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<td>3540 BP</td>
<td>Sexual and other Assaults on Campus</td>
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The Superintendent President or designee shall assure that, as required by law, reports are prepared of all occurrences reported to campus police Santa Cruz County Sheriff’s Office, Cabrillo College Division of arrests for crimes committed on campus that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication. The Superintendent/President or designee shall further assure that required reports of non-criminal acts of hate violence are prepared. Such reports shall be made available as required by law.

**Legal Reference:** CA Education Code Section 67380.

**Adopted:** March 1, 2010

**Reviewed:** insert board date

**ASM:** 12/11/14, 1/19/15

**VPAS:** 4/15/15

**Cabinet:**

**CPC:**

**Approved:**
Any sexual assault or physical abuse, including, but not limited to rape as defined by California law, whether committed by an employee, student or member of the public, that occurs on district property, is a violation of district policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Students, faculty, and staff who may be victims of sexual or other assaults shall be treated with dignity and provided comprehensive assistance.

The Superintendent/President or designee shall establish administrative procedures that ensure that students, faculty, and staff who are victims of sexual or other assaults receive appropriate information and treatment, and that educational information about preventing sexual violence is provided and publicized as required by law.

The procedures shall meet the criteria contained in Education Code Sections 67385, 67385.7, 67386 and 34 Code of Federal Regulations § 668.46.


Adopted: March 1, 2010
Reviewed: insert date:

AMS Council: 4/2/14, 1/9/15
VPAS: 4/15/15
Cabinet:
CPC:
The Superintendent/President or designee is responsible for ensuring that the funds of the District are invested that are not required for the immediate needs of the District. Investments shall be in accordance with law, including California Government code Sections 53600, et seq.

Investments shall be made based on the following criteria:
- The preservation of principal shall be of primary importance.
- The investment program must remain sufficiently flexible to permit the District to meet all operating requirements.
- Transactions should be avoided that might impair public confidence.


Adopted: March 1, 2010
Reviewed: insert date

ASM Council: 12/11/14, 1/9/15
VPAS: 4/15/15
Cabinet:
PPTF:
CPC:
Chapter Two Seven: Administration and Organization Human Resources

BP 7250
EDUCATIONAL ADMINISTRATORS
BP 2070.01
LEVELS OF ADMINISTRATIVE RESPONSIBILITY AND JOB DESCRIPTIONS
BP 5108

Administrator Assignment to a Faculty Position

An administrator is a person employed by the Board in a supervisory or management position as defined in Government Code Sections 3540 et seq.

Educational administrators are those who exercise direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services programs of the District.

An educational administrator who has not previously acquired tenure as a faculty member in the District shall have the right to become a first year probationary faculty member once his/her administrative assignment expires or is terminated, if the following criteria are met:

- The administrator meets the criteria established by the District for minimum qualifications for a faculty position, in accordance with procedures developing jointly by the Superintendent/President and the Faculty Senate and approved by the Board. The Board shall rely primarily on the advice and judgment of the Faculty Senate to determine that an administrator possesses minimum qualifications for employment as a faculty member.
- The requirements of Education Code Section 87458(c) and (d), or any successor statute, are met with respect to prior satisfactory service and reason for termination of the administrative assignment.

Educational administrators shall be compensated in the manner provided for by the appointment or contract of employment. Compensation shall be set by the Board upon recommendation by the Superintendent/President. Educational Administrators shall further be entitled to health and welfare benefits made available by action of the Board upon recommendation by the Superintendent/President.

Educational administrators shall be entitled to vacation leave, sick leave, and other leaves as provided by law, these policies, and administrative procedures adopted by the Superintendent/President.

Note: To be used if the Board offers contracts for educational administrators.
Every educational administrator shall be employed by an appointment or contract of up to four years in duration.

The Board may, with the consent of the administrator concerned, terminate, effective on the next succeeding first day of July, the terms of employment and any contract of employment with the administrator, and reemploy the administrator on any terms and conditions as may be mutually agreed upon by the Board and the administrator, for a new term to commence on the effective date of the termination of the existing term of employment.

If the Board determines that the administrator is not to be reemployed when his/her appointment or contract expires, notice to an administrator shall be in accordance with the terms of the existing contract. If the contract is silent, notice shall be in accordance with Education Code Section 72411.

Levels of Administrative Responsibility and Job Descriptions
Each administrative position is categorized within a framework of accountability and magnitude of responsibility. The higher the administrative level, the greater is the responsibility delegated by the Superintendent/President.

Although each administrative position has specified duties and responsibilities stated immediately subsequent to this section, each administrator has an obligation to perform the following general requirements:

1. Encourage a cooperative relationship with all staff members.
2. To engage in continual efforts to improve the efficiency of the assigned unit through experimentation and study.
3. To communicate the unit’s administrative staff relationships throughout the college as well as to clarify the role and responsibilities of each member.
4. To increase management skills through study, discussion, meetings, research, and professional contacts.
5. To encourage a high level of faculty and staff morale.

Administrator Assignment to a Faculty Position
In accordance with AB 1725, and specifically Education Code Section 87458, the Cabrillo College Community College District adopts the following policy on educational administrative retreat rights.

This policy does not apply to educational administrators hired on or before June 30, 1990. A tenured employee, when assigned from a faculty position to an administrative position retains his or her status as a tenured faculty member. Educational administrators hired after June 30, 1990,
shall have the right to become a first year probationary faculty member at the conclusion of their administrative assignment under the following conditions:

1. The administrator holds a position as an educational administrator and is not part of the classified service. For every administrative job title, the records of the District shall show whether or not it is an educational or a classified administrator position. Educational administrator means an administrator who is employed in an academic position designated by the Governing Board of Trustees as having direct responsibility for supervising the operation of or formulating policy for the instructional or student services programs of the District. Educational administrators include, but are not limited to, chancellors, presidents, and other supervisory or management employees designated by the Governing Board of Trustees as educational administrators.

2. The administrator has served satisfactorily in the Cabrillo Community College District at least two years including any time previously served as a Cabrillo College faculty member.

3. The administrator is being dismissed from his/her educational administrative position for reasons other than for cause.

4. The District must take into consideration the availability of a funded position to which the administrator may be appointed in accordance with the court determination in Wong v. Ohlone College. If a vacancy does not exist as determined by the Superintendent/President, then retreat rights shall not be offered.

5. To determine the discipline to which an educational administrator shall be assigned, the administrator seeking to exercise retreat rights shall submit a request to be reassigned to a faculty position. The administrator can be assigned only to a discipline in which he or she meets the minimum qualifications as specified Title 5 or in which he/ or she holds a California Community College credential. The proposal shall be submitted to the Vice President of Instruction who shall inform the Superintendent/President, the Faculty Senate and Governing Board of the discipline(s) in which the administrator meets the minimum qualifications or possesses the appropriate credential. The Superintendent/President or designee shall meet with the Faculty Senate President or designee to hear the Senate views on the proposal. After such a meeting, the Superintendent/President shall make a recommendation to the Governing Board of Trustees. The Governing Board shall provide the Faculty Senate with an opportunity to present its views directly to the Governing Board of Trustees before the Board makes a determination.

Legal References: None Education Code Sections 72411 et seq., 87002(b), and 87457-87460; Government Code Section 3540.1(g) and (m); Wong v. Ohlone College

Adopted: February 1, 1988
Reviewed: June 10, 2013
Revised: insert board date
(From current Cabrillo BP 5108)
Adopted: February 4, 1991
Revised: May 6, 2013

ASM Council: 4/2/14, 1/9/15
VPAS: 4/15/15
Cabinet: 12/9/15
CPC:
Chapter: Five Seven: Personnel and Human Resources

CLASSIFIED EMPLOYEES

(League BP 7230)

EMPLOYMENT PROCEDURES POLICY

(CLASSIFIED)

(League BP 7230)

From current Cabrillo BP 5800 titled Classified Employees

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.

The classified service does not include:

- Substitute and short-term employees who are employed and paid for less than 75 percent of the fiscal year.
- Part-time apprentices and professional experts employed on a temporary basis for a specific project, regardless of length of employment.
- 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 Board shall fix and prescribe the duties of the members of the classified service. (See BP 1240 7110 titled Delegation of Authority to Superintendent/President).

Before a short-term employee is employed, the Board, at a regularly scheduled meeting, shall specify the service required to be performed and certify the ending date of the service. The Board may later act to shorten or extend the ending date, but shall not extend it beyond 75 percent of an academic year.

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

Note: Education Code Section 88013 requires the Board to establish a probationary period for classified employees, “which shall not exceed one year.” It is legally advised that boards establish a one year probationary period, as described here.

The probationary period for classified employees shall be one year six months, in some cases longer.

--- From current Cabrillo BP 5500 titled Employment Procedures Policy (Classified) ---
Employment of Classified Employees

Cabrillo Community College—The District shall employ persons in the classified service of the College in accordance with the provisions of the California Education Code found in Title 3, Division 7, Part 51, Chapter 4, and all of the appropriate sections thereof.

It is the intent of this policy that all employment procedures and transactions are to meet legal compliance requirements of the California Education Code and all other applicable federal and state regulatory laws, rules, and regulations.

It is the policy of the Cabrillo Community College District that all personnel procedures and practices be established in an appropriate set of administrative regulations, procedures, and that each supervisor, manager, and administrator with employment responsibilities shall adhere to such regulations, procedures, in all personnel processes and transactions.

Also see BP/AP 7120 titled Recruitment and Selection

Legal References: Education Code Sections 88003, 88004, 88009, and 88013

Adopted: June 10, 2013
Revised: insert board date

(From current Cabrillo BP 5500)
Legal Reference: Education Code Title 3, Division 7, Part 51, Chapter 4, all articles inclusive.

Adopted: April 4, 1988
Reviewed: May 6, 2013

ASM Council: 12/14/14, 1/9/15
VPAS: 4/15/15
Cabinet:
CPC:
CLASSIFIED EMPLOYEE LONG-TERM ILLNESS/INJURY POLICY
INDUSTRIAL ACCIDENT AND ILLNESS LEAVE

In accordance with applicable Education Code Sections, permanent classified employees are entitled to industrial accident or illness leaves and non-industrial illness or injury leaves. The Governing Board of each community college district shall adopt rules and regulations requiring and prescribing the manner of proof of illness or injury for the purpose of this section. These rules and regulations shall not discriminate against evidence of treatment and the need therefore by the practice of the religion of any well-recognized religious sect, denomination or organization.

Legal Reference: Education Code Sections 88190, 88191, 88192, 88195, 88198 and 88199.

Adopted: December 7, 1987
Revised: June 10, 2013
Revised:
NOTE: Procedures on contracts for electronic systems and materials are legally advised. Local practice may be inserted. The following language is typical and complies with general requirements.

The District may contract with any vendor who has submitted one of the three lowest responsible competitive proposals or competitive bids for the purchase or maintenance of electronic data-processing systems and equipment, electronic telecommunication equipment, supporting software, and related material, goods and services.

Except as otherwise stated here, bids shall be solicited and contracts shall be awarded in accordance with AP 6340 titled Bids and Contracts.

Criteria to determine what constitutes a responsive bid shall be established by [list appropriate District staff, the Director of Purchasing, Director of IT, District Buyer].

Supplemental instructional software packages may be purchased without taking estimates or advertising for bids.

Sale and leaseback of data-processing equipment or another major item of equipment is permissible if the purchaser agrees to lease the item back to the district for use by the district following the sale. The Governing Board shall first adopt a resolution finding that the sale or leaseback is the most economical means for providing electronic data-processing equipment or other major items of equipment to the District.

New 9/01, Revised 8/03

References:
Education Code Sections 81641 et seq., and 81651;
Public Contract Code Sections 20651 et seq.

ASM: 3/12/15
VPAS: 4/15/15
Cabinet:
CPC:
Chapter Five Seven: Personnel and Human Resources

**From current Cabrillo BP 5120 titled Academic Employees**

Academic employees are all persons employed by the District in academic positions. Academic positions include every type of service, other than paraprofessional service, for which minimum qualifications have been established by the Board of Governors for the California Community Colleges.

Faculty members are those employees who are employed by the District in academic positions that are not designated as supervisory or management. Faculty employees include, but are not limited to, instructors, librarians, counselors, and professionals in Health Services, DSPS, and EOPS.

Decisions regarding tenure of faculty shall be made in accordance with the evaluation procedures established for the evaluation of probationary faculty and in accordance with the requirements of the Education Code. The Board reserves the right to determine whether a faculty member shall be granted tenure.

The District may employ temporary faculty from time to time as required by the interests of the District. Temporary faculty may be employed full-time or part-time. The Board delegates authority to the Superintendent/President to determine the extent of the District’s needs for temporary faculty.

Notwithstanding this policy, the District shall comply with its goals under the Education Code regarding the ratio of full-time to part-time faculty to be employed by it and for making progress toward the standard of 75% of total faculty work load hours taught by full-time faculty.

**From current Cabrillo BP 5100 titled Employment Procedures Policy**

Every person authorized to serve as a Community College instructor, librarian, counselor, student personnel worker, supervisor, administrator, or chief administrative officer under a credential shall retain the right to serve under the terms of that credential, and, for that purpose, shall be deemed to possess the minimum qualifications specified for every discipline or service covered by the credential until the expiration of that credential.
Chapter Five Seven: Personnel and Human Resources

The Cabrillo Community College District shall employ for academic positions, only persons who possess the qualifications prescribed by regulation of the Board of Governors.

It is the intent of this policy that all academic employment procedures and transactions are to meet legal compliance requirements of the applicable provisions of the Education Code and Title 5 regulations and all other applicable federal and state laws and regulations.

The Board authorizes the Superintendent/President or designee to develop administrative regulations that set forth the applicable procedures to be followed by the District for the employment of academic positions so to ensure full compliance with applicable law. It is further the intent of the Board that all supervisors, managers and administrators with employment responsibilities adhere to such regulations in all personnel processes and transactions.

— From current Cabrillo BP 5105 titled Faculty Search and Selection Procedures

Faculty Search and Selection
The goal of the faculty selection process at Cabrillo College is to hire faculty who are experts in their subject area, who are skilled in teaching and serving the needs of a diverse student population, who can foster overall college effectiveness, and who are sensitive to ethnic and cultural diversity in the community. Moreover, it will be the objective of the District to have a faculty reflecting the ethnic and cultural diversity of the college district. The Cabrillo College District recognizes that faculty hiring procedures and guidelines are important to ensure the maintenance of a faculty of the highest quality.

Though principal legal responsibility and authority rest with the College Governing Board of Trustees, the college administration and faculty share with the Governing Board the responsibility for ensuring an effective and legal hiring process. Development of the procedures and guidelines are likewise the shared responsibility of the Governing Board through the administration, and faculty through the Faculty Senate. These procedures and guidelines have been developed with the intention to maintain diversity of committee membership, and objectivity, fairness, and consistency in the treatment of applicants.

These procedures and guidelines recognize that responsibility for selecting well qualified faculty is shared cooperatively by faculty members and administrators. These shared responsibilities include: following District policies, developing job descriptions, equivalencies, and local qualifications, recruiting, screening, interviewing, and selecting the recommended candidates. Screening, selection, and recommendations shall be strictly confidential. In order to achieve the objective of establishing a faculty reflecting the ethnic and cultural diversity of the community, the equal employment opportunity and college’s diversity values and college policies shall be observed in all hiring processes.
Also see BP/AP 7120 titled Recruitment and Selection

Legal References: Education Code Sections 87400 et seq., 87419.1; 87482.8, and 87600 et seq., and 87482.8; 87355; Title 5 Sections 51025 and 53400; AB 1725, Section 4

Adopted: May 7, 1990
Revised: June 3, 2002
Revised: November 14, 2005
Revised: November 2009
Revised: August 6, 2012

Adopted: April 4, 1988
Revised: May 6, 2013
Revised: insert board date

ASM: 3/12/15
VPAS: 4/15/15
Cabinet:
PPTF:
Board:
Chapter Two: Administration and Organization Human Resources

BP 7260
Classified Supervisors and Managers
BP 2160
Probationary/Permanent Status of Classified Administrative Manager Positions

Classified administrators are administrators who are not employed as educational administrators.

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

Classified managers are those classified administrators, regardless of job description, having significant responsibilities for formulating District policies or administering District programs other than the educational programs of the District.

Note: To be used if the District offers contracts to classified administrators.

Classified administrators may be employed by an appointment or contract of [up to four years in duration]. If a classified administrator is employed by an appointment or contract, the appointment or contract shall be subject to the same conditions as applicable to educational administrators.

Note: To be used if the District does not offer contracts to classified administrators.

Classified administrators may be employed in the same manner as the other members of the classified service. If a classified administrator is employed as a regular member of the classified service, employment shall be consistent with other provisions of these policies regarding employment of classified employees.

From current Cabrillo BP 2160 titled Probationary/Permanent Status of Classified Administrative Manager Positions

Employees newly hired for classified administrative manager positions shall be considered probationary employees until they have satisfactorily completed one year of probationary service. Upon satisfactorily completing this period, they shall become permanent classified employees of the District.
Chapter Two Seven: Administration and Organization Human Resources

The Superintendent/President or designee may dismiss an employee during the initial probationary period without cause.

Permanent employees who are promoted shall be considered probationary in their new position until they have satisfactorily completed one year of probationary service in that position.

Legal References: Education Code Section 72411 and 88013; Government Code Section 3540.1(g) and (m)

Adopted: May 7, 2012
Revised: insert board date

ASM Council: 12/11/14, 1/9/15
VPAS: 4/15/15
Cabinet:
CPC:
The Board is committed to developing goals that measure the ongoing condition of the District’s operational environment. The Board regularly assesses the District’s institutional effectiveness.

Legal Reference: Education Code Section 78210 et seq., and 84754.6
Accreditation Standard I.B.5-9

Adopted: XX, XX, 2015
Chapter Three: General Institution

INSTITUTIONAL EFFECTIVENESS

The District shall develop, adopt, and publicly post goals that addresses all of the following: (1) accreditation status; (2) fiscal viability; (3) student performance and outcomes; and (4) programmatic compliance with state and federal guidelines.

The goals should be challenging and quantifiable, address achievement gaps for underrepresented populations, and align the educational attainment of California’s adult population to the workforce and economic needs of the state.

Legal Reference: Education Code Section 78210 et seq., and 84754.6
Accreditation Standard I.B.5-9

Approved: XX, XX, 2015