

General Institution
DRAFT as of 3/6/09

BP 3100 ORGANIZATIONAL STRUCTURE

Reference:

Education Code Section 72400

The Superintendent/President shall ensure that an organizational structure is established that delineates the lines of responsibility and prescribes the general duties of employees within the District.

Office of Primary Responsibility: Office of the President

NOTE: The **red ink** signifies language that is **legally required** and recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The **green ink** reflects language recommended by Institutional Research and Planning. This policy was reviewed by the Task Force on 1-23-09 and approved on 3-6-09.

Date Adopted:

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

BP 3810 CLAIMS AGAINST THE DISTRICT

References:

Education Code Section 72502;
Government Code Sections 900 et seq. and 910 et seq.

Any claims against the District for money or damages, which are not governed by any other statutes or regulations expressly relating thereto, shall be presented and acted upon in accordance with Title I, Division 3.6, Part 3, Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of the California Government Code.

Claims must be presented according to this policy and related procedures as a prerequisite to filing suit against the District.

Claims that are subject to the requirements of this policy include, but are not limited to, the following:

- Claims by public entities: claims by the state or by a state department or agency or by another public entity.
- Claims for fees, wages and allowances: claims for fees, salaries or wages, mileage, or other expenses and allowances.

The designated place for service of claims, lawsuits or other types of legal process upon the District is:

Office of the President
Palomar Community College District
1140 West Mission Road
San Marcos, CA 92069-1487

❖ From current Palomar Policy 509 titled Claims Against the District

~~All claims for money or damages against the District shall be governed by the 800 and 900 code section series of the California Government Code except as provided therein, or by other statutes or regulations expressly applicable thereof.~~

NOTE: The **red ink** signifies language that is legally required. The information in **black ink** is current Palomar College Policy 509 titled Claims Against the District with no adoption date. The language in **green ink** is recommended by Finance and Administrative Services. This policy was approved by the Policy and Procedure Task Force on 3-6-09.

Date Adopted:

(Replaces current Palomar College Policy 509)

Finance and Administrative Services
DRAFT as of 3/6/09

BP 6450 **CELLULAR OR WIRELESS PHONE/MOBILE DEVICE USE**

References:

Vehicle Code Sections 12810.3, 23123, and 23124;
Internal Revenue Code (I.R.C.) Sections 274(d)(4) and 280F(d)(4)

The Superintendent/President shall determine if it is in the best interests of the District to provide/compensate employees for cellular or wireless phone/mobile devices at District expense. Mobile devices do not include laptop computers.

This policy is subject to the applicable collective bargaining agreement or employee handbook.

The District will own and retain a limited number of cellular or wireless phones/mobile devices for emergency/disaster recovery and working conditions usage. Employees assigned a District owned phone shall be required to keep records to distinguish between business and personal calls made. Cellular or wireless phones/mobile devices provided by the District are classified by the Internal Revenue Service as "listed property" and may be included as employee wages, unless they are used exclusively for business purposes.

In addition, employees determined as frequently needing to use a personal cellular or wireless phone/mobile device to conduct legitimate District business in performance of their job duties shall be provided a stipend allowance that will be reported via Payroll.

Motor vehicle drivers may not use cellular or wireless phone/mobile devices while operating their vehicles without a hands-free listening device and shall comply with all requirements of California law regarding the use of cellular or wireless phones/mobile devices in vehicles.

Office of Primary Responsibility: Finance and Administrative Services

NOTE: The **red ink** signifies language that is **legally advised**. This new policy was recommended by the CC League and the League's legal counsel in Update #15 disseminated to districts in September 2008. This policy was created to address Internal Revenue Service (IRS) guidelines. The language in **green ink** is recommended by Finance and Administrative Services. This policy was approved by the Policy and Procedure Task Force on 3-6-09.

Date Adopted:

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

BP 7120 RECRUITMENT AND HIRING

References:

Education Code Sections 70902(d) and 87100 et seq.;

Title 5 Sections 53000 et seq.;

Accreditation Standard III.1.A

The Superintendent/President shall establish procedures to recruit and select faculty, staff, and administrators who have a clear understanding of and commitment to the mission, vision, and values of the institution. In order to best promote student learning within a culture of inclusion, successful candidates must be sensitive to, understand, and work well with individuals with a broad range of backgrounds and needs, including but not limited to individuals with disabilities and those with diverse academic, socioeconomic, cultural, and ethnic backgrounds. Academic employees shall possess the minimum qualifications prescribed for their positions by the Board of Governors. Classified employees shall possess minimum qualifications described by their classification specification.

Faculty hiring procedures shall be established and implemented in accordance with Board Policies and Administrative Procedures regarding the Faculty Senate's role in local decision-making (see BP 2510 titled Participation in Local Decision-Making) as an academic and professional matter.

Staff hiring procedures shall be established after first affording the staff constituent groups an opportunity to participate in the formulation of staff hiring policies and procedures under the Governing Board's policies regarding local decision-making.

Hiring procedures for administrative, confidential, and supervisory employees shall encourage participation of executive and senior administrators, the Administrative Association, the Confidential and Supervisory Team, faculty, and classified staff in all appropriate phases of the process.

❖ From current Palomar Policy 7120 titled Recruitment and Selection

~~The Palomar Community College District recognizes that excellence in student learning and student success requires that faculty, staff, and administrators have a clear understanding of and commitment to the mission, vision, and values of the institution. Additionally, the District seeks to employ highly qualified faculty, staff, and administrators who are sensitive to and understand the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of the student population in such a way that effective student learning results.~~

~~The Superintendent/President, in cooperation with the appropriate campus constituencies, shall establish procedures for the recruitment and selection of employees including, but not limited to, the following criteria:~~

Academic

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

~~The criteria and procedures for hiring academic employees shall be established and implemented in accordance with Board policies regarding the Faculty Senate's role in local decision-making. In accordance with AB1725 and BP 2510, the Governing Board elects to rely primarily upon the advice and judgment of the Faculty Senate on Academic and Professional Matters. Faculty hiring is an Academic and Professional Matter.~~

Classified

~~The criteria and procedures for hiring classified employees shall be established after affording the CCE/AFT an opportunity to participate under the Board's policies regarding local decision-making.~~

Administrative and Confidential/Supervisory

~~The criteria and procedures for hiring administrative, confidential, and supervisory employees shall be established in a way that encourages participation of administrators, the Administrative Association and the Confidential and Supervisory Team, faculty, and classified staff in all appropriate phases of the process.~~

~~Education Code Section 70902(d); 87100 et seq Title 5, Section 53000, et seq ; Accreditation Standard III.1.A.~~

~~GB 12-10-02~~

[Also see BP 3410 titled Nondiscrimination and BP 3420 titled Equal Employment Opportunity](#)

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

NOTE: The language in **red type** signifies **legally required** language 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 ink** reflects current Palomar College Policy 7120 titled Recruitment and Selection adopted on 12-10-02. The language in **green ink** reflects revisions/additions made by Human Resource Services. This policy was approved by the Task Force on 3-6-09.

Date Adopted:

(Replaces current Palomar Policy 7120)