

**District Participatory Governance Council**  
**Meeting Agenda**  
**November 5, 2018 | 2:15 p.m.**  
**District Office – Board Room**

- 1. Call to Order/Establish Quorum**
- 2. Statements from the Public on Non-Agenda Items**
- 3. Action Items**
  - A. Approval of Minutes from October 1, 2018 Meeting (*Attachment #01*)
  - B. Board Policies for Final Review
    1. 2.03 – College Presidents (*Attachment #02*)
    2. 2.09 – Categories of Employment (*Attachment #03*)
    3. 2.10 – Selection Procedures (*Attachment #04*)
    4. 2.12 – Employee Rights and Protection, Domestic Partner Rights, and Whistleblower Protection (*Attachment #05*)
    5. 2.13 – Dissemination of Employee Information (*Attachment #06*)
    6. 2.15 – Collective Bargaining (*Attachment #07*)
    7. 2.52 – Local Law Enforcement (*Attachment #08*)
    8. 3.00 – Applicability of Chapter III Policies (*Attachment #09*)
    9. 3.15 – Employee Requirements (*Attachment #10*)
    10. 3.30 – Pay Period for Faculty (*Attachment #11*)
    11. 3.35 – Payroll Deductions (*Attachment #12*)
- 4. Informational Items**
  - A. Board Policies for First Review
    1. 3.20 – Evaluation of Faculty (*Attachment #13*) *No Revisions Recommended*
    2. 3.25 – Wages, Hours and Other Terms and Conditions of Employment (*Attachment #14*) *No Revisions Recommended*
    3. 3.40 – Faculty Substitutes (*Attachment #15*) *No Revisions Recommended*
    4. 3.50 – Suspension and Dismissal (*Attachment #16*) *Revisions Recommended*
    5. 3.80 – Summer Session Faculty Employment (*Attachment #17*) *No Revisions Recommended*

6. 3.90 – Post Retirement Contract (*Attachment #18*) *No Revisions Recommended*
7. NEW – Drone Use (*Attachment #19*) *New Policy*

B. Public Safety Update

**5. Closing Remarks/Agenda Building**

**6. Adjournment**



**District Participatory Governance Council Minutes  
Monday, October 1, 2018  
SMCCCD Board Room**

**Members Present:** Mitchell Bailey (Co-chair), Monana Bathai, Grace Beltran, Kathryn Browne, Juanita Celaya, John Cuevas, Jeri Eznekier, Chris Gibson, Gabriela Topete Eng Goon, Karen Pinkham, Paul Rueckhaus, Mary Vogt, Jeramy Wallace, and Johnny Yang.

**Members Absent:** Mariegail Mijares, Megan Rodriguez Antone, Richard Rojo and Leigh Anne Shaw (Co-chair)

**Others Present:** Harry Joel, Aaron McVean, Karrie Mitchell, and Mwanaisha Sims

**1. Call to Order (Quorum)**

The meeting was called to order at 2:19 p.m.

**2. Statements from the Public on Non-Agenda Items**

No statements made on non-agenda items.

**3. Introduction of Members**

Introductions were made among the Council members.

**4. Action Items**

**A. Review and Approval of Minutes from the September 17, 2018 Meeting**

It was moved by Mr. Gibson and seconded by Ms. Bathai to approve the minutes of the September 17, 2018 meeting.

**B. Board Policies for Final Review**

**1. 2.36 – Use of Student E-Mail Addresses**

*BP 2.36 was presented for approval; polling resulted in all members at the (a) level (“I support the recommendation completely”) and the recommendations **will be forwarded** to the Board of Trustees for action.*

After discussion by the Council of BP 2.36, it was agreed to:

- Edit the title PIO to Director of Marketing and Community Relations (Public Information Officer).
- Edit language to reflect the following: E-mails sent by faculty and program staff, who are students that are members of their classes and programs, are not considered to be mass e-mails even if they exceed more than 100 students.

**2. 2.52 – Local Law Enforcement**

Questions/Comments by the Council and Guests:

- Where are the written agreements between the District and the local police/sheriff agencies for review? Mr. Bailey recommended talking with Bill Woods, Director of Public Safety.
- Item #1 - Should 5150 be included in the list?
- Do the written agreements include non-violent and traffic violations?
- Clery Act - Ms. Mitchell said the Clery Act requires specific reporting by local jurisdictions.

Mr. Bailey said that in May 2018, after finishing consultations with the constituent groups, the Board agreed with the following recommendations:

- Clarification of the role and mission of the Department of Public Safety.
- Reject the consultant recommendation to move to a sworn department; the Board agreed.
- Engage in additional conversation with local law enforcement to explore ideas on how to enhance safe campus environments.

Mr. Bailey said he would invite Bill Woods to the November 5, 2018 Council meeting.

The Council unanimously agreed to hold the policy for further review.

## 5. Informational Items

### A. Board Policies for First Review

*The following policies were presented, with noted comments/edits. Council members were asked to take the policies to their respective constituencies for review. These policies will be placed on the agenda for the next DPGC meeting for discussion and final approval.*

#### 1. 3.00 – Applicability of Chapter III Policies

Mr. Rueckhaus said that not all members are part of Bargaining Unit #1493 but all faculty members are covered.

#### 2. 3.15 – Employee Requirements

No edits were recommended.

#### 3. 3.30 – Pay Period for Faculty

A brief discussion was held noting that the policy does not mention summer employment.

#### 4. 3.35 – Payroll Deductions

No edits were recommended.

### B. Update on the District Strategic Plan

(Reference: District Strategic Plan - <https://smccd.edu/strategicplan/>)

Mr. McVean updated the Council on the District Strategic Plan (Plan).

The Plan was adopted in 2015 and was intended to be a 5-year plan guiding the efforts of the Districts. At the heart of the Plan is that students are first and are at the center of what we do; there is an intentional focus on this Plan. We are a community-supported District, we have greater flexibility on how we invest our resources; with that, comes a greater responsibility on how we spend those resources. As the Council looks at policies, sometimes policies are brought forward that are part of the implementation of the Plan that are helping us realize the tenets of the Plan. Mr. McVean said that we

do not want to lose sight of the connection of the policies and how they support the Strategic Plan in ensuring we are putting students first in our decision-making.

If your constituency group would like a presentation on the Plan, please contact Mr. McVean.

**6. Closing Remarks**

Mr. Bailey reminded the Council to share among the constituencies the four policies in 5A. These policies will be brought back to the November 5, 2018 Council Meeting for further discussion.

If you have major suggestions for changes, send them to Mr. Bailey and he will look at them and prepare for the Council to review.

**7. Adjournment – 3:16 p.m.**

**CHAPTER 2: Administration and General Institution  
BOARD POLICY NO. 2.03 (BP 2431, 2432, 2435)**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** BP 2.03 College Presidents  
**Revision Date:** 3/12  
**Policy References:** Title 5 Sections 53000 et seq.; ACCJC Accreditation Standards III.A.5, IV.B, IV.C.3 and IV.D.4

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1. The Board of Trustees and Chancellor shall employ a President at each of the three Colleges within the District. In the case of a presidential vacancy, the Board shall establish a search process to fill the vacancy. The process shall be fair and open and comply with relevant regulations.
2. The Chancellor shall delegate to each College President the executive responsibility for leading and directing the College operations including Administrative Services, the Office of the President, the Office of the Vice President of Instruction, the Office of the Vice President of Student Services, Research, Marketing, and Public Relations.
3. The College President shall establish administrative procedures necessary for the operation of the College.
4. The College President shall perform all duties specifically required or assigned to him/her by the statutes of the State of California, by the Chancellor and by the Board of Trustees of the San Mateo County Community College District.
5. The College President will be evaluated by the Chancellor and Board of Trustees annually based upon goals previously established and agreed upon by the Chancellor, Board of Trustees and the College President and in accordance with any other provision of the Contract for Employment for College President.
6. The compensation of the College President shall be in accordance with the pay schedule established for the College President and placement of the salary in the range shall be made by mutual consent between the Chancellor and the College President.

**CHAPTER 2: Administration and General Institution  
BOARD POLICY NO. 2.09 (BP 7130)**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** BP 2.09 Categories of Employment  
**Revision Date:** 5/09  
**Policy Reference:** Government Code 3540

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1. Employees may be categorized as follows:
  - a. Faculty (Contract, Regular or Part-time) – for description and applicable policy, see Chapter III.
  - b. Classified (Probationary or Permanent) – for description and applicable policy, see Chapter IV.
  - c. Short-term temporary, Non-Faculty – for description and applicable policy, see Chapter IV.
  - d. Student Assistants – for description and applicable policy, see Chapter IV.
  - e. Management, Confidential, Supervisory, and Professional – for the purpose of labor relations, certain positions in the District are designated as management, confidential, supervisory and professional pursuant to the Government Code. For descriptions and applicable policy, see Chapter V.
  
2. An employee given an interim or temporary assignment in a classification different from his/her regular assignment will have the rights, benefits, salary placement and other terms and conditions of employment of the classification to which s/he is assigned. The rights, benefits, salary placement and other terms and conditions of employment of the employee's regular assignment will not apply. Prior arrangements, made in writing with the Office of Human Resources, may modify the application of this provision.

**CHAPTER 2: Administration and General Institution  
BOARD POLICY NO. 2.10 (BP 7120)**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** BP 2.10 Selection Procedures  
**Revision Date:** 5/10  
**Policy References:** Education Code Sections 70901.2, 70901(b)(7), 70901(d), 87100 et seq., 87400, 87458 and 88003; Title 5 Sections 53000 et seq. and 51023.5; ACCJC Accreditation Standard III.A.1

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The Chancellor and the College Presidents shall establish procedures for the recruitment and selection of employees including, but not limited to, the following criteria:

1. An Equal Opportunity plan shall be implemented according to Title 5 and Board Policy 2.20.
2. Academic employees shall possess the minimum qualifications prescribed for their positions by the Board of Governors.
3. The criteria and procedures for hiring academic employees shall be established and implemented in accordance with Board policies and procedures incorporating the Academic Senate's mandated role in local decision making.
4. The criteria and procedures for hiring classified employees shall be established after first affording CSEA an opportunity to participate in the decisions under the Board's policies regarding local decision making.
5. The Chancellor and the College Presidents, after appropriate consultation with faculty and administration, shall identify faculty positions to be filled to meet changing enrollments or changing curricular demands at the Colleges.
6. The selection process to be followed in hiring faculty is specified in the Faculty Selection Procedures as adopted by the Board of Trustees and maintained by the Office of Human Resources.
7. The selection process to be followed in hiring classified staff and managers is specified in the Classified Staff and Managers Selection Procedures as adopted by the Board of Trustees and maintained by the Office of Human Resources.
8. Campus authorities, in conjunction with the Office of Human Resources, shall determine salary placement for contract and regular faculty, classified staff and managers, and shall prepare all appropriate pre- and post-employment documents. Salary placement and related paperwork for hourly temporary faculty, short-term temporary employees and student assistants are prepared by the appropriate administrator at the College in collaboration with the Office of Human Resources and in accordance with collective bargaining agreements as applicable.
9. Formal notice of selection of regular faculty and classified staff shall be given by the Office of Human Resources to each person selected for employment for Board approval of the hiring.

**CHAPTER 2: Administration and General Institution  
BOARD POLICY NO. 2.12 (BP 3900, 7510, and 7700)**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** BP 2.12 Employee Rights and Protection, Domestic Partner Rights, and Whistleblower Protection  
**Revision Date:** 3/11  
**Policy References:** Education Code Sections 87160-87164; Labor Code Section 1102.5, Government Code Section 53296, Private Attorney General Act of 2004 (Labor Code Section 2598); Family Code Sections 297-299; Affordable Care Act (29 U.S.C. 218C)

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1. Any employee shall have:
  - a. The right that the employee has as a private citizen to support or oppose any political issue or candidate. Such activities must be conducted on the employee's own time and must not interfere with District or College operations. The employee shall take reasonable steps to clarify that he/she is acting in an individual capacity, does not represent the District, and that the position of the employee with respect to a political issue or candidate does not represent the position of the District.
  - b. The right to inspect materials in the employee's personnel files in accordance with provisions of the Education Code and applicable collective bargaining agreements.
  - c. The right to an appropriate process for resolution of any public charge against the employee which is taken under consideration, as well as appropriate process with respect to any action based solely on charges lodged anonymously.
  - d. The right to appear before the Board of Trustees, consistent with the Board's policies and legal requirements. The employee may apply for such appearance through the Chancellor who will make necessary arrangements for such appearances. The process set forth herein shall not limit the employee's right to address the Board through applicable open meeting laws, including, for example, the Brown Act.
  - e. Except as otherwise provided by law, employees shall have the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations. Employees shall also have the right to refuse to join or participate in the activities of employee organizations, although the employee may be required, by terms of the collective bargaining agreement, to pay a service fee.
2. Domestic partners registered with the California Secretary of State shall have, insofar as permitted by California law, all of the same rights, protections, and benefits, as well as the same obligations, responsibilities, and duties of married persons (spouses) under state law. Insofar as permitted by California law, former domestic partners shall have all of the rights and obligations of former spouses. Surviving domestic partners shall have the same rights, protections, and benefits as are granted to a surviving spouse of a decedent. Therefore, all references to "spouses" in the District's policies and procedures shall be read to include registered domestic partners as permitted by California law.

3. The Chancellor shall establish procedures regarding the reporting and investigation of suspected unlawful activities by District employees, and the protection from retaliation of those who make such reports in good faith and/or assist in the investigation of such reports. For purposes of this policy and any implementing procedures, “unlawful activity” refers to any activity – intentional or negligent – that violates state or federal law, local ordinances, or District policy. The procedures shall provide that individuals are encouraged to report suspected incidents of unlawful activities without fear of retaliation, that such reports are investigated thoroughly and promptly, remedies are applied for any unlawful practices, and protections are provided to those employees who, in good faith, report these activities and/or assist the District in its investigation. Furthermore, District employees shall not: (1) retaliate against an employee or applicant for employment who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order; or (2) directly or indirectly use or attempt to use the official authority or influence of his or her position for the purpose of interfering with the right of an applicant or an employee to make a protected disclosure to the District. The District will not tolerate retaliation, and will take whatever action may be needed to prevent and correct activities that violate this anti-retaliation policy, including discipline of those who violate it, up to and including termination of employment.

**CHAPTER 2: Administration and General Institution  
BOARD POLICY NO. 2.13**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** BP 2.13 Dissemination of Employee Information

**Revision Date:** 12/10

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1. For employment verification inquiries, the District shall provide only verification of employment, dates of employment, the location of assignment and position held or job title, and the gross salary of an employee.
  2. Upon the written permission of an employee, any information about the employee may be released. In addition, information about an employee shall be furnished in compliance with law, a court order, subpoena, or to an official, employee or contractor of this District or another public agency, provided that such person has a legitimate reason to have the information. Except as otherwise authorized by law or in this policy, disclosure of employees' information and personal data to others, including but not limited to creditors, other governmental agencies or other individuals, is permitted only as authorized above.
  3. The District will promptly notify an employee whose employment records or personal data have been requested pursuant to law, subpoena or individual order.
  4. The District reserves the right to release information to the public regarding its employees provided there is good reason to do so and the release of such information would not be an unwarranted invasion of privacy.

**CHAPTER 2: Administration and General Institution  
BOARD POLICY NO. 2.15 (BP 7140)**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** BP 2.15 Collective Bargaining  
**Revision Date:** 5/09  
**Policy References:** Government Code Sections 3540, et seq

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1. The Government Code establishes the right of public school employees to select an employee organization as their exclusive representative in their employment relationships with the District. The Board shall enter into negotiations with the exclusive representative as provided by State law and, if agreement is reached, the Board shall execute a written document incorporating any such agreements which shall become binding on both parties to the agreement.
2. The agreement between the District and the exclusive representative shall be considered part of the established policy of the Board.

**CHAPTER 2: Administration and General Institution  
BOARD POLICY NO. 2.52 (BP 3520)**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** BP 2.52 Local Law Enforcement  
**Revision Date:** 12/11; ~~xx/xx~~  
**Policy References:** Education Code Section 67381; 34 Code of Federal Regulations Section 668.46(b)(4)

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1. ~~Each College in the~~ The District shall enter into a written agreement with local law enforcement agencies. The agreement shall clarify operational responsibilities for investigations of Part I violent crimes, defined by law as willful homicide, forcible rape, robbery, and aggravated assault, occurring at each location.
2. The written agreement shall designate which law enforcement agency shall have operational responsibility for violent crimes and delineate the specific geographical boundaries of each agency's operational responsibility, including maps as necessary.
3. The written agreements required by this policy shall be public records and shall be made available for inspection by members of the public upon request.
4. The District encourages accurate and prompt reporting of all crimes to campus public safety officers and the appropriate police agencies.
5. Professional mental health and religious counselors are exempt from reporting obligations. However, counselors are encouraged, if and when they deem it appropriate, to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

**CHAPTER 3: Certificated Personnel  
BOARD POLICY NO. 3.00 (BP 7340)**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** 3.00 Applicability of Chapter III Policies  
**Revision Date:** 11/10; ~~XX~~

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The policies in this Chapter are applicable to all faculty except when noted in the policy. In addition, faculty ~~who are members of the faculty bargaining unit~~ are covered by the provisions of the current collective bargaining agreement between the District and the American Federation of Teachers, Local 1493, as approved by the Board of Trustees.

**CHAPTER 3: Certificated Personnel  
BOARD POLICY NO. 3.15 (BP 7330)**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** 3.15 Employment Requirements  
**Revision Date:** 11/10  
**Policy References:** Education Code Sections 87400, 87408, 87408.6

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Prior to assuming their duties and as a condition of employment, all faculty members must:

1. Meet the minimum qualifications or equivalencies for community college teaching as adopted by the State Board of Governors and the District Board of Trustees.
2. File a Loyalty Oath.
3. Be fingerprinted.
4. Submit evidence of freedom from active tuberculosis by means of a tuberculin skin test or chest x-ray that has been performed within 60 days prior to employment. All continuing members of the faculty shall submit evidence of freedom from active tuberculosis by means of a tuberculin skin test or chest x-ray. A report of a negative tuberculin skin test reaction is valid for a period of four years from the date of examination. A negative chest x-ray is valid for two years.
5. The provisions of the above paragraph do not apply to any employee who files an affidavit stating that he/she adheres to the faith or teaching of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets, or principles depends for healing upon prayer in the practice of religion and that to the best of his/her knowledge and belief he/she is free from active tuberculosis. If at any time there should be probable cause to believe that such affiant is afflicted with active tuberculosis, he/she may be excluded from service until the Board is satisfied that he/she is not so afflicted.
6. Furnish proof of authorization to work in the United States, pursuant to the Immigration Reform and Control Act of 1986 (IRCA).
7. Complete other paperwork required by the District or by the Federal, State or any other regulatory agency.

**CHAPTER 3: Certificated Personnel  
BOARD POLICY NO. 3.30**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** 3.30 Pay Period for Faculty

**Revision Date:** 12/10

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1. Each employee will receive one monthly payroll warrant covering all payments due in the time period, distributed and payable on the last working day of the month. A pay period shall be the calendar month for regular faculty. All temporary faculty work will cover one month, but the pay period may vary based upon the classification of the work performed.
  2. Depending upon the faculty member's first date of employment, the pay year for faculty is August 1 to May 31 or September 1 to June 30.
  3. Payments are made in ten (10) annual payments.

**CHAPTER 3: Certificated Personnel  
BOARD POLICY NO. 3.35 (BP 7385)**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** 3.35 Payroll Deductions  
**Revision Date:** 12/10  
**Policy References:** Education Code Sections 87040, 87833, 87834, 88167

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1. Income Tax

Federal and State income taxes shall be withheld on the basis of information furnished by the employee on Forms W-4 (Federal) and DE-4 (State).

2. Retirement Fund

- a. All members of the faculty, unless excluded from membership under provisions of the Education Code, shall be required to participate in the California State Teachers' Retirement System (STRS).
- b. Deductions shall be made at rates determined by the Retirement System and for the actual months of active employment.

3. Medicare

All members of the faculty hired after April 1, 1986 shall be required to contribute to Medicare at the current rate established by Federal law.

4. Other

- a. When requested by the employee in a revocable written authorization, payroll deductions shall be made for:
  - 1) Participation in a deferred compensation program offered by companies which are approved by the District.
  - 2) Premiums on a certificate of group life insurance, group disability insurance, or professional liability insurance when the master contract is held by the District or an employee organization.
  - 3) Dues, fees, or periodic charges in any hospital service contract, medical and hospital contract.
  - 4) Purchase of shares in any regularly chartered credit union.
  - 5) Contributions to Board-approved charitable, fund-raising organizations.
- b. Dues or agency fees required by the collective bargaining unit represented by the American Federation of Teachers (AFT), Local 1493 and dues in any local or Statewide professional organization shall be deducted from the employee's paycheck.
- c. Based upon documents from the IRS, the State Franchise Tax Board, court orders and other legal action, the District is also required to make deductions from employee wages.

**CHAPTER 3: Certificated Personnel  
BOARD POLICY NO. 3.20**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** 3.20 Evaluation of Faculty  
**Revision Date:** 11/10  
**Policy Reference:** Education Code Section 87663; Accreditation Standard III.A.1.b

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1. The objectives of the evaluation of members of the faculty are:
  - a. To improve instruction and other educational services.
  - b. To evaluate individual performance as a basis for judgments regarding retention and non-retention.
2. The employee shall be evaluated to determine whether:
  - a. The employee possesses such knowledge of a specialized field as is required for the satisfactory performance of assigned duties including knowledge of the subject matters dealt with in the courses the instructor is assigned to teach.
  - b. The employee possesses the ability to apply the knowledge of a specialized field in the execution of assigned duties including, for instructors, the ability to teach effectively.
  - c. The employee in fact performs the duties assigned to him/her satisfactorily.
3. The procedures for evaluation of faculty shall be specified in the collective bargaining agreement between the District and the American Federation of Teachers (AFT), Local 1493, as approved by the Board of Trustees.

**CHAPTER 3: Certificated Personnel  
BOARD POLICY NO. 3.25 (BP 7130 and 7340)**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** 3.25 Wages, Hours and Other Terms and Conditions of Employment  
**Revision Date:** 11/10  
**Policy References:** Education Code Sections 70902(b)(4) and 87801; Government Code Section 53200

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1. The wages, hours and other terms and conditions of employment for members of the faculty are described in the current collective bargaining agreement between the District and the American Federation of Teachers (AFT), Local 1493, as approved by the Board of Trustees.
2. Work assignments that are in addition to the regular workload and which are paid for on the Hourly Faculty Salary Schedule shall be prescribed in the current collective bargaining agreement with AFT, Local 1493.

**CHAPTER 3: Certificated Personnel  
BOARD POLICY NO. 3.40**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** 3.40 Faculty Substitutes

**Revision Date:** 11/10

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1. A faculty substitute is an instructor, counselor, librarian, nurse or other individual who is assigned to replace a current employee during a leave of absence and who meets the minimum qualifications or equivalencies for community college teaching as adopted by the State Board of Governors and the District Board of Trustees.
2. Persons employed in faculty substitute assignments shall be classified as temporary unless they are a contract or regular faculty member in the District. If any such person is employed for more than 67 percent of a full-time assignment for one complete college year as a substitute employee and is reemployed for the following college year, he/she shall be classified as a contract employee, and the previous year's employment as a temporary employee shall be deemed one year's employment as a contract employee for purposes of acquiring regular status.
3. Faculty substitutes may be selected from among current contract and regular employees of the District, either on a volunteer basis or at the discretion of the appropriate administrator, with appropriate consideration of District affirmative action goals. If the substitute assignment constitutes an overload assignment, the contract or regular employee is compensated at the appropriate salary step of the Hourly Faculty Salary Schedule.
4. Faculty substitutes may be selected from among current hourly faculty at the discretion of the administrator responsible for the vacated assignment with appropriate consideration of equal employment opportunity.
5. Faculty substitutes may be selected from an applicant pool at the discretion of the responsible administrator. The applicant pool may be maintained on site, with recruitment services and additional applicant resources available through the Office of Human Resources. Persons not currently employed in any capacity by the District and assigned as faculty substitutes shall be compensated at the appropriate salary step of the Hourly Faculty Salary Schedule.
6. Work performed as faculty substitutes by contract, regular or temporary faculty shall be covered by the designated employee bargaining group.
7. Persons not currently employed by the District who are assigned day-to-day substitute positions shall not be covered by the designated employee bargaining group.
8. Substitute assignments of more than 67 percent of full time and covering one complete semester or more shall be subject to all policies and procedures established for recruitment and selection that apply to regular faculty assignments. In cases of unexpected illness or other emergency, this requirement may be waived.
9. Compensation for substitutes filling assignments of more than 67 percent of full time shall be placed on the appropriate class and step of the Regular Faculty Salary Schedule.

**CHAPTER 3: Certificated Personnel  
BOARD POLICY NO. 3.50 (BP 7360)**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** 3.50 Suspension and Dismissal  
**Revision Date:** 12/10; ~~XX~~  
**Policy References:** Education Code Sections 87666 et seq. and ~~through 87681, 87669, 87681, 87732,~~  
~~87740~~

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1. A contract or regular employee may be dismissed or penalized for one or more of the grounds set for the in Education Code 87732. If the employee is to be penalized, the Board of Trustees shall determine the nature of the penalties. If the Board decides to dismiss or penalize a contract or regular employee, it shall assure that each of the following has been satisfied:
    - The employee has been evaluated in accordance with standards and procedures established in accordance with the provisions of Education Code Sections 87660 et seq., and any administrative procedure for evaluation contained in a collective bargaining agreement;
    - The Board has received all statements of evaluation which considers the events for which dismissal or penalties may be imposed;
    - The Board has received a recommendation from the Chancellor;
    - The Board has considered the statements of evaluation and the recommendations in a lawful meeting.
  - ~~1. The District shall suspend or dismiss members of the faculty only for causes specified in the Education Code and only according to procedures specified therein.~~
  2. If the Board decides it intends to dismiss a contract or regular employee, it shall take the actions required by the Education Code, and the Chancellor or designee shall thereafter assure that the employee is afforded the full post-termination due process required by the Education Code Sections 87666 - 87681.
  3. The Chancellor shall establish procedures that define the conditions and processes for dismissal, discipline and due process and ensure they are available to employees.
  - ~~3.4. In lieu of dismissal, the Board may impose a suspension for up to one year with a reduction or loss of compensation during the period of suspension.~~

**CHAPTER 3: Certificated Personnel  
BOARD POLICY NO. 3.80**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** 3.80 Summer Session Faculty Employment

**Revision Date:** 11/10

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1. The Chancellor and the College Presidents shall determine the need for faculty to staff classes planned for Summer Session.
  2. The appropriate administrator and faculty in the subject area shall interview qualified candidates and select the best qualified for recommendation through the College President and Chancellor to the Board for appointment.
  3. The Board shall adopt a calendar for Summer Session and compensate employees according to the wage provisions of the agreement between the District and the American Federation of Teachers (AFT), Local 1493. Employment in a Summer Session shall not be included in computing service required as a prerequisite to attainment of classification as a regular employee of the District.
  4. Members of the faculty shall be granted one day of sick leave if employed for the full Summer Session. This sick leave may be accumulated along with other District sick leave. Any sick leave granted or accumulated through continued employment in the District may be used for illness or accident during Summer Session.

**CHAPTER 3: Certificated Personnel  
BOARD POLICY NO. 3.90**

**BOARD POLICY  
San Mateo County Community College District**

**Subject:** 3.90 Post-Retirement Contract

**Revision Date:** 11/10

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1. Subject to approval by the Board of Trustees, a member of the faculty who is retired from service may be employed on a post-retirement contract by the District in a faculty position.
  2. The conditions of and compensation for post-retirement employment are described in the collective bargaining agreement between the District and the American Federation of Teachers (AFT), Local 1493, effective at the time of retirement, as approved by the Board of Trustees.