

Board Policy Advisory Committee
Meeting Agenda
Wednesday, September 19 – 6:00 p.m.

Items to Review and Forward for First Reading

1. Existing Policies
 - a. BP 7130 Compensation
 - b. BP 7050 Employee Conflict
 - c. BP 7100 Commitment to Diversity
2. New Administrative Procedure
 - a. AP 2431 President/Superintendent Selection

Human Resources

BP 7130 COMPENSATION

References:

Education Code, Sections 70902(b)(4), 72411, 87801, and 88160;
Government Code, Section 53200;
U.S. Department of Education regulations on the Integrity of Federal Student
Financial Aid Programs under Title IV of the Higher Education Act of 1965, as
amended

The Board of Trustees shall establish salary schedules, compensation, and benefits (including health and welfare benefits as applicable) for all classes of employees and each administrator employed pursuant to a contract under Education Code Section 72411.

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Prohibition on Incentive Compensation

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Foreign students residing in foreign countries who are not eligible to receive federal student assistance are not subject to this prohibition.

Office of Primary Responsibility: Vice President, Human Resources

Date Adopted: December 10, 2008

Date Revised: June 13, 2012

(Replaces former Cerritos CCD Policy 7006)

The Coordinating Committee agreed to the proposed changes on April 8, 2019.

Human Resources

BP 7050 EMPLOYEE CONFLICT OF INTEREST

References:

Government Code, Sections 1126, 82029, 87100, 87302;
CCR, Title 2, Section 18705

The following policy pertains to all employees of the Cerritos Community College District.

A. CONFLICTS OF INTEREST ARE PROHIBITED

No employee or consultant/contractor of the Cerritos Community College District shall make, participate in making, or in any way attempt to influence a decision of the Cerritos Community College District in which he or she knows or has reason to know will have a financial effect, distinguishable from its effect on the public generally, on the employee or his or her "immediate family." ~~Immediate family shall mean spouse and dependent children of an employee of the District (Government Code, Section 82029).~~ Immediate family members, consistent with Board Policy 7310 Nepotism, shall be defined as father, mother, brother, sister, spouse, domestic partner, child, grandchild, stepfather, stepmother, stepson, stepdaughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandfather, grandfather-in-law, grandmother, grandmother-in-law, foster parents in lieu of father or mother, foster children or family members living in the immediate household, which includes:

1. Any business entity in which the employee, consultant/contractor or his/her immediate family has an investment;
2. Any business entity in which the officer, employee, consultant/contractor or his/her immediate family is a director, officer, partner, trustee, employee, or holds any position of management; or,
3. Any real property in which the officer, employee, consultant/contractor or his/her immediate family has a direct or indirect interest.

B. USE OF CONTRACTORS

In accordance with Government Code, Section 1126, no designated employee filing an Annual Statement shall accept money or gifts from any current contractor providing facilities, grounds, or construction services to the District. Designated employees are required to disclose on the Annual Statement any money or gifts in any amount from any current contractor providing facilities, grounds, or construction services to the District. For purposes of this section, a 'current contractor' refers to any business entity or individual including contractors, suppliers, architects, attorneys, engineers, and insurers, providing services related to the construction of facilities or grounds for the District during the year covered by the Annual Statement.

38 C. PENALTIES

39 Any employee who shall make, participate in making, or in any way attempt to use
40 his or her relationship with the Cerritos Community College District to influence a
41 decision of the Cerritos Community College District in which he or she knows or
42 has reason to know he or she has a prohibited financial interest shall be subject to
43 discipline, including up to dismissal.

44 D. ACADEMIC DECISIONS

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49 to the District's written guidelines for textbooks which appear in the ~~Faculty~~
50 ~~Handbook~~ collective bargaining agreement. The regulations for academic
51 decisions adopted by the California Fair Political Practices Commission, at
52 Title 2 Code of the California Code of Regulations (CCR), Section 18705, provide
53 as follows:

54 Section 18705. Academic Decisions.

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57 87100, 87302, or any Conflict of Interest Code, in connection with:

58 "(1) Teaching decisions, including the selection by a teacher of books or
59 other educational materials for use within his or her own school or
60 institution, and other decisions incidental to teaching;

61 "(2) Decisions made by a person who has teaching or research
62 responsibilities at an institution of higher education to pursue personally a
63 course of academic study or research, to apply for funds to finance such a
64 project, to allocate financial and material resources for such academic study
65 or research, and all decisions relating to the manner or methodology with
66 which such study or research will be conducted. Provided, however, that
67 the provisions of this subsection (2) shall not apply with respect to
68 institution- or campus- wide administrative responsibilities respecting the
69 approval or review of any phase of academic research or study conducted
70 at the institution or campus.

71 "(b) Disclosure shall be required under Government Code, Section 87302
72 or any Conflict of Interest Code in connection with a decision made by a
73 person or persons at an institution of higher education with principal
74 responsibility for a research project to undertake such research, if it is to be
75 funded or supported, in whole or in part, by a contract or grant (or other
76 funds earmarked by the donor for a specific research project or for a specific
77 researcher) from a nongovernmental entity, but disqualification may not be
78 required under Government Code, Sections 87100, 87302, or any Conflict
79 of Interest Code in connection with any such decision if the decision is

80 substantively reviewed by an independent committee established within the
81 institution.”

82 E. DISTRIBUTION OF THIS POLICY

83 Copies of this policy shall be distributed by the Human Resources Office to all
84 current and future employees.

85 See also BP/AP 2710 titled Conflict of Interest and BP 2712 titled Conflict of Interest
86 Code.

87 Office of Primary Responsibility: Vice President, Human Resources

Date Adopted: December 10, 2008

(Replaces former Cerritos CCD Policy 5000.1)

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Human Resources

BP 7100 COMMITMENT TO DIVERSITY

References:

Education Code, Sections 87100 et seq.;
Title 5, Sections 53000 et seq.

The ~~District~~ Board of Trustees is committed to employing qualified equity minded administrators, faculty, and staff members who are dedicated to student success. To further this commitment, the District will support professional development opportunities related to diversity, inclusion, and equity. The Board of Trustees recognizes that diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students. ~~The Board of Trustees is committed to hiring and staff development processes that~~ The District supports the goals of diversity, inclusion, and equity ~~equal opportunity and diversity,~~ and provides equal consideration opportunity for all qualified candidates.

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Board of Trustees

AP 2431 PRESIDENT/SUPERINTENDENT SELECTION

References:

ACCJC Accreditation Standard IV.C.3
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Commitment to Diversity

The Board of Trustees affirms its dedication to fostering a diverse and inclusive workplace that welcomes the employment of qualified individuals from all walks of life, appreciates the contributions of individuals with a wide range of experiences and perspectives, and is free from barriers to employment for historically underrepresented groups. Throughout the selection process, the Board of Trustees will follow the Equal Employment Opportunity Plan to ensure implementation of equal employment opportunity principles and values.

Executive Search Firm

The Board of Trustees will employ a search consultant, selected through an RFP process, to assist the Board and the Office of Human Resources with the search, recruitment, selection, and hiring process of the President/Superintendent. The level of involvement and specific services to be provided by the consultant will be determined by the Board of Trustees at the beginning of the establishment of the process.

Superintendent/President Profile

District constituencies will be provided opportunities to share with the Board suggested qualities, characteristics, and qualifications for the person to fill the position. The profile will be published in a brochure/job announcement which will be distributed widely.

Screening Committee

A screening committee will be appointed by the Board to assist in the search by screening applicants, interviewing those identified for first-round consideration, and recommending when possible five to seven unranked finalists. Operating procedures for the screening committee will be established with the assistance of the executive search firm representative and approved by the Board of Trustees.

The composition of the committee shall include representation broadly reflective of the District's constituencies. It shall include representation nominated from at least: the Faculty Senate, CCFF, CSEA, ACCME, Confidential group, ASCC, the Administrative Executive Committee, and the community. The number and proportionality of committee members will be determined at the time of the specific search by the Board in consultation with the executive search firm representative. ~~and college leaders.~~

37 Public Forums

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39 the Board of those candidates to move forward, public forums shall be conducted to
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45 The Board of Trustees will make its determination of the selected candidate following
46 interviews with the Board, analyses of summary information provided from constituents'
47 and community members' perspectives based on the public forums, community and/or
48 campus visit, and information obtained from thorough reference checks conducted by
49 the executive search firm representatives.

50 Board Authority

51 The Board will retain its authority to modify the selection process and/or to establish any
52 other evaluation methods at any time as necessary. If search modification is to occur, it
53 will be done in full compliance of the Brown Act.

54
55 Office of Primary Responsibility: President/Superintendent and Board of Trustees

Date Approved:

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