



STRATEGIC PLANNING COUNCIL AGENDA

Date:	November 18, 2008
Starting Time:	2:00 p.m.
Ending Time:	4:00 p.m.
Place:	SU-18

CHAIR: Deegan

MEMBERS: Barton, Brannick, Claypool, Cuaron, Dowd, Duran, Frederick, Gowen, Gropen, Halttunen, Hoffmann, Hogan-Egkan, Japtok, Jennum, Kelly, Kovrig, Lienhart, Madrigal, McCluskey, Owens, Talmo, Titus, Tortarolo, von Son

RECORDER: Ashour

	Attachments	Time
A. <u>MINUTES</u>		5 min.
1. Approve minutes of November 4, 2008		
B. <u>ACTION ITEMS/SECOND READING</u>		30 min.
1. Governance Structure of the Instructional Planning Council	Exhibit B1	
2. Chapter 7 Board Policies: BP 7230, 7260 7270, 7335, 7340, 7385 Chapter 7 Board Procedures: AP7212, 7216, 7234, 7235, 7270, 7337, 7340, 7343, 7344, 7346, 7375, 7500	Exhibit B2	
C. <u>INFORMATION/DISCUSSION</u>		30 min
1. Purchase Order 60-Days Report	Exhibit C1	
2. Policies and Procedures		
3. Date for the Special SPC meeting Regarding Shared Governance		
4. Department Name Change for Foreign Languages		
5. State Budget Crisis	Exhibit C5	
D. <u>REPORTS OF PLANNING COUNCILS</u>		15 min.
1. Finance & Administrative Services Planning Council – Bonnie Ann Dowd		
2. Human Resource Services Planning Council – John Tortarolo		
3. Instructional Planning Council – Berta Cuaron		
4. Student Services Planning Council – Joe Madrigal		
E. <u>REPORT FROM ACCREDITATION SELF-STUDY</u>		5 min
F. <u>REPORT FROM BUDGET COMMITTEE</u>		10 min
G. <u>REPORTS OF CONSTITUENCIES</u>		15min.
1. Administrative Association – Laura Gropen		
2. Associated Student Government – Robert Frederick		
3. Confidential/Supervisory Team – Lee Hoffmann		
4. CCE/AFT – Neill Kovrig		
5. Faculty Senate – Monika Brannick		
6. PFF/AFT – Shannon Lienhart		
H. <u>OTHER ITEMS</u>		



**STRATEGIC PLANNING COUNCIL
MEETING MINUTES
November 18, 2008**

A regular meeting of the Palomar College Strategic Planning Council scheduled for November 18, 2008, was held in SU-18. President Robert Deegan called the meeting to order at 2:00 p.m.

ROLL CALL

Members Present: Barton, Brannick, Cuaron, Deegan, Dowd, Duran, Frederick, Gowen, Gropen, Hoffmann, Japtok, Kelly, Kovrig, Lienhart, Madrigal, McCluskey, Owens, Titus
Recorder: Cheryl Ashour
Members Absent: Claypool, Halttunen, Jennum, Talmo, Tortarolo, von Son
Guests: Phyllis Laderman

A. MINUTES

1. Approve Minutes of November 4, 2008

MSC (Gowen/Titus) to approve the Minutes of November 4, 2008 with revisions

MSC (Kovrig/Duran) to add an item, Purchase Order 60-Days Report, under Information/Discussion and move it forward on the agenda.

C. INFORMATION/DISCUSSION

1. The Purchase Order 60-Days Report

Phyllis Laderman discussed why "advertising/increase" may have been listed together in the purchase order 60-days report. She stated that as the College moves to online requisitions, they hope to categorize them differently. Ms. Laderman distributed a sample of how purchase orders over \$50,000 could be listed separately in the exhibit of the Purchase Order 60-Days Report. **(Exhibit C1)** She requested that it not be listed separately on the agenda because each item would have to be inputted manually; whereas, if it is an exhibit PeopleSoft can generate the report. After discussion, it was decided that purchase orders over \$50,000 will be listed separately in the exhibit. Ms. Lienhart asked if there is a written policy or procedure that the Purchase Order 60-Days Report include an exhibit. The President's office will find out and report back to SPC.

It was requested that a report be made to SPC regarding what appears as new business and what is included in the 60-days contract report on the Governing Board Agenda.

The meeting returned to its normal agenda.

B. ACTION ITEMS/SECOND READING

1. Governance Structure of the Instructional Planning Council (IPC) (Exhibit B1)

Berta Cuaron reported that there has been a request from AA and PFF to include a member to IPC. Therefore, this item is pulled and will return at a later date after discussion at IPC.

2. Chapter 7 Board Policies and Procedures (Exhibit B2)

There was a question on AP 7346. Because the person responsible for this procedure was not at SPC to answer the question, this procedure will return for second reading at the next SPC meeting.

MSC (Brannick/Duran) to approve the following Board Policies and Procedures: BP 7230, 7260, 7270, 7335, 7340, 7385 and AP 7212, 7216, 7234, 7235, 7270, 7337, 7340, 7343, 7344, 7346, 7375, and 7500.

C. DISCUSSION/INFORMATION ITEMS

2. Policies and Procedures

Robert Deegan requested that those who are responsible for their area's policies and procedures be prepared to submit items for the December 12 meeting.

3. Date for the Special SPC Meeting Regarding Shared Governance

Robert Deegan asked if SPC members would be available to meet on Friday, December 5, 2008, from 9:00 a.m. to 12:00 p.m. to discuss shared governance. Everyone agreed to meet that day.

4. Department Name Change for Foreign Languages

Berta Cuaron reported that Foreign Languages has made an official name change to World Languages, effective July 1, 2009.

5. State Budget Crisis

Bonnie Ann Dowd gave a state budget update. She distributed and discussed the following documents: FY2008-09 Budget Update and Possible Impact due to mid-year cuts; Fund 11 Unrestricted Revenue (without Designated) showing 2008 Actuals, 2008 Budget, and projected 2009; a budget update from Erik Skinner, Vice Chancellor for Fiscal Policy, Chancellor's Office; budget cut estimates from Scott Lay, President and CEO of CCLC; 2007-08 Second Principal Apportionment for Palomar College from the Chancellor's Office; 2007-2008 Apportionment Attendance Report from the Chancellor's Office; and a FTES Analysis FY07-08 and FY08-09. **(Exhibit C5)**

Dr. Dowd reported that Palomar College is close to achieving 20,000 funded FTES, which will bring an extra ongoing one million dollars to the District. Shannon Lienhart requested that before Palomar College receives this money into the general fund, there is a discussion in SPC regarding where the money should go. Berta Cuaron pointed out that Accreditation Planning Agenda Three addresses this issue. Everyone agreed that it is important to discuss our priorities and not be reactionary.

D. REPORTS FROM PLANNING COUNCILS**1. Finance & Administrative Services Planning Council**

Bonnie Ann Dowd reported that the FASPC meets this Thursday.

2. Human Resource Services Planning Council – no report**3. Instructional Planning Council**

Berta Cuaron reported that IPC will be finalizing their goals at their next meeting. Members discussed the recommendation that IPC bring to SPC the idea of convening a task force for updating the College's Educational and Facilities Master Plan, with the primary focus on educational planning for Escondido and Fallbrook.

4. Student Services Planning Council

Joe Madrigal reported that SSPC met on November 12. The majority of the meeting was spent sharing information.

E. REPORT FROM ACCREDITATION SELF-STUDY

Berta Cuaron reported that they are continuing to do some minor clean-up work and validating the evidence links. The self-study will be sent to the printer on December 5, 2008. She requested that the planning agendas be included in the next SPC agenda. If we can be proactive in addressing those agendas before our site visit, it will send a message that we are serious about working on them.

F. REPORT FROM BUDGET COMMITTEE

Bonnie Ann Dowd reported that the Budget Committee met on November 11 and will meet again this Tuesday. Dr. Dowd distributed Eric Skinner's email on the budget to committee members. They discussed the accreditation planning agendas and a handout from the Legislative Analyst Office.

G. REPORTS OF CONSTITUENCIES**1. Administrative Association**

Laura Gropen reported that there is a general Administrative Association meeting today.

2. Associated Student Government

Rob Frederick reported that soon there will be three surveys (scholarship, FASFA, and counseling) going out to the student body. They discussed the snack shack and the future plans for the SU building. Region 10 will be sending out a press release on the opposition of the recommendation to increase tuition.

3. Confidential/Supervisory Team – no report**4. CCE/AFT**

Neill Kovrig reported that a general classified staff meeting will be held this Thursday.

5. Faculty Senate

Monika Brannick reported that the Faculty Senate approved the position for the First Year Experience Coordinator and a new advisory group, the Workforce and Community Development Advisory Group, which will work with the College's Workforce and Community Development department.

6. PFF/AFT

Shannon Lienhart reported that the state PFF/AFT President sent a letter to WASC stating that their standard to include student learning outcomes in faculty evaluations is illegal and asked what they plan to do about it. PFF bought a table at the annual Interfaith Council for Worker Justice Breakfast. PFF is working on a survey to part time faculty to determine their health care needs.

H. OTHER

Robert Deegan reported that the Foundation Gala was very successful.

I. ADJOURNMENT

There being no remaining items, the meeting was adjourned at 4:00 p.m.



GOVERNANCE STRUCTURE GROUP REQUEST

Request submitted by Berta Cuaron				Date 4/2/02 (rev. 4/16/02, 5/7/02, 9/16/03, 10/7/03, 10/13/04, 1/25/06, 1/27/06, 2/8/06, 10/22/08)			
Proposed Name of Requested Group Instructional Planning Council							
X	Council		Committee	X	Subcommittee		Task Force
Action Requested:			Add		Delete	X	Change
Role, Products, Reporting Relationships: <u>Role:</u> <ul style="list-style-type: none"> Develops, implements, evaluates and revises Instruction's plans and initiatives, both short- and long term. Develops, reviews, and updates the process (qualitative and quantitative elements and instrument) and establishes the timeline for the 2-year Institutional Program Review and Planning (IPR&P) cycle for Instruction. Reviews and summarizes IPR&P documents and utilizes them to develop and guide recommendations for priorities for Instruction, including budget, staffing needs, equipment, technology, facilities, and other resources essential to support instruction and the success of students. Utilizes the District's Strategic Plan and the Annual Implementation Plan to guide and outline its goals, tasks and actions to be accomplished in the academic year. Make recommendations relevant to any matters or issues that affect Instruction and/or by request from SPC. Convenes the subcommittee to review and update the process (qualitative and quantitative elements and instrument) and timeline for requesting full-time faculty positions and to prioritize each year's list of full-time faculty positions for discussion and endorsement by IPC, forwarding the recommendation to SPC as information. <u>Products:</u> <ul style="list-style-type: none"> Institutional Program Review and Planning documents, summaries and recommendations, including budget, staffing needs, equipment, technology, and facilities priorities Progress report on Strategic Plan and AIP Annual goals and accomplishments Full-time Faculty Position Priority Recommendation <u>Reporting Relationship:</u> Strategic Planning Council							
Meeting Schedule: Second and Fourth Wednesdays, 2:30 to 4:00 p.m.							
Chair: *Vice President, Instruction							
Members: *Five instructional deans Director of Extended Education *Seven Faculty Members (one each from the five instructional divisions, library, and student services appointed by Faculty Senate) *One Faculty Member who is also on the Faculty Senate appointed by the Faculty Senate Two Classified Unit Employees appointed by CCE/AFT (one from Instruction area) One Student appointed by ASG Director of Occupational and Non-Credit Programs Research Analyst One CAST Member appointed by CAST							

*The Faculty Position Priority Subcommittee membership includes asterisked members plus two (2) faculty appointed by the Faculty Senate.

If change is requested, attach current structure and list proposed changes.

Reviewed by Strategic Planning Council:

Comments:

9/16/03	First Reading
10/7/03	Approved
03/06/06	Revisions Approved

Approved by PAC: 10/2/01

Human Resources
DRAFT as of 10/17/08

AP 7212 TEMPORARY FACULTY

References:

Education Code Sections 87481, 87482, 87482.5, and 87482.8

The District may employ any qualified individual as a temporary faculty member for a complete academic year, but not less than one semester or quarter during an academic year unless the date of rendering first paid service begins during the second semester or third quarter and prior to March 15th. The employment of these persons shall be based upon the need for additional faculty during a particular semester, quarter, or year because a faculty member has been granted leave for a semester, quarter, or year, or is experiencing long-term illness, and shall be limited, in number of persons so employed, to that need.

The District may employ any qualified individual as a temporary faculty member for a complete academic year but not less than a complete semester or quarter during an academic year. The employment of those persons shall be based upon the need for additional faculty during a particular semester or quarter because of the higher enrollment of students during that semester or quarter as compared to the other semester or quarter in the academic year or because a faculty member has been granted leave for a semester, quarter, or year, or is experiencing long-term illness, and shall be limited, in number of persons so employed, to that need. Such employment may be pursuant to contract fixing a salary for the entire semester or quarter. No person, other than a person serving as clinical nursing faculty, shall be so employed for more than two semesters or three quarters within any period of three consecutive years.

A person serving as clinical nursing faculty may be employed for up to four semesters or six quarters within any period of three consecutive years between July 1, 2007 and June 30, 2014, as long as the hiring of that person does not result in an increase in the ratio of part-time to full-time nursing faculty in the District.

Any person who is employed to teach classes for not more than 67 percent of the hours per week that are considered a full-time assignment for regular employees having comparable duties shall be classified as a temporary employee, and shall not become a contract employee. Service as a substitute on a day-to-day basis shall not be used for purposes of calculating eligibility for contract or regular status.

Screening for temporary faculty shall, insofar as possible, be conducted in accordance with District practices and procedures for employment of regular faculty. In particular, there shall be consideration given to principles of selection that assure the greatest opportunity for participation by underrepresented groups as required by Board Policies and Administrative Procedures.

Also see AP 7120 titled Recruitment and Hiring

Office of Primary Responsibility: Human Resource Services

NOTE: This procedure is **legally advised**. 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 procedure. The language in *green ink* reflects revisions/additions made by Human Resource Services. This procedure was reviewed on September 12, 2008 and October 17, 2008 by the Policy and Procedure Task Force.

Date Approved:

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

Human Resources
DRAFT as of 10/17/08

AP 7216 EMPLOYEE GRIEVANCE/COMPLAINT PROCEDURES

Reference:

Education Code Section 87610.1:
Faculty Senate Website

Procedures for resolution of grievances or complaints involving contractual issues are contained in the applicable collective bargaining agreement or employee handbook.

Complaints regarding non-contractual issues which may involve faculty members, administrative staff, classified staff, and/or students may be addressed utilizing the guidelines for the Faculty Senate's Academic Due Process Procedure.

❖ **From current Palomar College Policy 3.06 titled Questions of Conduct or Grievance (93-16519)**

~~In questions of conduct or grievance, a faculty member uses the guidelines for Academic Due Process.~~

~~GB Rev. 6-28-94~~

Also see BP 7361 titled Academic Due Process

Office of Primary Responsibility: Human Resource Services

NOTE: This procedure 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 procedure. The information in **black ink** is current Palomar Policy 3.06 titled Questions of Conduct or Grievance adopted on 6-28-94. The language in **green ink** reflects revisions/additions made by Human Resource Services. This procedure was reviewed on September 12, 2008 and October 17, 2008 by the Policy and Procedure Task Force.

Date Approved:

(Replaces current Palomar Policy 3.06)

AP 7234 CLASSIFIED EMPLOYEE OVERTIME

References:

Education Code Sections 88027, 88028, 88029, and 88030

Overtime is defined to include any time required to be worked in excess of eight hours in any one day and in excess of 40 hours in any calendar week. If the Governing Board establishes a workday of less than eight hours but seven hours or more and a workweek of less than 40 hours but 35 hours or more for all of its classified positions or for certain classes of classified positions, all time worked in excess of the established workday and workweek shall be deemed to be overtime.

The foregoing provisions do not apply to:

- classified positions for which a workday of fewer than seven hours and a workweek of fewer than 35 hours has been established
- positions for which a workday of eight hours and a workweek of 40 hours has been established, but in which positions employees are temporarily assigned to work fewer than eight hours per day or 40 hours per week when such reduction in hours is necessary to avoid layoffs for lack of work or lack of funds and the consent of the majority of affected employees to such reduction in hours has been first obtained

For the purpose of computing the number of hours worked, time during which an employee is excused from work because of holidays, sick leave, vacation, compensatory time off, or other paid leave of absence shall be considered as time worked by the employee.

When compensatory time off is authorized in lieu of cash compensation, such compensatory time off shall be granted within 12 calendar months following the month in which the overtime was worked and without impairing the services rendered by the District.

An employee having an average workday of four hours or more during the workweek shall, for any work required to be performed on the sixth or seventh day following commencement of the workweek, be compensated at a rate equal to 1 1/2 times the regular rate of pay of the employee designated and authorized to perform the work.

An employee having an average workday of less than four hours during a workweek shall, for any work required to be performed on the seventh day following the commencement of his or her workweek, be compensated for at a rate equal to 1 1/2 times the regular rate of pay of the employee designated and authorized to perform the work.

Persons serving in supervisory, administrative, or executive positions that are classified as administrators shall be excluded from these procedures regarding overtime.

Also refer to the applicable collective bargaining agreement or employee handbook

Office of Primary Responsibility: Human Resource Services

NOTE: This procedure 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 procedure. The language in **green ink** reflects revisions/additions made by Human Resource Services. This procedure was reviewed on October 17, 2008 by the Policy and Procedure Task Force.

Date Approved:

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

AP 7235 PROBATIONARY PERIOD: CLASSIFIED EMPLOYEES

Reference:

Education Code Section 88013

Subject to provisions in the applicable collective bargaining agreement or employee handbook, the Governing Board establishes a probationary period of one year as permitted by statute.

Office of Primary Responsibility: Human Resource Services

NOTE: This procedure 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 procedure. The language in **green ink** reflects revisions/additions made by Human Resource Services. This procedure was reviewed on September 12, 2008 and October 17, 2008 by the Policy and Procedure Task Force.

Date Approved:

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

Human Resources
DRAFT as of 10/17/08

AP 7270 STUDENT WORKERS

References:

Education Code Sections 69960(f) and 88003

Only enrolled Palomar College students can be employed as student workers. A student worker's primary role at the District is as a student. Student workers may only be employed as student assistants hired by specific departments or placed in particular departments/offices through the work-study program while enrolled in classes.

Full and part-time Palomar College students shall only be employed part-time regardless of funding source and shall not be a part of the classified service nor perform tasks commensurate with an established classified position. Student workers are hired to gain work experience and develop new skills. Tuberculosis tests are required for all student workers. Certain additional clearances (e.g., fingerprinting, etc.) may be required based on the work location and assigned responsibilities. Student assistants can only work in one capacity (i.e., cannot work as a student assistant and a short-term or professional expert or substitute).

Specific procedures governing hiring processes, applications, and eligibility requirements for student workers can be found in the Palomar College Short-Term and Student Employee Information Booklet available on the Human Resource Services website.

Office of Primary Responsibility: Human Resource Services

NOTE: This procedure 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 procedure. The language in **green ink** reflects revisions/additions made by Human Resource Services. This procedure was reviewed on October 17, 2008 by the Policy and Procedure Task Force.

Date Approved:

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

Human Resources
DRAFT as of 10/17/08

AP 7337 FINGERPRINTING

References:

Education Code Sections 87013 and 88024;
Penal Code Section 11077.1

All academic, classified, and contract employees shall be required to have fingerprints taken via Live Scan ten (10) working days prior to the date of employment. The electronic fingerprints and applicable fees will be forwarded to the Department of Justice to ascertain if the applicant or employee has any record of previous arrests or convictions. The Department of Justice will forward any findings to the Human Resource Services Office. Human Resource Services will evaluate findings to ensure all criminal activity was reported and that no offense would disqualify the applicant from employment.

Student workers, substitute, and temporary employees employed for less than an academic year may be exempted from this procedure. All workers or volunteers in the Child Development Center and in other programs requiring fingerprinting must submit to Live Scan fingerprinting. The costs of Live Scan fingerprinting are the sole responsibility of the applicant.

Also see AP 7126 titled Background Investigations and AP 7127 titled Restrictions Governing the Employment of Applicants with Criminal Records.

Office of Primary Responsibility: Human Resource Services

NOTE: This procedure 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 procedure. The language in **green ink** reflects revisions/additions made by Human Resource Services. This procedure was reviewed on September 12, 2008 and October 17, 2008 by the Policy and Procedure Task Force.

Date Approved:

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

Human Resources
DRAFT as of 10/17/08

AP 7340 LEAVES

References:

Education Code Sections 87763 et seq. and 88190 et seq.;
Labor Code Section 234

The District recognizes several different forms of leave for employees as delineated in the collective bargaining agreements and employee handbooks. Employees are responsible for completing and filing appropriate leave forms at the earliest possible date. Information relative to absences and leaves exclusive of medical information shall be made a matter of record included in the employee's personnel file.

❖ **From current Palomar Policy 156 titled Absences and Leaves**

Absences and Leaves

~~Leaves of absence may be granted academic personnel under contract with the College for reasons other than those stipulated in the College's Sabbatical Leave Policy. The granting of such leaves shall comply with the rules and regulations set forth in Section 87763-87789 of the Education Code.~~

❖ **From current Palomar Policy 156.1 titled Reporting Absences**

Reporting Absences

~~An instructor who must be absent from class must notify the Office of the Assistant Superintendent/Vice President for Instruction. It is the responsibility of the department chairperson to make arrangements for classes of absent instructors insofar as possible. Instructors are expected to notify their department chairperson if they are to be absent for more than one day.~~

Also see AP 7344 titled Notifying District of Illness

❖ **From current Palomar Policy 156.2 titled Sick Leave**

~~All academic employees on ten-month contracts are entitled to ten (10) days' leave of absence for illness or injury with full pay for each year of service. Academic employees on contracts longer than ten months are given an additional day for each extra month of contract service.~~

~~Every person employed five days a week by a school District in an academic position shall be entitled to ten (10) days' leave of absence for illness or injury and such additional days in addition thereto as the Governing Board may allow for illness or injury, exclusive of all days he/she is not required to render service to the District, with full pay for a school year of service. An academic employee employed for less than five school days a week shall be entitled, for a school year of service, to that proportion of ten (10) days' leave of absence for illness or injury as the number of days he/she is employed per week bears to five (5) and is entitled to such additional days in addition thereto as the Governing Board may allow for illness or injury to academic employees employed for less than five (5) school days a week; pay for any day of~~

~~such absence shall be the same as the pay which would have been received had the employee served during the day. Credit for leave of absence need not be accrued prior to taking such leave by the employee and such leave of absence may be taken at any time during the school year.~~

~~If such employee does not take the full amount of leave allowed in any school year under this section, the amount not taken shall be accumulated from year to year with such additional days as the Governing Board may allow.~~

~~EC 87781, 87765~~

❖ **From current Palomar Policy 156.22 titled Accumulation of Sick Leave – Adjunct Faculty (82-9509)**

Accumulation of Sick Leave – Adjunct Faculty

~~Adjunct (hourly) faculty will earn sick leave benefits at the rate of 0.056 hours of sick leave for each hour of service rendered. The employee will be paid one hour of earned sick leave benefits for each hour of absence for injury or illness. If the employee does not take the full amount of earned sick leave allowed in any semester, the amount not taken shall be accumulated from semester to semester and from year to year.~~

~~GB 4-26-83~~

❖ **From current Palomar Policy 156.23 titled Verification of Illness**

Verification of Illness

~~Proof of illness or injury which has resulted in the absence from duty of any employee may be required by the Governing Board or administration. Such proof shall be obtained from a licensed physician or Christian Science practitioner.~~

~~EC 87781, 88191; 1957 County Counsel Opinion/1964 Attorney General Opinion~~

❖ **From current Palomar Policy 156.3 titled Other Leaves of Absence**

Other Leaves of Absence

~~All leaves of absence will be granted in accordance with one of the following:~~

- ~~a) leave of absence with pay and with fringe benefits~~
- ~~b) leave of absence without pay but with fringe benefits; and~~
- ~~c) leave of absence without pay and without fringe benefits.~~

~~Benefits referred to are medical, dental, vision, life, and long-term disability insurance. Whenever possible, leaves of absence are to start on the first of the month.~~

❖ **From current Palomar Policy 156.31 titled Leave of Absence for Any Reason**

Leave of Absence for Any Reason

~~In conformity with Section 87764 of the Education Code, the following rules and regulations have been adopted for the granting of leaves of absence for any reason to employees under contract in academic positions.~~

~~Conditions governing the granting of leave of absence under this policy:~~

~~A. The leave of absence for any reason shall be with or without pay or other benefits except as expressed herein, and may be granted for a period of either 1) one semester, 2) one college~~

~~year, 3) two semesters, or 4) equivalent, each occurring in separate college years, within a six-year period.~~

~~B. A leave of absence under this policy may be granted to any academic employee regardless of number of years of service.~~

~~C. The granting of a leave of absence under this policy is contingent upon the availability of a suitable replacement for the position to be vacated by the employee requesting the leave of absence, if necessary.~~

~~D. The employee on a leave of absence under this policy shall notify the Assistant Superintendent/Vice President for Instruction in writing no later than November 15 of the fall semester, or March 15 of the spring semester, whichever is the concluding semester of the leave, of intention to terminate employment.~~

~~E. The employee's rights shall remain in force during a leave of absence and the position on the salary schedule will remain constant. By law, the year of the leave may not be counted toward retirement.~~

~~F. For a part-time leave of absence for medical reasons or pregnancy, a letter from a licensed physician releasing the employee for work must be on file in the Office of Human Resource Services.~~

~~EC 87764~~

❖ From current Palomar Policy 156.32 titled Jury Duty

Jury Duty

~~An academic staff member shall receive regular earnings while serving on jury duty, and any jury fees will be relinquished to the District.~~

~~All instructors are asked to notify the office of the Assistant Superintendent/Vice President for Instruction in advance when they are notified of pending jury duty service.~~

❖ From current Palomar Policy 156.33 titled Pregnancy Leave

Pregnancy Leave

~~In conformity with Section 87766 of the Education Code, the following rules and regulations have been adopted for leave of absence for pregnancy for employees, who so desire, under contract for positions requiring certification qualification. Conditions for granting a leave of absence under this policy:~~

~~A. The Governing Board shall grant a leave of absence for any academic employee who is required to be absent from duties because of pregnancy, miscarriage, childbirth, and recovery therefrom.~~

~~B. The length of the leave of absence, including the date on which the leave shall commence and the date on which the employee shall resume duties, shall be determined by the employee and the employee's physician.~~

~~C. An extension of the leave of absence for pregnancy for reason of complications or other factors resulting from pregnancy or delivery may be granted by the Governing Board, but only upon the advice, presented in writing, of a licensed medical practitioner.~~

~~D. Nothing in this policy shall be construed to deprive the employee of the right to the use of accumulated sick leave for absences due to illness or injury resulting from pregnancy.~~

~~E. A leave of absence under this policy is in addition to any other leave to which the employee may be entitled by law. The employee's rights shall remain in force during the leave of absence.~~

~~F. For a part-time leave of absence for medical or maternity purposes, a letter from a licensed physician or medical practitioner releasing the employee for work must be on file in the Office of Human Resource Services.~~

~~EC 87766~~

❖ **From current Palomar Policy 156.35 titled Accident, Illness, or Quarantine Leave**

Accident, Illness, or Quarantine Leave

~~In conformity with Section 87765 of the Education Code, the following rules and regulations have been adopted for accident, illness, or quarantine leaves of absence for employees under contract for academic positions:~~

~~A. The Governing Board may, at its discretion, grant a leave of absence without pay, for reasons of accident, illness, or quarantine for a period of time commencing with the termination of the employee's accumulated sick leave up to one year from the beginning of the employee's absence from his/her duties due to the condition of injury, illness, or quarantine. If, at the end of that period of time, the employee is unable to resume his/her duties, the Governing Board may, at its discretion, extend the leave of absence to either 1) the end of the current semester, or 2) the end of the current school year.~~

~~B. The employee or a bonafide representative, shall initiate the request for the leave of absence under this policy prior to the termination of the employee's accumulated sick leave, and he/she shall initiate the request for an extension of the leave of absence prior to the termination of the original leave.~~

~~C. Proof of illness, injury, or quarantine which results in a request for a leave of absence or an extension of a leave of absence under this policy may be required by the Governing Board or the administration. Such proof shall be obtained by the employee from a competent medical authority at the District's expense in accordance with the employee's religious beliefs.~~

~~EC 87765~~

[Also see AP 7343 titled Industrial Accidents and Illness](#)

❖ **From current Palomar Policy 156.36 titled Bereavement Leave**

Bereavement Leave

~~In conformity with Section 87788, as amended, of the Education Code, every person employed by a school District in an academic position is entitled to a leave of absence not to exceed three days, or five days if out-of-state travel is required, on account of death of any member of his/her immediate family. No deduction is made from the salary of the employee nor is such leave deducted from other leave granted under the law or regulations of this Board. Members of the immediate family mean the mother, father, grandmother, grandfather, or grandchild of the employee or of the spouse of the employee; son, son-in-law, daughter, daughter-in-law, brother or sister of the employee. The above mentioned are in addition to the spouse. The Governing Board may enlarge the benefit of membership.~~

~~EC 87788~~

❖ **From current Palomar Policy 156.37 titled Personal Necessity Leave**

Personal Necessity Leave

~~Any days of leave of absence for illness or injury allowed pursuant to Section 87781 may be used by the employee, at his/her election, in cases of personal necessity including any of the following:~~

~~A. Death or serious illness of a member of his/her immediate family~~

~~B. Accident involving his/her person or property, or the person or property of a member of his/her immediate family~~

~~C. Appearance in court as a litigant or as a witness under an official order~~

~~D. In cases of compelling personal importance.~~

~~No such accumulated leave in excess of six days may be used in any school year for the purposes enumerated in this section.~~
~~EC 87784~~

❖ **From current Palomar Policy 156.371 titled Personal Business Leave**

Personal Business Leave

~~Academic employees working on a contract basis may be excused from duty with verbal permission from the department chairperson/director or other supervisor, without loss of pay, for a period of not more than two (2) hours, not to exceed four (4) two-hour periods in any one school year. Valid reasons for and conditions of personal leave include, but are not limited to:~~

- ~~A. Death or illness in immediate family~~
- ~~B. Unavoidable transportation delay~~
- ~~C. Legal matters~~
- ~~D. Attendance at graduation ceremonies (immediate family)~~
- ~~E. Participation in college graduation ceremonies~~
- ~~F. Funeral attendance~~
- ~~G. Emergency child care problems~~
- ~~H. Taking examinations.~~

~~Leaves are not granted to extend a vacation period or provide additional days off immediately preceding or following a holiday. Leaves are not granted for attendance at grade school graduation ceremonies.~~

~~Report of these leaves must be filed with the Office of Instruction on the form, "Leave for Personal Business." Such report is to be filed on the day of the absence, or not later than the following business day.~~

❖ **From current Palomar Policy 170 titled Reduced Workload (80-8013)**

Reduced Workload

~~The Governing Board authorizes participation in the State Teachers' Retirement System (STRS) academic reduced workload program.~~

~~EC 22724, 44922, 87483, 89516;
GB 7-22-80~~

❖ **From current Palomar Policy 171 titled Early Retirement (80-8013)**

Early Retirement

~~The Governing Board authorizes participation in the State Teachers' Retirement System (STRS) Optional Retirement Plan (early full-time retirement).~~

~~EC 24210;
GB 7-22-80~~

❖ **From current Palomar Policy 172 titled Vacation (88-12639)**

Vacation

~~This section applies to only twelve-month educational administrators.~~

❖ **From current Palomar Policy 172.1 titled Entitlement**

Entitlement

~~A. Each member of executive administration, senior administration, and administration appointed on a 12-month basis is entitled to 22 working days of vacation with pay annually, accrued at the rate of 1.834 working days per month.~~

~~B. Eligible employees who are employed in restricted programs in specially funded positions are subject to any special provisions contained in such restricted programs and are not eligible to use accrued vacation beyond the duration of the funded program. Vacation accruals not used within the time frame allowed are forfeited.~~

~~C. Each part-time member of executive administration, senior administration, and administration appointed on a 12-month basis is entitled to accrue vacation leave at a rate consistent with the percentage of time worked.~~

❖ From current Palomar Policy 172.2 titled Use of Vacation

Use of Vacation

~~A. Accrued vacation must be taken within the year it is earned or during the next accrual year.~~

~~Vacation days earned and not used may be accumulated up to a maximum of 30 days that may be carried over from year to year. Accrued vacation beyond 30 days not used in the current or succeeding accrual year will be lost and no compensation shall be paid to employees who fail to use their vacation entitlement.~~

~~B. Employees eligible for the special provisions in 172.6. a. and 172.6. b. may carry over 44 accrued vacation days from year to year. Accrued vacation beyond 44 days not used in the current or succeeding accrual year will be lost, and no compensation shall be paid to employees who fail to use their vacation entitlement.~~

~~That is, an eligible employee may have a "reserve" of 30 or 44 vacation days that he/she may elect to use or to be paid for at termination, resignation, or retirement. On-going accruals must be used in the year in which they are earned or in the following year, or they are forfeited without pay.~~

~~C. Vacation may be taken in advance under extenuating circumstances upon recommendation of the appropriate vice president and authorization of the Superintendent/President.~~

❖ From current Palomar Policy 172.3 titled Changes in Appointment

Changes in Appointment

~~A. Twelve-month employees accepting appointments to positions which are not eligible for accrual of vacation shall use all accrued vacation leave prior to the effective date of the new appointment.~~

~~If it is not possible to use the accrued leave prior to the effective date of the new appointment, a maximum of 30 days unused accrued vacation may be paid to the employee before beginning the new assignment (except that 44 days would be paid per section 172.6, Special Provisions).~~

~~B. Employees accepting a position which is eligible for accrual of vacation shall begin accruing vacation as described in the policy effective at the beginning date of the appointment.~~

~~C. The accrued vacation of an employee accepting an assignment to a position which is eligible for accrual of vacation shall be transferred to the department to which he/she is transferred or reassigned and the vacation accrual becomes the obligation of the new department.~~

❖ From current Palomar Policy 172.4 titled Payment of Unused Vacation

Payment of Unused Vacation

~~A. Upon termination, retirement or resignation from the District, employees are entitled to be paid for unused vacation earned in the current or previous accrual year up to a maximum of 30 days at their current rate of pay (except that 44 days would be paid per 172.6, Special Provisions).~~

~~B. The value of unused vacation credits up to a maximum of thirty (30) days earned in the current and previous accrual year by an employee who dies in District service will be paid to the employee's estate (except that 44 days would be paid per 172.6, Special Provisions).~~

❖ From current Palomar Policy 172.5 titled Other

Other

~~A. Employees are not entitled to accrue vacation while on leave without pay, during a break in service, or after the last day that service is performed.~~

~~B. Holidays which occur during vacation periods will not be charged to vacation.~~

❖ From current Palomar Policy 172.6 titled Special Provisions

Special Provisions

~~A. Classified employees employed prior to July 1, 1988, are subject to the following:~~

~~1. A maximum of 44 days of earned vacation may be accrued and used anytime upon approval. Upon termination, retirement, or resignation from the District, such employees shall be eligible to be paid for a maximum of 44 days accrued vacation at their current rate of pay.~~

~~2. Employees who have accumulated in excess of 44 days shall be required to use all excess vacation by December 31, 1994. One-sixth of such excess days should be used each year in addition to the yearly accrual during each year. Any unused days in excess of 44 will be forfeited on December 31, 1994, with no compensation paid to the employee for those forfeited days.~~

~~B. By previous agreement, twelve-month (12) academic employees employed prior to July 1, 1985, are subject to the following provisions:~~

~~1. A maximum of 44 days of earned vacation may be accrued and used anytime upon approval. Upon termination, retirement, or resignation from the District, such employees shall be paid for a maximum of 44 days accumulated vacation at their current rate of pay.~~

~~2. Employees who prior to July 1, 1985, have accumulated in excess of 44 days shall be required to use all excess vacation by June 30, 1991. It is recommended that a minimum of one-sixth of such excess vacation days be used each fiscal year. Deviations from this recommended minimum must be agreed upon by the employee and the employee's supervisor and with the concurrence of the Superintendent/President. Any unused days in excess of 44 will be forfeited as of June 30, 1991.~~

~~GB 8-31-88~~

❖ From current Palomar Procedure 156 titled Absences and Leaves

Absences and Leaves

~~Leaves of absence may be granted academic personnel under contract with the College for reasons other than those stipulated in the College's Sabbatical Leave Policy. The granting of such leaves shall comply with the rules and regulations set forth in Section 87763-87789 of the Education Code.~~

❖ From current Palomar Procedure 156.1 titled Reporting Absences

Reporting Absences

~~Faculty members are responsible for recording absences on their monthly Employee Absence Report and returning the report to Payroll Services.~~

~~In the event that a faculty member is absent he/she will contact the following people in the following order until he/she has reported his/her absence:~~

- ~~• Academic Department Office~~
- ~~• Office of the Director/Manager of the Palomar College Escondido Center, or Palomar College site (only if the class is offered at a site other than the San Marcos Campus)~~
- ~~• Office of the Division Dean~~
- ~~• Office of the Asst. Superintendent/Vice President for Instruction~~
- ~~• Campus Police~~

Posting Classes

~~Once notified by the faculty member, the person contacted will be responsible for posting the official notice on the appropriate classroom door(s).~~

~~03-08-05~~

❖ From current Palomar Procedure 156.2 titled Sick Leave

Sick Leave

~~Sick leave may be used whenever faculty are unable to perform their duties because of temporary disability caused by illness, injury, pregnancy, and/or childbirth. Sick leave may also be used for medical, psychological, dental, or optical examinations or treatment.~~

~~All instructors teaching on an hourly basis shall accrue sick leave for all hours taught. Sick leave will be accrued by part-time faculty members teaching hourly during the summer, fall, and spring semesters; sick leave will be accrued by contract faculty members teaching hourly as paid overload during the summer, fall, and spring semesters.~~

~~Hours accrued for sick leave by contract faculty teaching an overload on an hourly basis must be recorded separately from days accrued on contract work. State Teachers' Retirement System mandates that these accruals may not be commingled. Hours accrued on hourly work may not be used as credit toward retirement, whereas days accrued on contract work may.~~

❖ From current Palomar Procedure 156.3 titled Other Leaves of Absence

Other Leaves of Absence

~~Methods of obtaining a leave of absence for reasons other than Sabbatical Leave or exchange participation:~~

- ~~A. The employee shall obtain an "Application for Leave of Absence" from the Human Resource Services Office, secure the endorsements of the department chairperson/director and the appropriate division dean, and/or Vice President, and submit the completed form to the Office of Instruction for endorsement. All endorsements, whether favorable or unfavorable, shall be shown in writing on the application. The completed application shall be submitted to the Superintendent/President's Office for final action by the Governing Board.~~
- ~~B. There shall be no priority of consideration established by the date on which the application is filed with the Assistant Superintendent/Vice President for Instruction.~~

~~C. Compliance with these requirements does not imply an automatic granting of leave of absence under this policy.~~

❖ **From current Palomar Procedure 156.32 titled Jury Duty**

Jury Duty

~~When a faculty member is called for jury duty, an attempt shall be made by the department or instructional area to cover the instructor's classes from within the department or discipline. The substitute will be paid on an hourly basis. If classes cannot be covered from within the College, an effort shall be made to find qualified instructors outside the institution to cover classes. Jury duty leave is reported on the Academic Absence Report.~~

❖ **From current Palomar Procedure 156.36 titled Bereavement Leave**

Bereavement Leave

~~Bereavement leave, including the relationship of the deceased, is reported on the Academic Absence Report.~~

❖ **From current Palomar Procedure 156.37 titled Personal Necessity Leave**

Personal Necessity Leave

~~Personal necessity leave, including the reason for the leave, is reported on the Academic Absence Report.~~

❖ **From current Palomar Procedure 156.371 titled Personal Business Leave**

Personal Business Leave

~~Personal business leave is reported on the Academic Absence Report.~~

❖ **From current Palomar Procedure 172 titled Vacation**

Vacation

~~This section refers to 12-month administrators. For other procedures, refer to the Administrative Team Handbook.~~

[Also see AP 7347 titled Family Medical Leave](#)

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

NOTE: This procedure 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 procedure. The language in **black type** is current Palomar Policies 156 titled Absences and Leaves with no adoption date, 156.1 titled Reporting Absences with no adoption date, 156.2 titled Sick Leave with no adoption date, 156.22 titled Accumulation of Sick Leave – Adjunct Faculty (82-9509) adopted on 4-26-83, 156.23 titled Verification of Illness with no adoption date, 156.3 titled Other Leaves of Absence with no adoption date, 156.31 titled Leave of Absence for Any Reason with no adoption date, 156.32 titled Jury Duty with no adoption date, 156.33 titled Pregnancy Leave with no adoption date, 156.35 titled Accident, Illness, or Quarantine Leave

with no adoption date, 156.36 titled Bereavement Leave with no adoption date, 156.37 titled Personal Necessity Leave with no adoption date, 156.371 titled Personal Business Leave with no adoption date, 170 titled Reduced Workload adopted on 7-22-80, 171 titled Early Retirement adopted on 7-22-80, 172 titled Vacation with no adoption date, 172.1 titled Entitlement with no adoption date, 172.2 titled Use of Vacation with no adoption date, 172.3 titled Changes in Appointment with no adoption date, 172.4 titled Payment of Unused Vacation with no adoption date, 172.5 titled Other with no adoption date, and 172.6 titled Special Provisions adopted on 8-31-88. Additional language in **black type** includes current Palomar Procedures 156 titled Absences and Leaves with no date, 156.1 titled Reporting Absences dated 3-8-05, 156.2 titled Sick Leave with no date, 156.3 titled Other Leaves of Absence with no date, 156.31 titled Jury Duty with no date, 156.36 titled Bereavement Leave with no date, 156.37 titled Personal Necessity Leave with no date, 156.371 titled Personal Business Leave with no date, and 172 titled Vacation with no date. The language in **green ink** reflects revisions/additions made by Human Resource Services. This procedure was reviewed on October 17, 2008 by the Policy and Procedure Task Force.

Date Approved:

(Replaces current Palomar Policies 156, 156.1, 156.2, 156.22, 156.23, 156.3, 156.31, 156.32, 156.33, 156.35, 156.36, 156.37, 156.371, 170, 171, 172, 172.1, 172.2, 172.3, 172.4, 172.5, and 172.6 as well as Palomar Procedures 156, 156.1, 156.2, 156.3, 156.31, 156.36, 156.37, 156.371, and 172)

Human Resources
DRAFT as of 10/17/08

AP 7343 INDUSTRIAL ACCIDENTS AND ILLNESS

References:

Education Code Sections 87787 and 88192

The specific procedures for industrial accident leaves of absence are contained in the appropriate collective bargaining agreement and employee handbooks.

Academic Employees

Academic employees shall be entitled to not less than 60 days leave on account of an industrial accident or illness in any one fiscal year for the same accident.

Allowable leave shall not be accumulated from year to year.

Industrial accident or illness leave shall commence on the first day of absence.

When an academic employee is absent from his or her duties on account of an industrial accident or illness, the employee shall be paid the portion of the salary due him or her for any month in which the absence occurs as, when added to his or her temporary disability indemnity under the Labor Code, will result in a payment to the employee of not more than his or her full salary. "Full salary," shall be computed so that it shall not be less than the employee's "average weekly earnings" as that phrase is used in Section 4453 of the Labor Code. For purposes of this section, however, the maximum and minimum average weekly earnings set forth in Section 4453 of the Labor Code shall otherwise not be deemed applicable.

Industrial accident or illness leave shall be reduced by one day for each day of authorized absence regardless of a temporary disability indemnity award.

When an industrial accident or illness leave overlaps into the next fiscal year, the employee shall be entitled to only the amount of unused leave due him or her for the same illness or injury.

Upon termination of the industrial accident or illness leave, the employee shall be entitled to the benefits provided in Education Code Sections 87780, 87781, and 87786, and, for the purposes of each of these sections, his or her absence shall be deemed to have commenced on the date of termination of the industrial accident or illness leave. However, if the employee continues to receive temporary disability indemnity, he or she may elect to take as much of his or her accumulated sick leave which, when added to his or her temporary disability indemnity, will result in a payment to the employee of not more than his or her full salary.

During any paid leave of absence, the employee may endorse to the District the temporary disability indemnity checks received on account of his or her industrial accident or illness. The District shall issue the employee appropriate salary warrants for payment of the employee's salary and shall deduct normal retirement, other authorized contributions, and the temporary disability indemnity, if any, actually paid to and retained by the employee for periods covered by the salary warrants.

Any employee receiving benefits as a result of this section, during periods of injury or illness, shall remain within the State of California unless the **Governing Board** authorizes travel outside the state.

Classified Employees

Classified employees shall be entitled to not less than 60 days leave on account of an industrial accident or illness, in any one fiscal year for the same accident.

Allowable leave shall not be accumulative from year to year.

Industrial accident or illness leave of absence will commence on the first day of absence.

Payment for wages lost on any day shall not, when added to an award granted the employee under the workers' compensation laws of this state, exceed the normal wage for the day.

Industrial accident leave will be reduced by one day for each day of authorized absence regardless of a compensation award made under workers' compensation.

When an industrial accident or illness occurs at a time when the full 60 days will overlap into the next fiscal year, the employee shall be entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred, for the same illness or injury.

The industrial accident or illness leave of absence is to be used in lieu of entitlement acquired under Education Code Section 88191. When entitlement to industrial accident or illness leave has been exhausted, entitlement to other sick leave will then be used; but if an employee is receiving workers' compensation, the person shall be entitled to use only so much of the person's accumulated or available sick leave, accumulated compensating time, vacation or other available leave which, when added to the workers' compensation award, provide for a full day's wage or salary.

Periods of leave of absence, paid or unpaid, shall not be considered to be a break in service of the employee.

During all paid leaves of absence, whether industrial accident leave as provided in this procedure, sick leave, vacation, compensated time off, or other available leave provided by law or the action of the District, the employee shall endorse to the District wage loss benefit checks received under the workers' compensation laws of this state. The District, in turn, shall issue the employee appropriate warrants for payment of wages or salary and shall deduct normal retirement and other authorized contributions. Reduction of entitlement to leave shall be made only in accordance with this procedure.

When all available leaves of absence, paid or unpaid, have been exhausted and if the employee is not medically able to assume the duties of the person's position, the person, if not placed in another position, shall be placed on a reemployment list for a period of 39 months. When available, during the 39-month period, the person shall be employed in a vacant position in the class of the person's previous assignment over all other available candidates except for a reemployment list established because of lack of work or lack of funds, in which case the person shall be listed in accordance with appropriate seniority regulations.

Any employee receiving benefits as a result of this section shall, during periods of injury or illness, remain within the State of California unless the **Governing Board** authorizes travel outside the state.

An employee who has been placed on a reemployment list, as provided above, who has been medically released for return to duty and who fails to accept an appropriate assignment, shall be dismissed.

❖ **From current Palomar Policy 156.34 titled Industrial Accident or Illness Leave**

~~In conformity with Section 87787 of the Education Code, the following regulations for industrial accident or illness leaves of absence for academic employees have been adopted:~~

- ~~A. Allowable leave shall be for not less than sixty (60) days during which the schools of the District are required to be in session or when the employee would otherwise have been performing work for the District in any one fiscal year for the same accident.~~
- ~~B. Allowable leave shall not be accumulated from year to year.~~
- ~~C. Industrial accident or illness leave shall commence on the first day of absence.~~
- ~~D. When an academic employee is absent from his/her duties on account of an industrial accident or illness, the employee shall be paid such portion of the salary due him/her for any month in which the absence occurs as, when added to his/her temporary disability indemnity under Division 4 or Division 4.5 of the Labor Code, will result in a payment to him/her of not more than his/her full salary.~~
- ~~E. Industrial accident or illness leave shall be reduced by one day for each day of authorized absence regardless of a temporary disability indemnity award.~~
- ~~F. When an industrial accident or illness leave overlaps into the next fiscal year, the employee shall be entitled to only the amount of unused leave due him/her for the same illness or injury.~~
- ~~G. Upon termination of the industrial accident or illness leave, the employee shall be entitled to the benefits provided in Sections 87780, 87781, and 87786, and for the purposes of each of these sections his/her absence shall be deemed to have commenced on the date of termination of the industrial accident or illness leave, provided that if the employee continues to receive temporary disability indemnity, he/she may elect to take as much of his/her accumulated sick leave which, when added to his/her temporary disability indemnity, will result in a payment to the employee of not more than his/her full salary.~~
- ~~H. During any paid leave of absence, the employee may endorse to the District the temporary disability indemnity checks received on account of his/her industrial accident or illness. The District, in turn, shall issue the employee appropriate salary warrants for payment of the employee's salary and shall deduct normal retirement, other authorized contributions, and the temporary disability indemnity, if any, actually paid to and retained by the employee for periods covered by such warrants.~~
- ~~I. Any employee receiving benefits as a result of this section shall, during periods of injury or illness, remain within the State of California unless the Governing Board authorizes travel outside the state.~~

~~EC 87765, 87787~~

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

NOTE: This procedure 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 procedure. The information in **black ink** is current Palomar Policy 156.34 titled Industrial Accident or Illness Leave with no adoption date. The language in **green ink** reflects revisions/additions made by Human Resource Services. This procedure was reviewed on October 17, 2008 by the Policy and Procedure Task Force.

Date Approved:

(Replaces current Palomar Policy 156.34)

Human Resources
DRAFT as of 10/17/08

AP 7344 NOTIFYING DISTRICT OF ILLNESS

Reference:

Education Code Section 88191

Procedures for notification of employee illness are delineated in the applicable collective bargaining agreement or employee handbook.

Office of Primary Responsibility: Human Resource Services

NOTE: The language in **red ink** is recommended by the Community College League and the legal firm of Liebert Cassidy Whitmore. This procedure is **suggested as good practice**. The information in **blue type** is additional language to consider including in this procedure. This procedure was reviewed on October 17, 2008 by the Policy and Procedure Task Force.

Date Approved:

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

AP 7346 EMPLOYEES CALLED TO MILITARY DUTY

References:

Military and Veteran's Code Sections 389 et seq.;
Education Code Sections 87018, 87700, 87832, and 88116;
Government Code Sections 19775 et seq.;
38 U.S. Code Sections 4301 et seq.

The following applies to any District employee, academic or classified, who enters the active military service of the United States of America or of the State of California, including active service in any uniformed auxiliary of any branch of the military service, during any period of national emergency declared by the President of the United States or during any war in which the United States of America is engaged.

Leave

Upon presentation of a copy of orders for active duty in the Armed Forces, the National Guard, or the Naval Militia, the District shall grant a military leave of absence for the period of active duty specified in the orders, but not to exceed five years for a permanent, probationary, or exempt employee, or for the remainder of a limited-term employee's appointment or a temporary employee's appointment.

Salary

Any District employee called to active duty who has been in the service of the District for at least one year will continue to receive his or her salary for the first 30 calendar days of ordered military service. Employees who are members of the National Guard will continue to receive salary for the first 30 calendar days of active service regardless of length of service with the District.

In addition, the District may provide for not more than 180 calendar days as part of the employee's compensation all of the following:

- The difference between the amount of his or her military pay and allowances and the amount the employee would have received as an employee, including any merit raises that would otherwise have been granted during the time the individual was on active military duty.
- All benefits that he or she would have received had he or she not been called to active military duty unless the benefits are prohibited or limited by vendor contracts.

Employees returning from military leave shall have their salary adjusted to reflect salary increases that are not based on merit.

Health Benefits

An employee on military leave for less than 31 days shall continue to receive health insurance benefits.

Employees on leave for longer than 30 days may elect to continue health care coverage for themselves and their eligible dependents for a maximum period of 18 months.

Returning veteran employees whose coverage was terminated because of military leave will not be subject to any exclusion or waiting period prior to reinstatement of health coverage.

Vacation and Sick Leave

Employees on military leave accrue any benefits the District provides to other employees, e.g. if employees on other approved leaves are permitted to accrue vacation or sick leave, employees on military leave will do so as well.

Employees on military leave shall accrue any benefits afforded by any collective bargaining agreement negotiated during their absence.

Any employee on temporary military leave for training who has worked for the District for at least one year shall continue to accrue vacation, sick leave, and holiday privileges up to a maximum period of 180 days.

Reinstatement

An employee on active duty military leave shall be entitled to return to the position held by him or her at the time of his or her entrance into the service within six months after the employee honorably leaves the service or is placed on inactive duty.

In the case of a contract academic employee, absence on military leave shall not count as part of the service required for the acquisition of tenure, but the absence shall not be construed as a break in the continuity of service. If the employee was employed by the District for more than one year, but had not yet become a regular academic employee of the District, he or she is entitled to return to the position for the period of time his or her contract of employment had to run at the time he or she entered military service.

In the case of an academic employee, absence on military leave shall not be construed as a break in the continuity of service.

In the case of a classified employee, absence on military leave shall not be construed as a break in the continuity of service.

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

NOTE: This procedure is **legally advised**. 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 procedure. The language in **green ink** reflects revisions/additions made by Human Resource Services. This procedure was reviewed on September 12, 2008 and October 17, 2008 by the Policy and Procedure Task Force.

Date Approved:

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

Human Resources
DRAFT as of 10/17/08

AP 7375 TAX-SHELTERED ANNUITIES/DEFERRED COMPENSATION PROGRAMS

Reference:

No reference

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

With the exception of student workers employees and employees whose contributions would not exceed \$200 per year and subject to applicable collective bargaining agreements or employee handbooks, the District authorizes the participation of District employees in tax-sheltered annuities and deferred compensation programs. Detailed information regarding investment options and associated enrollment forms are available online via the Human Resource Services website.

Also see BP 7130 titled Compensation and BP 7385 titled Salary Deductions

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 528.2 titled Tax-Sheltered Annuity Program dated 3-8-88 and revised on 1-14-97. The language in **green ink** reflects revisions/additions made by Human Resource Services. This procedure was reviewed on October 17, 2008 by the Policy and Procedure Task Force.

Date Adopted:

(This is Palomar Policy 528.2 just re-numbered)

AP 7500 VOLUNTEERS AND INTERNS

References:

Education Code Sections 72401, 87009-87011, 87405, 88023 and 88249;
Government Code Section 3119.5;
Labor Code Section 3364.5

Purpose and Scope

The purpose of this procedure is to outline the District practice involving volunteers and interns. Each volunteer/intern is subject to the screening process set forth below, with the following exceptions:

- Volunteers/interns serving in single day District events and
- Individuals serving as volunteers/interns in the Associated Student Government (ASG) officer positions at the District. ASG officers are not entitled to defense and indemnity by the District.

The Chief Human Resources Officer or designee may authorize suspension of the screening process when he/she believes that this process is not necessary for the volunteers/interns serving in the particular event.

General

The District may enter into agreements with outside organizations to provide volunteers/interns to the District to work at college locations. Such agreements will contain appropriate defense and indemnification language to protect the District from liability in connection with the volunteer's/intern's services.

Volunteers/interns serve the District in an "at will" capacity. The District may terminate a volunteer's/intern's services for any reason or no reason at all.

Pursuant to Government Code Section 3119.5, no person aged 60 years or older may be excluded from volunteer/intern service if the person is physically, mentally, and professionally capable of performing the services involved. A person shall be deemed "professionally capable" if he/she can demonstrate reasonable proficiency or relevant certification and performs his/her professional duties in accordance with laws, regulations, or the technical standards that govern his/her area of volunteer/intern responsibility.

Volunteers/interns may not be used in lieu of classified employees. The District may not refuse to employ a person in a vacant classified position and use volunteers/interns instead, nor may it abolish any classified positions and use volunteers/interns instead.

Screening

The District shall use a written application form that requires, at a minimum, the volunteer's/intern's name, address, phone number, and history of convictions.

A volunteer's/intern's service record shall be maintained by the District.

Subject to the limitations of this procedure, employees assigned to other positions within the District may serve as volunteers/interns during off-hours.

Fingerprints of each volunteer/intern may be required (see AP 7337 titled Fingerprinting) for the purpose of running a criminal background check.

No person may serve as a volunteer/intern in the District if:

- He/she has been convicted of or if he/she has charges pending which pertains to any sex offense (as defined in Education Code Section 87010), or controlled substance offense (as defined in Education Code Section 87011)
- He/she has been convicted of a crime and the Chief Human Resources Officer or designee determines that: the nature of the crime is too serious to serve as a volunteer/intern; the crime was too recent; and/or the crime is inconsistent with obligations in performing assigned duties as a volunteer/intern
- He/she has a health condition that would preclude him/her from satisfactorily performing essential duties of the position and/or
- He/she makes a false statement or omits a statement as to any material fact on the application form

Expenses

Persons serving without pay as volunteers/interns may receive reimbursement for incidental expenses.

Benefits

Volunteers/interns are employees of the District only for the purpose of worker's compensation benefits for injuries sustained while engaged in the performance of any service under the direction and control of the District. With the exception of worker's compensation (Education Code Section 72401), volunteers/interns shall serve without any type of compensation or any other benefits granted to District employees. Volunteers/interns shall not be entitled to defense and indemnity from the District.

Office of Primary Responsibility: Human Resource Services

NOTE: *This procedure is **legally advised**. 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 procedure. The language in **green ink** reflects revisions/additions made by Human Resource Services. This procedure was reviewed on October 17, 2008 by the Policy and Procedure Task Force.*

Date Approved:

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

Human Resources
DRAFT as of 10/17/08

BP 7230 CLASSIFIED EMPLOYEES

References:

Education Code Sections 88003, 88004, 88009, and 88013

Classified employees are those who are employed in positions that are not academic positions. The employees and positions shall be known as the classified service. Procedures specific to classified employees are delineated in the applicable collective bargaining agreement or employee handbook.

The classified service does not include:

- Substitute employees
- Short-term employees who are employed and paid for less than 75 percent of the fiscal year
- Professional experts employed on a temporary basis for a specific project, regardless of length of employment
- Interns, full-time students employed part-time, and part-time students employed part-time in any college work-study program or in a work experience education program conducted by the District

The Governing Board shall fix and prescribe the duties of the members of the classified service. (See BP 7110 titled Delegation of Authority)

The Superintendent/President shall establish procedures to assure that the requirements of state law and regulations regarding the classified service are met.

The probationary period for classified employees shall be one year.

See AP 7235 titled Probationary Period: Classified Employed

Office of Primary Responsibility: Human Resource Services

NOTE: This policy is **legally required/legally advised**. 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 October 17, 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 10/17/08

BP 7260 CLASSIFIED ADMINISTRATORS AND SUPERVISORS

References:

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

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

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

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

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

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 October 17, 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 10/17/08

BP 7270 STUDENT WORKERS

References:

Education Code Sections 69960(f) and 88003

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

Office of Primary Responsibility: Human Resource Services

NOTE: This policy is **suggested as good practice**. 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 additions made by Human Resource Services. This policy was reviewed on October 17, 2008 by the Policy and Procedure Task Force.

Date Adopted:

(This is a new policy recommended by Human Resource Services)

Human Resources
DRAFT as of 10/17/08

BP 7335 HEALTH EXAMINATIONS

References:

42 U.S. Code Section 12112;

29 Code of Federal Regulations Part 1630;

Government Code Section 12940

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

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

Office of Primary Responsibility: Human Resource Services

NOTE: This policy is **legally advised**. 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. There does not appear to be a current policy that addresses this issue. The language in **green ink** reflects revisions/additions made by Human Resource Services. This policy was reviewed on October 17, 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 7340 LEAVES

References:

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

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

- illness leaves for all classes of permanent employees
- vacation leave for members of the classified service, **confidentials**, administrators, supervisors, and managers
- leave for service as an elected official of a community college district public employee organization, or of any statewide or national employee organization with which the local organization is affiliated (Education Code Sections 87768.5 and 88210)
- leave of absence to serve as an elected member of the legislature (Education Code Section 87701)
- **family medical leave** and pregnancy leave (Education Code Sections 87766 and 88193; Government Code Section 12945; See BP 7347 titled **Family Medical Leave**)
- use of illness leave for personal necessity (Education Code Sections 87784 and 88207)
- industrial accident leave (See BP/AP 7343 titled **Industrial Accidents and Illness**)
- bereavement leave
- jury service or appearance as a witness in court (Education Code Sections 87036 and 87037)
- military service (Education Code Section 87700)
- sabbatical leaves **and**
- **load bank leaves** (Education Code Section 87790)

Vacation leave for members of the classified **bargaining unit**, **confidential** and supervisory team employees (CAST), and educational **and** classified administrators shall not accumulate beyond **two times the annual leave accrual**. Employees shall be permitted to take vacation in a timely manner to avoid accumulation of excess vacation.

In addition to these policies and collective bargaining agreements, the Governing Board retains the power to grant leaves with or without pay for other purposes or for other periods of time.

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 October 17, 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 10/17/08

BP 7385 SALARY DEDUCTIONS

References:

Education Code Sections 87040, 87833, 87834, and 88167

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

- participation in a tax-sheltered annuity and/or deferred compensation program
- paying premiums on any policy or certificate of group life insurance or disability insurance or legal expense insurance, or any of them
- paying rates, dues, and/or fees
- other periodic charges on any hospital service contract and/or
- any voluntary deductions

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

Without charge to the employee, the District shall reduce the salary payment by the amount which the employee has authorized in writing for the purpose of paying his or her membership dues in any local, statewide, or other professional organization. Revocation of such authorization shall be in writing and shall be effective beginning with the next pay period.

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 (Lieberth 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. There does not appear to be a current policy that addresses this issue. This policy was reviewed on October 17, 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)

PO No.	PO Date	Name	Category	Department	Amount
0960011	10/22/2008	EDCO WASTE AND RECYCLING SERVICES INC	WASTE DISPOSAL	FACILITIES DEPARTMENT	59,238.45
0970347	10/6/2008	C W DRIVER	BUILDING CONSTRUCTIONS	FACILITIES DEPARTMENT	2,708,897.00

FY2008-09 Budget Update and Possible Impact due to mid-year cuts

1. FY 2008-09 COLA (0.68%)

Revenue included in Adopted Budget	\$ 628,727
------------------------------------	------------

2. FY2008-09 Constrained Growth Rate Cap percent 3.85%
 Constrained Growth Rate dollars (estimate) \$ 3,366,630*

*FY2008-09 Growth not booked in Adopted Budget. Actual Growth funded will not be known until FY2008-09 P1, P2, and Recalculation are received. Statewide growth appropriation as of September 19, 2008 per the budget agreement is 2% or \$113,500,000. Palomar growth dollars at 3.85% would be \$3,559,704 if not constrained in Budget Act.

3. Apportionment Cut (estimated at 5% and 3%)

\$ 92,459,859 @ .05	\$ 4,622,993
---------------------	--------------

\$ 92,459,859 @ .03	\$ 2,773,796
---------------------	--------------

Note: Governor's recommendation is 5% cut to apportionment

If Apportionment cut at 5% and growth fully funded at 3.85% (constrained) need to identify: \$1,256,363 to cover cuts in apportionment (\$4,622,993 – 3,366,630).

If Apportionment cut at 3% and growth fully funded at 3.85% (constrained) we would receive \$592,834 in apportionment increase (\$2,773,796 – 3,366,630).

4. CCLC estimated 5% impact of proposed Special Session Cuts:

Palomar	\$ 5,600,000
Less: .68% COLA	<u>(628,727)</u>
Estimated Impact	\$ 4,971,273

If Apportionment cut at 5% and growth fully funded at 3.85% (constrained) based upon CCLC estimated need to identify: \$1,604,643 to cover cuts in apportionment (\$4,971,273 – 3,366,630).

5. FTES Assumptions – attainment of FY2007-08 Base with 1.01% funded FTES growth for FY2007-08 as follows:

Credit Base	17,999.39
Non-credit Base	<u>1,535.94</u>
Total est.	19,535.33

Would require growth funded FTES of 464.67 to reach 20,000 FTES or 2.37% growth rate funding in FY2008-09.

6. FY2008-09 FTES if 3.85% Funded Growth FTES:

Credit Base	18,692.90
Non-credit Base	<u>1,595.07</u>
Total est.	20,287.97

Assumes District base FTES adjusted for 1.01% in FY2007-08 and fully funded growth in FY2008-09 of 3.85% or 752.64 FTES.

Note: If funded growth in FY2008-09 with no Load (FTES) reduction in either scenario above (#5 or 6), the District would move to large college status and base apportionment would be increased by \$1.0M in FY2009-10.

7. 5% reduction in apportionment in FY2008-09 and reduction in FTES Base Load impact would be:

FY2008-09 Credit CAP FTES	18,692.37 @ .95	17,757.75
FY2008-09 Non-Credit CAP FTES	<u>1,595.07 @ .95</u>	<u>1,515.32</u>
Total FTES	20,287.44	19,273.07

Would require growth funded FTES of 726.93 to reach 20,000 FTES or 3.77% growth rate funding in FY2008-09.

8. 3% reduction in apportionment in FY2008-09 and reduction in FTES Base Load impact would be:

FY2008-09 Credit CAP FTES	18,692.37 @ .98	18,318.52
FY2008-09 Non-Credit CAP FTES	<u>1,595.07 @ .98</u>	<u>1,563.17</u>
Total FTES	20,287.44	19,881.69

Would require growth funded FTES of 118.31 to reach 20,000 FTES or .06% growth rate funding in FY2008-09.

Disclaimer: All of the above reflects information currently known and is presented for discussion purposes only to SPC.

Presented to: Strategic Planning Council, November 18, 2008

Prepared by: Dr. Bonnie Ann Dowd

Fund 11 Unrestricted Revenue (without Designated)				
9/26/2008				
	Acct	2008 Actuals	2008 Budget	For 2009
Apprenticeship	861100	1,420,863.00	1,420,863	1,430,525
Apprenticeship Prior Year	861110	98,261.00		
State General Apportionment	861200	31,422,191.00	29,963,183	31,515,227
COLA	861200			628,727
Apportionment Prior Year	861210	79,715.00		
Part Time Faculty Apport	861450	838,297.00	838,297	838,297
2% BFAP Admin	861500	41,784.00	41,784	41,784
Homeowner's Relief	867100	540,530.82	600,000	600,000
Return to Title IV from State	868400	2,551.00		
Other Contract Services	883600	507,917.21	400,000	400,000
Tax Alloc Secured Roll	881100	48,767,090.91	47,523,239	47,523,239
Tax Alloc Supplement Roll	881200	2,091,867.27	3,500,000	3,500,000
Tax Alloc Unsecured Roll	881300	1,799,946.45	3,000,000	3,000,000
Prior Year Taxes	881600	8,797.70		
Interest	886200	1,000,014.42	800,000	800,000
Enrollment Fee	887400	6,414,477.85	6,450,401	6,450,401
Transcript Income	887910	14,571.00	15,000	15,000
Non Resident Tuition USA	888010	577,968.00	500,000	500,000
Non Resident Tuition Foreign	888020	1,184,185.15	1,100,000	1,100,000
Other Income		238,130.23		
Transfers in from Designated		2,801,226.00	2,801,226	
Beginning Balance			8,642,891	5,655,955
Total Revenue		99,850,385.01	107,596,884.00	103,999,155
Apportionment part of revenue		90,907,815	90,907,815	93,088,586
P2 Adjusted Revenue Entitlement	90,907,815			
Add back Deficit Coefficient	1,552,044			
2008-09 Budget	92,459,859			
.68% COLA	628,727			
Total apportionment	93,088,586			
State Lottery	868100	2,708,174.00	2,700,000	2,700,000

Dowd, Bonnie

From: Skinner, Erik [eskinner@CCCCO.EDU]
Sent: Tuesday, November 11, 2008 9:50 PM
To: SO2CBO@LISTSERV.CCCNEXT.NET
Subject: Budget Update--November 11, 2008

Dear Colleagues,

Today the Legislative Analyst's Office (LAO) released an overview of the Governor's special session budget package in which they analyze the Governor's proposed budget solution and also provide additional budget options for the Legislature to consider.

In general, LAO concurs with the administration's economic and budget estimates. The Governor had pegged the two-year shortfall at approximately \$24.2 billion--\$11.2 billion in 2008-09 and \$13 billion in 2009-10. LAO estimates the shortfall at \$27.8 billion, attributing the difference in these projections to updated caseload and expenditure estimates.

LAO praises the Governor for taking a "balanced" approach that includes additional revenues in addition to further cuts. LAO generally concurs in the Governor's proposals for increased taxes, but also recommends that additional revenues be raised by a partial restoration of the Vehicle Licensing Fee--a tax increase that the Governor did not include in his recent proposal.

In today's report, LAO urges the Legislature to act quickly to address the state's fiscal crisis. They argue that doing so would have the following benefits:

- *maximize options, in terms of both revenues and cuts
- *allow local governments, districts, and agencies more time to prepare for the cuts
- *allow time to take ballot measures, including tax increases and constitutional amendments, to the people for ratification

In regards to funding for schools and colleges (Proposition 98), LAO offers a proposal that is significantly different from the Governor's. To begin with, LAO's recommendation is weighted less toward mid-year cuts and instead identifies larger budget reductions for 2009-10. While the Governor proposes \$2.5 billion in midyear cuts, LAO proposes \$1 billion. For 2009-10, LAO recommends \$2.25 billion in reductions compared to the Governor's proposed reduction of \$700 million.

In addition, LAO recommends rejection of the Governor's proposed reduction in general purpose apportionment funds for schools and colleges and instead recommends targeted cuts. In its special session package, the administration proposed cutting general purpose apportionments to schools and colleges and then providing districts with the flexibility to redirect categorical funds as needed to absorb the cuts.

Below are LAO's specific recommendations related to the community college budget:

Current Year, 2008-09

- *Eliminate the 0.68 percent COLA provided in the 2008-09 State Budget. This proposal would generate \$39.8 million in savings to the state.
- *Increase the credit fee to \$26 per unit (up from \$20 per unit), effective January 1, 2009. LAO estimates that this proposal would generate \$40 million in the current year; all of these funds would be used to generate cost savings to the state.
- *Reduce funding for "certain credit-bearing physical education courses (such as pilates, racquetball, and golf)" to the regular noncredit rate. LAO estimates that this proposal would generate \$60 million in cost savings to the state.

Budget Year, 2009-10

- *Further increase the credit fee to \$30 per unit, effective July 1, 2009. LAO estimates that this proposal would generate \$120 million in the budget year; all of these funds would be used to generate cost savings to the state.
- *Apply the regular noncredit funding rate to additional "enrichment courses (such as ballroom dancing, drawing, and photography)." LAO estimates that this proposal would generate \$200 million in cost savings to the state.

LAO's recommendation will provide additional fodder for upcoming budget negotiations and may gain traction in the budget process. However, as non-partisan advisers to the Legislature, LAO's recommendations are often ignored or significantly

Dowd, Bonnie

From: Chief Business Officers [CBO-ALL@LISTSERV.CCCCO.EDU] on behalf of Scott Lay [scottlay@CCLEAGUE.ORG]
Sent: Friday, November 14, 2008 10:04 AM
To: CBO-ALL@LISTSERV.CCCCO.EDU
Subject: Budget cut estimates
Attachments: specialsessioncuts.xls

Happy Friday all...

Many of you may be trying to match my chart of cuts to each district with the estimates you frantically did after the governor released his special session budget proposals. Obviously, without knowing current year growth and exact language, it's impossible to give you an exact number.

So, my numbers include, based on P2 07-08 general apportionment revenue:

- a proportionate share of the 5% cut to general apportionments of non-basic aid districts (important subtraction)
- a proportionate share of the 0.68% COLA of non-basic aid districts (important subtraction)

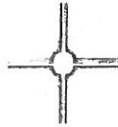
These are estimates for advocacy purposes only. Let's work hard to ensure we never have to make an "official" run.

The calculation used is attached.

Scott

Scott Lay
President and Chief Executive Officer
Community College League of California
916.444.8641 - scottlay@ccleague.org





Estimated Impact of Proposed Special Session Cuts

<u>District</u>	<u>Projected Impact</u>	<u>District</u>	<u>Projected Impact</u>
Allan Hancock	\$46,885,534	North Orange County	\$156,713,344
Antelope Valley	\$55,310,827	Ohlone	\$42,372,141
Barstow	\$14,198,332	Palo Verde	\$12,154,229
Butte	\$51,054,696	Palomar	\$92,459,859
Cabrillo	\$57,381,455	Pasadena Area	\$107,281,351
Cerritos	\$81,517,140	Peralta	\$100,890,148
Chabot-Las Positas	\$84,510,215	Rancho Santiago	\$137,119,636
Chaffey	\$71,328,977	Redwoods	\$25,857,461
Citrus	\$55,437,456	Rio Hondo	\$62,865,086
Coast	\$171,233,350	Riverside	\$130,415,332
Compton	\$18,726,191	San Bernardino	\$68,170,685
Contra Costa	\$152,034,193	San Diego	\$193,500,979
Copper Mt.	\$10,339,310	San Francisco	\$165,079,783
Desert	\$37,485,154	San Joaquin Delta	\$78,415,144
El Camino	\$96,992,716	San Jose-Evergreen	\$74,306,712
Feather River	\$10,678,376	San Luis Obispo	\$46,509,910
Foothill-DeAnza	\$159,342,208	San Mateo	\$92,999,202
Gavilan	\$27,123,304	Santa Barbara	\$74,639,902
Glendale	\$74,886,008	Santa Clarita	\$70,604,049
Grossmont-Cuyamaca	\$89,575,222	Santa Monica	\$93,172,050
Hartnell	\$33,603,141	Sequoias	\$40,101,300
Imperial	\$33,714,258	Shasta-Tehama-Trinity	\$36,982,005
Kern	\$100,641,372	Sierra	\$73,773,039
Lake Tahoe	\$12,032,628	Siskiyou	\$14,645,653
Lassen	\$10,550,387	Solano	\$45,325,444
Long Beach	\$103,136,941	Sonoma	\$96,790,726
Los Angeles	\$494,794,293	South Orange	\$111,004,821
Los Rios	\$254,797,846	Southwestern	\$75,614,577
Marin	\$26,418,960	State Center	\$131,817,285
Mendocino-Lake	\$16,753,679	Ventura	\$130,196,951
Merced	\$48,350,694	Victor Valley	\$46,735,728
		Local tax sustaining	\$5,800,000
			\$4,600,000
			\$8,000,000
			\$7,900,000
			\$2,800,000

**CALIFORNIA COMMUNITY COLLEGES
2007-08 SECOND PRINCIPAL APPORTIONMENT
PALOMAR COMMUNITY COLLEGE DISTRICT**

EXHIBIT C

Workload measures:	Base Funding	Marginal Funding	Base FTES	Restored FTES	Total Growth FTES	Stability FTES	Actual FTES	Total Funded FTES	Unfunded FTES
Credit FTES	4,367 000000	4,564 830000	17,819 55	0 00	285 49	0 00	18,297 19	18,105 04	192 15
Noncredit FTES	2,626 000000	2,744 957800	1,062 86	0 00	-312 01	0 00	750 85	750 85	0 00
Noncredit - CDCP FTES	3,092 000000	3,232 067600	524 03	0 00	161 77	0 00	794 69	685 80	108 89
Total FTES:			19,406 44	0 00	135 25	0 00	19,842 73	19,541 69	301 04

I Base Revenues +/- Restore or Decline

A Basic Allocation	\$5,296,000
B Base Revenue	\$82,229,346
1 Credit Base Revenue	\$77,817,975
2 Noncredit Base Revenue	\$2,791,070
3 Career Development College NonCr	\$1,620,301
C Current Year Decline	\$0
D Total Base Revenue Less Decline	\$87,525,346

V Other Revenues Adjustments

A PY Revenue Adjustment	\$0
B CDCP Rate Adjustment	\$0
Total Revenue Adjustments	\$0

VI Stability Adjustment

\$0

VII Total Computational Revenue
(sum of II, III, IV, V, & VI)

Deficit Coefficient	0.9832138635	\$1,552,044
Adjusted Revenue Entitlement		\$90,907,815

II Inflation Adjustment

A Statewide Inflation Adjustment	4.53%
B Inflation Adjustment Entitlement	\$3,964,898
C Current Year Base Revenue + Inflation Adjustment	\$91,490,244

VIII District Revenue Source

A1 Property Taxes	\$54,623,239
A2 Less Property Taxes Excess	\$0
B Student Enrollment Fees	\$6,321,393
C State General Apportionment	\$29,963,183
D Total Available General Revenue	\$90,907,815

III Basic Allocation & Restoration

A Basic Allocation Adjustment	\$0
B Basic Allocation Adjustment COLA	\$0
C Restoration	\$0
D Total	\$0

IX Other Allowances and Total Apportionments

A State General Apportionment	\$29,963,183
B Statewide Average Replacement Cost	
Number of Faculty Not Hired	\$0 00
Full-time Faculty Adjustment	\$0
C Net State General Apportionment	\$29,963,183

IV Growth

A Constrained Growth Rate Cap	1.02%
B Adjusted Growth Revenue Cap	\$879,147
C Actual Growth	\$2,198,680
D Unfunded Growth Revenue	\$1,229,065
E Funded Credit Growth Revenue	\$1,303,202
F Funded Noncredit Growth Revenue	\$-856,454
G Funded Noncredit CDCP Growth Revenue	\$522,867
Total Growth Revenue	\$969,615

X Remaining Unrestored Decline (informational)
(as of the most recent apportionment)

A 1st Year	\$0
B 2nd Year	\$0
C 3rd Year	\$0
D Total	\$0

In the event of Unfunded Growth within the system, funding of Growth FTES has been capped at 1,102,904.10 of each district's Unadjusted Growth Cap.**Basic Allocation Calculation**
College/Center Base Funding Rates:

Single College District Funding Rates: Total FTES			Multi-College District Funding Rate: Total FTES			
>20,000	>10,000	<=10,000	Rural	>20,000	>10,000	<=10,000
\$5,296,000	\$4,236,800	\$3,177,600	\$529,600	\$4,236,800	\$3,707,200	\$3,177,600
Single College District - College FTES			Multi-College District - College FTES:			Total Colleges
>20,000	>10,000	<=10,000	Rural	>20,000	>10,000	<=10,000
0	1	0	0	0	0	1
Revenue:						Total Colleges
>20,000	>10,000	<=10,000	Rural	>20,000	>10,000	<=10,000
\$0	\$4,236,800	\$0	\$0	\$0	\$0	\$4,236,800
State Approved Center: Funding Rates			Total State Approved Centers	Total State Approved Centers Revenue		
1	\$1,059,200		1	\$1,059,200		
Grandfathered or Previously Approved Center: Funding Rates @ FTES Levels						
>1,000	>750	>500	>250	<=250		
\$1,059,200	\$794,400	\$529,600	\$264,800	\$132,400		
Number of Grandfathered or Previously Approved Centers: @ Total FTES				Total Grandfathered or Previously Approved Centers		Total Basic Allocation Revenue
>1,000	>750	>500	>250	<=250	0	
0	0	0	0	0		
Grandfathered or Previously Approved Center Revenue:				Total Grandfathered or Approved Center		
>1,000	>750	>500	>250	<=250	\$0	\$5,296,000
\$0	\$0	\$0	\$0	\$0		

6

**California Community Colleges
2007 - 2008 APPORTIONMENT ATTENDANCE REPORT
State Residents**

Date Due in
Chancellor's Office

Annual Period

(July 15)

District: Palomar Community College District

Palomar College

Part I. Full-Time Equivalent Student	EDP No.	Attendance FTES * of State Residents (and Nonresidents Attending Noncredit Courses)	Factored FTES
A. Summer Intersession (Summer 2007 Only)			
1. Noncredit (Parts IV.A.1. + VII.A.3.)	01	258.28	258.28
2. Credit (Parts III.A.1. + IV.A.2. + VI.A.1.)	02	1,446.94	1,446.94
B. Summer Intersession (Summer 2008 - Prior to July 1, 2008)			
1. Noncredit (Parts IV.B.1. + VII.B.3.)	03	0.00	0.00
2. Credit (Parts III.B.1. + IV.B.2. + VI.B.1.)	04	202.00	202.00
C. Primary Terms (Exclusive of Summer Intersession)			
1. Census Procedure Courses			
(a) Weekly Census Contact Hours (Part II.)	05	12,106.90	12,106.90
(b) Daily Census Contact Hours (Part III.)	06	940.02	979.22 ^F
2. Actual Hours of Attendance Procedure Courses			
(a) Noncredit (Part IV.C.)	07	1,253.84	1,277.66 ^F
(b) Credit (Part IV.D.)	08	553.27	566.60 ^F
3. Independent Study/Work Experience Education Courses			
(a) Weekly Census Procedure Courses (Part V.) (Credit)	09	2,273.53	2,273.53
(b) Daily Census Procedure Courses (Part VI.) (Credit)	10	797.30	830.55 ^F
(c) Noncredit Independent Study/Distance Education Courses (Part VII.C.)	11	0.00	0.00
D. Total FTES	12	19,832.08	19,941.68 ^(OK)
SUPPLEMENTAL INFORMATION ***			
E. In-Service Training Courses (FTES)	13	102.03	
F.	14		
	15		
G.	16		
	17		
H. Basic Skills courses and Immigrant Education ** (FTES)			
1. Noncredit	18	929.10	
2. Credit	19	696.94	
I. FTES: Total FTES Generated in Leased (or Rented) Space of Less Than 100% Control (non-inventoried space).	20	1,728.34	

^F Factored FTES

* Full-Time Equivalent Student. (See instruction 12, page 14)

** Inclusive of ESL and workforce preparation courses per SB 1764, Chapter 1068/92 for newly legalized immigrants.

*** Annualized at P1 and P2

7/15/08 9:40AM

11/7/2008

FTES Analysis

	A	C	D	E	F	G	H
1							
2							
3			FY07-08			FY08-09	
4	Categories		Annual			10/14/2008	
5	WSCH		12,124.41			12,595.25	
6	DSCH		940.02			840.02	
7	IS & Wk Exp		3,070.83			2,944.13	
8	Actual						
9	Credit PH		553.27			500.27	
10	Noncredit PH		1,253.84			1,200.84	
11	Summer 2007						
12	Credit		1,446.94				
13	Noncredit		258.28				
14	Summer 2008						
15	Credit		202.00			1,773.93	
16	Noncredit		0.00			252.55	
17	Summer 2009						
18	Credit						
19	Noncredit						
20	TOTALS						
21	Credit		18,337.47			18,653.60	
22	f-factor Cr		85.78			85.78	
23	f-factor Ncr		23.82			23.82	
24	Concurrent PE		(17.51)			(17.51)	
25	Total Credit		18,405.74			18,721.87	-
26	Total Noncredit		1,535.94			1,477.21	-
27	Grand Total		19,941.68			20,199.08	-
28							
29	Analysis and Variances				(Estimated)		
30	Base		Credit		17,999.39	722.48	
31			Noncredit		1,535.94	(58.73)	
32	Growth Rate		2.03%				
33	Deficit Factor		54.20%				
34	New Rate		1.01%			3.85%	(692.97 FTES)
35							
36	CREDIT FTES						
37	Credit CAP		17,999.39			18,692.37	
38	Line 25 above		18,405.74			18,721.87	-
39	Over/(Under)		406.35		-	29.50	-
40	% CHG Cap		2.26%			0.158%	
41	NON-CREDIT FTES						
42	Noncredit CAP		1,603.76			1,595.07	
43	Line 26 above		1,535.94			1,477.21	
44	Over/(Under)		(67.82)		-	(117.86)	-
45	% CHG Cap		-4.23%			-7.39%	
46							
47							