

## BOARD POLICY 2715 CODE OF ETHICS AND STANDARDS OF PRACTICE

The Board maintains high standards of ethical conduct for its members as evidenced by the adoption of this and all the other Board Policies. As the public's representatives, Trustees must practice the highest ethical standards in performing their sworn duties. The activities and deliberations of the Board will be conducted following these tenets:

- **Acting as a Whole:** Board members recognize that legal and effective functioning is by the board as a whole. District matters are not governed by individual actions of Board members. When acting as Board members, trustees speak and act on behalf of the district, not as individuals. Board members use care not to misrepresent their individual opinions or actions as those of the Board. Although trustees abide by Board direction, they retain the right to advocate changes at board meetings.
- **Managing Conflicts of Interest:** Board members avoid any conflict of interest or the appearance of impropriety that could result because of their position. They do not intentionally use their Board memberships for personal gain or personal prestige. They inform the entire Board or the Board president when a matter under consideration might involve or appear to involve such a conflict.
- **Handling Special Interest Groups:** Board members render all decisions regarding the issues at hand based on the available facts and their independent judgments and refuse to surrender that judgment to individuals or special interest groups. At the same time, district employees, their representatives, students and all members of the public are encouraged to express their views to Board members. Board members are aware that they are responsible to all citizens of the district. The authority delegated to trustees by the voters must be exercised with as much care and concern for the least influential as for the most influential member of the community.
- **Maintaining Appropriate Conduct at Board Meetings:** Board members contribute to Board meetings in a way that facilitates thoughtful deliberation, good decision-making and the effective use of the time available. They participate actively and constructively, stay focused on the business at hand, avoid conduct that is disruptive, and treat everyone who interacts with the Board with respect. Board members meet only in public sessions unless authorized by law to meet in closed session.
- **Maintaining Confidentiality of Closed Sessions:** Board members do not disclose or publically discuss deliberations in closed session (except as specifically authorized or required by law) and maintain the confidentiality of all legally privileged information they receive.
- **Exercising Authority as Trustees:** Board members respect their elected position as trustees and in no way misuse their authority. Board members keep informed about the district, educational issues, and responsibilities of trusteeship. They commit the time and energy necessary to discharge their duties. They strive to promote the highest quality educational opportunities to all members of the community while ensuring fiscal stability, institutional integrity and operational efficiency.
- **Handling of Administrative Matters:** Board members focus Board attention on policy determination, planning, and the maintenance of the district's fiscal stability. Board members refrain from involving themselves in matters that are delegated to the Chancellor, except as needed to fulfill their proper overall evaluation responsibilities.

Allegations of violations of this code shall be directed to the President of the Board, or the Vice-President if the President's behavior is in question. The President will first discuss the violation with the Board member to reach a resolution. If resolution is not achieved and further action is deemed necessary, the President will bring the matter to the full Board for possible sanctions and may include a recommendation for censure.

Reference: Accreditation Standard IV.B.1.a, e, & h

Replaces: Board Policy 1.06 Board of Trustees Code of Ethics and Behavior adopted December 9, 2008.

**BOARD POLICY 5110 COUNSELING**

Counseling services are an essential part of the educational mission of the District.

The Chancellor shall establish administrative procedures to assure the provision of counseling services including academic, career, and personal counseling that is related to the student's education.

Counseling shall be required provided for all first time students enrolled for more than six units, students enrolled provisionally, and students on academic or progress probation. In accordance with Title 5 Section 51018(c), counseling shall be provided to all new, continuing, and returning students.

Counseling services shall be provided by a qualified counselor pursuant to Education Code sections 87355 and 87356.

References:

Education Code Section 72620; 87355; 87356

Title 5 Section 51018

Role of Counseling Faculty in California Community Colleges (ASCCC, 2012)

Standards and Practices for California Community College Counseling Programs (ASCCC, 1997)

Administrative Procedures 5110, 5150

Replaces:

Board Policy 4.30 **Counseling and Guidance**

Board Policy 4.31 **Counseling Services** approved June 19, 1967.

Board Policy 7.41 **Counseling/ Advising** approved April 26, 1994

Board approved:

Draft September 27, 2012

**BOARD POLICY 7110 DELEGATION OF AUTHORITY FOR HUMAN RESOURCES**

The Board delegates authority to the Chancellor to authorize employment, fix job responsibilities, oversee collective bargaining, and approve personnel actions subject to ratification by the Board except as noted below: . The Board of Trustees will approve the appointment of management employees. The Board will also approve the appointment of non-academic temporary substitute and short-term employees who are paid for less than 75 percent of the fiscal year (except for professional experts, apprentices and student workers).

The Chancellor shall issue human resources administrative procedures to provide for compliance with human resources federal and state laws and regulations and board policies.

Reference:

Education Code Sections 70902(d)  
Administrative Procedure 7110

New Policy

Draft September 27, 2012

**ADMINISTRATIVE PROCEDURE 7121 FACULTY HIRING****I. Philosophy**

- A. The faculty, represented by the Academic Senate, has the professional responsibility to insure the quality of their faculty peers and to participate in the development and implementation of and procedures governing the hiring process.
- B. Hiring procedures provide for a collegial hiring process wherein responsibility for selecting faculty from a pool of qualified applicants is shared cooperatively by faculty and administration, participating effectively in all phases of the hiring process.

**II. Equal Employment Opportunity**

All participants in the process are given appropriate training in equal employment opportunity principles.

The Office of Human Resources shall be responsible for monitoring the District's compliance with equal employment opportunity principles including, but not limited to, a review of the job descriptions and announcements, composition and procedures of selection committees, and the adequacy of the pool of applicants.

**III. Position Identification and Approval**

The need for contract faculty positions shall be cooperatively determined through a well defined, thoughtful planning process involving the College President, the college Academic Senate President, and the local college PFT representative. This planning process shall involve a Vice President or designee, and the line administrator, as well as the faculty in disciplines concerned. A joint recommendation on the positions to be filled shall be presented by the College President to the District Chancellor. Subject area needs shall have been reviewed to determine strengths, weaknesses and special skills needed.

As positions become available, consideration shall first be given to extending partial contracts of qualified current faculty in the discipline. "Qualified" includes positive evaluations. These faculty members, who have already gone through a hiring process, shall not be required to re-apply or go through the regular hiring process.

**IV. Position Description and Announcement**

- A. Position descriptions and announcements shall be jointly prepared and reviewed by the Dean and the faculty of the hiring discipline, and shall include job related skills requirements, minimum qualifications and desirable qualifications. As used in this context, faculty in the discipline means tenured faculty in the discipline of the college where the vacancy exists. All positions filled after July 1, 1990 must comply with Education Code Section 87357. The Dean is responsible for forwarding the position description and announcements to the President, and the Office of Human Resources.
- B. In a college where the discipline expertise exists in part-time or non-tenure track faculty, these faculty can be used as part of the review process.
- C. If there is insufficient discipline expertise in the tenured or non-tenured faculty in the college where the vacancy exists, faculty with expertise in other colleges inside or outside of the District may participate in the process.
- D. The position announcement requires the approval of the College President and the Office of

Human Resources. The District Office of Human Resources will review and post the position announcement. The announcement shall be distributed to faculty using existing District vehicles in time for faculty to apply for the position.

- E. Positions shall be advertised widely to ensure a pool of highly qualified applicants and to further the College and District Equal Employment Opportunity goals.

#### V. Search

- A. Approval of open positions and initiation of the hiring process shall be early enough in the academic year to allow for all procedures to be undertaken in a thorough and thoughtful manner. If the process cannot start early enough in the year to be completed by the end of the spring term, the position shall be filled by a temporary faculty member for the next academic term.
- B. The length of the advertising period shall be long enough to ensure a pool of well qualified applicants, and one that furthers the College's and District's Equal Employment Opportunity goals. In general, a position shall be advertised from four to six weeks before the screening process begins.
- C. The search and selection process for contract or regular appointments to fill vacant faculty positions shall take place during the regular academic year, whenever possible. If circumstances exist, based on business necessity, by which the normal recruitment and selection process cannot be followed to fill a faculty position, the College President shall consult with the college Academic Senate President, as appropriate, to establish an emergency procedure. The process shall include a petition from the college faculty of the discipline to the college Academic Senate President stating that faculty of the discipline are available to participate in the recruitment and selection process after the close of the regular academic year.

#### VI. Selection Committee Composition

- A. The Selection Committee composition shall be as follows:

At least three (3) full-time regular faculty (i.e., tenure, tenure track and non-tenure track faculty) members (of the discipline or related discipline) appointed by the college Academic Senate President in consultation with the faculty of the discipline, one of which shall be the department chair, if one exists; and one administrator (usually the area administrator) appointed by the College President.

1. The composition of the committee shall be reviewed by the College President and approved by the Office of Human Resources.
2. Additional faculty members may be appointed by the Academic Senate President in order to achieve a selection committee balanced by gender and ethnicity.
3. If there is insufficient discipline expertise in the faculty in the college where the vacancy exists, faculty with expertise in other colleges inside or outside the District may be members of the Committee as well as retired Peralta faculty in the discipline within three years of their retirement.
4. In a college where the discipline expertise is in the part-time or non-tenure track staff, these staff can be used as part of the review process providing that the majority of faculty members on the Committee are full-time.
5. The committee may also include a classified staff member (such as a Lab Technician)

from the discipline, or a closely related discipline, appointed by the Academic Senate President in consultation with the Classified Senate.

- B. The administrative member serving on the committee shall convene the initial meeting of the selection committee. Whenever possible, the selection committee shall elect a faculty chair from this committee, who shall be from the discipline, or a related discipline.

## VII. Equivalency Review

When an applicant claims to have equivalent minimum qualifications to those listed in the job posting, the District Academic Senate will be notified regarding the need for equivalency review. The equivalency review process is outlined in AP 7122, Minimum Qualifications and Equivalency. Please refer to this administrative procedure for further detail.

## VIII. District Office of Human Resources

- A. The faculty (Academic) Employment Form should include instructions on filing for equivalency. Applicants who do not appear to meet minimum qualifications, but believe they possess the equivalency, shall be required to justify their reasons in writing on the Equivalency Application Form. When submitted, the Equivalency Application Form shall be submitted to the Office of Human Resources. Official transcripts and other supporting documentation shall be presented at this time.
- B. The District Office of Human Resources shall receive applications and initially screen for minimum qualifications. Only completed applications shall be categorized as:
  - 1. Minimum qualifications met; or,
  - 2. Minimum qualifications not met; or,
  - 3. Applicants claiming equivalency as identified by a completed Equivalency Application Form submitted to the Office of Human Resources.

If among these candidates some are requesting equivalency to the minimum qualifications, then those candidates must go through the equivalency review process before the selection committee conducts paper screening. . See Administrative Procedure 7122 regarding the equivalency review process.

- C. The Office of Human Resources shall forward to the Selection Committee Chair a copy of all applications. After verifying the initial screening performed by the Office of Human Resources, the Selection Committee shall conduct an in-depth paper screening of candidates who meet minimum qualification of have been granted equivalency by the District Academic Senate in order to select candidates the committee wishes to interview.
- D. Applications of candidates approved or denied equivalency will be filed in the Office of Human Resources. Those candidates, who are granted an equivalency but are not chosen for the open position, may reapply for a full-time or part-time position in that discipline without undergoing an additional equivalency evaluation.
- E. Official transcripts of coursework shall be required as part of the application process.
- F. All candidates for positions in the Peralta Community College District shall be notified in a timely manner regarding disposition of their application through the District's online application process.

## IX. Selection Committee

- A. The Selection Committee shall review all completed Academic Employment Application

Forms including those approved for equivalency and shall select those applicants to be interviewed who best meet the minimum and desired qualifications listed on the position description and announcement.

- B. The candidates will be evaluated with respect to but not limited to the following criteria:
1. Subject area knowledge and competency;
  2. Educational background/history;
  3. Teaching or service experience;
  4. Commitment to professional growth and service;
  5. Potential for overall professional effectiveness;
  6. Sensitivity to and understanding of the diverse academic socioeconomic, cultural, disability and ethnic background of the students, as well as the special needs of the disabled; and,
  7. Teaching or skill demonstrations; written and oral communication skills
- C. The Selection Committee shall: (a) formulate uniform interview questions and appropriate answers; (b) establish a standardized question and follow-up procedure; and (c) conduct interviews and evaluate responses. Individual committee members are to be present for each interview in order to participate in the evaluation of candidates, except for rare and compelling circumstances. NOTE: Strict confidentiality of interview questions must be observed. Accordingly, interview questions must not be released to candidates prior to the interview.
- D. After tabulating the cumulative scores to identify the top candidates, chair shall lead the committee discussion regarding strengths and weaknesses of the candidates to arrive at its selection or its recommendation. The committee may include written comments for each candidate as a further means of communicating its recommendation. The Selection Committee may wish to schedule second-stage interviews for those that are considered best qualified.
- The Selection Committee as a whole shall rank the finalists in order of preference. The chair shall prepare a summary of the committee's evaluations of the final candidates.
- E. The Selection Committee shall recommend from 0-3 finalists to the College President in ranked order.

**X. Selection of Final Candidate**

1. The appropriate Vice President, the Selection Committee Chair and the college President shall review the Selection Committee's recommendations, interview the finalists and conduct additional reference checks. The College Academic Senate President is expected to join in these interviews.
2. The College President may:
  - a. make a recommendation from those candidates forwarded by the Selection Committee;

- b. request additional candidates to be recommended by the Selection Committee; or,
- c. reopen the process.

If the Selection Committee cannot recommend any applicant, or if the President cannot choose any of those recommended, the hiring process shall be reopened.

The College President, in consultation with the Selection Committee Chair, shall recommend the finalist to the Chancellor for final approval.

**XI. Notification of Candidates**

- A. All committees shall notify the office of Human Resources in a timely manner of the status of candidates/ application to ensure that the Office of Human Resources is able to notify candidate through established Human Resources processes and online systems.
- B. After the Chancellor's approval, the College President shall notify the successful candidate and send the formal written notification of the employment offer. Non-selected finalists shall not be notified until after an appointment has been approved by the Chancellor and accepted by the candidate.

Approved by the Chancellor

Draft October 5, 2012



**BOARD POLICY 7230 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 temporary 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 for each classification of the classified service.

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 Chancellor shall establish procedures to assure that the requirements of state law and regulations regarding the classified service are met.

The probationary period for classified employees is normally six months, but the district may extend the probationary period for an additional six months in accordance with the applicable collective bargaining agreement.

Reference:

Education Code Sections 88003, 88004, 88009, and 88013;  
Administrative Procedure 7230

Replaces:

Board Policy 3.32 Definition of Classified Personnel  
Board Policy 3.34 Employment of Temporary Classified Staff  
Board Policy 3.35 Out-of-Class (Acting) Assignments and Compensation

Draft September 2012