

BP 7130      **COMPENSATION AND BENEFITS**

References:

Education Code Sections 45022, 70902(b)(4), 87801, and 88160;  
Government Code Section 53200

The Governing Board shall establish and authorize salary schedules, compensation, and benefits (including health and welfare benefits) for all classes of employees and each contract employee subject to collective bargaining or meet and confer processes as applicable.

❖ **From current Palomar Policy 7.09 titled Salary**

~~The salary schedules for all employees of the District are approved by the Board. See current salary schedules.  
EC 45022, 87801~~

❖ **From current Palomar Policy 155 titled Compensation**

~~Salary Schedules are adopted annually.~~

❖ **From current Palomar Policy 155.1 titled Salary Schedule Credit**

~~The Sabbatical Leave Committee reviews and acts on requests from academic personnel for salary credit. Salary schedule credit may be granted for academic course work or activities deemed equivalent.~~

❖ **From current Palomar Policy 155.11 titled Academic Course Work**

**Academic Course Work**

- ~~A. Completion of any upper division or graduate level course work at an accredited institution, with transcripts of units of credit and grades as evidence. No committee action is necessary.~~
- ~~B. Completion of lower division course work including Palomar College courses. Advance approval is required. Requests for advance approval are to be submitted prior to beginning the course. The submission of an application for advance approval of salary credit does not guarantee that advance approval will be granted; however, if submitted prior to the beginning of the course or at least one month prior to the activity, the request will not be denied on the basis of date submitted. In no case will units in excess of three (3) be awarded for lower division course work in any single four-year period of employment at Palomar College.~~

❖ **From current Palomar Policy 155.12 titled Equivalency Credit**

**Equivalency Credit**

~~In no case will equivalency credit units in excess of six be awarded during any four-year period. No work in progress for equivalency credit may be carried forward from one four-year period to another unless a substantial portion was completed during the four-year period to which the request applies.~~

~~No application will be accepted for work completed prior to the academic staff member's contract employment at Palomar College.~~

~~In evaluating a request, the Sabbatical Leave Committee may seek additional information from persons qualified in the subject matter area. The Committee will evaluate the proposal in terms of the required preparation time and the value of the work to the institution and to the individual. Any proposal shall be judged on the basis of 100 hours of involvement as equivalent to a three-unit course.~~

~~Equivalency credit may be awarded for the following:~~

~~A. Work experience, provided the employment is related directly to the fields in which the academic staff member is rendering service, or the work is of such nature as to provide a substantial increase in the employee's skills, knowledge, or understanding of the basic aspects of his/her work.~~

~~B. Projects which approximate academic equivalency to transfer credit courses will be evaluated in terms of time and effort spent on the project and the value of the project to the individual and the institution.~~

~~C. Course development, which would include work spent in developing new courses, curricula, or programs for which the academic staff member is remunerated shall not be considered as qualifying for salary credit equivalency unless it meets the following criteria:~~

- ~~1. The work is appreciably in excess of that normally spent in preparation of new courses, and~~
- ~~2. The education innovations are extensive and have required an unusual measure of creative effort in their development.~~

~~D. Conferences, Workshops, and Seminars~~

~~Salary credit is not ordinarily given for attendance at conferences, workshops, and seminars. Participation will be evaluated for scholarly significance and equivalency credit by the Committee upon presentation of evidence of attendance/participation and documentation of hours of involvement.~~

~~GB 10-85~~

❖ **From current Palomar Policy 155.41 titled Assigned Time for Faculty Leadership (93-16512)**

**Assigned Time for Faculty Leadership**

~~The officers of the Faculty Senate and The Faculty are provided assigned time during the academic year to carry out the responsibilities of the Faculty Senate and The Faculty.~~

~~GB 6-28-94~~

❖ **From current Palomar Policy 155.42 titled Summer Compensation for Faculty Leadership (93-16513)**

**Summer Compensation for Faculty Leadership**

~~The officers of the Faculty Senate and The Faculty receive a summer stipend to carry out the responsibilities of the Faculty Senate and The Faculty.  
GB 6-28-94~~

❖ **From current Palomar Procedure 155.1 titled Salary Schedule Credit**

**Salary Schedule Credit**

~~Each academic employee is expected to maintain a self-guided program of professional improvement throughout his/her professional career. In addition to meeting the requirements of the Professional Development policy, academic employees have the opportunity to receive salary schedule credit through course work and projects as described in Board policy.~~

~~Forms to request salary schedule credit are available in the Office of Instruction. It is recommended that the staff member thoroughly review the Salary Schedule Credit policy before completing the form and before attending the Sabbatical Leave Committee meeting at which his or her request is to be considered.~~

~~When a request for salary credit is made which appears to duplicate a situation for which credit previously has been granted, the academic employee shall furnish information to the committee indicating how the duplicate situation has appreciably contributed to growth within the profession.~~

~~Except for upper division or graduate level course work, advance approval by the Sabbatical Leave Committee is required.~~

~~It is the responsibility of the applicant to specifically identify how the work will contribute to professional growth. Requests for advance approval are to be submitted prior to beginning the work. Submission of an application for advance approval does not guarantee advance approval will be granted; however, if submitted at least one month prior to the activity, the request will not be denied on the basis of date submitted.~~

~~In no case will salary schedule credit be awarded if Associated Student funds have been allotted for the completion of the work.~~

~~Salary credit may be awarded for work completed while the academic employee is on sabbatical leave, provided all other criteria have been met.~~

~~It is the responsibility of the academic employee to verify completion of any work for which advance approval of salary credit was granted. No final units will be awarded until such verification is received.~~

~~Forms are available in the Office of Instruction.~~

~~The regulations regarding salary credit conform with the following interpretations of the Education Code:~~

- ~~A. If an academic employee attends a degree-granting institution and is reimbursed by the District for travel, registration, or other expenses, the academic employee may not receive salary credit unless payment of an additional fee is made by the employee.~~
- ~~B. If an academic employee goes to a non-degree-granting institution and receives certification of attendance, and the academic employee is reimbursed by the District for travel, registration or other expenses, the employee may not receive salary equivalency credit.~~

- ~~C. If the District releases the academic employee from duties to attend a workshop, seminar, or conference, and the academic employee incurs expenses not reimbursed by the District, the academic employee may receive salary credit.~~
- ~~D. If an Instructional Grant is awarded to an academic employee for a completed project, the academic employee may not receive salary credit for the same project.~~

❖ **From current Palomar Procedure 155.41 titled Assigned Time for Faculty Leadership**

**Assigned Time for Faculty Leadership**

~~An FTE of 1.4 for the academic year is assigned to the Faculty Leadership to be allocated at the direction of the Faculty Council.~~

❖ **From current Palomar Procedure 155.42 titled Summer Compensation for Faculty Leadership**

**Summer Compensation for Faculty Leadership**

~~\$3,600 is provided to the Faculty Leadership to be allocated as stipends at the direction of the Faculty Council.~~

❖ **From Palomar Policy 528.2 titled Tax-Sheltered Annuity Program (87-12287, 96-18068)**

~~The Governing Board of the Palomar Community College District authorizes the participation of District employees (other than student employees and those employees whose contributions would not exceed \$200 per year) in tax sheltered annuity programs. A tax sheltered annuity (TSA) is defined as an investment program which defers federal and state income taxes on that part of current salary invested until such time as the annuity or investment is returned to the individual, either by retirement or by withdrawal. Each individual participating TSA provider (insurance company or company selling shares in a regulated investment company) must be approved by the Governing Board.~~

❖ **From current Palomar Procedure 528.2 titled Tax-Sheltered Annuity Program**

**BACKGROUND**

~~1.1 Internal Revenue Code (IRC) Section 403(b) allows tax deferral for TSA purchases by employees of public schools. TSAs have been available as a method of providing retirement benefits since 1958. Initially, qualified employees were allowed to establish TSAs by purchasing annuity contracts through insurance companies. In 1974, Congress enacted the Employee Retirement Income Security Act (ERISA) which permitted custodial accounts that invest in mutual funds to be treated as TSAs under IRC Section 403(b). The essential requirements and features of a TSA program under IRC Section 403(b) are as follows:~~

~~1.1.1 The participant must be an employee of a qualified organization.~~

~~1.1.2 The purchase of an annuity contract or contributions to a custodial account must be made by the employer.~~

~~1.1.3 The most prevalent method for contributing to a TSA is through a salary reduction~~

~~agreement. A salary reduction agreement is an agreement between the employer and employee under which the employee takes a reduction in salary or forgoes a salary increase and has the employer contribute that amount to the TSA.~~

~~1.1.4 The salary reduction agreement must be legally binding and irrevocable for amounts earned while the agreement is in effect.~~

~~1.1.5 An employee may make one or more agreements with the same employer during any one taxable year, and may terminate the agreement with respect to amounts not yet paid.~~

~~1.1.6 The amount which may be contributed to a TSA by an employee is subject to several limitations based on the individual employee's salary and current and previous contributions to tax deferred plans, including TSAs, state retirement plans, Section 125 cafeteria plans, 401(k) plans, IRA/SEP, Keogh, etc. In general, the maximum amount by which an employee may reduce his/her salary, and make a corresponding contribution to a TSA, is the LESSER of:~~

- ~~a. 20% of salary (after pre-tax contributions to STRS/PERS) times years of service with the employer, less all prior contributions to certain plans;~~
- ~~b. the lesser of 25% of salary (after contributions to STRS/PERS) or \$30,000; or~~
- ~~c. \$10,000.~~

## **DUTIES AND RESPONSIBILITIES**

### **2.1 The Governing Board**

~~2.1.1 Approves TSA Plan.~~

~~2.1.2 Approves addition of TSA vendors to District list. This applies to companies who have not previously participated in the District's TSA program and participating companies who have undergone a corporate entity change through merger, acquisition, etc.~~

### **2.2 The Superintendent/President**

~~2.2.1 Has authority delegated by the Governing Board to purchase TSAs on behalf of District employees and to administer the District TSA program.~~

~~2.2.2 Delegates authority to responsible District personnel.~~

### **2.3 The Director of Fiscal Services**

~~2.3.1 Receives authority to administer the District's TSA Plan as delegated by the President through the Vice President for Finance and Administrative Services.~~

~~2.3.2 Develops procedures to administer TSA Plan pursuant to Section 7 of the TSA Plan which authorizes the Superintendent/President or his/her designee to establish any procedures that are necessary and advisable in effecting proper administration of the District's TSA Plan.~~

~~2.3.3 Reviews company agreements for completeness.~~

~~2.3.4 Submits company agreements for Board approval, if such agreement has been properly executed and if at least one amendment of employment contract/salary reduction agreement has been received from an interested employee of the District.~~

~~2.3.5 Signs company agreements as Authorized Officer of the District.~~

~~2.3.6 Reviews and accepts amendment of employment contract/salary reduction on agreement form and supporting maximum exclusion allowance calculation.~~

~~2.3.7 Reviews and accepts notice of termination of amendment contract/salary reduction agreement forms.~~

~~2.3.8 Develops and provides forms necessary to make available the provisions of IRC 403(b) to eligible District employees.~~

~~2.3.9 The Director of Fiscal Services is authorized to reject forms which are inaccurate, incomplete or not prepared in accordance with District policies and procedures. This authority is granted under Section 7 of the TSA Plan which authorizes the Superintendent/President or his/her designee to establish any procedures that are necessary and advisable in effecting proper administration of the District's TSA Plan. Also, inaccurate maximum exclusion allowance calculations may be rejected by the Director of Fiscal Services under Section 4 of the TSA Plan which states that salary reductions shall not be in excess of the maximum reduction.~~

~~2.3.10 Obtains legal advice regarding the District's TSA program, when necessary.~~

~~2.3.11 Maintains list of approved TSA vendors and provides list to interested employees, when requested.~~

## ~~2.4 — The Internal Auditor~~

~~2.4.1 Reviews amendment of employment contract/salary reduction agreement forms and related maximum exclusion allowance calculation worksheets and advises the Director of Fiscal Services regarding the accuracy and reasonableness of information submitted therein.~~

~~2.4.2 Advises the Director of Fiscal Services on TSA-related matters.~~

~~2.4.3 Performs annual review of maximum exclusion allowance worksheets submitted by employees to determine if adjustments to individual contributions are necessary.~~

~~2.4.4 Answers questions from faculty and staff on TSA-related matters.~~

## ~~2.5 — The Payroll Office~~

~~2.5.1 Maintains all TSA-related forms submitted during the employee's term of employment with the District, including amendment of employment contract/salary reduction agreement and notice of termination forms, and any correspondence between the District and the employee on TSA-related matters.~~

~~2.5.2 Maintains files for each TSA vendor. These files will contain the company agreement executed by the company and the District, a copy of the vendor's TSA agreement for annuities and/or custodial accounts and any correspondence between the company and the District, or any other third party.~~

~~2.5.3 Implements amendment of employment contracts/salary reduction agreements forwarded from Fiscal Services and makes appropriate payroll deductions for participating employees.~~

~~2.5.4 Processes notice of termination forms forwarded from Fiscal Services.~~

~~2.5.5 Assigns District vendor number to new TSA vendors.~~

~~2.5.6 Remits participating employee contributions to applicable TSA vendors with appropriate data, as stated in company agreement.~~

~~2.5.7 Prepares IRS Form W-2 for participating employees reflecting the annual TSA contribution in accordance with IRS regulations.~~

~~2.5.8 Answers questions from faculty and staff on TSA-related matters.~~

## ~~2.6 The Company (Annuity or Custodial Account)~~

~~2.6.1 Executes company agreement, without changes.~~

~~2.6.2 Complies with all provisions of the company agreement.~~

~~2.6.3 Complies with all state and federal laws and regulations applicable to TSAs.~~

~~2.6.4 Assists clients with TSA-related matters.~~

## ~~2.7 The Employee~~

~~2.7.1 Knows and understands the TSA regulations and requirements or obtains tax advice from a competent source. All personal tax, financial and retirement planning decisions are the sole responsibility of the employee.~~

~~2.7.2 Completes and submits in a timely manner the necessary forms and certifications required to initiate, modify or terminate contributions to a TSA, in accordance with IRS regulations and District policy and procedures.~~

~~2.7.3 Completes and submits annual maximum exclusion allowance calculation to ensure that TSA contributions are within limits imposed under the Internal Revenue Code.~~

~~2.7.4 Reads and understands the terms and conditions of the amendment of employment contract/salary reduction agreement and abides by same.~~

## **PROCEDURES/IMPLEMENTATION**

### **3.1 How to Set Up a TSA**

~~3.1.1 Employee selects a TSA vendor from the District's list of vendors that have been approved by the Governing Board for participation in the District's TSA plan. The District list of TSA vendors is available in Fiscal Services (A-2). If the employee wishes to set up a TSA with a vendor who is not currently on the District list, the employee may do so by following the procedures outlined in 3.4 below.~~

~~3.1.2 Employee contacts the TSA vendor(s) of his/her choice and obtains the company's TSA application, a description of the company's TSA plan and investment options for annuities and/or mutual funds and prospectuses for selected investment options. The employee should read and understand the terms and conditions of the company's TSA agreement and the nature of the available investment options before making any decision to invest in a TSA.~~

~~3.1.3 Employee obtains an amendment of employment contract/salary reduction agreement form from Fiscal Services.~~

~~3.1.4 Employee decides how much he/she wants to contribute to a TSA, subject to limitations. It is the responsibility of each employee to determine his/her own limitations in consultation with a financial advisor. To ensure that the employee's TSA contribution does not exceed legal limits, the District requires that the employee submit a maximum exclusion allowance calculation worksheet with the amendment of employment contract/salary reduction agreement form. The employee should request his/her broker, agent or financial advisor to prepare and sign a maximum exclusion allowance calculation worksheet. But even if the employee is not setting up the TSA through a broker or agent, the employee is still required to prepare and submit the exclusion allowance calculation. A sample maximum exclusion allowance worksheet, which is derived from the formulas contained in IRS Publication 571 – "Tax-Sheltered Annuity Programs for Employees of Public Schools and Certain Tax-Exempt Organizations," is available in Fiscal Services.~~

~~3.1.5 Employee submits the executed amendment of employment contract/salary reduction agreement form, along with the maximum exclusion allowance calculation (prepared and signed by the employee and/or the employee's broker, agent or financial advisor) to Fiscal Services. If the vendor's TSA application requires the signature of a District representative, the application may also be submitted at this time.~~

~~3.1.6 The amendment of employment contract/salary reduction agreement forms must be completed by the employee and reviewed and approved by District representatives. Employees who normally receive a paycheck on the last day of the month must submit the appropriate forms and documentation by the 15th day of the month. Employees who normally receive a paycheck on the 20th of the month must submit the appropriate forms and documentation by the 5th day of the month. These deadlines may be affected by holiday periods during certain months. The employee should contact the Payroll Office regarding specific deadlines.~~

~~3.1.7 Fiscal Services affixes a date stamp to the amendment of employment contract/salary reduction agreement form acknowledging receipt of the TSA forms.~~

~~3.1.8 The TSA forms received by Fiscal Services are forwarded to the Internal Auditor, who reviews the documents for completeness and verifies the accuracy and reasonableness of the calculations and representations therein. The Internal Auditor consults with the Director of Fiscal Services regarding any errors or deficiencies noted in the submitted documents. In such cases, the employee is contacted by the Internal Auditor regarding the errors or deficiencies. If no exceptions are noted, the Internal Auditor initials the exclusion allowance calculation to indicate that the verification has been performed.~~

~~3.1.9 The Director of Fiscal Services signs and dates the amendment of employment contract/salary reduction agreement form as District Representative. As necessary, the Director of Fiscal Services also signs the insurance or investment company's TSA application and returns it to the employee for forwarding to the TSA vendor.~~

~~3.1.10 The executed amendment of employment contract/salary reduction agreement form and exclusion allowance calculation are forwarded by Fiscal Services to the Payroll Office. Payroll Office personnel initiate appropriate payroll deductions. The TSA documents submitted by the employee are filed in the employee's personnel folder in the Payroll Office.~~

## ~~3.2 How to Make Changes to a TSA~~

~~3.2.1 Effective December 31, 1995, TSA participants may make multiple changes to amendment of employment/salary reduction agreements during any one tax year.~~

~~3.2.2 The employee obtains and submits an amendment of employment contract/salary reduction agreement form and maximum exclusion allowance calculation as outlined in 3.1.1 through 3.1.6 above. This modified agreement will supersede in its entirety any other amendment of employment contract/salary reduction agreement previously submitted by the employee.~~

### ~~3.3 How to Terminate Contributions to a TSA~~

~~3.3.1 The employee may elect to stop all contributions to a TSA. The Internal Revenue Code allows an employee to terminate a TSA contribution with respect to amounts not yet paid.~~

~~3.3.2 The employee obtains a Notice of Termination of Amendment of Employment Contract/Salary Reduction Agreement form from Fiscal Services.~~

~~3.3.3 The employee submits the executed Notice of Termination form to Fiscal Services.~~

~~3.3.4 All terminations are effective as of the end of the pay period in which the Notice of Termination was submitted and accepted.~~

~~3.3.5 Fiscal Services affixes a date stamp to the notice of termination form to acknowledge receipt of the form.~~

~~3.3.6 Fiscal Services forwards the notice of termination form to the Payroll Office. Payroll Office personnel review the form to ensure it has been submitted in accordance with District procedures and indicate acceptance of the form by signing as District Representative.~~

~~3.3.7 Payroll Office personnel terminate appropriate payroll deductions. The notice of termination form submitted by the employee is filed in the employee's TSA folder in the Payroll Office.~~

### ~~3.4 How to Add a TSA Vendor to the District List~~

~~3.4.1 The District allows employees to contribute to the TSA vendor of their choice provided that the company has executed and submitted the appropriate company agreement and the company's participation in the District's TSA plan has been approved by the Governing Board.~~

~~3.4.2 For a company which offers tax sheltered annuities (annuity and custodial accounts) to be approved as a participant in the District's TSA plan, the following steps must be taken:~~

- ~~1. An eligible employee must request that the company be granted approval. The employee should obtain and complete an amendment of employment contract/salary reduction agreement form from Fiscal Services. This form along with a maximum exclusion calculation worksheet and the company name, address and name of contact should be submitted to Fiscal Services.~~
- ~~2. Fiscal Services will send the appropriate company agreement to the company.~~
- ~~3. The company must execute and return the company agreement.~~
- ~~4. Fiscal Services will submit the company's request to the Governing Board for approval.~~

### ~~3.5 Annual Calculation of the TSA Contribution Limitations~~

~~3.5.1 It is important that the employee calculates his/her TSA contribution limitation at least annually to ensure that the employee does not make excess contributions to a TSA. Excess contributions to a TSA may result in adverse tax consequences to the employee and to the~~

~~District. Participating employees should refer to IRS Publication 571, entitled "Tax Sheltered Annuity Programs for Employees of Public Schools and Certain Tax-Exempt Organizations," for an explanation of potential personal tax liabilities resulting from excess contribution to a TSA.~~

~~3.5.2 The District requires that the participating employee submit an exclusion allowance calculation worksheet whenever a TSA is set up or modified. This calculation should be prepared and signed by the employee's broker, agent or financial advisor or by the employee and should be submitted with the amendment of employment contract/salary reduction agreement form to ensure that the amount of the TSA contribution does not exceed legal limits.~~

~~3.5.3 In addition, the District requires that each participating employee submit an exclusion allowance calculation in September of each year. The calculation should be based upon projected earnings through the end of the year. The Payroll Office will send a memorandum reminder to all participating employees in August to ensure that employees are aware that the required calculation should be submitted.~~

~~3.5.4 If the participating employee becomes aware that a TSA contribution in excess of the legal limits has been made on their behalf or that an excess contribution may result by the end of the current tax year, the employee should take immediate steps to correct the situation. If an excess contribution has been made to the employee's TSA annuity or custodial account, it may be corrected with no adverse tax consequences by notifying the TSA vendor about the excess contribution by March 1 of the following tax year and having the TSA vendor pay the employee that amount by April 15. The employee should contact the TSA vendor and arrange for the excess contribution to be returned directly to the employee. If the employee's TSA arrangement does not provide for direct payment of excess amounts, the employee should contact the Payroll Office. If an excess contribution does not currently exist but may occur before the end of the current tax year, the employee may modify or terminate his/her TSA contribution to avert the excess contribution.~~

#### **FORMS AND TSA-RELATED DOCUMENTS** – All available in Fiscal Services

~~4.1 Governing Board Resolution, as adopted~~

~~4.2 Tax Sheltered Annuity Plan, as adopted~~

~~4.3 Amendment of Employment Contract/Salary Reduction Agreement~~

~~4.4 Notice of Termination~~

~~4.5 Company Agreement (Annuities)~~

~~4.6 Company Agreement (Custodial Accounts)~~

~~4.7 Sample Maximum Exclusion Allowance Worksheet~~

~~4.8 IRS Publication 571 – Tax Sheltered Annuity Programs for Employees of Public Schools and Certain Tax-Exempt Organizations (This pamphlet is also available by contacting the IRS at 1-800-TAX-FORM)~~

~~4.9 List of participating TSA vendors~~

[Compensation is subject to BP 7140 titled Collective Bargaining for represented employees.](#)

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

---

**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 7.09 titled Salary, 155 titled Compensation, 155.1 titled Salary Schedule Credit, and 155.11 titled Academic Course Work with no adoption date as well as 155.12 titled Equivalency Credit adopted on 10-85, 155.41 titled Assigned Time for Faculty

*Leadership adopted on 6-28-94, 155.42 titled Summer Compensation for Faculty Leadership adopted on 6-28-94, and BP 528.2 titled Tax-Sheltered Annuity Program dated 3-8-88 and revised on 1-14-97 and current Palomar Procedures 155.1 titled Salary Schedule Credit, 155.41 titled Assigned Time for Faculty Leadership, 155.42 titled Summer Compensation for Faculty Leadership with no adoption date, and 528.2 titled Tax-Sheltered Annuity Program with no 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.*

---

**Date Adopted:**

*(Replaces current Palomar Policies 7.09, 155, 155.1, 155.11, 155.12, 155.41, 155.42, 528.2 and current Palomar Procedures 155.1, 155.41, 155.42, 528.2)*

Human Resources  
DRAFT as of 9/12/08

BP 7140 COLLECTIVE BARGAINING

**References:**

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.

❖ **From current Palomar Policy 107 titled Recognition of Employee Organizations (64-414)**

~~The Superintendent/President is designated as the representative of the Governing Board to meet and confer with representatives of employee organizations. Upon request he/she will consider, as fully as it is deemed reasonable, such presentations as are made by the employee organization on behalf of its members.~~  
GB-5-25-65

Also see BP 2610 titled Presentation of Initial Collective Bargaining Proposals

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

---

**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 information in **black type** is current Palomar Policy 107 titled Recognition of Employee Organizations adopted on 5-25-65. 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.

---

**Date Adopted:**

(Replaces current Palomar Policy 107)

## BP 7150 EMPLOYEE EVALUATIONS

**References:**

Education Code Sections 70902 and 87663-87683;  
Accreditation Standard III.A.1.b

All faculty and permanent staff members will periodically undergo a performance evaluation. The procedures for employee evaluations are delineated in the applicable collective bargaining agreement or employee handbook.

**❖ From current Palomar Policy 173 titled Tenure and Evaluation (91-14929)**

~~The Palomar Community College District supports the evaluation of job performance as described in Education Code section 87663. Evaluation and tenure review procedures shall be designed by the Faculty Senate to recognize, maintain, support, and encourage excellence in all facets of the educational process. Methods of evaluation shall be adopted or designed to provide meaningful feedback on job performance to both the employee and the appropriate department.~~

~~Probationary faculty shall be evaluated at least once in each academic year of employment. Tenured faculty shall be evaluated at least once every three years. Adjunct and temporary faculty shall be evaluated within the first year of employment and at least once every sixth regular semester of employment thereafter.~~

~~Evaluation and tenure review procedures shall include peer review at the department or division level. Students shall also be involved in faculty evaluation. The evaluation and tenure review process shall include procedures for recommending continued employment or dismissal and for initiating due process. All evaluation and tenure review methods shall refer to specified standards of performance.~~

~~The recommendations from the evaluation committee and the Tenure and Evaluation Review Board are sent by the Tenure Review Coordinator to the Superintendent/ President to be forwarded to the Governing Board.~~

~~Revisions to the Tenure and Evaluations Policy and Procedures are considered to be an Academic Matter.~~

~~The signed evaluation report will become part of the employee's personnel file.~~

~~In accordance with the District's Faculty and Staff Diversity Plan, evaluation and tenure review policies and procedures will be applied without regard to such matters as ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, or physical or mental disability.~~

~~GB 3/24/92, rev. 1-22-02~~

## ❖ From current Palomar Procedure 173 titled Evaluation

~~The policy and procedures described in the Palomar Community College District's Tenure and Evaluation Plan were developed by the Tenure and Evaluations Review Board, and submitted for approval to the Faculty Senate. The policy was then submitted to the Palomar Community College District Governing Board for approval. The policy and procedures have been developed in response to changes in the Education Code through Assembly Bill 1725 and revised Board policy 173.~~

### **Definitions**

- ~~A. PROBATIONARY FACULTY (CONTRACT) are those faculty members who have tenure-track contracts for regular faculty positions and who have not yet been granted tenure by the District.~~
- ~~B. TENURED FACULTY (REGULAR) are those faculty members who have contracts for regular positions and who have been granted tenure by the District.~~
- ~~C. ADJUNCT FACULTY are those non-contractual, non-tenure-track faculty members whose assignments are no more than sixty percent of a full-time load. (Education Code section 87482.5)~~
- ~~D. TEMPORARY FACULTY are those non-tenure-track faculty members who have temporary contracts for faculty positions. (Education Code sections 87470, 87471, 87478, 87481, 87482)~~

### **Standards of Performance for Faculty**

#### ~~A. Instructors~~

- ~~1. The instructor shall establish a classroom environment to promote teaching and learning that respects the active role of the student as a learner.~~
- ~~2. The instructor shall meet classes as stipulated in the Class Schedule and maintain the office hours required by the administrative policies of the District.~~
- ~~3. The instructor shall demonstrate depth of academic preparation and subject area competency.~~
- ~~4. The instructor shall demonstrate subject area currency and be proficient in integrating new material into the classroom.~~
- ~~5. The instructor shall fairly and objectively teach the subject matter described in the Palomar College Catalog and Course Outline of Record.~~
- ~~6. The instructor shall present material in a clear, well-organized, and informative manner, using teaching methods and materials that are appropriate to the subject matter and to the needs of the students.~~
- ~~7. The instructor shall demonstrate effective communication skills in the classroom, presenting course material in an interesting and engaging manner.~~
- ~~8. The instructor shall maintain fair and clearly stated grading policies and provide fair and reasonably prompt evaluation of student work.~~
- ~~9. The instructor shall treat students with respect and tolerance, demonstrating patience and a willingness to help when needed and encouraging student participation and questions.~~
- ~~10. The instructor shall provide an environment where persons of diverse cultural and ethnic backgrounds become partners in learning, build on the strengths of their own cultural tradition, and respect, embrace, and learn from persons of other traditions.~~
- ~~11. The instructor shall demonstrate currency in the field and continued professional growth by participation in professional activities. Such activities may include but are not limited to completion of course work; attendance at workshops, seminars,~~

or professional meetings; and participation in conference presentations, exhibits, curriculum development, research, publication, or community service.

~~12. The instructor shall demonstrate commitment to the College community and to education by participating in department/program meetings and activities, by participating on campus and department/program committees, by working cooperatively with faculty and staff, and by abiding by the standards of academic freedom. This commitment begins the first semester of employment.~~

~~13. The instructor who performs an administrative or supervisory service as part of the contract shall demonstrate skillful maintenance of the department/program that he or she supervises. The instructor will also stimulate and initiate appropriate changes within the department/program.~~

#### ~~B. Counselors~~

~~1. The counselor shall establish an environment to promote teaching and learning that respects the active role of the student as a learner.~~

~~2. The counselor shall adhere to the weekly schedule of appointments submitted to the department chairperson/director.~~

~~3. The counselor shall demonstrate depth of knowledge, experience, and competency in the field.~~

~~4. The counselor shall demonstrate specialty area currency, familiarity with operations and services of the student services area, and proficiency in integrating new materials, ideas, and techniques into the work place.~~

~~5. The counselor shall present and communicate information fairly and objectively.~~

~~6. The counselor shall present and communicate information in a clear, well-organized manner, using appropriate methods and materials.~~

~~7. The counselor shall communicate with students and colleagues in ways that lead to their enhanced growth and productivity.~~

~~8. The counselor shall advise and counsel students in the areas of career goals, degree objectives, and life values.~~

~~9. The counselor shall treat students with respect and tolerance, demonstrating patience and a willingness to help when needed and encouraging student interaction.~~

~~10. The counselor shall provide an environment where persons of diverse cultural and ethnic backgrounds become partners in learning, build on the strengths of their own cultural tradition, and respect, embrace, and learn from persons of other traditions.~~

~~11. The counselor shall demonstrate currency in the field and continued professional growth by participation in professional activities. Such activities may include but are not limited to completion of course work; attendance at workshops, seminars, or professional meetings; and participation in conference presentations, exhibits, curriculum development, research, publication, or community service.~~

~~12. The counselor shall demonstrate commitment to the College community and to education by participating in department/program meetings and activities, by participating on campus and department/program committees, by working cooperatively with faculty and staff, and by abiding by the standards of academic freedom. This commitment begins the first semester of employment.~~

~~13. The counselor who performs an administrative or supervisory service as part of the contract shall demonstrate skillful maintenance of the department/program that he or she supervises. The counselor will also stimulate and initiate appropriate changes within the department/program.~~

#### ~~C. Librarians~~

~~1. The librarian shall establish an environment to promote teaching and learning that respects the active role of the student as a learner.~~

~~2. The librarian shall be on duty in the library or wherever else the job assignment requires for the stipulated number of hours per week.~~

- ~~3. The librarian shall demonstrate depth of knowledge, experience and competency in the field.~~
- ~~4. The librarian shall demonstrate specialty area currency, familiarity with operations and services of the library, and proficiency in integrating new materials, ideas, and techniques into the work place.~~
- ~~5. The librarian shall present and communicate information fairly and objectively.~~
- ~~6. The librarian shall present and communicate information in a clear, well-organized, and informative manner, using appropriate methods and materials.~~
- ~~7. The librarian shall communicate with students and colleagues in ways that lead to their enhanced growth and productivity.~~
- ~~8. The librarian shall demonstrate reliability, accuracy, and productivity in completing workrelated assignments.~~
- ~~9. The librarian shall treat students with respect and tolerance, demonstrating patience and a willingness to help when needed.~~
- ~~10. The librarian shall provide an environment where persons of diverse cultural and ethnic backgrounds become partners in learning, build on the strengths of their own cultural tradition, and respect, embrace, and learn from persons of other traditions.~~
- ~~11. The librarian shall demonstrate currency in the field and continued professional growth by participation in professional activities. Such activities may include but are not limited to completion of course work; attendance at workshops, seminars, or professional meetings; and participation in conference presentations, exhibits, curriculum development, research, publication, or community service.~~
- ~~12. The librarian shall demonstrate commitment to the College community and to education by participating in department/program meetings and activities, by participating on campus and department/program committees, by working cooperatively with faculty and staff, and by abiding by the standards of academic freedom. This commitment begins the first semester of employment.~~
- ~~13. The librarian who performs an administrative or supervisory service as part of the contract shall demonstrate skillful maintenance of the department/program that he or she supervises. The librarian will also stimulate and initiate appropriate changes within the department/program.~~

### **~~Timeline for Tenure Review and Evaluations~~**

~~Participants in the **Tenure Review and Evaluations Process** are identified through the four main faculty groups - **tenured, probationary, adjunct and temporary**. Each of these groups require a different procedure and manner of evaluation, described in detail within the Faculty Manual. Critical dates, by which forms are due, evaluations administered, schedules are met and committees formed are identified in a separate **calendar**, adopted by the **Tenure and Evaluations Review Board (TERB)** during the Fall and Spring semesters. Department chairs/directors and evaluations chairs are expected to comply with the dates set in the **TERB calendar**. Hence, the time line that follows is but a general guide.~~

### **~~AUGUST – SEPTEMBER~~**

~~\* **TERB office** reviews and submits to department chairs/directors lists of all faculty to be evaluated during the fall semester, the period in which all evaluations are expected to occur for the current academic year.~~

~~\* Lists of faculty to be evaluated are verified, resolved and committees formed by department chairs and submitted to the **TERB office** for appropriate recording and filing.~~

~~\* **TERB board** convenes and adopts calendar.~~

~~\* All evaluations committee memberships finalized for faculty groups.~~

~~\* Quantitative information prepared: Student evaluations packets distributed to department chairs/directors and evaluations committee chairs.~~

~~\* Appropriate memoranda (directions to evaluations committee chairs) and the **TERB** adopted~~

~~calendar distributed to all principal offices and personnel participating in the evaluations process.~~

### **OCTOBER – NOVEMBER**

- ~~\* Student evaluations administered to all faculty groups.~~
- ~~\* Peer Review and/or workplace observations in progress for tenured faculty and probationary faculty members.~~
- ~~\* Adjustments, etc., made in committee(s) memberships.~~
- ~~\* All student evaluations completed and returned to **TERB office** by the last instruction day in **November** for scanning and typing of student's comments.~~

### **DECEMBER**

- ~~\* **TERB office** determines status of evaluations for all faculty groups.~~

### **JANUARY**

- ~~\* Scanned reports and typed comments for student evaluations returned to evaluations committee chairs in order to prepare final evaluations reports on tenured and probationary faculty.~~
- ~~\* Scanned reports and typed comments for student evaluations returned to department chairs/directors for adjunct faculty.~~

### **FEBRUARY**

- ~~\* **TERB board** meets to adopt spring calendar.~~
- ~~\* Completed reports on **probationary** faculty due in **TERB office** by **last teaching day of first week of month** in order to prepare for **March 15 (hire or not recommendation)** deadline.~~
- ~~\* Completed reports on **tenured** faculty due in **TERB office** (see **critical dates calendar adopted by TERB**).~~
- ~~\* Committees formed to address evaluations of **tenured** faculty missed during fall semester because of leave, illness or other mitigating circumstances.~~

### **MARCH**

- ~~\* Evaluation activities are in progress for **tenured, probationary** and newly hired **adjunct** faculty.~~

### **APRIL**

- ~~\* **TERB office** returns scanned reports and typed student comments to evaluations committee chairs to prepare final reports for tenured faculty evaluated in the spring.~~
- ~~\* **Final (spring) reports** forwarded to **TERB** for appropriate administrative signatures.~~

### **MAY**

- ~~\* Return scanned reports and typed comments for student evaluations of adjunct faculty to department chairs/directors.~~
- ~~\* Return scanned reports and typed comments for student evaluations of probationary faculty to evaluations committee chairs.~~

## **Procedures for Tenure and Evaluations Review of Probationary Faculty**

### **A. Purpose**

~~The tenure and evaluations review process is designed to ensure that the Palomar Community College District maintains a standard of excellence in what may be considered the final stage of the search and selection process. Granting tenure grants membership into the College community. Therefore, the decision to recommend the granting or denial of tenure is a more critical decision than the initial decision to hire. Hiring does not guarantee tenure. The recommendation to grant or deny tenure is based upon the careful scrutiny of a probationary~~

~~faculty member's job performance during the tenure and evaluations review process.~~

~~The minimum degree requirement for tenure as a District faculty member is the bachelor's degree or equivalent from an accredited institution or an equivalent foreign degree. This requirement will apply to faculty teaching in vocational programs effective January 1, 1995.~~

~~The Governing Board may grant an exception to this policy when rare and compelling reasons justify such an exception and when the Tenure and Evaluations Review Board and the Faculty Senate recommend that an exception be granted.~~

~~Tenure and evaluations review is a four-year evaluation process intended for probationary faculty. They will be evaluated during the fall and spring semesters of their first three years and during the fall semester of their fourth year. The full evaluation process will be conducted during the fall semester of the first, second and fourth years of employment. During the spring semester of the first three years of employment and during the fall semester of the third year of employment, only student evaluations will occur, with the findings appropriately contributing to the decisions made during completion of the full evaluation process in the fall semesters of the second and fourth years of employment.~~

~~1. During the first year, the Governing Board will, by March 15, either 1) enter into a contract for the following academic year, or 2) not enter into a contract for the following academic year and state the reasons why. (Education Code sections 87608 and 87610)~~

~~2. During the second year, the Governing Board will, by March 15, either 1) enter into a contract for the following two academic years, or 2) not enter into a contract for the following academic year and state the reasons why. (Education Code sections 87608.5 and 87610)~~

~~3. During the fourth year, the Governing Board will, by March 15, either 1) grant tenure or 2) not employ the probationary employee as a tenured employee and state the reasons why. (Education Code sections 87609 and 87610) Because the decision to grant tenure must be made in time to meet the March 15 deadline, no student evaluations will be required during the spring semester of the fourth year.~~

~~The tenure and evaluations review process begins during the first month of the fall semester of a candidate's employment and concludes with either granting tenure or deciding not to rehire, in accordance with the provisions of Education Code sections 87608, 87608.5, 87609, 87610, and 87740.~~

~~All probationary faculty evaluation materials forwarded by the Tenure and Evaluations Review Coordinator are the responsibility of the Human Resources Office until tenure is granted. The materials become a permanent part of the faculty member's personnel file.~~

~~The peer review process in the evaluation of probationary faculty which is mandated by Education Code section 87663 is achieved through tenure and evaluations review committees.~~

#### ~~B. Tenure and Evaluations Review Committee Membership~~

~~A tenure and evaluations review committee shall be formed for each probationary faculty member and shall consist of the following five voting members selected for four years:~~

~~1. The evaluatee's department chair/program director or a designee from the department/program selected by the department/program. The original department chair/program director or designee shall continue to serve on the committee throughout the four-year process when feasible.~~

~~2. A tenured faculty member from within the evaluatee's department/program, and preferably discipline, selected by the department/program. If department/program size or circumstances precludes this requirement, a tenured faculty member from a related discipline will be appointed by the Tenure and Evaluations Review Coordinator.~~

- ~~3. A tenured faculty member randomly selected by the Tenure and Evaluations Review Coordinator.~~
- ~~4. The evaluatee's division dean or an administrative designee selected by the dean.~~
- ~~5. The appropriate assistant superintendent/vice president. The vice president need not be present at all meetings but shall meet with each committee prior to the completion of the annual committee recommendation.~~

~~If a committee member is unable to serve, a replacement shall be selected in accordance with the descriptions above. The evaluatee may challenge either the randomly selected faculty member or the faculty member selected by the department/program by the deadline indicated in the Evaluations Calendar. In such a case, the department/program and/or the Tenure and Evaluations Review Coordinator in accordance with the descriptions above shall select a replacement.~~

~~Should a probationary faculty member have an assignment in two or more departments/programs he/she shall have a peer, chair/director, and/or dean from each department/program serve on the committee. Also, if the probationary faculty member has an assignment in two or more divisions, each division dean will review the Tenure and Evaluations Review Report.~~

#### ~~C. Tenure and Evaluations Review Committee Chairperson~~

~~The department chair/program director or designee will serve as the committee chair. In the event of an assignment between two or more departments/programs, the department chair/program director or designee with the greatest contractual interest in the evaluatee will serve as the committee chair. The committee chair shall:~~

- ~~1. Call the meetings.~~
- ~~2. Coordinate the activities of the committee to adhere to the Evaluations Calendar and contact the Tenure and Evaluations Review Coordinator if there are problems.~~
- ~~3. Collect and critically review the required and supporting evaluation materials.~~
- ~~4. Write the Tenure and Evaluations Review Report only after consultation with the members of the tenure and evaluations review committee.~~
- ~~5. Meet with the evaluatee to discuss the results of the evaluation process. Committee members may attend.~~
- ~~6. Obtain the evaluatee's and committee members' signatures on the Tenure and Evaluations Review Report.~~
- ~~7. Submit the Tenure and Evaluations Review Report complete with all supporting evaluation materials to the Tenure and Evaluations Review Coordinator on or before the deadline indicated in the Evaluations Calendar.~~
- ~~8. Represent the committee to the Tenure and Evaluations Review Board.~~

#### ~~D. Tenure and Evaluations Review Committee Responsibilities~~

~~Each committee member shall:~~

- ~~1. Know the tenure and evaluations review process.~~
- ~~2. Attend tenure and evaluations review committee meetings.~~
- ~~3. Critically review the required and supporting evaluation materials.~~

~~The committee members shall:~~

- ~~1. Discuss the evaluation materials.~~
- ~~2. Assist the committee chairperson in writing the Tenure and Evaluations Review Report that describes the evaluatee's job performance.~~
- ~~3. Suggest improvements as appropriate.~~
- ~~4. Recommend (in the first, second, and fourth years) that the evaluatee be rehired, not be rehired, or be granted tenure, as appropriate. The tenure and evaluations review committee shall request mediation by the Tenure and Evaluations Review Board when there is serious disagreement regarding the evaluation rating and/or employment recommendation.~~
- ~~5. Determine re-evaluation frequency to monitor progress in area(s) needing remediation.~~

~~In the event that suit is brought against any District employee as a result of participation in the tenure and evaluations review process, the District shall assume full responsibility for costs of legal defense and payment of compensatory damages. The District shall assume liability for payment of punitive damages~~

~~awarded against a tenure and evaluations review committee member who acted within the course and scope of his or her District employment and who acted in good faith, without actual malice, and in the apparent best interests of the District if payment of the claim or judgment would be in the best interests of the District.~~

#### ~~E. Criteria for Tenure and Evaluations Review~~

~~The Standards of Performance for Faculty form the specific criteria for tenure and evaluations review for each faculty position and are reflected in the evaluation forms.~~

~~The following information shall NOT be used in the tenure and evaluations review process, nor shall such material or information be referenced in any committee records:~~

- ~~1. Ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, or physical or mental disability.~~
- ~~2. Anonymous letters or material with the exception of the student evaluations that are a component of the evaluation process.~~
- ~~3. Information that, in the judgment of the tenure and evaluations review committee, is unrelated to the evaluatee's performance as specified in the Standards of Performance for Faculty.~~
- ~~4. The private life of an evaluatee.~~

#### ~~F. Method for Tenure and Evaluations Review~~

~~The committee members shall review:~~

- ~~1. The Professional Improvement Form submitted by the evaluatee describing goals for student contact, institutional service, professional service and other activities. A copy of the evaluatee's current approved Professional Development Contract must be attached to this form when submitted.~~
- ~~2. Materials submitted by the evaluatee that are used in the classroom or work place, such as syllabi, exams, etc.~~
- ~~3. Evaluations by the appropriate constituency.~~

~~For instructor evaluatees, student evaluations are obtained from all contract classes being taught by the evaluatee.~~

~~For counselor evaluatees, student evaluations are obtained from all contract classes, if any, being taught by the evaluatee plus two sets of at least fifteen (15) student evaluations obtained following counseling sessions between the evaluatee and students.~~

~~For librarian evaluatees, student evaluations are obtained from all contract classes, if any, being taught by the evaluatee plus two sets of at least fifteen (15) student evaluations obtained following bibliographic instruction or small group orientations conducted by the evaluatee.~~

~~For unique job specifications and/or requirements which do not fit into the above classifications and patterns, the determination of the appropriate constituency and method of being evaluated by that constituency must be made by the department/program in conjunction with the Tenure and Evaluations Review Coordinator.~~

~~The determination of the constituency and method of evaluation by that constituency must be approved by the appropriate dean, vice president and the Tenure and Evaluations Review Board.~~

- ~~4. Classroom or work place observation by committee members beginning in the first semester of the tenure and evaluations review process. An observation report must be completed by each observer. During the full evaluations conducted in the fall semesters of the first, second, and fourth years, at least three committee members will make separate observations.~~
- ~~5. Written evaluation of the evaluatee referencing the Standards of Performance for Faculty by the~~

~~department chair/program director or designated supervisor to whom the candidate reports. Any department member who so chooses may also submit a signed written evaluation of the evaluatee to the committee chair referencing the Standards of Performance for Faculty. The tenure and evaluations review committee must receive this information by the deadline indicated in the Evaluations Calendar.~~

~~6. Additional material submitted by other faculty or staff members with information about an evaluatee's job performance, based on significant personal experience, presented in a signed, written statement to the committee chair. The tenure and evaluations review committee must receive this information by the deadline indicated in the Evaluations Calendar.~~

~~7. Evaluation material that is part of the personnel file which is approved for review by the Vice President for Human Resource Services in consultation with the dean, vice president, and/or the Tenure and Evaluation Review Coordinator when legally and ethically permissible.~~

~~8. When appropriate, an evaluatee without a bachelor's degree may provide documentation and arguments of compelling reasons to justify granting tenure. The decision is subject to review and approval by the Tenure and Evaluations Review Board and requires approval by the Governing Board of the rationale for the request for an exception.~~

~~The following procedure will be implemented when any probationary faculty member's complete tenure evaluation is not in the Tenure and Evaluations Review Coordinator's office by February 1 or the following Monday if the first falls on a weekend.~~

~~**Step 1:** The Tenure and Evaluations Review Coordinator will request in writing an immediate meeting with the committee chair and appropriate dean. A copy of this request will be sent to the appropriate Vice President. The purpose of the meeting is to determine the reason for noncompliance with Education Code 87663 and through collaboration to develop a plan for completing the evaluation within ten (10) working days. It is crucial to complete probationary faculty evaluations in a timely manner as the decision to hire or not has to be made in time to meet the deadline for the March 15 notice by the Governing Board.~~

~~**Step 2:** If the complete evaluation is still not forthcoming after these ten (10) additional working days, the Tenure and Evaluations Review Coordinator will write a letter to the appropriate dean and vice president requesting that another committee chair be appointed and that the evaluation be completed immediately.~~

~~A copy of that letter will be brought before the Tenure and Evaluations Review Board; at that time, additional recommendations may be made. By majority vote, the Tenure and Evaluations Review Board may recommend to the appropriate vice president that a letter reflecting these circumstances be placed in the personnel file of the committee chair and/or member(s) as appropriate. If the vice president does not concur with the Tenure and Evaluations Review Board recommendation, the vice president will communicate to the Tenure and Evaluations Review Board the reason(s) for the decision.~~

~~If in the judgment of the division dean, inconsistencies appear in the evaluation materials, then the evaluation must be referred back to the tenure review committee for clarification and reconsideration. If in the judgment of the division dean or the committee, issues remain, then the evaluation will be referred to the Tenure and Evaluations Review Board for mediation.~~

#### ~~G. The Probationary Faculty Member~~

~~The evaluatee will have access to all information used in the evaluation process. In order to protect the anonymity of students, written comments must be shared orally or be typed and given to the evaluatee.~~

~~The evaluatee shall:~~

- ~~1. Know the tenure and evaluations review process.~~
- ~~2. Submit the Professional Improvement Form to the tenure and evaluations review committee chair by the deadline indicated in the Evaluations Calendar.~~
- ~~3. Submit materials used in the classroom or work place to the committee chair by the deadline~~

indicated in the Evaluations Calendar.

4. ~~Submit specific written goals and plans for addressing the targeted area(s) if the evaluation results in a needs improvement or an unsatisfactory rating.~~

5. ~~Provide evidence that the problem(s) in the targeted area(s) has/(have) been corrected.~~

### **Procedures for Peer Review of Tenured Faculty**

#### **A. Purpose**

~~The evaluation procedures for tenured faculty are designed to assist faculty in evaluating their own performances and to recognize and support excellence and to encourage improvement.~~

~~Each faculty member is encouraged to identify and address areas for his/her own growth.~~

~~Tenured faculty evaluations occur every three years. They will normally occur in the fall semester. When circumstances prevent an evaluation from occurring in the fall semester, such as a faculty member being on leave, it will occur in the spring semester.~~

~~In the three year cycle of tenured faculty evaluations the relatively even distribution of evaluations in an individual department or program may fluctuate for various reasons. When this occurs, the department chairperson/program director may elect to reestablish a more even distribution by periodically scheduling tenured faculty for evaluation in two years rather than three. This can only be done with the concurrence of the tenured faculty being evaluated and must not involve any duress or pressure to concur.~~

~~The peer review process in the evaluation of tenured faculty which is mandated by Education Code section 87663 is achieved through peer review committees.~~

#### **B. Peer Review Committee Membership**

~~A peer review committee shall be formed for each tenured faculty member during every third academic year after the last academic year in which the faculty member was evaluated and shall consist of the following two members:~~

~~1. The department chair/program director or a designee from within the department/program and, if possible, from within the discipline.~~

~~2. A tenured faculty member selected by the evaluatee or, when requested by the evaluatee, a tenured faculty member randomly selected by the Tenure and Evaluations Review Coordinator.~~

~~Should a faculty member have an assignment in two or more departments/programs, he/she shall have a chair/director or designee from each department/program serve on the committee.~~

~~Also, if the faculty member has an assignment in two or more divisions, then each division dean will review the Peer Evaluation Report.~~

#### **C. Peer Review Committee Chairperson**

~~The department chair/program director or designee will serve as the committee chair. In the event of an assignment between two or more departments/programs, the department chair/program director or designee with the greatest contractual interest in the evaluatee will serve as the committee chair. The committee chair shall:~~

~~1. Call the meetings.~~

~~2. Coordinate the activities of the committee to adhere to the Evaluations Calendar and contact the Tenure and Evaluations Review Coordinator if there are problems.~~

~~3. Collect and critically review the required and supporting evaluation materials.~~

~~4. Write the Peer Evaluation Report only after consultation with the members of the peer review committee.~~

~~5. Meet with the evaluatee to discuss the results of the evaluation process. Committee members may attend.~~

~~6. Obtain the evaluatee's and the committee members' signatures on the Peer Evaluation Report.~~

~~7. Submit the Peer Evaluation Report complete with all supporting evaluation materials to the Tenure and Evaluations Review Coordinator, who will ascertain completeness and forward the packet for appropriate administrative review and signatures. These materials must be submitted by the deadline indicated in the Evaluations Calendar.~~

~~8. Represent the committee to the Tenure and Evaluations Review Board.~~

#### ~~D. Peer Review Committee Responsibilities~~

~~Each committee member shall:~~

~~1. Know the peer review process.~~

~~2. Attend the peer review committee meetings.~~

~~3. Critically review the required and supporting evaluation materials.~~

~~The committee members shall:~~

~~1. Discuss the evaluation materials.~~

~~2. Assist the chairperson in writing a Peer Evaluation Report that describes the evaluatee's job performance.~~

~~3. Assist the faculty member in establishing appropriate goals and an action plan when necessary.~~

~~4. Recommend an evaluation rating of high professional performance, standard professional performance, substandard professional performance, or unsatisfactory performance.~~

~~5. Require that any faculty member who receives an overall evaluation rating of substandard professional performance or unsatisfactory shall be reevaluated each subsequent semester until he/she achieves an overall satisfactory rating. A committee shall be established to develop a plan for extended monitoring of the evaluatee's improvement. This committee shall include the evaluatee, the peer review committee chair, the department chair/program director, the appropriate division dean, and the Tenure and Evaluations Review Coordinator, all working to oversee an individualized program to facilitate the remediation process.~~

~~A maximum of four semesters is allowed for this process of formative assistance to improve the evaluation rating. If substantial progress is being made but additional time is needed to achieve a satisfactory rating, the Tenure and Evaluations Review Board will make a recommendation, based on evidence presented in each individual case, to the Governing Board which will make a final decision. If substantial progress is not being made, the peer review committee may recommend to the Governing Board, through the Tenure and Evaluations Review Board, that the faculty member be terminated.~~

~~In the event that suit is brought against any District as a result of participation in the peer review process, the District shall assume full responsibility for costs of legal defense and payment of compensatory damages. The District shall assume liability for payment of punitive damages awarded against a peer review committee member who acted within the course and scope of his or her District employment and who acted in good faith, without actual malice, and in the apparent best interests of the District if payment of the claim or judgment would be in the best interests of the District.~~

#### ~~E. Criteria for Peer Review~~

~~The Standards of Performance for Faculty form the specific criteria for evaluation of tenured faculty, and are reflected in the evaluation forms.~~

~~The following information shall NOT be used in the peer review process, nor shall such material or information be referenced in any committee records:~~

~~1. Ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, or physical or mental disability.~~

~~2. Anonymous letters or material with the exception of the student evaluations that are a component of the evaluation process.~~

3. Information that, in the judgment of the peer review committee, is unrelated to the evaluatee's performance as specified in the Standards of Performance for Faculty.
4. The private life of an evaluatee.

#### F. Method for Peer Review

The committee members shall review:

1. The Professional Improvement Form submitted by the evaluatee describing goals for student contact, institutional service, professional service, and other activities. A copy of the evaluatee's current approved Professional Development Contract must be attached to this form when submitted.

2. Materials submitted by the evaluatee that are used in the classroom or work place, such as syllabi, exams, etc.

3. Three evaluations by the appropriate constituency.

For instructor evaluatees, student evaluations from two contract classes and a peer review component comprise the appropriate constituency. (See section H.)

- a. For faculty who serve in more than one department/program, the student evaluation should include a class from each department/program, if possible.

- b. Where possible, the evaluations should not include students from a lecture section and the same related laboratory.

For counselor evaluatees, student evaluations are obtained from one contract class, if one is being taught by the evaluatee plus one set of at least fifteen (15) student evaluations obtained following counseling sessions between the evaluatee and students. If no contract classes are being taught by the evaluatee, then two sets of at least fifteen (15) student evaluations are obtained following counseling sessions between the evaluatee and students. Each counselor must also select a peer review component. (See section H.)

For librarian evaluatees, student evaluations are obtained from one contract class, if one is being taught by the evaluatee plus one set of at least fifteen (15) student evaluations obtained following bibliographic instruction or small group orientations conducted by the evaluatee. If no contract classes are being taught by the evaluatee, then two sets of at least fifteen (15) student evaluations are obtained following tours or small group orientations conducted by the evaluatee. Each librarian must also select a peer review component. (See section H.)

For unique job specifications and/or requirements which do not fit into the above classifications and patterns, the determination of the appropriate constituency and method of being evaluated by that constituency will be made by the department/program in conjunction with the Tenure and Evaluations Review Coordinator. The determination of the constituency and method of evaluation by that constituency must be approved by the appropriate dean, vice president and the Tenure and Evaluations Review Board.

4. Additional material submitted by other faculty or staff members about an evaluatee's job performance, based on significant personal experience, presented in a signed, written statement to the committee chair. The peer review committee must receive this information by the deadline indicated in the Evaluations Calendar.

5. Evaluation material that is part of the personnel file which is approved for review by the Vice President for Human Resource Services in consultation with the dean, vice president, and/or the Tenure and Evaluation Review Coordinator when legally and ethically permissible.

If, in the judgment of the division dean, inconsistencies appear in the evaluation materials, then the evaluation must be referred back to the peer review committee for clarification and reconsideration. If in the judgment of the division dean or the committee, issues remain, then the evaluation will be referred to the Tenure and Evaluations Review Board for mediation.

The following procedure will be implemented when any tenured faculty member's complete peer

evaluation is not in the Tenure and Evaluations Review Coordinator's office by February 20 or the following Monday if the 20th falls on a weekend.

~~**Step 1:** The Tenure and Evaluations Review Coordinator will contact the committee chair to determine the reason the evaluation is incomplete and offer assistance to complete the task. The Tenure and Evaluations Review Coordinator, the committee chair, and the evaluatee will mutually agree upon, and set in writing, a new completion deadline not to extend more than 15 working days beyond the February 20 due date.~~

~~**Step 2:** If the complete evaluation is not in the Tenure and Evaluations Review Coordinator's office by the date mutually set during the above contact, a memo will be sent to the evaluatee, committee chair, and members of the committee requesting them to meet with the Tenure and Evaluations Review Coordinator as soon as possible to explain the reasons for the further delay. A copy of this memo will be sent to the appropriate division dean and vice president.~~

~~**Step 3:** If the complete evaluation is still not forthcoming by the agreed upon date after the specially convened meeting described in step 2, the Tenure and Evaluations Review Coordinator will write a report about the unreasonable delay. Any portions of the evaluation that have been completed will be attached to the report.~~

The report will not be an evaluation of the evaluatee but rather an assessment of the situation and why the

committee is not in compliance with Education Code 87663.

This action will automatically result in the completion of the evaluation of the evaluatee during the subsequent semester by the original committee members.

The Tenure and Evaluations Review Coordinator's report, stating the reasons for delay and recommendations, will be brought before the Tenure and Evaluations Review Board. The Tenure and Evaluations Review Board may make additional recommendations and may, by majority vote, request that the appropriate vice president place a letter in the personnel file of the committee chair and/or committee member.

If in the judgment of the division dean, inconsistencies appear in the evaluation materials, then the evaluation must be referred back to the peer review committee for clarification and reconsideration. If in the judgment of the division dean or the committee, issues remain, then the evaluation will be referred to the Tenure and Evaluations Review Board for mediation.

#### G. The Tenured Faculty Member

The evaluatee will have access to all information used in the evaluation process. In order to protect the anonymity of students, written comments must be shared orally or be typed and given to the evaluatee.

The evaluatee may initiate due process proceedings at any time. (Refer to Governing Board Policy 177 for policy and procedure.)

The evaluatee shall:

1. Know the peer review process.
2. Submit the Professional Improvement Form to the peer review committee chair by the deadline indicated in the Evaluations Calendar.
3. Select a tenured faculty member to serve on the peer review committee or ask the Tenure and Evaluations Review Coordinator to randomly select a faculty member to serve.
4. Select two of his/her classes for evaluation by students. (See section H.)
5. Select one peer evaluation. (See section H.)
6. Submit materials used in the classroom or work place to the committee chair by the deadline indicated in the Evaluations Calendar.
7. Submit specific written goals and plans for addressing the targeted area(s) if the evaluation results in a needs improvement or an unsatisfactory rating.

8. Provide evidence that the problem(s) in the targeted area(s) has/(have) been corrected.

#### H. Options for Evaluation

The faculty member who is being evaluated must have student evaluations from two different classes. He/She must choose the desired method for both classes from the list given below and may use the same method for each class. The faculty member must also have one peer evaluation. He/She must choose the desired method of peer evaluation from the list given below.

##### Options for Student Evaluation

###### 1. Evaluation by the appropriate constituency

Evaluations are administered to the appropriate constituency by a committee member or a faculty/staff designee. Standard forms for instructors, counselors, and librarians have been approved. Alternative forms must be submitted to the Tenure and Evaluations Review Board for approval prior to implementation.

###### 2. Small Group Instructional Feedback

A committee member agrees to facilitate a group interview with one of the evaluatee's classes, at which time the following questions are asked, along with any others the committee member deems necessary: What have you liked most about this course? What has the instructor done that has helped you to learn the material? What have you liked least? How can the instructor enhance your learning? The facilitator must summarize, type, and give the students' comments to the evaluatee so that the evaluatee can respond directly to the students about their comments.

###### 3. Unit Evaluations given in a single course

Unit evaluations are short evaluations administered by a committee member to students at least three times during the semester in a course chosen by the evaluatee. The first evaluation occurs during the first four weeks of the semester. The second and third evaluations may be spaced as desired by the instructor. These evaluations ask each student the following questions, along with any others the committee member deems necessary: What have you liked most about this course? What has the instructor done that has helped you to learn the material? What have you liked least? How can the instructor enhance your learning? After each evaluation session, the committee member must type and give the students' comments to the instructor immediately so that the suggestions may be addressed in the classroom.

4. An alternative method approved by the Tenure and Evaluations Review Board prior to implementation.

##### Options for Peer Evaluation

###### 1. Classroom or work place observation by a committee member.

Arrangements are made with the evaluatee for a member of the peer review committee to observe the evaluatee in the classroom or in the work place. After this observation, the committee member will complete an observation form assessing the evaluatee's job performance and offering suggestions for improvement if needed. Job-specific observation forms may be created and must be approved by the Tenure and Evaluations Review Board prior to implementation.

###### 2. Team Evaluation

A team evaluation may be chosen when two or more faculty members teach a class together with opportunity for mutual observation and participation. One of the faculty members with whom the evaluatee teaches will complete an evaluation form assessing the evaluatee's job performance and offering suggestions for improvement if needed.

###### 3. Video Evaluation

The evaluatee will provide the committee with a videotape of himself or herself making a job-related presentation. After the evaluatee and one or more committee members as chosen by the evaluatee have viewed and discussed the tape, the committee member(s) will complete a Classroom and/or Video Observation Form assessing the faculty member's job performance and offering suggestions for improvement if needed.

###### 4. Teaching Portfolio

~~The teaching portfolio is a collection of materials documenting teaching performance. The portfolio might include course materials that reflect how instructors are evaluating/assessing student learning, course syllabi, samples of written assignments, descriptions of class activities, descriptions of innovations attempted, and curriculum development examples; material from others such as peer evaluations and letters of recommendation; student evaluations, and summaries of research, course work, or publications.~~

~~5. An alternative method approved by the Tenure and Evaluations Review Board prior to implementation.~~

### **Procedures for Evaluation Review of Temporary and Non-Tenure Track Faculty**

#### **A. Purpose**

~~The evaluation process for temporary and non-tenure track faculty is performed within the first two semesters of employment and at least once every three years thereafter. Evaluation is designed to provide meaningful feedback on job performance to both the evaluatee and the appropriate department/program.~~

~~All faculty evaluation materials forwarded by the Tenure and Evaluations Review Coordinator are the responsibility of the Human Resources Office. The materials become a permanent part of the faculty member's personnel file.~~

#### **B. Evaluation Review Committee Membership**

~~An evaluation review committee shall be formed for each temporary and non-track faculty member and shall consist of the following five voting members:~~

- ~~1. The evaluatee's department chair/program director or a designee from the department/program selected by the department/program.~~
- ~~2. A tenured faculty member from within the evaluatee's department/program, and preferably discipline, selected by the department/program. If department/program size or circumstances precludes this requirement, a tenured faculty member from a related discipline will be appointed by the Tenure and Evaluations Review Coordinator.~~
- ~~3. A tenured faculty member randomly selected by the Tenure and Evaluations Review Coordinator.~~
- ~~4. The evaluatee's division dean or an administrative designee selected by the dean.~~
- ~~5. The appropriate assistant superintendent/vice president. The vice president need not be present at all meetings but shall meet with each committee prior to the completion of the committee recommendation.~~

~~The evaluatee may challenge either the randomly selected faculty member or the faculty member selected by the department/program by the deadline indicated in the Evaluations Calendar. In such a case, the department/program and/or the Tenure and Evaluations Review Coordinator in accordance with the descriptions above shall select a replacement.~~

~~Should a temporary or non-tenure track faculty member have an assignment in two or more departments/programs he/she shall have a peer, chair/director, and/or dean from each department/program serve on the committee. Also, if the temporary or non-tenure track faculty member has an assignment in two or more divisions, each division dean will review the Evaluation Review Report.~~

#### **C. Evaluation Review Committee Chairperson**

~~The department chair/program director or designee will serve as the committee chair. In the event of an assignment between two or more departments/programs, the department chair/program director or designee with the greatest contractual interest in the evaluatee will serve as the committee chair. The committee chair shall:~~

- ~~1. Call the meetings.~~
- ~~2. Coordinate the activities of the committee to adhere to the Evaluations Calendar and contact the Tenure and Evaluations Review Coordinator if there are problems.~~
- ~~3. Collect and critically review the required and supporting evaluation materials.~~

- ~~4. Write the Evaluation Review Report only after consultation with the members of the evaluation review committee.~~
- ~~5. Meet with the evaluatee to discuss the results of the evaluation process. Committee members may attend.~~
- ~~6. Obtain the evaluatee's and committee members' signatures on the Evaluation Review Report.~~
- ~~7. Submit the Evaluation Review Report complete with all supporting evaluation materials to the Tenure and Evaluations Review Coordinator on or before the deadline indicated in the Evaluations Calendar.~~
- ~~8. Represent the committee to the Tenure and Evaluations Review Board.~~

#### ~~D. Evaluation Review Committee Responsibilities~~

~~Each committee member shall:~~

- ~~1. Know the evaluation review process.~~
- ~~2. Attend evaluation review committee meetings.~~
- ~~3. Critically review the required and supporting evaluation materials.~~

~~The committee members shall:~~

- ~~1. Discuss the evaluation materials.~~
- ~~2. Assist the committee chairperson in writing the Evaluation Review Report that describes the evaluatee's job performance.~~
- ~~3. Suggest improvements as appropriate.~~
- ~~4. Recommend an exceptional, very good, satisfactory, needs improvement, or unsatisfactory evaluation rating. The evaluation review committee shall request mediation by the Tenure and Evaluations Review Board when there is serious disagreement regarding the evaluation rating.~~
- ~~5. Determine re-evaluation frequency to monitor progress in area(s) needing remediation.~~

~~In the event that suit is brought against any District employee as a result of participation in the evaluation review process, the District shall assume full responsibility for costs of legal defense and payment of compensatory damages. The District shall assume liability for payment of punitive damages awarded against an evaluation review committee member who acted within the course and scope of his or her District employment and who acted in good faith, without actual malice, and in the apparent best interests of the District if payment of the claim or judgment would be in the best interests of the District.~~

#### ~~E. Criteria for Evaluation Review~~

~~The Standards of Performance for Faculty form the specific criteria for evaluation review for each faculty position and are reflected in the evaluation forms.~~

~~The following information shall NOT be used in the evaluation review process, nor shall such material or information be referenced in any committee records:~~

- ~~1. Ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, or physical or mental disability.~~
- ~~2. Anonymous letters or material with the exception of the student evaluations that are a component of the evaluation process.~~
- ~~3. Information that, in the judgment of the evaluation review committee, is unrelated to the evaluatee's performance as specified in the Standards of Performance for Faculty.~~
- ~~4. The private life of an evaluatee.~~

#### ~~F. Method for Evaluation Review~~

~~The committee members shall review:~~

- ~~1. The Professional Improvement Form submitted by the evaluatee describing goals for student contact, institutional service, professional service and other activities.~~
- ~~2. A copy of the evaluatee's current approved Professional Development Contract and materials submitted by the evaluatee that are used in the classroom or work place, such as syllabi, exams, etc.~~
- ~~3. Evaluations by the appropriate constituency~~

~~For instructor evaluatees, student evaluations are obtained from all contract classes being taught~~

by the evaluatee.

For counselor evaluatees, student evaluations are obtained from all contract classes, if any, being taught by the evaluatee plus two sets of at least fifteen (15) student evaluations obtained following counseling sessions between the evaluatee and students.

For librarian evaluatees, student evaluations are obtained from all contract classes, if any, being taught by the evaluatee plus two sets of at least fifteen (15) student evaluations obtained following bibliographic instruction or small group orientations conducted by the evaluatee.

For unique job specifications and/or requirements which do not fit into the above classifications and patterns, the determination of the appropriate constituency and method of being evaluated by that constituency must be made by the department/program in conjunction with the Tenure and Evaluations Review Coordinator.

The determination of the constituency and method of evaluation by that constituency must be approved by the appropriate dean, vice president and the Tenure and Evaluations Review Board.

4. Classroom or work place observation by committee members. An observation report must be completed by each observer. At least three committee members will make separate observations.

5. Written evaluation of the evaluatee referencing the Standards of Performance for Faculty by the department chair/program director or designated supervisor to whom the candidate reports. Any department member who so chooses may also submit a signed written evaluation of the evaluatee to the committee chair referencing the Standards of Performance for Faculty. The tenure and evaluations review committee must receive this information by the deadline indicated in the Evaluations Calendar.

6. Additional material submitted by other faculty or staff members with information about an evaluatee's job performance, based on significant personal experience, presented in a signed, written statement to the committee chair. The tenure and evaluations review committee must receive this information by the deadline indicated in the Evaluations Calendar.

7. Evaluation material that is part of the personnel file which is approved for review by the Vice President for Human Resource Services in consultation with the dean, vice president, and/or the Tenure and Evaluation Review Coordinator when legally and ethically permissible.

The following procedure will be implemented when any temporary or non-tenure track faculty member's complete evaluation is not in the Tenure and Evaluations Review Coordinator's office by the deadline indicated in the Evaluations Calendar.

**Step 1:** The Tenure and Evaluations Review Coordinator will request in writing an immediate meeting with the committee chair and appropriate dean. A copy of this request will be sent to the appropriate Vice President. The purpose of the meeting is through collaboration to develop a plan for completing the evaluation within ten (10) working days.

**Step 2:** If the complete evaluation is still not forthcoming after those ten (10) additional working days, the Tenure and Evaluations Review Coordinator will write a letter to the appropriate dean and vice president requesting that another committee chair be appointed and that the evaluation be completed immediately.

If in the judgment of the division dean, inconsistencies appear in the evaluation materials, then the evaluation must be referred back to the evaluation review committee for clarification and reconsideration.

If in the judgment of the division dean or the committee, issues remain, then the evaluation will be referred to the Tenure and Evaluations Review Board for mediation.

### **G. The Temporary or Non-Tenure Faculty Member**

The evaluatee will have access to all information used in the evaluation process. In order to protect the anonymity of students, written comments must be shared orally or be typed and given to the evaluatee.

The evaluatee shall:

1. Know the evaluation review process.
2. Submit the Professional Improvement Form to the evaluation review committee chair by the deadline indicated in the Evaluations Calendar (non-tenure track only).
3. Submit a copy of the evaluatee's current approved Professional Development Contract and materials used in the classroom or work place to the committee chair by the deadline indicated in the Evaluations Calendar.
4. Submit specific written goals and plans for addressing the targeted area(s) if the evaluation results in a needs improvement or an unsatisfactory rating.
5. Provide evidence that the problem(s) in the targeted area(s) has/(have) been corrected.

### **Procedures for Evaluation of Adjunct Faculty**

#### **A. Purpose**

The evaluation process for adjunct faculty is performed within the first two semesters of employment and at least once every three years thereafter. Evaluation is designed to provide meaningful feedback on job performance to both the evaluatee and the appropriate department/program.

#### **B. The Evaluator**

The department chair/program director or designee shall evaluate adjunct faculty.

#### **C. Criteria for Evaluation**

The Standards of Performance for Faculty form the specific criteria for evaluation for each position.

The only exceptions for adjunct faculty to the standards listed are that they are not required to participate in department/program meetings and on College/District committees and they are not required to maintain office hours.

The following information shall NOT be used in the evaluation process:

1. Ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, or physical or mental disability.
2. Anonymous letters or material with the exception of the student evaluations that are a component of the evaluation process.
3. Information that, in the judgment of the evaluator, is unrelated to the evaluatee's performance as specified in the Standards of Performance for Faculty.
4. The private life of an evaluatee.

#### **D. Method for Evaluation**

The evaluator shall:

1. Review the evaluations by the appropriate constituency.
2. When practical, conduct a classroom or work place observations, complete an observation form and submit it to the Tenure and Evaluations Review Coordinator.
3. After the constituents' evaluations have been scanned and comments typed, a copy will be sent to each of the following: the appropriate department chair/program director, the evaluatee, and Human Resources Services. Completing an Adjunct Faculty Evaluation Report is an option for the department chair/program director. If that choice is made, a copy of the signed Report must be given to the evaluatee and a copy sent directly to Human Resources Services.

#### **E. The Adjunct Faculty Member**

The evaluatee will have access to all information used in the evaluation process. In order to protect the anonymity of students, written comments must be shared orally or be typed and given to the evaluatee.

### **Tenure and Evaluations Review Board**

#### **A. Tenure and Evaluations Review of Probationary Faculty**

The Tenure and Evaluations Review Board is a standing operational committee reporting to the Superintendent/President.

The Tenure and Evaluations Review Board will critically review all probationary faculty evaluations that result in an overall rating of needs improvement or unsatisfactory in order to assure that they comply in substance with the evaluation plan and procedures and that they are complete and consistent. The decision of whether the Tenure and Evaluations Review Report conforms to the evaluation plan and procedures will be determined by a majority vote of the Tenure and Evaluations Review Board.

The Tenure and Evaluations Review Board will review the documentation and arguments provided by an evaluatee of compelling reasons to justify granting tenure without possession of a bachelor's degree and will inform the Governing Board of the rationale for the exception.

The Tenure and Evaluations Review Board meets twice a month to discuss and act on requests for changes to the written evaluation plan, to annually review and revise, if necessary, the policy and procedures on tenure and evaluation, to develop plans for continuing improvement of all phases of the existing evaluation plan including forms, to discuss research and initiate experiments, to refine and improve the evaluation process, and to consider problems, complaints, and concerns of the faculty.

#### **B. Peer Review of Tenured Faculty**

The Tenure and Evaluations Review Board will review evaluations of tenured faculty in the following circumstances:

1. The peer review committee recommends an overall rating of needs improvement or unsatisfactory
2. The peer review committee refers the evaluation to the Tenure and Evaluations Review Board.
3. The division dean refers the evaluation to the Tenure and Evaluations Review Board.

This step is taken only when, in the judgment of the dean, an inconsistency exists between the committee's recommendation and the evaluation materials accompanying it.

When such an inconsistency occurs, the evaluation will be returned to the peer review committee for further explanation and support of the recommendation. If the inconsistency remains, the evaluation is referred to the Tenure and Evaluations Review Board.

When evaluations are referred, the Tenure and Evaluations Review Board will review the evaluation materials, request more information if deemed necessary, and meet with the peer review committee to reach a consensus. If an evaluatee receives an overall recommendation of needs improvement or unsatisfactory, the peer review committee must attach a plan for remedying the deficiencies prior to sending the evaluation packet for administrative signatures.

This plan must be a specific written plan for the evaluatee's improvement that lists methods, workshops or classes for achieving a satisfactory performance. This plan may be developed cooperatively, and must be acceptable to the evaluatee and the Tenure and Evaluations Review Board, which will review all of the evaluation materials, the plan, and require additional

information if deemed necessary.

The committee will also establish a four-semester time frame for improvement. The evaluatee must agree to follow the plan and time established. During the subsequent evaluation cycle, the areas that were previously identified as needing improvement will be carefully reviewed and considered.

If the formative reevaluations do not show improvement, the evaluatee will be placed on notice that his/her performance is unsatisfactory. An evaluation will be scheduled for the academic year following the continued unsatisfactory rating, and if this evaluation does not result in an overall satisfactory evaluation rating in the deficient area(s), the peer review committee may recommend to the Tenure and Evaluations Review Board that the faculty member be terminated.

If the Tenure and Evaluations Review Board's decision after the subsequent evaluation is to recommend a satisfactory rating, then the evaluatee and the peer review committee will be notified, and the faculty member will be evaluated in three years in accordance with Education Code section 87663.

If the peer review committee finds that the subsequent evaluation results warrant an unsatisfactory evaluation rating, the Tenure and Evaluations Review Board will recommend dismissal to the Governing Board in time to meet the agenda deadline for Governing Board action by March 15. Dismissal of tenured faculty is the responsibility of the Governing Board in accordance with Education Code section 87732.

The Tenure and Evaluations Review Board shall comply with Education Code section 87031 regarding information to be used in the evaluation process and the evaluatee's access to all information used in the evaluation process.

The faculty member being evaluated may initiate due process proceedings at any time. (Refer to Governing Board Policy 177 for policy and procedures.)

#### ~~C. Tenure and Evaluations Review Board Membership~~

~~Membership on the Tenure and Evaluations Review Board is comprised of one administrator, one At Large faculty member, and one faculty member from each of the following areas: Human Arts and Sciences; Media, Business and Community Services; Arts and Languages; Mathematics and the Natural and Health Sciences; Vocational Technology; Counseling or Library/Media Center or Student Support Programs.~~

~~With the exception of the administrative position, which is filled by the Assistant Superintendent/Vice President for Instruction or designee, the Tenure and Evaluations Review Board members are chosen for a renewable two-year term by a vote of the faculty from the respective areas. The At Large position and one position each in Human Arts and Sciences and Media, Business and Community Services are filled at the end of the spring semester of odd numbered years. One position each in Arts and Languages, Mathematics and the Natural and Health Sciences, Vocational Technology, and Counseling or Library/Media Center or Student Support Programs is filled at the end of the spring semester of even-numbered years. The Faculty Senate Elections Committee will solicit nominations from within the appropriate divisions and will conduct the election process to fill vacancies on the Tenure and Evaluations Review~~

~~Board and to elect an alternate for each position. If an elected faculty member is unable to fulfill the term of office, the elected alternate will automatically be named as the replacement for the Tenure and Evaluations Review Board position to serve the remainder of the term.~~

~~If the Tenure and Evaluations Review Board must review a Tenure and Evaluations Review Board member's evaluation, the Assistant Superintendent/Vice President for Instruction will appoint a temporary replacement member for the duration of that review.~~

~~At least six members and the Tenure and Evaluations Review Coordinator must be present if decisions regarding tenure or evaluation reports are to be made.~~

~~The Tenure and Evaluations Review Coordinator will serve as chairperson of the Tenure and Evaluations Review Board.~~

### **Tenure and Evaluations Review Coordinator**

#### **A. Term of Office**

~~The Tenure and Evaluations Review Coordinator is a tenured faculty member who is provided with eighty percent assigned time (10 months) in order to manage the Tenure and Evaluations program. The Coordinator is appointed each year jointly by the Superintendent/President and the Faculty Senate. This position reports administratively to the Assistant Superintendent/Vice President for Instruction. The Coordinator's performance is evaluated by the Tenure and Evaluations Review Board. This position is limited to no more than three consecutive years of service. Faculty members interested in serving may submit a letter of interest and a resume to the Faculty Senate Office no later than February 15 of each year. Incumbents wishing to serve more than a single year in this position must reapply each year.~~

#### **B. Duties**

~~The duties of the Tenure and Evaluations Review Coordinator include:~~

- ~~1. Chairing the Tenure and Evaluations Review Board.~~
- ~~2. Coordinating all faculty evaluations.~~
- ~~3. Conducting tenure and evaluations review and peer review workshops for faculty.~~
- ~~4. Conducting tenure and evaluations review orientations for new faculty.~~
- ~~5. Developing materials that describe procedures and answer questions about the evaluation processes.~~
- ~~6. Developing evaluation methods and forms that conform to the standards of performance for each position.~~
- ~~7. Monitoring the progress of tenure and evaluations review for all probationary faculty.~~
- ~~8. Appointing randomly selected faculty to tenure and evaluations review committees and peer review committees when needed.~~
- ~~9. Monitoring the department evaluations of all temporary and adjunct faculty.~~
- ~~10. Maintaining records of the tenure and evaluations, and peer review processes.~~
- ~~11. Notifying tenured faculty of when their peer reviews must occur.~~
- ~~12. Monitoring the progress of all peer review committees.~~
- ~~13. Submitting final signed evaluations for tenured faculty to Human Resources and sending a copy to the faculty evaluatee.~~
- ~~14. Writing a year-end report.~~
- ~~15. Collaborating with the Professional Development Coordinator to develop programs that support and encourage each faculty member's effectiveness.~~
- ~~16. Maintaining a balanced budget.~~
- ~~17. Hiring, training, and supervising support staff.~~

#### **C. Evaluation**

~~Performance evaluation of the Tenure and Evaluations Review Coordinator shall be conducted annually by the Tenure and Evaluations Review Board.~~

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

---

**NOTE:** The information in **blue type** is additional language to consider including in this policy. There does not appear to be a current Palomar Policy that addresses this issue. The language in **black ink** is from current Palomar Policy 173 titled Tenure and Evaluation adopted on 3-24-92 and revised on 1-22-02 and current Palomar Procedure 173 titled Evaluation with no date. This policy is **suggested** as **good practice**. 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.

---

**Date Adopted:**

(Replaces current Palomar Policy 173 and Procedure 173)

**BP 7160 PROFESSIONAL DEVELOPMENT****Reference:**

Accreditation Standard III.A.5

All eligible employees will be afforded opportunities and encouraged to participate in professional development/professional growth activities.

The details regarding professional development/professional growth are delineated in the applicable collective bargaining agreement or employee handbook.

**❖ From current Palomar Policy 167 titled Professional Development (87-12256)**

~~Opportunities will be provided for faculty members to continually extend their professional competence by keeping current in their fields, by increasing their workplace effectiveness (e.g., enhancing teaching or counseling skills) and by contributing to the organizational dynamics of the College.~~

~~GB 2-23-88~~

**❖ From current Palomar Procedure 167 titled Professional Development****Rationale**

~~Institutional commitment to a program, which generates knowledge, skills, and creative work in the staff members' areas of professional activity, is important for three reasons:~~

~~Faculty know that, in order to provide the finest education for students of Palomar College, they must be current in their fields and have opportunities for general intellectual growth. However, time and other constraints limit the fulfillment of these essential professional needs. Faculty and students alike benefit in the classroom when this professional vitality is maintained.~~

~~The reputation of Palomar College as an excellent educational institution is enhanced by the prominence of faculty members' activities within their professional areas. With the close proximity of California State University's San Marcos campus, the most respectable, and perhaps the most effective, means for maintaining enrollments is the College's reputation for quality in the classroom and excellence throughout the institution. We cannot expect to cultivate such excellence consistently without systematic attention to professional development.~~

~~Effective communication on campus, and thus the efficiency of the institution, depends not only on formal structures but also on productive familiarity between people, allowing for the free expression of divergent perspectives and opinions. The respect for others that facilitates this openness can be developed as people work together on productive and fulfilling projects. The development of these relations is valuable within departments and programs, across disciplinary lines, and between administrative, faculty and classified elements on campus.~~

### **Relation to the College Calendar**

~~Title 5, Part 6, Division 6, Chapter 8 of the Education Code requires that faculty have a minimum of 175 contractual days annually. Orientation day is an additional District-required day. Only 160 of these 176 days are required to be instructional days. The regulations permit as many as 15 days to be designated for staff development. Palomar College annually adopts an academic calendar specifying the days for classroom instruction and orientation day. The remaining days are reserved for professional development activities and are arranged by each faculty member.~~

### **Participation in Professional Development Activities**

~~The Professional Development Plan is intended to apply to all probationary and tenured faculty and adjunct and temporary faculty. Participation is required as a part of these employees' contractual responsibilities and is a consideration in tenure and evaluation decision. Others may participate in activities on a space-available basis.~~

~~Professional development days are normally six hours long. A faculty member may request to include activities on instructional days as long as activities on instructional days do not replace that day's normal duties.~~

~~Counselors and librarians contract for the annually designated number of hours of professional development. Their professional development may occur on instructional dates as long as the activity does not conflict with job responsibilities and the required number of contracted days per year are identified in the department's records for each employee.~~

~~Faculty members on one-semester leave must account for half of the number of days and hours set aside for professional development for the year. Faculty on load-banked leave, however, account for the full number of days and hours for the year. Faculty with partial contracts must account for the same proportion of professional development days and hours.~~

~~Professional development hours will be paid to adjunct faculty teaching any credit semester-length course. Any eight-week course that is at least three credit units will also be eligible for professional development pay. The number of hours of paid professional development activities is equal to one week.~~

~~Administrators and Classified Staff are welcome to participate in professional development activities on a space-available basis by calling the professional development office. Supervisory approval may be required. Credit for professional growth may be requested through the appropriate Professional Growth Committee.~~

~~Students and family members may participate in certain activities on a space-available basis. Call the professional development office to request reservations for qualified guests.~~

~~Employees of specially funded programs may participate in activities; however, pay issues regarding attendance and participation is determined by the funding source.~~

~~Members of campuses participating in the North County Higher Education Alliance may participate on a space available basis. Call the professional development office to request reservations for qualified guests.~~

### **Self-Designed Activities**

~~The following are appropriate kinds of activities for professional development. This list is divided into three areas, corresponding to the three objectives identified in the statement of policy. Specific projects that fall under these categories must be well planned, professionally~~

appropriate, and described in detail on the professional development contract.

### **Category 1: Currency and Growth in One's Field**

- A. Prepare for conference and workshop presentations. Oral or written presentations to professional conferences, whether invited or a response to a call for papers, are included here.
- B. Attend professional conferences and workshops. This is not limited to those who are presenters at the conference or workshop.
- C. Create or learn to use computer-assisted instruction.
- D. Write for publication. The topic must be related to the writer's field of expertise. Included are journal articles, popular magazine articles, scholarly books, textbooks, and other curricular materials. These projects would reflect the College's guidelines on publication.
- E. Engage in constructive activities and original research in one's field or in a related field. This may be at a departmental or interdepartmental level, or it may be inter-institutional. The activities should be well defined and as specifically pre-planned as possible. Commercial and industrial site visits, journal research and evaluation, reading and analysis of books with implications for one's profession, and colloquium or symposium attendance and participation are examples of the possibilities.
- F. Acquire foreign language skills. This includes only languages that directly enhance one's ability to work in his or her field.
- G. Do course work in one's field. The course is typically upper-division or graduate level.
- H. Create original works as they relate to the discipline. Composing music, paintings, sculptures, essays, short stories, novels, poetry, and film are examples of appropriate activities.

### **Category 2: Workplace Effectiveness**

- A. Develop skills in Writing Across the Curriculum.
- B. Develop skills in Reading Across the Curriculum.
- C. Develop skills in Critical Thinking in the classroom.
- D. Develop and test skills and tools for evaluation of one's classroom/workplace effectiveness.
- E. Revise curricula. While the development of a new course on campus is included, routine preparation of classroom structures, schedules, and readings is not. Nontraditional methods of delivery, such as distance learning, may be investigated.
- F. Develop computer software skills. These must be clearly related to one's work at the College.
- G. Begin or maintain public school District outreach projects. These would provide information about the College or a program within the College.
- H. Consult with other departments/offices on campus. This allows for program coordination and development of interdisciplinary courses. This includes adjunct faculty participation in department meetings for program coordination.
- I. Examine educational/academic issues. This may occur in small groups on campus or at workshops and other off-campus events.
- J. Visit business or commercial sites. The purpose may be to inquire about prospective employment for students (to identify industry's needs) or to develop an extension of a campus major or program.
- K. Redesign and maintain physical facilities that are integral to educational tasks. This includes any renovation and updating of the Vocational Technology Division's equipment and shops that is best done by department personnel. It includes kiln and furnace rebuilding in the art department and laboratory redesign in the sciences. It excludes routine maintenance of general campus facilities and requires coordination with buildings and grounds and with administration for structural changes.

- ~~L. Assess library holdings. In consultation with the appropriate acquisitions librarian, periodic reassessment of both academic and nonacademic library holdings is desirable. The result of the investigation should be a written review and recommendation submitted to the Director of the Library.~~
- ~~M. Offer instructional or noninstructional programs for students. Noninstructional activities may include informing students about campus issues, working with them on solutions for campus problems, or participating with them in cultural events that have educational impact.~~
- ~~N. Participate in temporary job exchanges on campus or with another institution.~~
- ~~O. Observe a colleague's teaching to 1) prepare for teaching a course in a different specialty area, 2) learn successful teaching techniques, or 3) prepare for team teaching and interdisciplinary curriculum revisions.~~
- ~~P. Develop instructional media. For instance, producing special topic videos and slide presentations, writing storyboards or scripts for multimedia presentations, or writing workbooks and lab manuals would be appropriate activities.~~

### **Category 3. Organizational Dynamics**

- ~~A. Restructure department or office organization and procedures to better serve instructional goals.~~
- ~~B. Create and implement professional development workshops for new, continuing, and part-time personnel.~~
- ~~C. Review articulation of courses or other cooperative efforts which relate to the California State University and the University of California systems and to local public school Districts.~~
- ~~D. Assess and improve the community relations of the College. This includes, but is not at all limited to, Speakers' Bureau activities and demographic studies.~~
- ~~E. Become informed about, and act on, changing regulations, legislation, and state programs which affect the College.~~
- ~~F. Participate in community college business at the state level. This includes the state Academic Senate and other community college associations and commissions.~~
- ~~G. Participate in the Instructor Advisement Program.~~
- ~~H. Advise students during the open registration process.~~
- ~~I. Gain the knowledge needed for effective service in the rotating positions of Faculty Senate President, Department Chair, Professional Development Coordinator, and Tenure and Evaluation Coordinator.~~

### **Workshops, Seminars, and Miniconferences**

Professional development workshops focus on professional, workplace, and institutional topics. Faculty are invited to participate in presenting workshops by submitting a workshop proposal form. Workshop proposals must be approved by the Professional Development Review Board before the workshop will be listed in the schedule. For inclusion in the workshop schedule for the following year, the coordinator must receive proposals by April 1.

Approval for travel and/or funding requires separate application through division deans.

### **Contracting Procedures**

#### **Submit a Contract**

When approved, the professional development contract becomes part of the faculty member's regular employment contract. If a professional development contract is not submitted, professional development pay will be withheld from the final paycheck of the year/semester.

Annually, each probationary/contract/temporary faculty member proposes activities and specifies hours for his or her own professional development on a contract form. Contracts are

~~distributed with the annual program schedule through campus mail during May to contract faculty. Contracts are due by the end of the fourth week of September or prior to activities that occur during July and August. Activities must occur between July 1 and June 30.~~

~~Each semester, adjunct faculty propose activities for the designated number of hours, usually equivalent to one week of classroom time. Activities must occur during the semester indicated on the hourly assignment notice. Exceptions may be granted by the Professional Development Review Board for certain activities. The professional development contract is distributed with the hourly assignment notice and should be filled out and submitted to the professional development office. Contracts are due by the end of the fourth week of each semester. Confirmation that activities are completed are due by the first day of finals week during each semester.~~

~~NOTE: Approval for travel and/or funding requires separate application through the division deans or the staff development advisory committee.~~

### **Revise Contracts as Needed**

~~A revised contract may be submitted at any time. For advance approval, submit a revised contract prior to the activity for which there is a proposed addition, deletion, or change.~~

~~NOTE: Sick leave, personal leave and jury duty would require a change of contract to reschedule activities.~~

### **Confirm Completion of Approved Activities**

~~A copy of the approved contract is returned to the faculty member. When all of the approved activities are completed, and/or revisions made, the completion is confirmed by signing the Contract Completion section of the copy. This signed copy of the form for the academic year ended must be received by the Professional Development Office by the end of the first week in May for probationary/contract faculty and by the first day of finals each semester for adjunct faculty. Extensions will be granted if an approved activity occurs after this completion deadline.~~

~~Unless an extension is appropriate, the final pay warrant for the semester/year will be withheld until completion is verified. If completion cannot be verified, the final pay warrant of the semester/year will not include payment for professional development hours/days.~~

### **Evaluation and Planning**

~~A summary of the evaluative responses and suggestions for future activities is produced annually. This information is compiled from contract evaluations and comments, review board members, and an annual needs assessment. By this means we evaluate our year's activities as required by Title 5 and acquire direction for workshops as well as for the self-designed projects that staff members undertake during the following academic year.~~

### **Professional Development Review Board**

~~The Professional Development Review Board has established guidelines for the approval of professional development contracts and reviews those that request exceptions to these guidelines. The board also reviews the annual evaluation and guides the development of the annual program.~~

~~The review board is comprised of one member from each of the following areas: Arts and Languages Division (faculty); Human Arts and Sciences Division (faculty); Mathematics and the Natural and Health Sciences Division (faculty); Vocational Technology Division (faculty); Media, Business, and Community Services Division (faculty) or one at-large faculty member; Student Services (faculty); Library (faculty); Senior Administration; and Adjunct Faculty. Five of the nine~~

areas must be represented if professional development contracts are to be assessed.

~~The Senior Administrative position is filled through appointment by the Assistant Superintendent/Vice President for Instruction. The board members are appointed by the Faculty Senate's committee on committees. The term of service is three years.~~

### **Professional Development Coordinator**

#### **A. Term of Office**

~~The Professional Development Coordinator is a tenured faculty member who is provided with eighty percent assigned time (10 months) for management of the Professional Development program. The Coordinator is appointed jointly by the Superintendent/President and the Faculty Senate every other year for a two calendar-year term. This position reports administratively to the Assistant Superintendent/Vice President for Instruction. Faculty members interested in serving will be invited to submit a letter of interest and a resume to the Faculty Senate Office no later than September 15 of the appointment year. Ideally, the call for applicants should be during the spring semester so that the newly appointed coordinator has the fall semester to shadow the outgoing coordinator. This position is limited to no more than four consecutive years of service.~~

~~Incumbents wishing to serve more than a single appointment in this position must reapply for the second appointment.~~

#### **B. Duties**

~~Palomar College's Professional Development Coordinator is responsible for the coordination of our campus Professional Development Plan, approved in 1988 by Palomar College's Governing Board and the Chancellor's Office of the California Community Colleges to complement the flexible academic calendar.~~

#### **The duties of the Professional Development Coordinator include:**

- ~~1. Overseeing the contract and reporting procedures for staff members and communicating with them as necessary concerning their professional development activities.~~
- ~~2. Developing professional development programs and workshops to meet identified needs.~~
- ~~3. Providing resources for staff and professional development activities.~~
- ~~4. Managing the teaching resources of Palomar College (which includes purchasing equipment and materials, maintaining records, and maintaining a balanced budget) and coordinating publication availability with the Library.~~
- ~~5. Coordinating activities with campus and community groups, including the North County Higher Education Alliance.~~
- ~~6. Ensuring that legal obligations and restrictions concerning staff development within the flexible calendar are observed.~~
- ~~7. Supervising the Professional Development Office, its staff and budget, maintaining records, maintaining a balanced budget, hiring and supervising support staff, and collaborating with the Tenure and Evaluation Review Coordinator.~~
- ~~8. Keeping the program dynamic (open to constructive change) while maintaining rigor and credibility, especially in regard to faculty perceptions.~~
- ~~9. Supporting professional and staff development throughout the campus, beyond the formal requirements of the Professional Development Plan.~~
- ~~10. Chairing the Professional Development Review Board.~~
- ~~11. Publishing an occasional newsletter highlighting professional development matters.~~

- ~~12. Presenting Palomar's approach to professional development at other campuses, at conferences, to the Governing Board, and to the Chancellor's Office while gathering information and ideas from these same sources.~~
- ~~13. Overseeing records of service-credit activities.~~
- ~~14. Co-Chair Contract Faculty Fall Orientation Day and Adjunct Fall and Spring Orientation Day, assisting in the coordinating, planning, and implementation.~~

~~C. Evaluation~~

~~Performance Evaluation of the Professional Development Coordinator shall be conducted annually by the Professional Development Review Board.~~

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

---

**NOTE:** The information in **blue type** is additional language to consider including in this policy. This policy is **suggested as good practice**. The language in **black ink** is current Palomar Policy 167 titled Professional Development adopted on 2-23-88 and current Palomar Procedure 167 titled Professional Development with no 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.

---

**Date Adopted:**

(Replaces current Palomar Policy 167 and Procedure 167)

Human Resources  
DRAFT as of 9/12/08

BP 7236      SHORT-TERM EMPLOYEES

**Reference:**

Education Code Section 88003

"Short-term employee" means any person who is employed to perform a service for the District upon the completion of which the service required or similar services will not be extended or needed on a continuing basis.

Before a short-term employee is employed, the Governing 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.

See the Short-Term Employee Hiring Regulations available in the Human Resource Services Office.

Office of Primary Responsibility: Human Resource Services

---

**NOTE:** This policy is **suggested as good practice**. The language in **red type** is recommended from 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 **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.

---

**Date Adopted:**

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

Human Resources  
DRAFT as of 9/12/08

BP 7240 CONFIDENTIAL EMPLOYEES

**Reference:**

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 Governing Board 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 Superintendent/President. Such terms and conditions of employment shall include, but not be limited to, procedures for evaluation and rules regarding leaves, transfers, and reassignments.

Office of Primary Responsibility: Human Resource Services

---

**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 **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.

---

**Date Adopted:**

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

BP 7341 SABBATICALS

References:

Education Code Sections 87767 et seq.

The District may grant a leave of absence for study and travel (sabbatical) subject to the provision of the applicable collective bargaining agreement.

❖ From current Palomar Policy 154.42 titled Load Banking (87-12096) (92-15324)

**Load Banking**

~~Tenured full-time faculty may teach additional classes as an overload each semester. Nonteaching faculty (counselors and librarians) may work additional hours beyond their normal workload. "Banking" these hours is an option available to tenured full-time faculty at the Palomar Community College District.~~

~~Tenured full-time faculty may bank the equivalent of 30% of their academic-year load each year to accumulate a maximum of one semester of banked leave.~~

~~Documented service to the District beyond regular teaching, counseling, or library service is required to participate in load banking.~~

~~When a full-time faculty member teaches an overload, or works additional hours above the normal workload, the hours may be banked or paid.~~

~~No more than the equivalent of one semester's full-time load can be accumulated. If the limit of the semester load is exceeded, the faculty member will be paid for the excess hours at the regular hourly salary rate.~~

~~An overload assignment may be banked or paid. An overload class may not be split between load bank and pay unless the banking would cause the faculty member to exceed the one-semester limit as noted above.~~

~~Faculty members who teach overload classes in restricted or categorically funded programs may not load bank those hours.~~

~~Faculty on Load Bank leave or any other leave may not bank hours during the leave.~~

~~Banked hours may be taken in increments ranging from one class to one semester.~~

~~Banked hours may be used for professional or personal reasons.~~

~~The money the faculty member would have earned had he/she not banked the class will be held as a liability against the District until the banking contract is met.~~

Questions of applicability of this policy or related procedures shall be adjudicated by the Faculty Senate Personnel Standards and Practices Committee in consultation with the Department Chair/Director and the appropriate Division Dean.

❖ **From current Palomar Policy 156.38 titled Sabbatical Leave (92-15771)**

**Sabbatical Leave**

~~Educational Administrators hired before July 1, 1990, and all faculty on 50 percent or more contract for six consecutive years are eligible for a sabbatical leave. The granting of a sabbatical leave shall comply with the rules and regulations set forth in Sections 87767-87775 of the Education Code and the Palomar College Sabbatical Leave Policy.~~

~~EC 87767, 87768, 87775;~~

~~GB 6-8-93~~

❖ **From current Palomar Policy 156.381 titled Non-Traditional Sabbatical Leave (86-11718)**

**Non-Traditional Sabbatical Leave**

~~In the case of educational administrators and other academic employees who are not classroom instructors or faculty members with significant assigned time for administrative duties, it may be of benefit to the employee and to the College to schedule sabbatical leave in increments and/or at times that may include the summer months. The total time allowed for semester incremental leaves is five (5) months compensated at full pay based on the employee's pay scale for regular employment or ten (10) months compensated at half pay based on the employee's pay scale for regular employment. In accordance with Section 87767 of the California Education Code, the leave shall be commenced and completed within a three-year period. Any period of service by the individual intervening between the intervals of the leave of absence shall comprise a part of the service required for a subsequent such leave of absence.~~

~~Persons on incremental leave may count against the five (5) percent limit for only one semester or year upon the recommendation of the Superintendent/President and approval of the Governing Board.~~

~~In the case of more than two (2) educational administrative leaves occurring during the same time period, the Superintendent/President shall approve arrangements for adequate coverage of administrative responsibilities without placing an undue burden on remaining individuals. Those with administrative responsibilities may be replaced in accordance with existing policy. (Note: All other sabbatical leave guidelines shall apply.) GB 4-28-87~~

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

---

**NOTE:** The information in **blue type** is additional language to consider including in this policy. The information in **black ink** is current Palomar Policies 154.42 titled Load Banking with no date, 156.38 titled Sabbatical Leave adopted on 6-8-93, and 156.381 titled Non-Traditional Sabbatical Leave adopted on 4-28-87. 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.

---

**Date Adopted:**

(Replaces current Palomar Policies 154.42, 156.38, and 156.381)

Human Resources  
DRAFT as of 9/12/08

BP 7345 CATASTROPHIC LEAVE PROGRAM

**Reference:**

Education Code Section 87045

The Governing Board 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 or her family suffers from a catastrophic illness or injury.

Also see AP 7345 titled Catastrophic Leave Program

Office of Primary Responsibility: Human Resource Services

---

**NOTE:** This policy is **legally required**. The language in **red type** is recommended from 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 **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.

---

**Date Adopted:**

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

Human Resources  
DRAFT as of 9/12/08

BP 7347 FAMILY MEDICAL LEAVE

**References:**

Unemployment Insurance Code Sections 3300 – 3303;  
Family Medical Leave Act;  
Fair Employment and Housing Act

The Governing Board authorizes unpaid family care and medical leaves consistent with the Family Medical Leave Act and the California Family Rights Act, and unpaid pregnancy disability leave under the Fair Employment and Housing Act. This authorization is implemented through the applicable collective bargaining agreements and employee handbooks.

❖ **From current Palomar Policy 14 titled Family Care and Medical Leave**

~~The Governing Board may grant a leave of absence without pay and with or without benefits, up to a maximum of 12 weeks in any 12-month period, upon request by a member of the Administrative Team for the purpose of caring for a newborn or recently adopted child; or to care for an ill or infirm member of the employee's immediate family or household.~~

~~This policy is intended to comply with the federal Family Medical Leave Act of 1993, 29 U.S.C., 2601 et seq., and the California Family Rights Act of 1991 as amended October 5, 1993, California Government Code 12945.2. This policy shall be interpreted so that there will be no violation of either state or federal law.~~

~~Eligible members of the administrative team are entitled to take up to twelve (12) weeks of unpaid leave in any academic year of family or medical leave, inclusive of earned sick leave for one of the following reasons:~~

- ~~A. the birth or placement of a child for adoption or foster care with the employee within one year of such birth or placement;~~
- ~~B. to care for the employee's spouse, child, parent, or member of immediate household with a serious health condition; or~~
- ~~C. if an employee has a serious health condition that makes the employee unable to perform his or her job.~~

~~If the leave is requested for the placement or birth of a child, and both parents are employees of the District, the total amount of family care and medical leave for both parents is limited to twelve (12) weeks.~~

❖ **From current Palomar Policy 156.4 titled Family Care and Medical Leave (94-16782)**

**Family Care and Medical Leave (94-16782)**

~~The Governing Board of Palomar Community College District intends to comply with the federal Family Medical Leave Act of 1993, 29 U.S.C., 2601 et seq., and the California Family Rights Act of 1991 as amended October 5, 1993, California Government Code 12945.2. This policy shall~~

~~be interpreted so that there will be no violation of either state or federal law.~~

~~Eligible faculty are entitled to take up to twelve (12) weeks of unpaid leave in any academic year of family or medical leave inclusive of earned sick leave for one of the following reasons:~~

- ~~1. the birth or placement of a child for adoption or foster care with the employee within one year of such birth or placement;~~
- ~~2. to care for the employee's spouse, child, parent, or member of immediate household with a serious health condition; or~~
- ~~3. if an employee has a serious health condition that makes the employee unable to perform his or her job.~~

~~If the leave is requested for the placement or birth of a child, and both parents are employees of the District, the total amount of family care and medical leave for both parents is limited to twelve (12) weeks.~~

~~GB 12-13-94~~

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

---

**NOTE:** The information in **blue type** is additional language to consider including in this policy. The information in **black ink** is current Palomar Policies 14 titled Family Care and Medical Leave with no adoption date and 156.4 titled Family Care and Medical Leave adopted on 12-13-94. 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.

---

**Date Adopted:**

(Replaces current Palomar Policies 14 and 156.4)

Human Resources  
DRAFT as of 9/12/08

BP 7350 RESIGNATIONS

References:

Education Code Sections 87730 and 88201

The Governing Board 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 Governing Board hereby delegates to the Superintendent/President the authority to accept resignations on its behalf at any time. Resignations shall be deemed accepted by the Governing Board when accepted in writing by the Superintendent/President subject to the provision of the applicable collective bargaining agreement or employee handbook. When accepted by the Superintendent/President, the resignation is final and may not be rescinded except in instances as outlined in applicable collective bargaining agreements or employee handbook. All such resignations shall be forwarded to the Governing Board for ratification.

❖ **From current Palomar Policy 21.5 titled Authorize Superintendent/ President to Accept Resignation of District Employee (85-11311)**

~~The Superintendent/President is authorized to accept the resignation of any District employee. The resignation shall be effective at the time of acceptance by the Superintendent. A list of resignations so accepted shall be periodically provided the Governing Board for information purposes.~~

~~GB 6-10-86~~

Office of Primary Responsibility: Human Resource Services

---

**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 information in **black ink** is current Palomar Policy 21.5 titled Authorize Superintendent/President to Accept Resignation of District Employee adopted on 6-10-86. 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.

---

**Date Adopted:**

(Replaces current Palomar Policy 21.5)

Human Resources  
DRAFT as of 9/12/08

BP 7370      USE OF DISTRICT RESOURCES FOR POLITICAL ACTIVITY

**References:**

Education Code Sections 7054 and 7056;  
Government Code Section 8314

As the District encourages and promotes academic freedom and free speech, this policy is not intended to limit free speech.

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 Governing Board. 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/AP 4030 titled Academic Freedom, BP/AP 5550 titled Speech: Time, Place, and Manner, and BP/AP 6700 titled Other Facilities Use (Civic Center Act) as well as AP 7370 titled Use of District Resources for Political Activity

Office of Primary Responsibility: Human Resource Services

---

**NOTE:** This policy is **legally required**. The language in **red type** is recommended from 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 **green ink** reflects revisions/additions made by Human Resource Services. This policy was reviewed on April 18, 2008, May 16, 2008, and September 12, 2008 by the Policy and Procedure Task Force.

---

**Date Adopted:**

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

## BP 7510 DOMESTIC PARTNERS

**References:**

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 Board Policies or Administrative Procedures shall be read to include registered domestic partners as permitted by California law.

The procedures for employee evaluations are delineated in the applicable collective bargaining agreement or employee handbook. Human Resource Services shall maintain forms and information related to domestic partnership.

**❖ From current Palomar Policy 130 titled Domestic Partnership Policy (99-20018)****Health Benefits for Domestic Partners**

- ~~A. Commencing on May 1, 2000, eligible employees of the Palomar Community College District may receive paid health (medical, dental and vision) benefits for their domestic partners, upon written request, subject to any legal restrictions and the policies of the District's health care providers and carriers, and subject to the requirements in this Board Policy. Eligible employees for purposes of this Board Policy are those regular employees who are currently eligible for health benefits under other existing Board Policy.~~
- ~~B. The term “domestic partner” for purposes of this Board Policy shall have the same meaning as the definition in Family Code section 297 added by Chapter 588 of the Statutes of 1999. The law defines domestic partners as “two adults who have chosen to share one another's lives in an intimate and committed relationship of mutual caring.” In California, and also under this Board Policy, a domestic partnership shall be established when **all** of the following requirements are met:~~
- ~~1. Both partners have a common residence. The term “common residence” means that both domestic partners share the same residence. It is not necessary that the legal right to possess the common residence be in both of their names. Two people have a common residence even if one or both have additional residences. Domestic partners do not cease to have a common residence if one leaves the common residence but intends to return.~~
  - ~~2. Both persons agree to be jointly responsible for each other's basic living expenses incurred during the domestic partnership. The term “basic living expenses” means shelter, utilities, and all other costs directly related to the~~

~~maintenance of the common household of the common residence of the domestic partners. It also means any other cost, such as medical care, if some or all of the cost is paid as a benefit because a person is another person's domestic partner. The term "joint responsibility" means that each partner agrees to provide for the other partner's basic living expenses if the partner is unable to provide for himself or herself.~~

- ~~3. Neither person is married nor a member of another domestic partnership.~~
- ~~4. The two persons are not related by blood in any way that would prevent them from being married to each other in California.~~
- ~~5. Both persons are at least eighteen years of age.~~
- ~~6. Either of the following:
  - ~~a. Both persons are members of the same sex.~~
  - ~~b. Both persons meet the eligibility criteria under Title II of the federal Social Security Act as defined in 42 U.S.C. Section 402(a) for old age insurance benefits, or Title XVI of the federal Social Security Act as defined in 42 U.S.C. Section 1381 for aged individuals.~~~~
- ~~7. Both persons are capable of consenting to the domestic partnership.~~
- ~~8. Neither person has filed a Declaration of Domestic Partnership with the California Secretary of State pursuant to applicable law which has not been terminated pursuant to applicable law.~~
- ~~9. Both persons file a Declaration of Domestic Partnership with the California Secretary of State pursuant to applicable law.~~

~~C. Domestic partners of eligible employees shall receive health benefits under this Board Policy only if all requirements in provision B are met, **and** the District receives a copy of the registered form of the Declaration of Domestic Partnership which has been returned to the domestic partners from the California Secretary of State. (Family Code section 298.5). The District may require verification and/or evidence of compliance in addition to receipt of a copy of the registered form of the Declaration of Domestic Partnership. The burden of proof is on the eligible employee seeking health benefits for his or her domestic partner.~~

~~D. Eligible employees who do obtain health benefits for their domestic partners pursuant to Board Policy shall immediately notify the District in writing whenever the domestic partnership is terminated. (Family Code section 299).~~

~~E. It is the intent of the Board that this Board Policy be consistent with current law. Any part of this Board Policy which is not consistent with current law shall be void. Any changes in applicable law which impacts this Board Policy shall automatically modify this Board Policy to ensure consistency.~~

~~F. The term "domestic partner" for purposes of this Board Policy **also** shall mean two persons of the opposite sex who meet **all** the requirements in provision B 1,2,3,4,5,7, and 8, and who share one another's lives in an intimate and committed relationship of mutual caring. In addition, the eligible employee must provide written verification under penalty of perjury to the District, and other evidence that the District may require, that all those requirements have been met, **and** the two persons have been sharing a common residence for at least twelve (12) continuous months without interruption. Eligible employees who do obtain health benefits for their domestic partners pursuant to this "local exception" recognized by this Board Policy shall immediately notify the District in writing whenever the domestic partnership is terminated.~~

GB 4/11/00

Legal reference: ~~Family Code sections 297, 298, 298.5, 299, 299.5, 299.6. Government Code sections 22867, 22868, 22869, 22871, 22871.1, 22871.2, 22871.3, 22872, 22873, 22874, 22875, 22876, 22877~~

Note: There is also an Affidavit of Domestic Partnership Form in the current Palomar Board Policy Manual.

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

---

**NOTE:** This policy is **legally required**. The language in **red type** is language recommended by the Community College League and legal counsel (Liebert Cassidy Whitmore). The information in **black ink** is current Palomar Policy 130 titled Domestic Partnership Policy with no adoption date. The information in **blue type** is additional language to consider including in this policy. 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.

---

**Date Adopted:**

(Replaces current Palomar Policy 130)

Human Resources  
DRAFT as of 9/12/08

**BP 7800 INSTITUTIONAL REASSIGNMENT/LATERAL TRANSFER****References:**

[Education Code Sections 87743 et seq.;](#)  
[Title 5 Sections 53400 et seq.](#)

[Refer to the appropriate collective bargaining agreement or employee handbook for details regarding institutional reassignment and lateral transfer.](#)

[Also see AP 7211 titled Faculty Service Areas as they relate to lateral transfer.](#)

❖ **From current Palomar Policy 115 titled Institutional Reassignment (86-11795)**

**Institutional Reassignment**

~~The Governing Board recognizes that there are a number of projects, the completion of which would be of significant benefit to the College, that require work significantly above and beyond the normal job requirement of administration, faculty, and/or classified staff.  
GB 10-11-94~~

~~Therefore, the Governing Board directs the Superintendent/President to develop implementing procedures to allow for the temporary reassignment of individuals on a part or full-time basis, with approval of the Governing Board, to work on such projects. GB 6-9-87~~

❖ **From current Palomar Procedure 115 titled Institutional Reassignment**

**Institutional Reassignment**

~~Institutional Development Reassignment is an opportunity for academic staff and classified staff not in the CCE/AFT bargaining unit to be temporarily reassigned from their regular duties on a part-time or full-time basis to work on projects of significant benefit to the College. Appropriate projects must address a College issue or problem. Projects may be identified by an individual interested in pursuing the project, by an administrator, or by a group perceiving a need.~~

~~Project Proposal Forms are available in the Human Resources Office. Persons wishing to undertake a particular project must submit the following:~~

- ~~A. an Institutional Development Reassignment Project Proposal,~~
- ~~B. a Qualification Letter outlining their qualifications, and~~
- ~~C. an Endorsement/Approval form.~~

~~Each proposal should specify the nature of the project, the perceived benefit to the College, and the proposed time line, including an estimate of the amount of reassigned time needed to complete the project. In order to allow for the maximum involvement of interested staff members, the proposed start date of projects should coincide with the beginning of a semester.~~

~~Project Proposals and Qualification Letters will be evaluated twice a year. In order to provide adequate lead time for replacement coverage, Project Proposals, Qualification Letters, and Endorsement/Approval Forms are due in the Human Resource Office on or before October 1 for Spring reassignment and on or before April 1 for Fall reassignment.~~

~~Step 1:~~

~~Applicant submits completed Project Proposal, Qualification Letters, and Endorsement/Approval forms to Human Resource Services who will forward the proposals to the Institutional Development Reassignment Committee for evaluation.~~

~~Step 2:~~

~~Qualified applicants present proposals in person to the Institutional Development Reassignment Committee. Modifications may be requested by the Committee prior to or following the presentations.~~

~~Step 3:~~

~~The Institutional Development Reassignment Committee makes recommendations to the Senate for approval. These recommendations will be based on the potential benefit to the College, the qualifications of the project director, and the probability of completion within the estimated time line.~~

~~Step 4:~~

~~The recommendations of the Senate are forwarded to the Superintendent/President for action by the Governing Board.~~

~~During the reassignment, the staff member is relieved from her/his regular duties to the extent approved by the Governing Board. Departments/programs will temporarily replace the staff member as needed during the period of reassignment. Reassigned hours count toward regular District service for salary and benefit purposes. Within 60 days of the completion of the project, a written report will be submitted to the Superintendent/President and to the Senate.~~

~~The Institutional Development Reassignment Committee will be composed of three faculty members (Appointed by the Senate), one Administrative Association Member, one Senior Administrator, and will be chaired by a faculty appointee.~~

~~Timetable~~

~~September and March: Human Resource Office circulates a list of proposed projects and requests additional proposals from the staff.~~

~~October 1 and April 1: Applicant submits the Project Proposal, Qualification Letter, and Endorsement/Approval Form to Human Resource Office.~~

~~October and April: Institutional Development Reassignment Committee reviews projects, suggests modifications as necessary, and ranks those that are appropriate. Qualification Letters are reviewed and applicants are ranked. Recommendations are submitted to the Senate for approval. Recommendations by the Senate are forwarded to the Superintendent/President.~~

~~November and May: Superintendent/President reviews recommendations of the Senate. A list of approved projects is forwarded to and published by the Senate.~~

❖ **From current Palomar Policy 160 titled Lateral Transfer (79-7910, 92-15742)**

## **Lateral Transfer**

A tenured faculty member may request a lateral transfer from one department/program into another. If approved by both departments, the transfer may occur without any internal or external recruitment for additional candidates.

### ~~❖ From current Palomar Procedure 160 titled Lateral Transfer~~

## **Lateral Transfer**

### **Procedure**

Lateral transfer under this policy is defined as a procedure whereby a tenured faculty member may transfer permanently from one faculty position to another in one of the following ways:

- A. ~~When a faculty vacancy is created by retirement, resignation, or other termination, a faculty member may request to transfer into that vacant position without competing with other candidates for the position.~~

If a vacancy is created by a transfer and the position is to be filled, the vacant position shall be either 1) opened and advertised according to the standard procedure, or 2) filled with a lateral transfer.

- B. ~~When no vacancy exists, a faculty member may request a lateral transfer if the faculty member's current department/program (hereafter referred to as "Department A") agrees to transfer the position and the funding to another department/program (hereafter referred to as "Department B"). Both departments/programs must discuss the transfer and agree to it before it can proceed.~~

If the transfer is approved, Department A reallocates the position and the funding to Department B.

A lateral transfer may constitute a full faculty load or a partial faculty load.

### **Process:**

- A. ~~Human Resource Services notifies all tenured faculty of upcoming vacancies and the time frame during which requests must be submitted. No extensions of the time frames are allowed.~~
- B. ~~A tenured faculty member wishing to transfer must submit a letter of request to the Department Chair/Director of Department B. A copy of the request must be sent to the faculty member's current department chair and to the appropriate Dean(s). The letter of request must verify that the faculty member meets the minimum qualifications or the equivalent for the position.~~
- C. ~~All probationary and tenured faculty in Department B will meet to consider the request for transfer and make a recommendation to approve or deny the request.~~
- D. ~~Within 30 calendar days of receipt of the request for transfer, the Department Chair/Director of Department B will notify the faculty member, the Department A Chair/Director, and the appropriate Dean/s of the decision. The decision of Department B is final.~~
- E. ~~If the transfer is approved, the faculty member will have five (5) calendar days to make a final decision on whether to transfer or remain in the current department.~~

- F. ~~The Department Chair/Director of Department B will notify the appropriate Vice President and the Superintendent/President to submit the approved lateral transfer to the Governing Board for approval.~~

Office of Primary Responsibility: **Human Resource Services**

---

**NOTE:** The wording in **blue ink** is additional language to consider including in this policy. The information in **black ink** is current Palomar Policy 115 titled Institutional Reassignment adopted on 6-9-87 and revised on 10-11-9; Policy 160 titled Lateral Transfer with no adoption date; Procedure 115 titled Institutional Reassignment with no date; and Procedure 160 titled Lateral Transfer with no 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.

---

**Date Adopted:**

*(This policy is unique to Palomar College – there is no CC League recommended language. Replaces current Palomar Policies 115 and 160 and Procedures 115 and 160)*

**BP 7850 EXCHANGE PROGRAM**

**References:**

Education Code Sections 87422-87424

The District recognizes qualified exchange programs for eligible employees. The procedures for participation in such programs are delineated in the applicable collective bargaining agreement or employee handbook.

❖ **From current Palomar Policy 120 titled Exchange Program**

~~In support of its commitments to provide opportunities for revitalization and renewal of its academic and classified staff and to provide alternative means for staff development, the Governing Board hereby adopts the following policy for implementation of the Palomar College Exchange Program (includes Community College Exchange Program sponsored by American Association of Community Colleges (AACC).  
GB 10-11-94~~

~~Permanent academic and classified staff members who have been employed with the District for a period of at least four years may participate in the Palomar College Exchange Program. All exchanges must be approved by the Governing Board prior to implementation. The length of any exchange will not exceed one year unless the extension is approved in advance by the Governing Board.~~

Office of Primary Responsibility: Human Resource Services

-----  
**NOTE:** The wording in **blue ink** is additional language to consider including in this policy. The information in **black ink** is current Palomar Policy 120 titled Exchange Program adopted on 10-11-94. 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.

---

**Date Adopted:**

*(This policy is unique to Palomar College – there is no CC League recommended language. Replaces current Palomar Policy 120)*