members of the District's community.~~

~~We will interpret and use these values comprehensively, and we will consistently rededicate ourselves to them and apply them at all times and in all situations.~~

NOTE: The language in **black ink** is current Palomar College Policy 1.3 titled Ethics and Expectations adopted on 11-8-94. The **green ink** reflects language recommended by Institutional Research and Planning.

Date Adopted:

(Replaces current Palomar College Policy 1.3)

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BP 3100 ORGANIZATIONAL STRUCTURE

Reference:

[Education Code Section 72400](#)

The Superintendent/President shall establish organizational charts that delineate the lines of responsibility and fix the general duties of employees within the District.

NOTE: The **red ink** signifies language that is **legally required** and recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). This policy was reviewed by Institutional Research and Planning.

Date Adopted:

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

BP 3200 ACCREDITATION

Reference:

Accreditation Eligibility Requirement 20 and Accreditation Standard IV.B.1.i

❖ **From current Palomar Policy 3200 titled Accreditation**

The Superintendent/President shall ensure that the District complies with the accreditation process and standards of the Accrediting Commission of Community and Junior Colleges and of accrediting bodies agencies of other District academic programs that seek special accreditation.

The Superintendent/President shall keep the Governing Board informed of approved accrediting organizations and the status of accreditations.

The Superintendent/President shall ensure that the Governing Board is involved in any each accreditation process in which Board participation is required.

The Superintendent/President shall provide the Governing Board with a summary of any each accreditation report and any actions taken or to be taken in response to recommendations in an accreditation report.

~~Accreditation Eligibility Requirement 20, Standard IV.B.1.i~~
~~GB 3-11-03~~

NOTE: This policy is **legally required**. The information in **black ink** is current Palomar College Policy 3200 titled Accreditation adopted on 3-11-03. The current Palomar College language parallels the League recommended language. The **green ink** reflects language recommended by Institutional Research and Planning.

Date Adopted:

(Replaces current Palomar College Policy 3200)

BP 3250 INSTITUTIONAL PLANNING

References:

Title 5 Sections 51008, 51010, 51027, 53003, 54220, 55080, 55190, 55250, 55510, and 56270 et seq.; Accreditation Standard I.B

❖ From current Palomar Policy 3250 titled Institutional Planning

The Superintendent/President shall ensure that the District has and implements a broad-based comprehensive, systematic and integrated system of planning that involves appropriate segments of the college District community and is supported by institutional effectiveness research.

The planning system shall include plans required by law, including, but not limited to,

- Long-range Educational or Academic Master Plan, which should be updated periodically as deemed necessary by the Governing Board
- Facilities Plan
- Faculty and Staff Diversity Plan
- Student Equity Plan
- Matriculation Plan
- Transfer Center Plan
- Cooperative Work Experience Plan
- EOPS Plan

The Superintendent/President shall submit those plans for which Governing Board approval is required by Title 5 to the Board.

The Superintendent/President shall inform the Governing Board about the status of planning and the various plans.

The Superintendent/President shall ensure the Governing Board has an opportunity to assist in developing the general institutional mission and goals for the comprehensive plans.

~~Accreditation Standard I.B; Title 5, Sections 51008, 51010, 51027, 53003, 54220, 55250, 55400 et seq., 55510, 56270 et seq. GB 3/11/03~~

NOTE: The **red ink** signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The information in **black ink** is current Palomar College Policy 3250 titled Institutional Planning adopted on 3-11-03. The **green ink** reflects language recommended by Institutional Research and Planning.

Date Adopted:

(Replaces current Palomar College Policy 3250)

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BP 3280 GRANTS

References:

Education Code Section 70902

The Governing Board will be informed about all grant applications made and grants received by the District.

The Superintendent/President shall establish procedures to assure timely application and processing of grant applications and funds, and that the grants that are applied for directly support the mission, goals, and objectives of the District as described in planning documents such as the Strategic Plan.

❖ From current Palomar College Policy 311 titled Instructional Grants (91-15055)

~~Instructional grants up to \$1,000 may be available to faculty and to full-time members of the instructional staff of the District for projects of significance to the improvement of the instructional program of the District. An Instructional Grant may be awarded for the project if, in the opinion of the appropriate Chairperson/Director and Division Dean or Assistant Superintendent/Vice President for Instruction for staff reporting to the Assistant Superintendent/Vice President for Instruction, the project involves substantial time and effort beyond that considered to be the normal obligation to the District. The Assistant Superintendent/Vice President for Instruction shall publish a summary of Instructional Grant activities for the year. Projects which are funded and completed under the terms of this policy do not qualify for professional development credit or other District compensation.~~

~~GB 5-26-92 Amended~~

NOTE: The **red ink** signifies language that is **legally advised** and recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in **black ink** is current Palomar College Policy 311 titled Instructional Grants adopted on 5-26-92. The **green ink** reflects revisions recommended by Institutional Research and Planning.

Date Adopted:

(Replaces current Palomar College Policy 311)

General Institution
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BP 3500 CAMPUS SAFETY

Reference:

Education Code Section 67380(a)(4)

The Governing Board is committed to a safe and secure District work and learning environment. To that end, the Superintendent/President shall establish a Campus Safety Plan and ensure that it is posted or otherwise made available to students. The Campus Safety Plan, addressed in the Annual Security Report, shall include availability and location of the Palomar College Police Department, methods for summoning assistance of the Palomar College Police Department, any special safeguards that have been established, any actions taken in the preceding 18 months to increase safety, and any changes in safety precautions to be made during the next 24 months.

NOTE: The **red ink** signifies language that is **legally required**. The language in **green ink** was recommended by the Palomar College Police Department.

Date Adopted:

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

**General Institution
DRAFT as of 1/13/09****BP 3505 EMERGENCY RESPONSE PLAN****References:**

Education Code, Sections 32282, 35296, and 42140;
Government Code, Sections 3100 and 8607(a);
19 California Code of Regulations (CCR), Sections 2400-2450;
National Fire Protection Association 1600;
Homeland Security Act of 2002;
Homeland Security Presidential Directive-5;
Executive Order S-2-05

The Superintendent/President shall establish procedures that ensure that the District implements a program or plan to be activated in the event of an emergency, or when a natural disaster or hazardous condition occurs. This program or plan must comply with the National Incident Management System (NIMS), the Standardized Emergency Management System (SEMS) and should incorporate the functions and principles of the Incident Command System (ICS), the Master Mutual Aid Agreement (MMAA) and any other relevant programs. The program must incorporate NIMS and SEMS to facilitate the coordination between and among agencies in the event of an emergency or natural disaster.

Compliance with NIMS and SEMS mandates include:

- Establishing a disaster preparedness program or plan
- Completion of training sessions by college personnel in compliance with NIMS and SEMS guidelines
 - Training requirements vary based on job titles or assigned roles within the emergency management program

College personnel must be informed that as public employees, they are also disaster service workers during national, state and local emergencies. The Superintendent/President should ensure that an ICS Team is created to carry out compliance with NIMS and SEMS mandates.

Responses to emergencies or natural disasters are organized by SEMS into five categories: field response, local government, operational areas, regions, and the state management level.

The plan or program should contain information regarding activation and chain of command responsibilities. Compliance with NIMS mandates requires planning and incorporation for all phases of emergency management including mitigation and

prevention, preparedness, response, and recovery. Colleges must comply with NIMS and SEMS to receive state or federal funding.

NOTE: The **red ink** signifies language that is **legally advised**. This new policy was recommended by the CC League and the League's legal counsel in Update #15 disseminated to districts in September 2008.

Date Adopted:

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

BP 3510 WORKPLACE VIOLENCE PLAN

References:

- Cal/OSHA: Labor Code Sections 6300 et seq.;
- 8 Cal. Code Regs. Section 3203;
- "Workplace Violence Safety Act of 1994" (Code of Civil Procedure Section 527.8 and Penal Code Sections 273.6 and 12021)

The Governing Board is committed to providing a District work and learning environment that is free of violence and the threat of violence. The Board's priority is the effective handling of critical workplace violence incidents, including those dealing with actual or potential violence.

The Superintendent/President shall establish administrative procedures that assure that employees are informed regarding what actions will be considered violent acts, and requiring any employee who is the victim of any violent conduct in the workplace, or is a witness to violent conduct to report the incident, and that employees are informed that there will be no retaliation for such reporting.

❖ **From current Palomar College Policy 111 titled Dealing with Threats or Acts of Violence (94-16688)**

The District will not tolerate threats or acts of violence by students, employees, or members of the community and will take immediate disciplinary action when such threats are made, including immediate suspension, when appropriate, until the investigation is completed. It is inappropriate to use threats in an attempt to intimidate, prevent work from being completed, or in any way interfere with providing a safe workplace and learning environment.

GB 10-11-94

NOTE: The **red ink** signifies language that is legally required. The information in **black ink** is current Palomar College Policy 111 titled Dealing with Threats or Acts of Violence adopted on 10-11-94. The Palomar College Police Department reviewed this policy on 12-1-08.

Date Adopted:

(Replaces current Palomar College Policy 111)

BP 3515 REPORTING OF CRIMES

Reference:

Education Code Section 67380

The Superintendent/President shall assure that, as required by law, reports are prepared of all occurrences reported to the District police of arrests for crimes committed on each campus that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication. The Superintendent/President shall further assure that required reports of non-criminal acts of hate violence are prepared. Such reports shall be made available as required by law.

NOTE: This policy is **legally required**. The **red ink** is language recommended by the Community College League and legal counsel (Liebert Cassidy Whitmore). The Palomar College Police Department reviewed this policy on 12-12-08.

Date Adopted:

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

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BP 3518 CHILD ABUSE REPORTING

References:

Penal Code Sections 261, 264.1, 273a, 273d, 285, 286, 288, 288a, 289, 647a, and 11164-11174.3;

Welfare and Institutions Code Sections 300, 318, and 601;

Family Code Sections 7802, 7807, 7808, 7820-7829, 7890, and 7892

The Superintendent/President shall establish procedures related to the responsibility of employees, within the scope of employment or in their professional capacity, to report suspected abuse and neglect of children.

NOTE: This policy is **legally advised**. The **red ink** is language recommended by the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in **green ink** was recommended by the Palomar College Police Department on 12-1-08.

Date Adopted:

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

General Institution
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BP 3520 LOCAL LAW ENFORCEMENT

Reference:

Education Code Section 67381

Each campus or center of the District shall enter into a written agreement with local law enforcement agencies. The agreement shall clarify operational responsibilities for investigations of Part I violent crimes, defined by law as willful homicide, forcible rape, robbery, and aggravated assault, occurring at each location.

The written agreement shall designate which law enforcement agency shall have operational responsibility for violent crimes and delineate the specific geographical boundaries of each agency's operational responsibility, including maps as necessary.

The written agreements required by this policy shall be public records and shall be made available for inspection by members of the public upon request.

NOTE: The **red ink** signifies language that is legally required. The language in **green ink** was recommended by the Palomar College Police Department.

Date Adopted:

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

General Institution
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BP 3530 WEAPONS ON CAMPUS

References:

Penal Code Sections 626.7, 626.10, and 12020

Firearms or other weapons shall be prohibited on any college or District center or in any facility of the District except for activities conducted under the direction of District officials or as authorized by an official law enforcement agency.

NOTE: The **red ink** signifies language that is legally required. The language in **green ink** was recommended by the Palomar College Police Department.

Date Adopted:

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

General Institution
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BP 3540 SEXUAL ASSAULTS ON CAMPUS

References:

Education Code Sections 67385 and 67385.7;

20 US. Code Section 1092(f);

34 Code of Federal Regulations Section 668.46(b)(11)

Any sexual assault or physical abuse, including, but not limited to rape as defined by California law, whether committed by an employee, student, or member of the public, that occurs on District property, 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 and other assaults shall be treated with dignity and provided comprehensive assistance.

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

The procedures shall meet the criteria contained in Education Code Sections 67385 and 67385.7 as well as 34 Code of Federal Regulations Section 668.46.

❖ **From current Palomar College Policy 103 titled Sexual Assault (90-14486)**

The Palomar Community College District is committed to providing a safe learning and working environment that promotes mutual respect and is free of physical and psychological threat. The District will provide a program of education and services such as training, escort services, and pathway lighting to minimize the risk of sexual assault. To the fullest extent possible, the District ensures that students, faculty, and staff who are victims of sexual assault committed at or upon the grounds of Palomar College or at off-campus facilities maintained by the District shall receive treatment, referrals for treatment, and information to deal with the assault. Sexual assault includes, but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.

The District will terminate or expel any person found through the academic due process or a judicial court to have committed the crime of rape or other sexual assault at or upon the grounds of Palomar College or at off-campus facilities maintained by the District. Appropriate disciplinary action up to and including termination or expulsion will also be taken against members of the campus community who participate directly or indirectly in sexual assault.

NOTE: This policy is **legally required**. The **red ink** is language recommended by the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in **black ink** is current Palomar College Policy 103 titled Sexual Assault adopted on 6-11-91. The Palomar College Police Department reviewed this policy.

Date Adopted:

(Replaces current Palomar College Policy 103)

General Institution
DRAFT as of 1/13/09

BP 3550 DRUG FREE ENVIRONMENT AND DRUG PREVENTION PROGRAM

References:

Drug Free Schools and Communities Act, 20 U.S. Code Section 1145g;
34 Code of Federal Regulations Sections 86.1 et seq.;
Drug Free Workplace Act of 1988, 41 U.S. Code Section 702

The District shall be free from all drugs and from the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in all facilities under the control and use of the District.

Any student or employee who violates this policy will be subject to disciplinary action, which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion, or dismissal.

The Superintendent/President shall assure that the District distributes annually to each student the information required by the Drug-Free Schools and Communities Act Amendments of 1989 and complies with other requirements of the Act.

❖ **From current Palomar College Policy 109 titled Drugs and Alcohol (90-14352)**

It is the policy of the Palomar Community College District to provide, maintain, encourage, and support a drug- and alcohol-free campus. The District is committed to providing a workplace and learning environment that is alcohol free and drug free. The commitment of this policy is to education, prevention, rehabilitation, and recovery. An alcohol-free and drug-free campus will promote the safety and health of students, employees, and the public.

All employees and students are clearly and expressly prohibited from the possession or consumption of alcohol on District property, at any District facility, and where students are engaged in a school-related activity. All employees are absolutely prohibited from the possession or consumption of alcohol when acting within the scope of employment. The "scope of employment" includes all duties performed as a District employee whether or not the duties are performed at any workplace of the District. "Scope of employment" does not include social functions away from any workplace nor does it include presence at a voluntary social activity at a non-workplace related to any conference, workshop, seminar, or similar event where attendance is approved by the District.

All students and employees are clearly and expressly prohibited from being under the influence of alcohol while on District property, at any District facility, while acting within the scope of employment, or while attending any school-related activity.

All employees and students are clearly and expressly prohibited from the manufacture, distribution, dispensation, possession, or use of illegal drugs or controlled substances on campus, at any school-sponsored event, or while acting within the scope of employment. The terms "illegal drugs" and "controlled substances" include all chemical substances or drugs listed in any controlled substances laws or regulations such as the federal Controlled Substances Act of 1988 and California Health and Safety Code sections 11054-11058.

All employees and students are clearly and expressly prohibited from being under the influence of illegal drugs or controlled substances while on campus, at any school-sponsored event, or while acting within the scope of employment.

Any employee or student may possess or use prescribed drugs as long as any such possession or use is under and consistent with the specific direction of a physician and does not seriously impair the performance of the employee or class activity of the student.

~~GB 3-26-91~~

❖ **From current Palomar College Policy 110 titled Controlled Substance and Alcohol Testing (96-18028)**

The Palomar Community College District is committed to maintaining the highest safety and health standards for its students and employees. The use of controlled substances or alcohol in the performance of safety-sensitive functions is contrary to these high standards. The District thus establishes a controlled substance and alcohol testing program to meet the requirements of the Department of Transportation, Federal Highway Administration, Controlled Substances and Alcohol Use and Testing Rule, Code of Federal Regulations, Title 49 Part 382.

This policy is intended to bring the District into compliance with Federal law. The purpose of the Controlled Substance and Alcohol Policy is to reduce accidents that result from the use of controlled substances and misuse of alcohol, thereby reducing fatalities, injuries, and property damage.

~~Implementation of this policy is immediate.~~

~~GB 12-10-96~~

NOTE: The **red ink** signifies language that is legally required. The information in **black ink** is current Palomar College Policy 108 titled Drug-Free Workplace adopted on 3-14-89, Policy 109 titled Drugs and Alcohol with adopted on 3-26-91, and Policy 110 titled Controlled Substance and Alcohol Testing adopted on 12-10-96. The Palomar College Police Department reviewed this policy on 12-1-08.

Date Adopted:

(Replaces current Palomar College Policies 108, 109, and 110)

General Institution
DRAFT as of 1/13/09

BP 3560 ALCOHOLIC BEVERAGES

Reference:

Business and Professions Code Section 25608

The Superintendent/President is authorized to enact procedures as appropriate and permitted by law regarding serving alcoholic beverages on campus or at fund-raising events held to benefit non-profit corporations. Alcoholic beverages shall not be served on campus except in accordance with these procedures.

NOTE: The *red ink* signifies language that is suggested as good practice. The Palomar College Police Department reviewed this policy on 12-1-08.

Date Adopted:

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