BP 2435  Evaluation of the Superintendent/President

Reference:  *Education Code 87663; ACCJC Accreditation Standard IV. C.3 (formerly IV.B.1)*  
Board Approved: 04/13/05  
Reviewed and Reapproved: 05/06/09, 04/10/19  
Amended: 05/13/15

The Board shall conduct an evaluation of the Superintendent/President at least annually. Such evaluation shall comply with any requirements set forth in the contract of employment with the Superintendent/President as well as this policy.

The Board shall evaluate the Superintendent/President using an evaluation process developed and jointly agreed to by the Board and the Superintendent/President.

The criteria for evaluation shall be based on board policy, the Superintendent/President job description, and performance goals and objectives developed in accordance with Board Policy 2430.

BP 3410  Nondiscrimination

Reference:  *Education Code Sections 66250, et seq., 72010, et seq.; 87100 et seq.; Title 5, Sections 53000, et seq. and 59300 et seq.; Penal Code Section 422.55; Government Code 12926.1 and 12940, et seq.*  
**Title 2 Sections 10500 et seq.;**  
**Labor Code Section 1197.5**  
**ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard Catalog Requirements (formerly Accreditation Standard II.B.2.c)**  
Board Approved: 04/13/05  
Amended: 10/14/09, 06/13/12, 01/15/14, 09/09/15, 01/11/17, 07/10/19

The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, immigration status, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, immigration status, sexual orientation, marital status, physical or mental disability, pregnancy, or military or veteran status, or because he/she/they is perceived to have one or more of the foregoing characteristics, or based on an association with a person or group with one or more of these actual or perceived characteristics.

The Superintendent/President shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it,
to any private organization whose membership practices are discriminatory on the basis of national origin, immigration status, religion, age, gender, gender identity, gender expression, race, color, medical condition, genetic information, ancestry, immigration status, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because he/she/they is perceived to have one or more of the foregoing characteristics, or because of his/her/their association with a person or group with one or more of these actual or perceived characteristics.

See Administrative Procedure #3410.

BP 3430 Prohibition of Harassment

Reference: Education Code Sections 212.5; 44100; 66252; 66281.5; Government Code Sections 12923, 12940 & 12950.1; Civil Code Section 51.9; Title 2 Sections 10500 et seq.; Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. § 2000e; Age Discrimination in Employment Act of 1967 (ADEA); Americans with Disabilities Act of 1990 (ADEA)

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Amended: 10/14/09, 06/13/12, 06/10/15, 01/11/17, 09/13/17, 08/14/19, 11/18/20

All forms of harassment are contrary to basic standards of conduct between individuals. State and federal law and this policy prohibit harassment, and the District does not tolerate harassment. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ethnicity, ancestry, immigration status, physical disability, mental disability, medical condition, genetic information, immigration status, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, or because he/she/they is perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees, students, unpaid interns, and volunteers feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. The District will investigate all allegations of retaliation swiftly and thoroughly. If the District determines that someone has retaliated, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any student, employee, unpaid intern, or volunteer who believes that he/she/they has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435. The District requires supervisors to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations,
disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end the Superintendent/President shall ensure that the institution undertakes education and training activities to counter harassment and to prevent, minimize or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Superintendent/President shall establish procedures that define harassment on campus. The Superintendent/President shall further establish procedures for employees, students, unpaid interns, volunteers, and other members of the campus community that provide for the reporting, investigation and resolution of complaints regarding harassment and discrimination, and procedures to resolve complaints of harassment and discrimination. State and federal law and this policy prohibit retaliatory acts by the District, its employees, students, and agents.

The District will publish and publicize this policy and related written procedures, including the procedure for making complaints to administrators, faculty, staff, and students, particularly when they are new to the institution. The District will make this policy and related written procedures (including the procedure for making complaints) available in all administrative offices, and will post them on the District’s website.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion.

See Administrative Procedure #3430.

BP 3518 Child Abuse Reporting

Reference: Penal Code Sections 11164 et seq

Board Approved: 04/13/05
Amended: 11/18/09, 07/11/18, 09/11/19

The Superintendent/President shall establish procedures related to the responsibility of employees, within the scope of employment or in their professional capacity, to report suspected abuse and neglect of children.

See Administrative Procedure #3518.

BP 5035 Withholding of Student Records

Reference: Title 5, Section 59410
Board Approved: 11/09/05
Reviewed and Reapproved: 09/08/10, 08/08/18
Students or former students who have been provided with written notice that they have failed to pay a proper financial obligation shall have grades, diplomas, and registration privileges withheld.