04-30-19

4	OCC Classified Senate Feedback on Anti-Nepotism BP & AP	8.A: BP & AP 7310 Nepotism Policy Review & Discussion
	CCCD BP 7310 Nepotism Policy	8.A: BP & AP 7310 Nepotism Policy Review & Discussion
	Proposed: CCCD BP 7310 Anti- Nepotism Policy	8.A: BP & AP 7310 Nepotism Policy Review & Discussion
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Coast Community College District BOARD POLICY Chapter 7 Human Resources

Coast Community College District ADMINISTRATIVE PROCEDURE Chapter 7 Human Resources

AP 7310 Anti -Nepotism

New

employee at the same site/College <u>and both share the same direct supervisor or supervise one</u> <u>another, a</u> or up to two others if the other two are not employed at the same site/College as the applicant or transfer/promotion employee.<u>-and share the same direct</u>.

If any relationship covered by this Procedure develops subsequent to being hired, the employees are required to notify the Vice Chancellor of Human Resources in a timely manner of

Coast Community College District

relationship by blood, adoption, marriage, cohabitation, or domestic partnership exists with a Board Member, Chancellor, Vice Chancellor, President, Vice President, or Human Resources employee anywhere within the District.

If any relationship covered by this Policy develops subsequent to being hired, the employees are required to notify Human Resources in a timely manner of the change in their relationship or co-habitation status. At the recommendation of the Vice Chancellor of Human Resources, the Board of Trustees may allow exceptions to this Policy under the following circumstances:

- x The relationship is not or will not create an adverse impact on work productivity or performance of themselves or others in the workplace;
- x The relationship does not or will not create a conflict of interest, or a perceived conflict of interest, that has a negative impact on the work environment;
- x The relationship is between two faculty members, and there is no indication of a conflict of interest or a negative impact on the work environment.

Adopted February 5, 2003 Revised August 18, 2010 Renumbered from CCCD Policy 050-1-1.9, Spring 2011 Revised July 13, 2016

Coast Commun ity College District BOARD POLICY Chapter 7 Human Resources

BP 7310 Anti - Nepotism

Revision

References: Government Code Sections 1090 et seg.

The District prohibits the practice of nepotism.

For the purpose of this Policy, nepotism is broadly defined as the practice of an employee or Trustee using his/her personal power or influence to aid or hinder another in the employment setting where there is a current or past relationship by blood, adoption, marriage, cohabitation, or domestic partnership (as defined in Section 297 of the California Family Code). Examples of relationships covered by this Policy include, but are not limited to, the following:

- 3∕₄ spouses
- ** registered domestic partners
- 3/4 parents and grandparents
- ³⁄₄ siblings
- 3/4 children and grandchildren
- ³⁄₄ in-laws
- -3/4 any person living in the same home

Except as otherwise noted herein, this Policy does not prohibit the employment of relatives or registered domestic partners within the District. -However, District employees <u>and Trustees</u> shall not participate in making recommendations or decisions affecting any aspect of employment based on relationships as defined <u>above within this Policy and associated Administrative Procedure 7310</u>.

Additionally, as a matter of best practice and to avoid the appearance of impropriety, this Policy prohibits the hiring, promotion, or transfer of individuals who have a current or past relationship by blood, adoption, marriage, cohabitation, or domestic partnership, with a current District employee or independent contractor at the District site, or one of the three Colleges, where the relative or cohabitant is already employed.

Board Members, <u>and the Chancellor</u>, Vice Chancellors, Presidents, Vice Presidents, and Human Resources employees bear a higher responsibility to avoid the appearance of a conflict of interest. Therefore, the District shall not hire any person with whom a current or past relationship by blood, adoption, marriage, cohabitation, or domestic partnership exists with a Board Member, Chancellor, Vice Chancellor, President, Vice President, or Human Resources employee—<u>anywhere within the District</u>.

If any relationship covered by this Policy develops subsequent to being hired, the employees are required to notify Human Resources in a timely manner of the change in their relationship or co-habitation status. At the recommendation of the Vice Chancellor of Human Resources, the Board of Trustees may allow exceptions to this Policy under the following circumstances:

- x The relationship is not or will not create an adverse impact on work productivity or performance of themselves or others in the workplace;
- x The relationship does not or will not create a conflict of interest, or a perceived conflict of interest, that has a negative impact on the work environment;
- x The relationship is between two faculty members, and there is no indication of a conflict of interest or a negative impact on the work environment.

Adopted February 5, 2003 Revised August 18, 2010

Coast Commun ity College District

employee at the same site/College or up to two others if the other two are not employed at the same site/College as the applicant or transfer/promotion employee.

If any relationship covered by this Procedure develops subsequent to being hired, the employees are required to notify the Vice Chancellor of Human Resources in a timely manner of the change in their relationship or co-habitation status. At the recommendation of the Vice Chancellor of Human Resources, the Board may allow exceptions to the Procedure only if the relationship is not and will not create an adverse impact on work productivity or performance of themselves or others in the workplace; the relationship does not and will not create a conflict of interest, or a perceived conflict of interest; the relationship is between two faculty members, two classified employees, or a classified employee and a faculty member and there is no indication of a conflict of interest or a negative impact on the work environment.

Applicants

Each applicant for any position within the District will be required to disclose relationships as de(oy)8.8 (ee and 1o12.9 (r)-6 (eat(n t)-6.6 (hi)2.6 (s)8.8 (PE)2 (r)-6 (oc)-2 (ede)10.5 (r)-5.9 (y)]TJ 0 Tc 0 Tw .9

Section 5. Partime Senatorsat-Large Candidates from the partime members of the Faculty shall receive notice in February that they may nominate themselves for one of threatipaertvoting Senatorat-Large postions. All interested nominees shall attend the designated meeting in February to present themselves and be endorsed by the Senate for a one year term of office. Vacancies that may occur prior to the next election shall be filled by appointment and endorment of the Senate.

Section 6. Vacancies

- a. Permanent Vacancies permanent vacancy is established when a Senator submits a letter of resignation to the Senate President, is unable to complete the term of office, is absent for three (3) consecutive meetings without prior consent of the President of the Senate, or who becomes ineligible to hold membership in the Senate. Permanent vacancies shall be filled as provided in Sections 3, 4, and 5.
- b. Temporary VacanciesTemporary vacancies occur when the President declares a Senator is on approved temporary leave. Then the Senate shall conduct an election to fill the seat for the duration of the leave as per Sections 3, 4, and 5; or, in lieu of an election, the Senaeytor designate a substitute from the same constituency which they represent who will serve as if elected.

Section 7. Tenure of Office proximately onethird (1/3) of the regular and contract Senate membership shall be elected each year; and exelected member shall serve for a term of three years except for the following changes for the 202017 election cycles only:

a. Effective for the 2016 Senatont-Large election only, all five newly elected Senatorts arge shall draw lots to determine whin two shall serve two ear terms in order to restablish the required one

Article II Officers and Committees

Section 1. Officers of the Senate

- a. The Senate shall be organized annually during the week following the Spring break. The first order of business of the organizational meeting of the Senate shall be the election of officers except the immediate Past President. The officers shall configure sident, Vice President, Secretary, and Parliamentarian, and the immediate Past President. The President, only upon completion of his/her final elected term of office, shall serve as immediate Past President for one semester or one year only if she/is an elected Senator. If the immediate Past president is no longer a Senator, he/she may remain as an advisor to the Executive Board.
- b. Election of Officers.The Senate officers shall be elected by the Senate from the Senate membership. The office shall be elected by a simple majority of votes cast by a written, secret ballot, and they shall take office on July 1 of the year elected and serve until June 30 of the following year. The term for the office of President shall be for one year without than three years in succession.

c. The President shall:

- 1. Preside over all Senate meetings and Executive Board meetings.
- 2. Represent and act as spokesperson for the Academic Senate a Eddebetive Board
- 3. Along with the Executive Board:
 - (a) be responsible for establishing the time and place for all Executive Board meetings.
 - (b) be responsible for the preparation of the agenda for all Senate meetings and Executive Board meetings.
 - (c) be responsible for establishing and administering the annual Senate badget reporting all yearly expenditures to the Senate body in a printed report.
- 4. Perform any other function normally thought to be within the realm of a presiding officer that is otherwise not denied by they-laws, Senate rules, or Executive Board rules and prohibited by the Senate body.

d. The Vice President shall:

- 1. Act as President in the absence of that officer.
- 2. Succeed to the Presidency in the event of a vacancy in that office.
- 3. Attend specific committee meetings to represent the Senate as assign the Executive Board or the Senate.

e. The Academic Senate Secretary shall:

- 1. Be responsible for all minutes of the Senateetinegs.
- 2. Distribute electronically the approved minutes to the faculty, College President, Chancellor, Board of Trustees, the Academic Senate Presidents of Coastline Community College and Golden West College, and the faculty union Presidents.
- 3. Perform such functions as the President assigns to assist in carrying out the purposes and policies of the Academic Senate.

f. The Parliamentarian shall:

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The Academic Senate of Orange Coast College By-L aws

Article 1 Membership and Elections

Section 1. The Electorate he Electorate shall consist of the Faculty, as defined in Article he Constitution, and the Senate shall be elected from the members of this body.

Section 2. Composition of the Senate hall be composed of a Senator from each Division, the Library, and Student Services; nine Senaterarge, all elected from the regular and contract Faculty; and up to three voting Senatestage from the Partime Faculty. There shall be included within the membership of the Academic Senate, a voting student who shall be appointed by the SGOC student government The student representative may designate for the record his/her support or opposition to any matter prior to the official Senate vote. A designation shall be recorded in the Senate meeting minutes. Such student shall have the right to attend all meetings Senate except those meetings prohibited by Education Code 72023.5 (a) (2) or when the Senate is in closed session.

Section 3. Division Senator Divisions are responsible for conducting their own elections of division senators. The Senate will council elections of division Senators if the division requests the assistance of the Senate. During the month of February, eligible divisions shall report to the Senate the results of their elections of division Senators. Divisions shall be responsible for filling vacant seats when they arise. In

candidates mabe nominated from the floor at a general meeting to be held during the month of March. Not later than the first week of March, the President of the Senate shall call an election of regular and contract Faculty to determine the Senatest arge. Voting shall be by secreballot. Senators shall be seated in the order of popular votes received.

Permanent vacancies that occur prior to the next election will be replaced by the Senate President appointing a Faculty member for the remainder of the term from the alternate list of unelected nominees in order of popular votes received and seeking a majority endorsement from the Senate body. If the list has been depleted, an election will be held using procedures approved by the Senate. For temporary vacancies, a Senator may designate a substitute from the same constituency which they represent who will serve as if elected. If an extended absence of more than three (3) meetings is anticipated, the Senate shan(t)-5.h8(h)-0.7 (o)-9.6 .h exp4(f)2.6 (55.4 (ac).3 (e)-6 ()10.6 (c)-4.9 (o)-9.6 (n)t-1o)-

Section 5. PartTime Senatorsat-Large.Candidates from the partime members of the Faculty shall receive notice in February that they may nominate themselves for one of thredipartvoting Senatorat-Large positions. All interested nominees shall attend the designated meeting in February to present themselves and be endorsed by the Senate for a one year term of office. Vacancies that may

Section 8. Recall and Removal of Senators.

- a. Division Senators. A Division may replace its Senator at any time upon the majority vote of the regular and contract Faculty of the Division at a special election called by petition-of one third (1/3) of the regular and contract Fatubf that Division.
- b. At-large Senators. The Faculary-large may replace an starge Senator at any time up time majority of votes of the regular and contract Faculty at a special election called by petition of one-third (1/3) of the regular and contract

Article II Officers and Committees

Section 1. Officers of the Senate.

- a. The Senate shall be organized annually during the week following the Spring break. The first order of business of the organizational meeting of the Senate shall be the election of officers except the immediate Past President. The officers shall consist of President, Vice President, Secretary, and Parliamentarian, and the immediate Past President. The President, only upon completion of his/her final elected term of office, shall serve as immediate Past President for one semester or one year only if she/hears elected Senator. If the immediate Pases dent is no longer a Senator, he/she may remain as an advisor to the ExeBotave.
- b. Election of OfficersThe Senate officers shall be elected by the Senate from the Senate membership. The officers shall be elected by a simple majority of votes cast by a written, secret ballot, and they shall tak TD [(u2tf ()10.6 (o)-9.6 (f)-3.4 (f)-3.3 (Tc79w 2.326 0 Td [(,)-4 (6 (t)-5r1.04 108))]

f. The Parliamentarianshall:

1. Rule on parliamentary procedures as prescribed in the latest edition of Robert's Rules of Order, Revised or such other rules or procedures as be adopted by the enate.

g. The Immediate Past Presidemay:

- 1. Attend meetings of the Executive Board as a-woting member for one semester or one year following his/her last service as SerPatesident.
- 2. Perform such functions as the President may assign to assist in carrying out the purposes and policies of the Acader**Sig**nate.
- h. Non-voting Members of the Senate and the Executive Board:

The Exective Board shall

- a. Allocate additional duties to each officer resquired.
- b. Meet no fewer than five times eachemester.

C.

Orange Coast College

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Professor Marilyn Kennedy Orange Coast College, Coast Community College District Academic Senate Secretary

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Coast Communi ty Col lege District BOAR D POLICY Chapter 7 Human Resources

BP 7350 Resignations

Revision

References:

Education Code Sections 87730 and 88201

The Board hereby delegates to the Chancellor the authority to accept resignations on its behalf, and to fix the time when the resignation takes effect, pursuant to law so long as the effective date of the resignation is within the current fiscal year (July 1 – June 30). Once a resignation is accepted by the Chancellor, it is not revocable by the employee. Resignations shall be forwarded to the Board for ratification.

Adopted November 16, 1983
Revised August 22, 1990
Revised September 20, 2006
Replaces CCCD Policy 050-1-1.5, Spring 2CCD52000 [(5)2 (,)-11 ()37 (S)]TJ 9.96[(5)2 245-63-892 0 Tdw 1.12 0 Td0.01

Coast Community College District ADMINISTRATIVE PROCEDURE