PGC 2nd Read of Selected Chapter 2 and 3 Board Policies (BPs)
Expedited Review – 10/6/22

The links contained within the list below are the existing BPs.
In some cases, based on the 1st read by PGC, we have made revisions as indicated in the list and have attached those revisions to this document.

Chapter	Policy (BP)	BP Last Revision	Procedure (AP)
Chapter 2	BP 2.01 Assignment Of Authority In The San Francisco Community College District	2/9/2000	
Chapter 2	BP 2.05 Legal Service **See attached revisions.**	2/9/2000	
Chapter 2	BP 2.06 Official Publications	2/9/2000	
Chapter 2	BP 2.08 City College Of San Francisco Collegial Governance: Academic Senate	11/15/2012	AP 2.08 Methods For Collegial Consultation
Chapter 2	BP 2.10 Citizens' Bond Oversight Committee **See attached revisions.**	10/22/2009	
Chapter 3	BP 3.01 Academic Personnel - General Provisions **See attached revisions.**	3/30/2000	
Chapter 3	BP 3.03 Employee Classifications	1/27/2000	
Chapter 3	BP 3.04 Policy Governing The Employment Of Academic Administrators **See attached revisions.**	11/15/2012	AP 3.04 Administrative Hiring Procedures
Chapter 3	BP 3.05 Hiring Criteria For Faculty **See attached revisions.**	7/25/1991	
Chapter 3	BP 3.06 Special Appointments	7/25/1991	
Chapter 3	BP 3.07 Basis For Employment	3/30/2000	
Chapter 3	BP 3.08 Applicant Records	1/27/2000	
Chapter 3	BP 3.09 Employee Requirements	3/30/2000	
Chapter 3	BP 3.10 Contracts	3/30/2000	
Chapter 3	BP 3.11 Minimum Days Of Service In Year	5/18/1976	
Chapter 3	BP 3.13 Health And Welfare Benefits	3/30/2000	
Chapter 3	BP 3.14 Salary **See attached revisions.**	4/3/2000	
Chapter 3	BP 3.16 Transfer **See attached revisions.**	3/30/2000	
Chapter 3	BP 3.17 Absences - Leaves Of Absence **See attached revisions.**	3/30/2000	
Chapter 3	BP 3.18 Evaluation Of Academic And Classified Administrators	11/15/2012	AP 3.18 Evaluation Of Academic And Classified Administrators
Chapter 3	BP 3.20 Termination Of Services **See attached revisions.**	3/30/2000	
Chapter 3	BP 3.21 Imposition Of Penalties **See attached revisions.**	3/30/2000	
Chapter 3	BP 3.23 Political Activity	3/30/2000	
Chapter 3	BP 3.24 Employee Organizations	3/30/2000	
Chapter 3	BP 3.25 Publications Of Articles And Productions By Employees	3/30/2000	
Chapter 3	BP 3.26 Tutoring **See attached revisions.**	7/25/1991	
Chapter 3	BP 3.30 Public Notice Procedure Relating To Meeting And Negotiating Under The Educational Employment Relations Act	3/30/2000	

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: **LEGAL SERVICE**	**Number:** **BP 2.05**
Legal Authority: **California Education Code Section 70902**	**CCLC Number: BP XXXX**

The General Counsel shall advise the Board and the Chancellor of the San Francisco Community College District on questions of law affecting the operation of the District. Upon request, the General Counsel shall render opinions interpreting the law affecting the District.

The Office of the General Counsel shall be responsible for coordination of legal activities related to litigation affecting the District. The Office of the General Counsel shall approve as to form, and upon request shall prepare resolutions, contracts, and other legal instruments.

The Office of the General Counsel shall maintain at all times a complete and accurate copy of all policies authorized by the Board, and under the direction of the Chancellor in ~~his/her~~ their capacity as Secretary to the Board shall perform such other duties as are assigned by the Board and the Chancellor of the District.

Recommended by Participatory Governance Council: Month Day, Year **Approved by Board of Trustees:** Month Day, Year	**Page 1 of 1**

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: **CITIZEN'S BOND OVERSIGHT COMMITTEE**	**Number:** **BP 2.10**
Legal Authority: **Reference: California Constitution Article XIIIA, Section 1(b) and Article XVI, Section 18(b); Education Code, sections 15278 et seq.; 70902.**	**CCLC Number:** **BP XXXX**

Introduction. On February 28, 2002, the Board of Trustees established an independent Citizens' Oversight Committee to inform the public about the expenditure of bond revenues. The Committee is designated as the San Francisco Community College District Citizens' Bond Oversight Committee (CBOC).

This policy is intended to reflect the Board's commitment to maximizing the CBOC's role in providing oversight of the District's capital program and meaningful communication with the public.

The CBOC shall have all of the responsibilities described in Education Code, section 15278(b) in that it shall actively review and report on District construction projects that use taxpayer bond money authorized by Proposition 39 and shall ensure that bond revenues are expended only for authorized purposes and that no funds are expended for prohibited purposes.

I. Committee Selection and Composition. The CBOC shall consist of a minimum of seven committee members; the Board establishes the maximum membership at twenty- one members. The CBOC shall be comprised of individuals who live within the boundaries of the District. The Chancellor or ~~his/her~~ their designee shall solicit applications for membership on the Committee, and in the event the number of applicants exceeds the number of spaces available, shall conduct interviews of interested persons and recommend appointments to the Board. The Board has the sole discretion to select and appoint CBOC members. All CBOC members shall be appointed by resolution of the Board. Service on the CBOC shall be without compensation.

A. Proposition 39 CBOC Membership Requirements. The CBOC shall include the following community members:

1. One member shall, at the time of appointment, be active in a business organization representing the business community of the District;
2. One member shall, at the time of appointment, be active in a senior citizens' organization, which may be a local, regional, statewide or national organization;
3. One member shall, at the time of appointment, be active in a bona fide taxpayers' organization, which may be a local, regional, statewide or national organization;

4. One member shall, at the time of appointment, be a student who is both currently enrolled in the District and active in a community college group, such as student government. The Board authorizes the Chancellor to permit the community college student member to serve up to six months after his or her graduation.
5. One member shall, at the time of appointment, be active in the support and organization of the District, such as a member of an advisory council or foundation.

A single individual may be appointed as a representative of more than one of the above categories, if applicable.

B. Additional CBOC Members. In addition to the CBOC members required by Proposition 39, the Board may include the following community residents as additional members of the Committee ("additional members"):

One individual recommended to the Board for appointment to the CBOC by each of the seven publicly elected Trustees who wish to make a recommendation.

The Board may change the number or composition of the additional members of the CBOC by resolution; provided, however, that no additional member of the CBOC shall be removed prior to the expiration of ~~his/her~~ their term solely because of a Board determination to change the number or composition.

C. Restrictions on Membership. No employee or official of the District shall be appointed to the CBOC. Additionally, no vendor, contractor, or consultant of the District, or employee or official of a District vendor, contractor, or consultant, shall be appointed to the CBOC.

After appointment to a two-year term, CBOC members who wish to be appointed for a second two-year term shall reapply to the Board for consideration.

II. Replacing a Committee Member

A new CBOC member will be named by the Board if one or more of the following events occurs:

A. The CBOC member submits a written resignation. The resignation shall be submitted to the Board President or to the Chancellor and shall be considered

accepted by the Board upon submission to either the Board President or Chancellor;

B. The CBOC or the Board of Trustees by a majority vote removes a CBOC member for cause; including non-attendance at meetings and/or violating the CBOC Code of Conduct.

C. The student CBOC member has served six months past graduation.

An individual who replaces such a member shall serve until the completion of the original member's term. Thereafter, the replacement member must apply for an additional term if ~~he/she~~ they wish~~es~~ to remain on the CBOC.

A CBOC member who no longer serves as a representative of the designated group ~~he/she~~ ~~was~~ they were appointed to represent (e.g., ceases to be active within a taxpayers' organization) shall be allowed to complete ~~his/her~~ their term. However, that CBOC member shall not be entitled to serve a subsequent term as a representative of the designated group.

Within sixty (60) days of being notified of a vacancy in a membership category that is required to be filled by Proposition 39, the Board will appoint a new member to complete the term of the vacant seat on the CBOC following the process used to select the original CBOC members. As soon as practicable after being notified of a vacancy in the CBOC not required to be filled by Proposition 39, the Board may appoint a new member to complete the term of the vacant seat on the CBOC following the process used to select the original additional members. If a vacancy concerns an individual recommended by one of the seven publicly elected Trustees, and the Trustee who recommended the individual remains on the Board at the time of the vacancy, that Trustee shall be asked to recommend a replacement.

III. CBOC's Purpose

The purpose of the CBOC is to inform the public concerning the expenditure and uses of bond revenues. The CBOC shall actively review and report on the expenditure of taxpayers' money for bond-funded construction. The CBOC shall convene to provide oversight of the following:

A. Ensuring that bond revenues are expended only for the purposes described in the official proposition which includes the ballot measure and the General Bond Project Report; and

B. Ensuring that, as prohibited by Article XIIIA, Section 1, subdivision (b)(3)(A) of the California Constitution, no funds are used for any teacher or administrative salaries or other school operating expenses. Notwithstanding the foregoing, the CBOC shall recognize that the District is authorized to use bond proceeds for the payment of salaries of District employees who perform oversight work on construction projects.

IV. Required Committee Activities

To the extent practicable, the CBOC shall engage in the following activities in furtherance of its purpose:

A. Receiving and reviewing copies of the annual, independent performance audits required by Article XIIIA, Section 1, subdivision (b)(3)(C) of the California Constitution.

B. Receiving and reviewing the annual, independent financial audits required by Article XIIIA, Section 1, subdivision (b)(3)(D) of the California Constitution.

C. Inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of Article XIIIA, Section 1, subdivision (b)(3) of the California Constitution.

D. Receiving and reviewing copies of any deferred maintenance proposals or plans developed by the District.

E. Reviewing efforts by the District to maximize bond revenues by implementing cost-saving measures including, but not limited to, the following:

1. Mechanisms designed to reduce the costs of professional fees;

2. Mechanisms designed to reduce the cost of site preparation;

3. Recommendations regarding the joint use of core facilities;

4. Mechanisms designed to reduce costs by incorporating efficiencies in school site design;

5. Recommendations regarding the use of cost-effective and efficient reusable facility plans.

CBOC members are expected to attend regularly scheduled meetings of the CBOC, diligently review all pertinent information provided to the CBOC pursuant to state laws, and abide by any rules of conduct for CBOC members approved by the Board of Trustees in consultation with the CBOC (the "Code of Conduct").

V. Limitations on Committee Role

As noted in Section III, the CBOC's purpose is to inform the public concerning the expenditure of bond revenues.

Except as may be required by a CBOC member's duties as a public official for the City and County of San Francisco, the CBOC will not be required or have the authority to:

A. Participate in the bond sale and issuance process or make decisions concerning the timing, terms or structure of a bond issuance, except that the CBOC may review the District's plans for any bond sale and may review bond issuance documents upon the conclusion of a bond sale if desired;

B. Determine the specific projects on which bond funds may be spent;

C. Determine the priority of projects on which bond funds are spent;

D. Select contractors or consultants for bond projects;

E. Participate in the negotiation or bid process for such contractors or consultants or determine the legal sufficiency of such negotiation or bid process, except that the CBOC may review the bid selection process and documents related thereto upon completion of any such selection;

F. Enter or inspect a job site or construction project unless the CBOC by way of a majority vote of the full CBOC at a public meeting designates a member to take such action and that member obtains the permission of the Chancellor or ~~his/her~~ their designee. The frequency and timing of all such approved visits will be within the sole discretion of the Chancellor or ~~his/her~~ their designee; provided, however, that access to job sites or construction projects will not be unreasonably withheld. If a designated CBOC member believes that access has been unreasonably withheld, ~~he/she~~ they may appeal to the Board of Trustees. Visits to job sites require that the CBOC member(s) be accompanied by a representative of the District and require that all safety measures in effect at the job site be followed;

G. Initiate contact with District contractors or consultants, including without limitation, accountants, auditors, architects, financial advisors and legal counsel for the purpose of discussing District construction projects unless the CBOC by way of a majority vote of the full CBOC at a public meeting designates a member to take such action and that member obtains the permission of the Chancellor or ~~his/her~~ their designee. The frequency and timing of all such approved contacts will be within the sole discretion of the Chancellor or ~~his/her~~ their designee; provided, however, that access to contractors or consultants will not be unreasonably withheld. If a designated CBOC member believes that access has been unreasonably withheld, ~~he/she~~ they may appeal to the Board of Trustees.

H. Require the District to prepare reports or conduct audits more frequently than those required by law. The District may voluntarily provide more frequent audits or reports.

I. Require the District to prepare reports or audits with greater detail than those required by law. The District may voluntarily provide more detailed audits or reports.

VI. CBOC Operations

The CBOC shall annually select a chairperson and vice-chairperson, and CBOC decisions will be made by majority vote. A secretary for the CBOC will be provided by the District.

The CBOC shall meet at least quarterly, and CBOC members shall be available to attend Board meetings when performance and financial audits are presented. The Chancellor or ~~his/her~~ their designee shall attend CBOC meetings. Members of the Board of Trustees shall attend as necessary or desirable.

The CBOC's meetings are subject to the Ralph M. Brown Act, Gov. Code, § 54950 et seq. and the San Francisco Community College District Open Governance Sunshine Policy ("Sunshine Policy"). Meetings shall be open to the public and noticed in the same manner as proceedings of the Board in accordance with the District's Sunshine Policy. Minutes of CBOC proceedings and all documents received and reports issued shall be a matter of public record and the District shall make all documents and minutes available on the District's Internet website, all in accordance with the District's Sunshine Policy.

CBOC members shall be subject to prohibitions regarding incompatibility of office pursuant to Government Code sections 1125-1129 and financial interest in contracts pursuant to Government Code sections 1090-1099.

The Board shall, without expending Bond funds:

1. Provide the CBOC with any necessary technical assistance;

2. Provide administrative assistance in furtherance of the CBOC's purpose; and

3. Provide the CBOC with sufficient resources to publicize the CBOC's conclusions.

The CBOC shall prepare regular reports on CBOC activities. A report on CBOC activities shall be issued at least once each year. The annual report shall include information on CBOC member attendance at regularly scheduled meetings, a summary of the extent to which the CBOC engaged in the activities described in paragraph IV for the preceding year, and an explanation of any failure to hold required meetings.

Upon completion of all bond projects, the CBOC shall prepare a final written report summarizing its activities and conclusions.

The CBOC Chair or ~~his/her~~ their designee shall report to the Board of Trustees at least once per year at a regular Board of Trustees meeting.

The Chancellor shall monitor the terms of membership of the CBOC to ensure a timely selection process for members. The Chancellor shall immediately notify the Board of any resignations or if members need to be replaced.

The Chancellor is directed to provide technical assistance and support to the CBOC to enable it to meet its mission, but shall not expend any bond funds in providing the CBOC with assistance and support. The Chancellor shall ensure that the CBOC is aware of its obligations under this policy.

The Chancellor shall periodically review the CBOC code of conduct and recommend revisions as appropriate.

The Chancellor shall ensure that legal representation is provided to the CBOC at District expense.

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Attachment 1

BP 2.10 Citizens' Bond Oversight Committee

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VI. CBOC Operations

The CBOC shall annually select a chairperson and vice-chairperson, and CBOC decisions will be made by majority vote. A secretary for the CBOC will be provided by the District.

~~The CBOC shall meet at least quarterly, and CBOC members shall be available to attend Board meetings when performance and financial audits are presented. The Chancellor or his/her designee shall attend CBOC meetings. Members of the Board of Trustees shall attend as necessary or desirable.~~

~~The CBOC's meetings are subject to the Ralph M. Brown Act, Gov. Code, § 54950 et seq. and the San Francisco Community College District Open Governance Sunshine Policy ("Sunshine Policy"). Meetings shall be open to the public and noticed in the same manner as proceedings of the Board in accordance with the Sunshine Policy.~~
~~Minutes of CBOC proceedings and all documents received and reports issued shall be a matter of public record and the District shall make all documents and minutes available on the District's Internet website all in accordance with the Sunshine Policy.~~

~~CBOC members shall be subject to prohibitions regarding incompatibility of office pursuant to Government Code sections 1125-1129 and financial interest in contracts pursuant to Government Code sections 1090-10989.~~

~~The Board shall, without expending Bond funds:~~

1. ~~Provide the CBOC with any necessary technical assistance;~~
2. ~~Provide administrative assistance in furtherance of the CBOC's purpose; and~~
3. ~~Provide the CBOC with sufficient resources to publicize the CBOC's conclusions.~~

~~The CBOC shall prepare regular reports on CBOC activities. A report on CBOC activities shall be issued at least once each year. The annual report shall include information on CBOC member attendance at regularly scheduled meetings, a summary of the extent to which the CBOC engaged in the activities described in paragraph IV for the preceding year, and an explanation of and failure to hold required meetings.~~

~~Upon completion of all bond projects, the CBOC shall prepare a final written report summarizing its activities and conclusions.~~

~~The CBOC Chair or his/her designee shall report to the Board of Trustees at least once per year at a regular Board of Trustees meeting.~~

~~The Chancellor shall monitor the terms of membership of the CBOC to ensure a timely selection process for members. The Chancellor shall immediately notify the Board of any resignations or if members need to be replaced.~~

~~The Chancellor is directed to provide technical assistance and support to the CBOC to enable it to meet its mission, but shall not expend any bond funds in providing the CBOC with assistance and support. The Chancellor shall ensure that the CBOC is aware of its obligations under this policy.~~

~~The Chancellor shall periodically review the CBOC code of conduct and recommend revisions as appropriate.~~

~~The Chancellor shall ensure that legal representation is provided to the CBOC at District expense.~~

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: **ACADEMIC PERSONNEL - GENERAL PROVISIONS**	**Number:** **BP 3.01**
Legal Authority: **California Education Code Sections 70902, 72400, 87000 et seq., 87350 et seq., 87400 et seq., 87600 et seq. Title 5, CCR, Sections 53021et seq.**	**CCLC Number:** **BP XXXX**

The San Francisco Community College District shall employ and maintain a staff that is competently trained, ~~physically and mentally healthy,~~ unified in purpose and organization, and devoted to the cause of public education and to the broader cultural and political purposes of American Government. In administering this policy, the College shall observe all Federal, State, and local laws as well as District policies and administrative regulations bearing upon the recruitment, eligibility, selection, assignment, ranking, efficiency in service, promotion, transfer, tenure, resignation, dismissal, and retirement of all academic employees of the District.

In order to maintain a high quality of classroom instruction and to encourage continuing self-improvement by all faculty members, it shall be the policy of the Board to provide adequate opportunity for career advancement and professional development, especially in areas of culturally responsive, anti-racist, and inclusive pedagogy for all teaching employees within the teaching profession; and to implement this policy, prior service in the District under any kind of appointment shall be given consideration in recruitment and selection of personnel.

The faculty member in the San Francisco Community College District is responsible to ~~his/her~~ their supervisors, under whose direction the laws of the State of California as they affect education and the policies and regulations of the San Francisco Community College District shall be enforced.

Faculty members should understand that ~~instruction of~~ students ~~has~~ are the highest priority, and that they should make every effort to achieve and sustain ~~other activity must be subordinated so that~~ educational excellence ~~can be achieved and sustained~~. ~~It is~~ The Board expects~~ed~~ that faculty members will be ~~loyal~~ committed to their profession, that they will grow professionally, that they will ~~cooperate~~ collaborate with their faculty, staff, administrator, and student colleagues ~~and the administrative staff~~, and that they will be of service to students. A faculty member's full-time responsibility includes service for all days in the academic calendar, except summer session, and, where applicable, an obligation to evaluate each student's academic achievement in accordance with the pertinent College grading standards.

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: **POLICY GOVERNING THE EMPLOYMENT OF ACADEMIC AND CLASSIFIED ADMINISTRATORS**	**Number:** **BP 3.04**
Legal Authority: **California Education Code Sections 70902, 72411et seq., 87001, 87002, 87355-87359, and 87360** **Title 5, CCR, Section 53420**	**CCLC Number:** **BP XXXX**

Academic and classified administrators shall possess the minimum qualifications prescribed for their positions by State minimum qualifications. The District may also identify desirable qualifications for administrators.

Administrative hiring procedures and guidelines shall be established to provide the College with administrators who can lead, organize, facilitate, plan, and supervise in support of the college mission. ~~Administrators who are hired must be individuals who are sympathetic and sensitive to the racial and cultural diversity in the college, and are well prepared by training and temperament to respond effectively to the educational needs of all the special populations served by our community college.~~ Administrators who are hired are equity-minded educators who support an innovative culture of inclusive, culturally responsive, and anti-racist practices that support student success, and they are committed to ongoing training to maintain their preparedness to effectively meet the educational needs of historically underserved students.

The Board delegates authority to the Chancellor to establish procedures for the recruitment and selection of administrators consistent with this policy.

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: **HIRING CRITERIA FOR FACULTY**	**Number:** **BP 3.05**
Legal Authority: **California Education Code Sections 70902, 87360, 87001, 87003, 87355-87359.** **Title 5, CCR, Sections 53021 et seq.**	**CCLC Number:** **BP XXXX**

The hiring of faculty shall be in accordance with applicable law and policies approved by the Board.*

*See especially:

BP 3.01 Academic Personnel - General Provisions
BP 3.02 Equal Employment Opportunity and Diversity
BP 3.03 Employee Classifications
BP 3.06 Special Appointments
BP 3.07 Basis for Employment
BP 3.08 Applicant Records
BP 3.09 Employee Requirements
BP 3.10 Contracts
BP 3.11 Minimum Days of Service in Year

Recommended by Participatory Governance Council: Month Day, Year **Approved by Board of Trustees:** Month Day, Year	**Page 1 of 1**

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: **SALARY**	**Number:** **BP 3.14**
Legal Authority: **California Education Code Sections 70902, 87801 et seq., and 87832** **California Military and Veterans' Code Sections 395 et seq.**	**CCLC Number:** **BP XXXX**

Establishing Services

The Board of Trustees has the power to fix, alter and approve all salaries and compensations of academic persons employed by the San Francisco Community College District in accordance with applicable law.

Adoption of Salary Schedule

A salary schedule adopted by the Board of Trustees is in effect only for the year for which it was adopted. The adoption of a salary schedule repeals all former policies and regulations in conflict with the provisions of the newly adopted schedule.

Additional Compensation - Military Training and Active Military Duty

Any payment of salary or compensation to an employee during military leave for training or active military duty shall be as provided for in the Military and Veterans Code and the Education Code. Upon cessation of the required payment of salary or compensation as provided by law, an employee who is a member of a reserve component of the Armed Forces of the United States or a member of the National Guard, upon application to the District may be eligible to receive additional periodic compensation from the District. This additional periodic compensation shall be an amount which, when added to the periodic compensation ~~he/she is~~ they are receiving from the military, shall approximately equal the basic contractual periodic salary payment the District would be obligated to pay the employee if ~~he/she~~ they were actually rendering required service to the District during the employee's regular work calendar, but excluding additional compensation such as stipends, extra pay assignments or overtime assignments.

The employee is eligible for this additional compensation only during ~~his/her~~ their active military duty and only during such periods where such active military duty is involuntary and only where such active military duty occurs during the required days of service of the employee. The District shall not pay any such additional compensation unless the employee applies in a timely manner to the District and provides satisfactory documentation in a timely manner as to ~~his/her~~ their military salary and other information for the time period as required by the District. To the extent permitted by law, the District also shall not pay any such additional compensation unless and until the employee has satisfied ~~his/her~~ their obligations to the District in a timely manner, including but not limited to the timely repayment of any overpayments of salary to the District.

It is the intent of the District not to confer any other benefit by this policy other than a benefit of additional compensation beyond the thirty days as required by the Military and Veterans' Code and the Education Code; and the District shall determine, in its sole discretion, applicable rules and regulations to implement this policy which may include the voiding of the benefit if this intent is not met.

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: **TRANSFER**	**Number:** **BP 3.16**
Legal Authority: **California Education Code Sections 70902, 72411.5, 87454, 87457, and 87458**	**CCLC Number:** **BP XXXX**

An academic employee in an administrative position in the San Francisco Community College District shall be entitled at ~~his/her~~ their option to be reassigned to a non-administrative academic position equivalent to the one ~~he/she~~ they previously held in the District.

Recommended by Participatory Governance Council: Month Day, Year **Approved by Board of Trustees:** Month Day, Year	**Page 1 of 1**

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: **ABSENCES – LEAVES OF ABSENCE**	**Number:** **BP 3.17**
Legal Authority: **California Education Code Sections 70902, 87035, 87700, 87701, and 87762 et seq.**	**CCLC Number:** **BP XXXX**

A. GENERAL PROVISIONS

The Chancellor shall establish procedures for employee leaves as authorized by law and by any collective bargaining agreements entered into by the District. Such leaves shall include, but are not limited to:

- **illness or injury leaves for all classes of permanent employees (Education Code Sections 87781 and 88192);**
- **paid sick leave (Labor Code Section 246);**
- **vacation leave for members of the classified service, administrators, supervisors, and managers;**
- **leave for service as an elected official or steward of a community college District public employee organization, or of any statewide or national employee organization with which the local organization is affiliated or leave for a reasonable number of unelected classified employees for the purpose of enabling an employee to attend important organizational activities authorized by the public employee organization (Education Code Sections 87768.5 and 88210; Government Code Section 3558.8);**
- **leave of absence to serve as an elected member of the legislature (Education Code Section 87701);**
- **pregnancy leave (Education Code Sections 87766 and 88193; Government Code Section 12945);**
- **leave to bond with a new child (Education Code Sections 87780.1, 87784.5, 88196.1, and 88207.5);**
- **use of illness leave for personal necessity (Education Code Sections 87784 and 88207);**
- **industrial accident and illness leave (Education Code Sections 87787 and 88192);**
- **bereavement leave (Education Code Sections 87788 and 88194);**
- **jury service or appearance as a witness in court (Education Code Sections 87035 and 87036);**
- **military service (Education Code Section 87700); and**
- **sabbatical leaves for full-time faculty.**

Vacation leave for members of the classified service shall not accumulate beyond 400 hours, administrators shall not accumulate beyond [45] days of paid leave or the

equivalent in hours of paid leave. 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 Board retains the power to grant leaves with or without pay for other purposes or for other periods of time.

~~Leaves of absence are granted to contract and regular academic employees both in accordance with the provisions of the State Education Code and the policy of the San Francisco Community College District. It is the intent of such policy that the mutual welfare of the employee and the District be served. Abridgement of leave upon the request of the employee may be granted at the discretion of the District. Rules and regulations concerning salary adjustments, deductions, required payments, and effect on salary increments relative to all leaves of absence as well as eligibility thereof are to be found in the Administrative Regulations.~~

~~An employee on any leave of absence which is longer than two months shall notify the Human Resources Office in writing of intention to return to duty at least two weeks in advance of the intended expiration of such leave. Where the leave extends beyond a summer or vacation period, the employee shall give notice in writing of his/her their intention to return to duty at least six weeks before the close of the semester preceding termination of leave. The Chancellor is empowered to waive this provision in the case of extenuating circumstances.~~

~~B. LEAVE OF ABSENCE - PERSONAL BUSINESS/STUDY/TRAVEL~~

~~Such leaves may be granted by the Board of Trustees upon recommendation of the Chancellor for a period of up to one year without pay. The Board of Trustees, upon recommendation of the Chancellor, may extend such leaves for a period not to exceed a total of two years from the beginning of the original leave.~~

~~These leaves may not be granted to a contract employee (probationary) except in such instances as the Chancellor may recommend for the benefit of the District.~~

~~When the employee has returned from such a leave, he/she they must serve a period of three full-time years in the District before becoming eligible for another leave of this sort. (One year shall be at least 75 percent of the service days required).~~

~~Part-time faculty may be granted a leave without pay for any period of time up to one semester upon recommendation of the Chancellor, and subject to the approval of the Board and in accordance with the employee's collective bargaining agreement.~~

~~C. LEAVE OF ABSENCE - REST~~

Such a leave may be granted by the Board of Trustees upon recommendation of the Chancellor for a period not to extend beyond the end of the school year in which the leave is granted. The leave shall be without pay.

D. LEAVE OF ABSENCE FOR PHYSICAL OR MENTAL DISABILITY

When the physical or mental condition of an academic employee apparently renders him/her unfit for service, the Chancellor shall require that the academic employee be examined by a physician to determine his/her their physical or mental fitness for service.

In accordance with the physician's findings, the employee may be granted this leave of absence.

When an academic employee has been granted leave of absence or has been absent from duty because of physical or mental disability for a period not less than thirty teaching days, the Chancellor may require that he/she they be examined before returning to duty by a physician to determine the fitness for service of the employee.

E. MILITARY LEAVES

Provisions. Leaves of absence for duty in the armed services shall be governed by the provision of the State California Education Code §87700 and the Military and Veterans Code and the policies and regulations adopted by the Board of Trustees.

Academic Employees Returning from Military Leave. Such employees have the right to reinstatement in accordance with California Education Code§87700. provided that such right shall not extend to any employee who fails to return to the school district within 12 months after the first date upon which he/she they could terminate his/her their active service with the armed forces. Employees returning from military leave have the right to reinstatement regardless of physical condition. Education Code Section 87700 provides that an employee has the right to immediate reemployment upon being placed on inactive duty if application is made within ninety days from the date of discharge from the armed forces. No provision contained in the law prescribes that the veteran must pass a physical examination. After reinstatement, however, the same rules concerning physical and mental fitness prescribed by the Board of Trustees for all employees are likewise applicable to the returning veteran.

Leaves for Study Upon Return from Service. Academic employees who have returned from military leave may, upon the recommendation of the Chancellor, be granted leaves of absence for such periods of time as are necessary in order to avail themselves of the opportunity for further study as authorized by the Federal Government, regardless of the limitations imposed by existing policies and regulations of the Board of Trustees

relating to leaves of absence.

Reporting to Draft Board. The Chancellor is authorized to excuse without loss of salary any academic employee who may be ordered by the employee's Draft Board to report for physical examination or other reason, and further authorization is given for the payment, when necessary, of a substitute for the employee's period of absence.

F. LEAVES FOR SERVICE IN THE AMERICAN RED CROSS AND UNITED STATES MERCHANT MARINE

The provision relating to leaves of absence for academic employees entering the Armed Services are applicable also to all members of the academic staff who entered into the full-time paid service of the American Red Cross between September 17, 1940 and June 30, 1948, or who entered into the full-time paid service of the United States Merchant Marine between July 1, 1943 and June 20, 1948.

G. MATERNITY LEAVE

An employee may request such a leave because of pregnancy, miscarriage, childbirth and recovery as authorized by law and by any collective bargaining agreements entered into by the District. The length of the leave shall be determined by the employee and the employee's physician.

Disabilities caused or contributed to by pregnancy, miscarriage, childbirth, and recovery are, for all job-rated purposes, temporary disabilities and shall be treated under sick leave provisions of the District.

H. CHILD CARE LEAVE

Such a leave may be granted as authorized by law and by any collective bargaining agreements entered into by the District. by the Board of Trustees upon the recommendation of the Chancellor for a period of up to six months without pay. The leave shall be in connection with the birth or adoption of a child. The Board of Trustees, upon the recommendation of the Chancellor, may extend such leaves for not more than one school year.

I. LEAVE OF ABSENCE – KINCARE / CARE OF RELATIVE

Such a leave may be granted as authorized by law and by any collective bargaining agreements entered into by the District by the Board of Trustees upon recommendation of the Chancellor to care for first degree relatives for a period of six months. This leave shall be without pay. First degree relatives shall include husband, wife, children, parents

(or former legal guardian), brothers and sisters, or other relatives of the immediate household. If such leave terminates during the last two months of any school term, the leave may be extended to the end of that term by the Board of Trustees upon the recommendation of the Chancellor.

J. LEAVE OF ABSENCE - DECREASED ENROLLMENT IN NON-CREDIT

Such a leave without pay may be granted by the Board of Trustees upon the recommendation of the Chancellor for one-year periods and renewed annually thereafter upon the request of an employee involved primarily with non-credit when enrollment has become too small to justify continuance.

K. LEAVE OF ABSENCE - EXCHANGE PURPOSES

Such a leave may be granted by the Board of Trustees upon the recommendation of the Chancellor for a period of up to one academic year. Rules and regulations governing eligibility for and required service upon return from such a leave are to be found in the Administrative Regulations.

L. SABBATICAL LEAVE

It shall be the policy of the Board of Trustees to grant a limited number of sabbatical leaves not to exceed 4 percent on leave at any one time to the following category of academic employees, in accordance with the provisions of the California Education Code:

All administrators employed in the District.

Rules and regulations governing eligibility for and required service upon return from such a leave are to be found in the Administrative Regulations.

M. EMERGENCY LEAVE

An academic employee shall be granted up to a maximum of six (6) days leave of absence in any school year, at their election, in cased of personal emergency/necessity, where such leaves are deducted from the employee's accumulated sick leave. may be absent without pay because of an emergency for a period not to exceed three service days. Regulations pertaining thereto are to be found in the Administrative Regulations and appropriate Faculty Handbook.

N. SICK LEAVE

An employee is allowed ten days of sick leave with pay each school year. An employee on an administrative salary schedule and calendar is allowed 12 days each school year. Sick leave days are cumulative. An employee on sick leave for more than five consecutive service days must submit a medical certificate with diagnosis. Regulations concerning sick leave forms are to be found in the Administrative Regulations and appropriate Faculty Handbook.

O. ABSENCE FOR TUBERCULOSIS EXAMINATION

An employee may be excused for a limited time without a loss in salary, for the purpose of securing an X-ray examination or other appropriate examination for the absence of tuberculosis as required by the District.

P. BEREAVEMENT LEAVE

Immediate Family

An academic employee may absent himself/herself for up to three consecutive days (five days, if out of state travel is necessitated) without loss in salary on account of the death of any member of the immediate family. Immediate family shall include the mother, father, legal guardian, grandfather, grandmother, or a grandchild of the employee or of the spouse of the employee; the spouse, son, son-in-law, daughter, daughter-in-law, brother or sister of the employee, or any relative of the immediate household.

Second Degree Relatives

An academic employee may absent himself/herself for one day without loss in salary on account of the death of any second degree relative. Second degree relatives shall include uncles, aunts, nephews, nieces, brothers-in-law, and sisters-in-law. Education Code Section 87788.

Q. ABSENCE BECAUSE OF INDUSTRIAL ACCIDENT AND ILLNESS

Absence for industrial accidents and illnesses for academic employees shall be covered by the provisions of State Education Code Section 87787.

~~R. ABSENCE ON HOLY DAYS - DAYS OF PERSONAL NECESSITY~~

~~An employee may be absent for days of special religious significance or for personal necessities not to exceed six days in any academic year. Such days are not cumulative and are to be deducted from sick leave, provided the days allowed do not exceed the number of accumulated days of sick leave to which the employee is entitled.~~

~~S. JURY DUTY AND WITNESS LEAVE~~

~~Leave of absence for jury service will be granted to an employee who has been officially summoned to jury duty in Federal, State, or local courts. Leave will be granted for the period of the jury service. The employee shall receive full pay while on leave provided that the jury service fee for such service is assigned to the District. Request for jury service leave should be made by presenting the official court summons to jury service.~~

~~Leave of absence to serve as a witness in a court case shall be granted when the employee has been served a subpoena to appear as a witness, not as the litigant in the case. The length of the leave shall be granted for the number of days of attendance in court as certified by the clerk or other authorized officer of the court. The employee shall receive full pay during the leave period, provided that the witness fee for such leave is assigned to the District. Request for leave of absence to serve as a witness should be made by presenting the official court summons.~~

~~The jury service fee and witness fee do not include reimbursement for transportation expenses.~~

~~An employee who has received a leave of absence for jury or witness service shall be available for work during hours when the employee's presence is not required in court.~~

T. CHANCELLOR LEAVE

The Chancellor may grant leave without pay for personal business for not more than twenty teaching days without Board of Trustees action.

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: **TERMINATION OF SERVICES**	**Number:** **BP 3.20**
Legal Authority: **California Education Code Sections 72411, 87622, 87600 et seq., 87660 et seq., and 87732 et seq.**	**CCLC Number:** **BP XXXX**

Services of academic employees may be terminated only in accordance with the provisions of the ~~State~~ California Education Code Sections listed above. Recommendations for termination of services of academic employees shall be initiated by the supervising administrator and referred to the Chancellor.

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: **IMPOSITION OF PENALTIES**	**Number:** **BP 3.21**
Legal Authority: **California Education Code Sections 87668, 87670, 87735, and 87737**	**CCLC Number:** **BP XXXX**

Pending investigation of any causes for suspension and/or other penalties and prior to action taken by the Board of Trustees, the Chancellor may order the employee not to report for duty, but said employee shall be paid ~~his~~ their regular compensation during such period.

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: **TUTORING**	**Number:** **BP 3.26**
Legal Authority: **California Education Code Sections 70902**	**CCLC Number:** **BP XXXX**

Private Teaching for Pay. No~~r~~ employee shall give private lessons or instruction for pay to any student who is a member of the class in which the employee is employed; nor shall such employee use a room or building of the District for the purpose of giving private lessons or instruction for pay.

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