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Employment Policies

Nondiscrimination - Board Policy No. 2.19

1. The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.
2. The District, and each person who represents the District, shall provide access to its services, classes, and programs to individuals without regard to national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy or because they are perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.
3. The Chancellor 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. For represented employees, any action taken in response to a complaint under this policy is subject to the provisions of collective bargaining agreements. Upon request by the collective bargaining units, the District will negotiate any issues related to the complaints or investigations under this policy that are mandatory subjects for bargaining.
4. No District funds shall ever be used for membership in, 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, religion, age, gender, gender identity, gender expression, race, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, or because they are perceived to have one or more of the foregoing characteristics

Equal Employment Opportunity - Board Policy No. 2.20

1. The San Mateo County Community College District is committed to equal employment opportunity and full recognition of the diversity of cultures, ethnicities, language groups and abilities that are represented in its surrounding communities and student body. The Board believes that diversity in the academic environment fosters cultural awareness, mutual understanding and respect, and suitable role models for all students. The District shall demonstrate its commitment to the cultural competence¹ of its employees and students through policies, procedures, training programs, services and activities which promote diversity and mutual respect within the District work force and student body.

2. The San Mateo County Community College District is an equal opportunity employer that shall provide an educational and work environment in which no person is denied access to, or the benefits of, any program or activity of the District on the basis of ethnic group identification, national origin, religion, age, gender, sexual orientation, race, color, or physical or mental ability. This includes District decisions about employment, retention, compensation, promotion, termination and/or other employment status.
3. The District shall monitor the success of equal opportunity in its recruitment, selection, retention and promotional policies and procedures by monitoring outcomes to assure no adverse impact against any person or group of individuals, due to ethnic group identification, national origin, religion, age, gender, sexual orientation, race, color, or physical or mental ability.
4. The District complies with the spirit and law of the Americans with Disabilities Act of 1990 as amended by providing equal opportunity for persons with disabilities. The District shall make reasonable accommodations so that persons of all levels of ability enjoy equal access to all aspects of employment and education in our District, including but not limited to, educational services, selection procedures, retention and promotion. In order to prevent discrimination on the basis of disability, the District will allow an individual with a disability to use a service animal or miniature horse in District facilities and on District campuses in compliance with state and federal law.
5. The District will not tolerate discourteous, offensive or abusive conduct or language including jokes, slurs, derogatory comments, or behaviors or language regarding a person's ethnic group identification, national origin, religion, age, gender, sexual orientation, race, color, or physical or medical condition relating to other employees, students or the public. This includes District decisions about employment, retention, compensation, promotion, termination and/or other employment status.

Professional Ethics - Board Policy No. 2.21

All District employees shall adhere to the highest ethical standards in pursuing the College District's mission of providing quality educational programs and in managing resources efficiently and effectively. Ethical standards include but are not limited to commitment to the public good, accountability to the public, and commitment beyond the minimum requirements of the law. Each employee group has prepared a distinct Code of Professional Ethics for their respective constituencies, which, as a whole, comprise the Districtwide Policy on Ethical Behavior adopted by the Board.

1. The Board of Trustees, Administration and classified staff shall act in the best interests of students, the community and the District's mission over other competing interests and shall foster a work/study environment that values respect, fairness, and integrity and is positive, encouraging, and success-oriented. The College District has adopted policies and practices that protect the rights of individuals (Rules and

Regulations 2.12); that protect individuals from unlawful discrimination (2.20) and sexual harassment (2.25); that prohibit the Board and employees from making or participating in making a decision in which they have a financial interest (1.35 and 2.45); and that provide for the support and development of each District employee (2.11).

The Board has also adopted policies ensuring public input into Board deliberations (1.45); adhering to the law and spirit of open meeting laws and regulations (1.40); exercising authority only as a Board (1.02); using appropriate channels of communication (1.35); and devoting adequate time to Board work and being informed about the District, educational issues and responsibilities of trusteeship (1.10).

Violations of the Board's Policy on Professional Ethics will be addressed by the President of the Board, who will first discuss the violation with the Board member to reach a resolution. If resolution is not achieved, the Board President may appoint an ad hoc committee, consult with legal counsel and/or refer the matter to the District Attorney to examine the matter and recommend further courses of action to the Board. Sanctions will be determined by the Board and may include censure of the Board member who is in violation of the policy. If the President of the Board is perceived to have violated the code, the Vice President of the Board is authorized to pursue resolution.

2. The faculty of the SMCCCD has developed a Code of Professional Ethics which can be found at:
<http://www.smccd.edu/accounts/smccd/committees/academicsenate/ethics.php>

3. The Associated Student organizations of all three Colleges have developed a Code of Ethics which can be found at:
<http://www.smccd.edu/accounts/smccd/ethics.shtml>

Employment of Relatives - Board Policy No. 2.22

1. The District shall not prohibit the employment of relatives or domestic partners. However, no employee of the District or Board member shall supervise a member of his/her immediate family or an individual living in the same household. No employee of the District or Board member shall supervise the supervisor of a member of his/her immediate family or an individual living in the same household.
2. No District employee or Board member shall serve on a committee for the purpose of selecting or evaluating an employment candidate if he/she is in the immediate family of or is living in the same household with any candidate being considered.
3. It is the intention of the Board to generally prohibit an employee or Board member from making employment-related decisions of another employee related as described above; however, when essential for the operation of the District, an exception to this policy may be authorized by the Board.

4. For purposes of this section, "immediate family" is defined as: the spouse, domestic partner, child, parent, grandparent, sister, brother, daughter- or son-in-law, sister- or brother-in-law, mother- or father-in-law of the employee or Board member or any relative living in the immediate household of the employee or Board member.

Prohibition of Harassment - Board Policy No. 2.25

1. All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. 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 sexual harassment and all forms of sexual intimidation and exploitation, including acts of sexual violence. It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, genetic information, medical condition, marital status, sex, gender, gender identification, gender expression, age, or sexual orientation of any individual, or because an individual is perceived to have one or more of the foregoing characteristics. This policy shall apply to all employees, students and any other individuals who come onto District property.
2. The District seeks to foster an environment in which all employees and students 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. All allegations of retaliation will be swiftly and thoroughly investigated. If the District determines that retaliation has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct may be subject to disciplinary action, up to and including termination or expulsion. Engaging in intimidating conduct or bullying against another employee through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyber bullying are strictly forbidden.
3. Any individual who believes that he or she has been harassed, bullied or retaliated against in violation of this policy and wishes to report such incidents should use the procedure provided by his/her supervisor or the office of the Vice President of Student Services. Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention to the Vice Chancellor of Human Resources and Employee Relations.
4. This policy applies to all aspects of the academic and work environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any District activity. In addition, this policy applies to minors as well as adults, and to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, reemployment,

transfer, leave of absence, training opportunities, assignment of work hours and projects, and compensation.

5. The Chancellor shall ensure that the institution undertakes education and training activities to counter discrimination and to prevent, minimize and/or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.
6. The Chancellor shall establish procedures that define harassment throughout the District. The Chancellor shall further establish procedures for employees, students and other members of the District community that provide for the investigation and resolution of complaints regarding harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students and agents.
7. The District shall promptly investigate and resolve complaints of harassment and will assure that any harm resulting from the harassment will be promptly redressed by restoring any lost benefit or opportunity. All participants are protected from retaliatory acts by the District, its employees, students, and agents.
8. This policy and related written procedures shall be widely published and publicized to administrators, faculty, staff, and students, particularly when they are new to the institution. They shall be available for students and employees on the District's public website.
9. It is the responsibility of each individual to maintain a level of conduct that is compliant with this policy. 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.

Drug-Free Environment & Drug Prevention Program – Board Policy No. 2.26.1

1. The District is committed to providing its employees and students with a drug free workplace and campus environment. It emphasizes prevention and intervention through education.
2. The unlawful manufacture, distribution, sale, dispensing, possession or use of alcohol or any controlled substance is prohibited on District property, during District-sponsored field trips, activities or workshops, and in any facility or vehicle operated by the District.
3. District property has been declared “drug free” and only under certain circumstances defined in law is the consumption of alcohol permitted.
4. It is unlawful to sell, provide or furnish alcohol to a person under the age of 21 and possession of alcohol by a person under age 21 in a public place is illegal.

5. Violation of the Drug Free Environment and Drug Prevention Program policy will result in appropriate disciplinary action up to and including termination of employment, expulsion, and referral for prosecution, or, as permitted by law, may require satisfactory participation in an alcohol or drug abuse assistance or rehabilitation program.
6. As a condition of employment, employees must notify the District within five days of any conviction for violating a criminal drug statute while in the workplace. The District is required to inform any agencies that require this drug free policy within ten days after receiving notice of a workplace drug conviction.
7. Enforcement of alcohol and drug laws on campus is the primary responsibility of the District Public Safety Department.
8. Information on drug and alcohol treatment programs and providers can be found at <http://smchealth.org/bhrs>.
9. The Chancellor shall ensure that the District distribute information regarding federal and state drug free environment and prevention programs to all employees and students annually.

Smoking – Board Policy No. 2.27

It is the policy of San Mateo County Community College District to provide a safe learning and working environment for both students and employees. It is recognized that smoke from cigarettes, pipes and/or cigars is hazardous to health; therefore, it is the intent of the District to provide a smoke-free environment to the greatest extent possible. To achieve this goal, the District will limit smoking on District property to outdoor areas only, at a minimum of twenty (20) feet away from any doorway, entrance to an indoor facility, or fresh air intake vent.

1. Smoking is prohibited in all indoor locations within the District.
2. Smoking is prohibited within a distance of twenty (20) feet from any District or College doorway, entrance to an interior area or fresh air intake vent. The College President, in conjunction with the College Council, has the discretion to set campus smoking regulations as long as smoking is prohibited within a distance of at least 20 feet from any District or College doorway, entrance to an interior area or fresh air intake vent.
3. District managers are responsible for publicizing the policy to students, employees and visitors, and are responsible for the posting of signs. International no smoking signs will be posted as appropriate. Notification about the policy on smoking will be included in employee and student publications, newsletters and in other written materials as appropriate. In addition, materials that are used to publicize District public events will include policy notification to the public.

4. To assist in the implementation of this policy, the District will provide education and training in the areas of smoking dangers and smoking cessation.
5. It is the responsibility of all students and employees to observe the policy and guidelines on smoking. Failure to comply with the policy on smoking will be treated in the same manner as other violations of District Rules and Regulations and may result in disciplinary action.
6. It is the responsibility of College and District Office managers to enforce the policy on smoking. Disputes over the interpretation of the policy or complaints about individuals violating the policy should be brought to the attention of the person's supervisor, the Vice-President of Student Services at the College level, or the Vice-Chancellor of Human Resources and Employee Relations in the District Office. When the evidence is non-persuasive on either side, such disputes will be settled in favor of the nonsmoker(s) in recognition of the policy of the District to provide a smoke-free environment. Such disputes shall be settled at the lowest management level.

This policy does not supersede more restrictive policies which may be in force in compliance with State or Federal regulations.

Safety; Injury and Illness Prevention Program – Board Policy No. 2.28.1

1. The District is committed to providing a safe work environment. Prevention activities increase awareness and minimize the potential for crisis in the workplace. Training is essential for all staff to learn how to recognize early warning signs, so that appropriate intervention can be provided for identified areas of conflict in the workplace.
2. Crisis or conflict constitutes any inappropriate or unreasonable disruption that interferes with the normal functioning of work.
3. Workplace includes off-campus locations as well as District or College-sponsored activities where faculty, staff or student employees are engaged in District or College business or locations where incidents occur as a result of the person's relationship to the District or College community.
4. Any employee shall immediately report any situation that threatens life or property and demands an immediate response of police, fire or medical personnel by contacting the District Public Safety Department at (650) 574-6415 and/or by dialing 911 for local police.
5. Should the duties of an employee require the use of equipment to ensure the safety of the employee, the District shall furnish such equipment. Complaints related to health, safety, sanitation and working conditions shall be forwarded to the Vice Chancellor, Human Resources and Employee Relations for review and recommendations.
6. Any employee experiencing an unsafe working condition should immediately contact his/her supervisor or the Vice Chancellor, Human Resources and Employee Relations. The employee will be provided consultation regarding resources available to resolve the unsafe working condition.

7. Also see Procedure 2.28.2, Workplace Violence Plan:
https://sharepoint.smccd.edu/SiteDirectory/portal/Procedures/2_28.2.pdf
8. Please visit https://smccd-public.sharepoint.com/humanresources/Policies%20and%20Procedures/Injury_Illness_Prevention_Program%20Hazard_Communication_Plan.pdf

Workplace Violence Plan – Board Policy No. 2.28.2

1. The District is committed to providing a safe work environment that is free of violence and the threat of violence. A threat of violence includes any behavior that by its very nature could be interpreted by a reasonable person as intent to cause physical harm to self, another individual or property.
2. Workplace includes off-campus locations as well as District or College-sponsored activities where faculty, staff or student employees are engaged in District or College business or locations where incidents occur as a result of the person's relationship to the District or College community.
3. If the safety of anyone on District property is threatened, a witness should contact the District Public Safety Department at (650) 574-6415 and/or dial 911 for local police.
4. An employee shall notify the District Public Safety Department of any restraining order/court orders when named as a plaintiff and provide a copy of the order. If a supervisor is informed of a restraining order, the supervisor will contact the District Public Safety Department and provide a copy of the order.
5. Violence or the threat of violence on District property or at District sponsored events by an employee, student or any other person is unacceptable. Such behavior may subject the perpetrator to prosecution, and or disciplinary action. Any employee reported to be a perpetrator will be provided both due process and representation before disciplinary action is taken
6. Acts of violence and threat of violence include any physical action, whether intentional or reckless, that harms the safety of self, another person or property and any behavior that could be interpreted by a reasonable person as intent to cause physical harm to self, another person, or property. The following actions are considered violent acts:
 - Striking, punching, slapping or assaulting another person.
 - Fighting or challenging another person to fight.
 - Grabbing, pinching or touching another person in an unwanted way whether sexually or otherwise.
 - Engaging in dangerous, threatening or unwanted horseplay.
 - Possession, use, or threat of use, of a firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, on District property, including parking lots, other exterior premises, District vehicles, or while engaged in activities for the District in other locations, unless such possession or use is a requirement of the job.

- Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
 - Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2½ inches upon the grounds, unless the person is authorized to possess such a weapon in the course of his/her employment, has been authorized by a District employee to have the knife, or is a duly appointed peace officer who is engaged in the performance of his/her duties.
7. Any employee who is the victim of any violent threatening or harassing conduct, any witness to such conduct, or anyone receiving a report of such conduct, whether the perpetrator is a District employee or a non-employee, shall immediately report the incident to his/her supervisor or other appropriate person.
 8. No one, acting in good faith, who initiates a complaint or reports an incident under this policy will be subject to retaliation or harassment.

Sexual Assault & Education, Prevention, & Reporting – Board Policy No. 2.29

1. Any sexual assault or physical abuse, including but not limited to rape, domestic violence, dating violence, sexual assaults or stalking 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 and other assaults shall be treated with dignity and provided comprehensive assistance.
2. The Chancellor shall establish administrative procedures that ensure that students, faculty, and staff who are victims of sexual and 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 the Education Code and Code of Federal Regulations.
3. The District and Colleges will provide information to all SMCCCD faculty, staff, and registered students on the definition of sexual assault, how to prevent it and how to report it if assaulted.
4. The Colleges shall disseminate this information through means such as the student/staff handbooks, District and College websites and orientations to the Colleges. The District Vice Chancellor of Human Resources and Vice Presidents of Student Services may take additional steps to disseminate the information Districtwide and at each College.
5. The District/Colleges will develop partnerships with community agencies that provide support and assistance to sexual assault victims.

6. All Managers shall be educated on the prevention of sexual assault and how to report any incidents of such assaults on a student, employee or visitor to a campus, whether the assault occurred on campus or not.

7. Additional information and procedures regarding this matter can be found at:

<http://www.smccd.edu/accounts/smccd/departments/publicsafety/docs/2012%20SMCCCD%20Annual%20Public%20Safety%20and%20Security%20Report1.pdf>

and

<http://www.smccd.edu/accounts/smccd/departments/publicsafety/docs/Department%20of%20Public%20Safety%20Policy%20Manual.pdf>

Political Activity – Board Policy No. 2.30

1. District employees may exercise all rights of citizenship, including campaigning for or against a candidate or ballot measure, on their own time, provided the following conditions are met:

a. Campaign activities may be undertaken only at times when the employee is not required to perform duties for the District. Distributing campaign materials while on duty as an employee of the District is prohibited.

b. District resources may not be used to campaign for or against a candidate or issue. District resources include such things as computers, copying equipment, telephones, mailboxes, E-mail, PhoneMail, faxes, staff time, etc.

c. Reasonable steps must be taken to clarify that the District employee is acting in an individual capacity and does not represent the District.

d. A careful accounting of the time used in campaigning must be maintained so that there is no question of impropriety.

e. All other restrictions imposed by the Political Reform Act of 1974 and other provisions of law are followed.

f. All College regulations relating to time, place and manner are observed.

2. District employees may utilize District resources to disseminate factual information regarding candidates or ballot propositions during work hours provided the following conditions are met:

a. The information disseminated relates exclusively to the San Mateo County Community College District and the educational programs and activities thereof.

b. The information disseminated provides a fair presentation of relevant facts in a manner which is objective, full, and impartial.

c. The information disseminated does not directly or indirectly advocate the passage or defeat of a ballot proposition or the election of a candidate.

d. The employee has obtained appropriate permission from his/her supervisor.

3. In certain academic disciplines, classroom discussion of political issues, ballot measures and candidates may take place provided the discussion is conducted in a fair and impartial manner and is directly related to the course matter being taught.

4. Candidates for office may be invited to address a class provided the following conditions are met:

a. All candidates for a particular office are offered the same opportunity to address the class, although not necessarily at the same time.

b. The discussion or debate of the candidates is directly related to the course matter being

5. District employees, employee organizations, or student organizations are encouraged to invite declared candidates for office to address groups on campus provided the following conditions are met:

a. The presentation does not interfere with the educational programs or processes of the College.

b. All candidates for a particular office are offered the same opportunity to address groups on a campus, although not necessarily at the same time.

6. Declared candidates for office and proponents or opponents of political issues and candidates who wish to speak or distribute materials on campus may do so provided all District and College regulations related to time, place, and manner are respected. Candidates or proponents or opponents of specific issues may not use District resources as described in 1(b) above to prepare or distribute materials on campus.

7. Violations of this policy may be forwarded to the County of San Mateo District Attorney's Office for prosecution.

Inaccurate or obsolete information in your employee file could adversely impact your benefits and tax withholding. If you have a qualified change in status such as change in marital status, dependents, beneficiaries, address and other pertinent information, please be sure to notify Human Resources immediately.

We encourage you to provide Human Resources with any supplementary documents, such as recent training courses completed, so that your file can be kept up to date.

Computer and Network Use - Board Policy No. 2.34

1. The District provides various electronic media, including laptop and/or desktop computers for use by employees. Employees are encouraged to use these media in their work to communicate with students, with each other and with the administration, and to improve their access to research and instructional tools.

2. District computers and networks are property of the District. Employees and students may use the District's network services and computers for personal purposes

provided that such use does not directly interfere with the normal performance of duties, or with the normal operation of District systems or facilities. Use of these systems for unlawful purposes is not authorized and can constitute grounds for revocation of user privileges, removal of offensive material, and potentially result in disciplinary action.

3. While the District respects all employees' and students' right to privacy in work place communications, employees, students and others should realize that District communications systems are not always private. The District cannot routinely protect users' confidentiality in some situations. Some email or computer use, when created or stored on District equipment, may constitute a District record subject to disclosure under the California Public Records Act or other laws, or as a result of litigation. Users of District computer resources should be aware that such situations or laws may not permit the confidentiality of email or other documents or data on a computer in some circumstances.

4. The District shall not inspect, monitor, or disclose email or other computer files without the holder's consent, except (1) when required by and consistent with the law; (2) when there is a substantiated reason to believe that violations of law or provisions herein have taken place and the holder or user is the subject of suspicion; or (3) under time-dependent emergency circumstances or critical compelling circumstances.

a. Substantiated reason means that reliable evidence indicates the probability that violation of law or provisions herein has occurred, as distinguished from rumor, gossip, speculation or other unreliable evidence.

b. Time-dependent, emergency circumstances means where time is of the essence and where there is a high probability that delaying action would almost certainly result in critical compelling circumstances.

c. Critical compelling circumstances means that a failure to act may result in significant bodily harm, significant property damage or loss, loss of significant evidence of the violation of law or provisions herein, significant liability to the District or District employees or students

5. Except in emergency circumstances as defined above, District inspection, monitoring or disclosure of emails or other documents or data must be authorized in advance and in writing by the Chancellor. This authority shall not be further delegated. Unless precluded by law, law enforcement or related agencies, the District shall make a full and complete written record of the rationale for such access, which shall be provided to the affected employee within two work days of obtaining access.

6. Authorization shall be limited to the least perusal of contents and the least action necessary to resolve the situation. All inspection and/or monitoring pursuant to this Section is limited to the specific computer hardware which the District has a substantiated reason to believe were used in the violations as alleged and described in the written authorization. All inspection and/or monitoring shall be limited to the investigation of the violations as alleged and described.

7. Users should be aware that during the performance of their duties, Information Technology Services personnel occasionally need to observe certain transactional addressing information to ensure proper functioning of the District's computer services, including email. Except as provided in this Section or by law, they shall not intentionally read the contents of email or other documents, or to read transactional information where not germane to the foregoing purpose, or to disclose or otherwise use what they have seen.

8. Employees and students who use District computers and networks and the information they contain, and related resources, have a responsibility to respect software copyrights and licenses, respect the integrity of computer-based information resources, refrain from seeking to gain unauthorized access, and respect the rights of other computer users.

9. The District cannot and does not wish to be the arbiter of contents of documents in any physical or electronic media. The District shall not protect users from receiving transmitted or physically conveyed language or images which they may find offensive or objectionable in nature or content, regardless of whether such documents originated within or outside the District. Employees and students are strongly encouraged to use the same personal and professional courtesies and considerations in such communications as they would with face-to-face conversation.

Reporting of Crimes – Board Policy No. 2.51.1

Members of San Mateo County Community College District who are witnesses or victims of a crime should immediately report crimes to the San Mateo County Community College District Public Safety Department.

To Report a Crime: Contact San Mateo County Community College District Public Safety Department at:

College of San Mateo 650-574-6415

Cañada College 650-306-3420

Skyline College 650-738-4199

Dial 9-1-1 (emergencies only)

Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the police department. In addition you may report a crime to the Vice President of Student Services on each campus.

2. In the event an employee is assaulted, attacked or menaced by student, the employee shall notify his/her supervisor as soon as practical after the incident. The supervisor of any employee who is attacked, assaulted or menaced shall assist the employee to promptly report the attack or assault to the San Mateo County Community College District Public Safety Department. The supervisor shall make the report if the employee is unable or unwilling to do so. Reporting a complaint to local law enforcement will not relieve the District of its obligation to investigate all complaints of harassment.

3. The District shall publish warnings to the campus community about the following crimes:

- Criminal homicide — murder and non-negligent manslaughter;
- Criminal homicide — negligent manslaughter;
- Sex offenses — forcible and non-forcible sex offenses;
- Domestic violence, dating violence and stalking;
- Robbery;
- Aggravated assault;
- Burglary;
- Motor vehicle theft;
- Arson;
- Arrests for liquor law violations, drug law violations, and illegal weapons possession;
- Persons who were not arrested for liquor law violations, drug law violations, and illegal weapons possession, but who were referred for campus disciplinary action for same;
- Crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability and involve larceny-theft, simple assault, intimidation destruction/damage/vandalism of property, or any other crime involving bodily injury;
- Those reported to [appropriate law enforcement authorities]; and
- Those that are considered to represent a continuing threat to other students and employees.

4. In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued. The warning will be issued through the college e-mail system to students, faculty, staff and the student newspapers. The information shall be disseminated by Director of Public Safety or designee in a manner that aids the prevention of similar crimes.

5. Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Director of Public Safety or designee may also post a notice on the campus-wide electronic bulletin board on the campus website providing the community with more immediate notification. The electronic bulletin board is immediately accessible via computer by all faculty, staff and students. Anyone with information warranting a timely warning should report the circumstances to the San Mateo County Community College District Public Safety Department by phone or in person at the campus Public Safety Office.

6. The District shall not be required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

7. If there is an immediate threat to the health or safety of students or employees occurring on campus, the District shall follow its emergency notification procedures.

8. The District shall annually collect and distribute statistics concerns crimes on campus. All college staff with significant responsibility for student and campus activities shall report crimes about which they receive information.

9. The District shall publish an Annual Security Report every year by October 1 that contains statistics regarding crimes committed on campus and at affiliated locations for the previous three years. The Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims' assistance program, student discipline, campus resources and other matters. The District shall make the report available to all current students and employees. The District will also provide prospective students and employees with a copy of the Annual Security Report upon request. A copy of the Annual Security Report can be obtained by San Mateo County Community College District Public Safety Department or at the Public Safety website: <http://www.smccd.edu/publicsafety>.

Local Law Enforcement – Board Policy No. 2.52.1

1. Each College has a written agreement with local law enforcement agencies which clarifies operational responsibilities for investigations of Part I violent crimes, defined by law as willful homicide, forcible rape, robbery, and aggravated assault, occurring at each location.

2. The written agreements designate which law enforcement agency has operational responsibility for violent crimes and delineate the specific geographical boundaries of each agency's operational responsibility, including maps as necessary.

3. The written agreements are public records and can be made available for inspection by members of the public upon request to the Chancellor's Office.

4. The College Public Safety Offices maintain a close working relationship with local law enforcement. When incidents arise that require joint investigative efforts, resources, crime related reports and exchanges of information, the campus Public Safety Offices will work closely with local law enforcement agencies.

5. In response to a call, the Public Safety Department will take the required action, dispatching an officer or asking the victim to file an incident report. All incident reports received are forwarded to the Vice President, Student Services for review and potential action. The Public Safety Department may investigate a report when it is deemed appropriate.

6. Crimes should be reported to the campus Public Safety Offices to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

7. Public Safety officers have the authority to ask persons for identification and to determine whether individuals have lawful business at the District. Public Safety officers do not possess arrest power. Criminal incidents are referred to the local law enforcement officers who have jurisdiction on the campus. All crime victims and witnesses are strongly encouraged to immediately report the crime to the campus Public Safety Offices and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

8. Professional mental health and religious counselors are exempt from reporting obligations. However, counselors are encouraged, if and when they deem it appropriate, to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

9. All reports will be investigated. The District does not have procedures for voluntary, confidential reporting of crime statistics. Violations of the law will be referred to law enforcement agencies and, when appropriate, to the District's Disciplinary Committee for review. When a potentially dangerous threat to the District's community arises, timely reports or warnings will be issued through e-mail announcements, text messages, the posting of flyers at local campuses, in-class announcements, or other appropriate means.

Gifts and Donations – Board Policy No. 8.38

1. A gift or donation is defined as a contribution of money, securities, real or other property, goods, or, in some cases, services to the District/Colleges or any organization officially sponsored by the District/Colleges (e.g., student club) in exchange for which no return is given. Such a donation may not be designated to benefit a specific person; donors will only be allowed to establish broad criteria over the disposition of a donation and all IRS requirements shall be observed.

2. The Board of Trustees shall consider all gifts, donations and bequests with a value of \$1,000 or more made to the District. The Board reserves the right to refuse to accept any gift which does not contribute toward the goals of the District, or the ownership of which would have the potential to deplete resources of the District.

3. The District shall assume no responsibility for appraising the value of gifts made to the District. Acceptance of a gift shall not be considered endorsement by the District of a product, enterprise or entity.

4. The Board shall not knowingly accept a gift or donation from a donor who engages in practices or policies which discriminate against any person on the basis of nationality, religion, age, gender, gender identity, gender expression, race or ethnicity, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, or on any basis prohibited by law; or when the stated purposes of the donation are to facilitate such discrimination in providing educational opportunity.

5. For gifts and donations which have a value of \$1,000 or more, the College or District Chief Executive Officer shall accept or decline the contribution on behalf of the Board and report all such contributions in summary form to the Board semi-annually, with the date of receipt of the contribution shown. The General Manager at KCSM may accept or decline gifts for KCSM on behalf of the District and submit a report annually to the Board of Trustees.

a. Gifts with a value of less than \$1,000 will be accepted or declined by the receiving unit's manager.

b. The value of a contribution will be reported on the aggregate value of all items contributed at one time by a single donor and not the individual value of each item separately.

6. Only those gifts and donations which are deemed by the receiving unit's manager to be useful to the educational program, to support services, or for fund-raising will be accepted. All gifts and donations shall be used for the purpose specified by the donors. Unrestricted gifts or donations shall be used in accordance with District/College plans.

7. For contributions valued at \$1,000 or more, the appropriate College or District Chief Executive Officer shall provide the donor with an official acknowledgment of the contribution. The receiving unit's manager will provide appropriate acknowledgment for contributions with a value of less than \$1,000. Except for the case of a monetary contribution, it is the responsibility of the donor to provide an estimate of the value of the contribution.

8. Employees are encouraged to refer prospective donors to the San Mateo County Community Colleges Foundation.

Solicitation of Funds – Board Policy No. 8.66

1. By Off-Campus Organizations

All solicitation of funds from students or staff by off-campus organizations or person(s) is prohibited except with the express approval of the Board or of the Chancellor. In the event that the Chancellor denies a request to solicit funds, the applicant may appeal the decision to the Board.

2. By District Personnel or Organizations

a. All solicitation of funds from students, staff, or the public by District personnel or organizations is prohibited except with the express approval of the Board or the Chancellor. In the event that the Chancellor denies a request to solicit funds, the applicant may appeal the decision to the Board.

b. District personnel or organizations shall not use the name of the District in soliciting funds without the approval of the Chancellor.

c. KCSM-TV and KCSM-FM are allowed to solicit funds from the public for station operations through the use of such fundraising methods as are approved by the Federal

Communications Commission. Solicitation of funds by KCSM shall be governed by applicable law and Federal Communications Commission regulations. KCSM-TV and KCSM-FM may solicit funds in the following manner:

- Requests for corporate underwriting.
- Request for viewer/listener contributions.
- Special events sponsorship.
- Sale of advertising space in program guides and other publications

Prohibited Conduct

In order to ensure orderly operations and provide the best possible work environment, the San Mateo County Community College District expects employees to follow rules of conduct that will protect the interests and safety of personnel. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, but the following are examples of infractions of rules of conduct that may result in disciplinary action:

- Theft, unauthorized removal or possession of SMCCCD's property
- Falsification of timekeeping, employment or other records
- Possession, distribution, sale, transfer or use or being under the influence of alcohol or illegal drugs in the workplace
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Carrying firearms or other dangerous weapons on SMCCCD's property at any time
- Negligence or improper conduct leading to damage of SMCCCD's property
- Insubordination or other disrespectful conduct
- Violation of SMCCCD's safety rules
- Smoking in prohibited areas
- Sexual or other unlawful harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or absence without notice
- Committing a fraudulent act or a breach of trust in any circumstances
- Intimidating co-workers or creating an intimidating work environment for others

Personnel Records

The Human Resources Department maintains personnel files for all of SMCCCD employees. In each file, we keep such documents as your application, performance appraisals, leave records, change of status and all other related documents. You have

the right at any time to inspect the contents of your own personnel file. You may make notes about the documents in your file and may request a photocopy of any documents in your file that you have previously signed.

Only the Human Resources staff will verify your employment and salary. As an employee of SMCCCD, if you wish to disclose your personnel information to outside sources, you have to submit a written request to the Office of Human Resources.

Housekeeping and Break Room

San Mateo County Community College District provides break rooms for the benefit of its employees throughout the three campuses and the District office. Although the general cleaning of the break rooms are provided by Facilities Planning & Operations, employees are expected to attend to their personal dishes, utensils, and trash and keep the work area neat and orderly.

Easily accessible trash receptacles and recycling containers are located throughout the offices. Put all litter and recyclable materials in the appropriate receptacles and containers and report any needed repair/replacement to the appropriate Facilities office immediately.

Attendance Guidelines

Maintaining good attendance is very important. Frequent absences or changes in work schedule hampers employee's productivity, as well as the overall production of the department or section which would ultimately result in offering a poor service to the students.

Employees need time away from work for rest, relaxation, recuperation from illness, and personal and family needs. Classified employees are provided with paid time away from work in the forms of vacation, holiday time, sick time, bereavement leave, jury duty and witness time off. Academic employees (faculty) are provided with sick time, jury duty, and bereavement time. Employees are encouraged to study their Collective Bargaining Agreement in order to have a better understanding of the subject.

Tardiness in arriving to work after the scheduled time, leaving early, and extending breaks or lunch beyond regular times is also unacceptable conduct and if it becomes a pattern, may result in disciplinary action.

Employees are encouraged to refer to their collective bargaining agreements in order to have a better understanding of the subject and to avoid actions that could be cause for disciplinary action by the District.

Personal Property

SMCCCD will not be responsible for employee's personal property that is damaged or lost at work and we encourage you not to bring personal items of value to work. Although the District does not prohibit the reasonable display of personal pictures, knickknacks, and the like of nominal value in offices or cubicles, the employee must assume responsibility for the safekeeping of such articles.