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**BP 7370 Political Activity**

**Legal References:**

Education Code Sections 7054 and 7056;

Government Code Section 8314

Employees shall not use District funds, services, supplies, or equipment to urge the passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the Board of Trustees. This policy prohibits political activity during an employee’s working hours, but shall not be construed to prohibit an employee from urging the support or defeat of a ballot measure or candidate during nonworking time.

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| **Date Adopted: xx/xx/xx** |  |
| *(This is a new policy recommended by the League’s Policy and Procedure Service and its legal counsel)* |  |

**Coast Community College District**

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**AP 7370 Political Activity**

**Legal References:**

Education Code Sections 7050 et seq.

No restriction shall be placed on the political activities of any employee of the District except as provided in board policy and this administrative procedure.

No District funds, services, supplies, or equipment may be used to urge the support or defeat of any ballot measure or candidate, including but not limited to any candidate for election to the Board of Trustees.

District resources may be used to provide information to the public about the possible effects of a bond issue or other ballot measure if both the following conditions are met:

* The informational activities are otherwise authorized by the Constitution or laws of the State of California; and
* The information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

Any administrator or board member may appear before a citizens’ group that requests the appearance to discuss the reasons why the Board of Trustees called an election to submit to the voters a proposition for the issuance of bonds, and to respond to inquiries from the citizens’ group.

An officer or employee of the District may solicit or receive political funds or contributions to promote the support or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service, or other working conditions of officers or employees of the District. Such activities are prohibited during working hours, and entry into buildings and grounds of the District during working hours is prohibited. Such activities are permitted during nonworking time. “Nonworking time” means time outside an employees’ working hours, whether before or after the work day or during the employees’ lunch period or other breaks during the day.

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| **Date Ratified: xx/xx/xx** |  |
| *(This is a new procedure recommended by the League’s Policy and Procedure Service and its legal counsel)* |  |

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**BP 7371 Personal Use of District Resources**

**Legal References:**

Education Code Section 7054;

Government Code Section 8314;

Penal Code Section 424

No employee or consultant shall use or permit others to use District resources, except that which is incidental and minimal, for personal purposes or any other purpose not related to District business.

* **From the current Coast CCD BP 7806 titled Use of District Mailboxes**

~~District employees shall have the right to use District mailboxes insofar as they exist for communication with other District employees, provided, however, that all such communication shall be non-commercial in nature and provided, further, that if such communication is electoral or political in nature, within the scope of Education Code Section 7054, that such right shall be restricted solely to placing such material in the individual employee's local campus or District mailbox and shall not extend to the use of the District's inter-campus mail service.~~

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| **Date Adopted: xx/xx/xx** |  |
| *(This policy replaces current Coast CCD BP 7806)* |  |

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**BP 7380 Retiree Health Benefits**

**Legal References:**

Education Code Sections 7000 et seq.

* **From the current Coast CCD BP 7827 titled Retiree Health Benefits**

~~It is the policy of the Coast Community College District that~~ E~~e~~mployees who retire from the District with ten or more years of service will be afforded the same benefits ~~under employment~~ as they had at the time of retirement until the age of seventy ~~and any other programs in effect at retirement~~. Retiree contributions to the benefit plan will remain the same as established at the time of retirement.

In addition, retiree health benefits are subject to the provisions in applicable collective bargaining agreements.

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| **Date Adopted: xx/xx/xx** |  |
| *(This policy replaces current Coast CCD BP 7827)* |  |

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**BP 7381 Health and Welfare Benefits**

**References:**

Government Code Sections 53200 et seq.

The District provides to eligible employees medical insurance, dental insurance, vision care, life insurance, and disability insurance. The District reserves the right to select all insurance companies, including self-insurance. In addition, health benefits are subject to the provisions in the collective bargaining agreements for faculty members and classified employees.

* **From the current Coast CCD BP 7824 titled Dental Care Insurance**

**Dental Care Insurance**

~~Each~~ E~~e~~ligible employees and their ~~employee's~~ eligible dependents ~~of the District (see "General Provisions" BP 7822 for eligibility clarification)~~ will be provided dental care insurance. The employee may be required to pay for all or a portion of the dependent coverage.

~~Each member of the Board of Trustees and their dependents, except the Student Trustee, may participate at District expense.~~

* **From the current Coast CCD BP 7826 titled Optical Care Insurance**

**Vision Insurance**

~~Each~~ E~~e~~ligible employees and their ~~employee's~~ eligible dependents ~~of the District (see "General Provisions" BP 7822 for eligibility clarification)~~ will be provided optical care insurance.

~~Each member of the Board of Trustees and their dependents, except the Student Trustee, may participate at District expense.~~

* **From the current Coast CCD BP 7876 titled Insurance**

~~Each Confidential employee will be provided major medical insurance, dental insurance, vision care, life insurance, and disability insurance. The District reserves the right to select all insurance companies, including self insurance.~~

* **From the current Coast CCD BP 7877 titled Life Insurance**

**LIFE INSURANCE**

~~Each Confidential~~ Eligible employees shall receive life insurance coverage equal to ~~twice~~ one time their annual base salary rounded ~~up~~ to the ~~nearest~~ next lower $5,000 up to a maximum of $250,000 but not less than $75,000 ~~amount divisible by $5,000~~.

Dependents may be included under this life insurance plan at the expense of the employee. Employees may ~~designate~~ request payroll deduction for this premium payment.

* **From the current Coast CCD BP 7903 titled Insurance**

~~Each Management employee will be provided major medical insurance, dental insurance, vision care, life insurance, and disability insurance. The District reserves the right to select all insurance companies, including self-insurance.~~

~~Each member of the Board of Trustees and their dependents, except the Student Trustee, may participate at District expense.~~

* **From the current Coast CCD BP 7878 titled District’s Medicare Supplement Plan**

**MEDICARE SUPPLEMENT PLAN**

~~Each Confidential~~ Eligible employees of the District shall receive, upon retirement from the District with ten (10) or more years of full-time service, an annual credit of up to $4,000 to be applied only to the District’s Medicare Supplement Plan at the age of seventy (70). The credit shall not apply to any HMO, Dental, Life Insurance, or any Eye Care premium. ~~The credit applies only to the retiree and terminates upon the death of the retiree.~~ If the retiree has a spouse or registered domestic partner at the time of the retiree’s death, the annual credit shall transfer to the spouse or registered domestic partner and shall continue until the spouse or registered domestic partner’s death.

* **From the current Coast CCD BP 7905 titled District’s Medicare Supplement Plan**

~~Each Management employee of the District shall receive, upon retirement from the District with ten (10) or more years of full-time service, an annual credit of up to $3,000 to be applied only to the District’s Medicare Supplement Plan at the age of seventy (70). The credit shall not apply to any HMO, Dental, Life Insurance, or any Eye Care premium. The credit applies only to the retiree and terminates upon the death of the retiree. Members of the Board of Trustees, except the Student Trustee, are included in this plan.~~

* **From the current Coast CCD BP 7904 titled Life Insurance, Management**

~~Each Management employee of the District will be provided life insurance under a group life insurance plan equal to twice his/her annual salary rounded to the nearest lower amount divisible by $5,000. Those employees who are vested or partially vested in the previous term insurance policy will have the option of remaining with their current coverage.~~

~~Members of the Board of Trustees, except the Student Trustee, are included in this plan.~~

~~Dependents may be included under the Life Insurance Plan available to all other employees. Cost to be borne by the employee or Board Member.~~

For represented employees, also see the related collective bargaining agreement for other applicable provisions.

Also see BP 2730 titled Board Member Health Benefits

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| **Date Adopted: xx/xx/xx** |  |
| *(This policy replaces current Coast CCD BP 7824, BP 7826, BP 7876, BP 7877, BP 7878. BP 7903, BP 7904, and BP 7905)* |  |

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**BP 7385 Salary Deductions**

**Legal References:**

Education Code Sections 22000~~,~~ et seq., 87040, 87833, 87834, and 88167;

~~State of California~~ Government Code Sections 20615, 53609, and 20000et seq.;

Internal Revenue Code Sections 414(h)(2) and 457

* **From the current Coast CCD BP 7385 titled Salary Deductions**

~~It is the policy of the Coast Community College~~ The District ~~that~~ authorize~~d~~s salary deductions for employees ~~will be permitted~~ within the limits of federal and state law. Such salary deductions ~~will~~ include mandatory ~~costs~~ contributions and may include approved deferred compensation plans and other voluntary deductions ~~approved by the Board~~.

An employee may request reduction of his/her salary in any amount for any or all of the following purposes:

participation in a deferred compensation program;

paying premiums on any policy or certificate of group life insurance or disability insurance or legal expense insurance;

paying rates, dues, fees, other periodic charges, or voluntary contributions.

The requests provided for in the purposes listed above shall be authorized at the discretion of the District and revocable in writing by the employee.

The District shall without charge reduce the salary payment by the amount which the employee has authorized in writing for the purpose of paying his/her membership dues in any local, statewide, or other professional organization. Revocation of such authorization shall be in writing and shall be effective beginning with the next pay period*.*

* **From the current Coast CCD BP 7810 titled Deferred Taxation on Contributions to California State Teachers’ Retirement System (STRS)**

**Deferred Taxation on Contributions to California State Teachers’ Retirement System (STRS)**

The ~~Coast Community College~~ District will implement the provisions of Section 414(h)(2) Internal Revenue Code by making employee contributions to ~~the State Teachers' Retirement System~~ STRS on behalf of its employees who are members of the ~~State Teachers' Retirement System~~ STRS. "Employee contributions" shall mean those contributions to ~~the State Teachers' Retirement System~~ STRS which are deducted from the salary of employees and are credited to individual employees' accounts.

~~The contributions made by the Coast Community College District to the State Teachers' Retirement System, although designated as employee contributions, are being paid by the Coast Community College District in lieu of contributions by the employees who are members of the State Teachers' Retirement System.~~

Employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by ~~the Coast Community College~~ District to the ~~State Teachers' Retirement System~~ STRS.

~~The Coast Community College District shall pay to the State Teachers' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.~~

The amount of the contributions designated as employee contributions and ~~paid~~ reported by the ~~Coast Community College~~ District to ~~the State Teachers' Retirement System~~ STRS on behalf of an employee shall be the entire contribution required of the employee by the Teachers' Retirement Law (~~California~~ Education Code Sections 22000~~,~~ et seq.).

The contributions designated as employee contributions ~~made~~ reported by the ~~Coast Community College~~ District to the State Teachers' Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the State Teachers' Retirement System.

* **From the current Coast CCD BP 7811 titled Deferred Taxation on Contributions to California Public Employees’ Retirement System (PERS)**

**Deferred Taxation on Contributions to California Public Employees’ Retirement System (PERS)**

~~California Government Code 20615~~

The ~~Coast Community College~~ District will implement the provisions of Section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to ~~California~~ Government Code Section 206l5 to ~~the Public Employees' Retirement System~~ PERS on behalf of its employees who are members of ~~the Public Employees' Retirement System~~ PERS. "Employee contributions" shall mean those contributions to ~~the Public Employees' Retirement System~~ PERS which are deducted from the salary of employees and are credited to individual employees' accounts pursuant to ~~California~~ Government Code Section 20615.

~~The contributions made by the Coast Community College District to the Public Employees' Retirement System, although designated as employee contributions, are being paid by the Coast Community College District in lieu of contributions by the employees who are members of the Public Employees' Retirement System.~~

Employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the ~~Coast Community College~~ District to ~~the Public Employees' Retirement System~~ PERS.

~~The Coast Community College District shall pay to the Public Employees' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.~~

The amount of the contributions designated as employee contributions and ~~paid~~ reported by the ~~Coast Community College~~ District to ~~the Public Employees' Retirement System~~ PERS on behalf of an employee shall be the entire contribution required of the employee by the Public Employees' Retirement Law (~~California~~ Government Code Sections 20000~~,~~ et seq.).

The contributions designated as employee contributions ~~made~~ reported by ~~Coast Community College~~ District to ~~the Public Employees' Retirement System~~ PERS shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Public Employees' Retirement System.

* **From the current Coast CCD BP 7812 titled Employee Deferred Compensation Plan – Orange County Teachers’ Federal Credit Union**

**Employee Deferred Compensation Plan**

A Deferred Compensation Plan has been adopted and established by the District ~~with the Orange County Teachers Federal Credit Union~~. This plan is available to any employee of the District who wishes to defer income until retirement for the purpose of deferring Federal and State income taxes on said income. This Plan shall be in accordance with Federal and State law regulations. The Chancellor or designee ~~, the Vice Chancellor for Business Affairs, and/or the Vice Chancellor of Human Resources are~~ is authorized to execute all Participation Agreements with District Employees and all necessary agreements with the third party administrator ~~Orange County Teachers Federal Credit Union~~.

* **From the current Coast CCD BP 7825 titled Tax Sheltered Annuity**

~~The District will maintain a program whereby any qualified employee may request a contract amendment to have a portion of his/ or her salary deposited under a tax sheltered annuity plan or an approved deferred compensation plan.~~

In addition, salary deductions are subject to the provisions in the collective bargaining agreements for faculty members and classified employees.

* **From the current Coast CCD BP 7800 titled Payroll Deductions**

~~Educational Employment Relations Act – EERA~~

~~The Board authorizes the Vice Chancellor, Business Affairs, to make payroll deductions for employees who contract for 50 per cent time service or greater for the following purposes following specific written instructions from the concerned individual:~~

* ~~Savings account with fully chartered Credit Unions, deductions for which are approvable by the Orange County Department of Education.~~
* ~~Contributions to a group-action charitable fund, such as United Fund or Community Chest, which disburses contributions to a wide variety of community-service agencies.~~
* ~~Premium payments for personal insurance plans authorized by the District.~~
* ~~Voluntary payroll deduction as a means by which District employees may contribute to the Coast Community College District Foundation; Orange Coast College Foundation; Golden West College Foundation; and/or Coastline Community College Foundation, Student Scholarships/Loans Funds.~~
* ~~As determined by the District and consistent with or authorized by applicable law, including the Educational Employment Relations Act.~~

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| **Date Adopted: xx/xx/xx** |  |
| *(This policy replaces current Coast CCD BP 7385, BP 7800, BP 7810, BP 7811, BP 7812, BP 7825)* |  |

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**AP 7385 Salary Deductions**

**Legal References:**

Education Code Sections 87040, 87833, 87834, and 88167;

Government Code Sections 3540 et seq.

The District Payroll Department administers salary deductions in accordance with applicable federal/state laws, collective bargaining agreements, and other administrative requirements.

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| **Date Ratified: xx/xx/xx** |  |
| *(This is a new procedure recommended by the Policy and Procedure Service)* |  |

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**BP 7510 Domestic Partners**

**Legal References:**

Family Code Sections 297, 298, 298.5, 297.5, 299, 299.2, and 299.3

Domestic partners registered with the California Secretary of State shall have, insofar as permitted by California law, all of the same rights, protections, and benefits, as well as the same obligations, responsibilities, and duties of married persons (spouses) under state law. Former domestic partners shall have all of the rights and obligations of former spouses. Surviving domestic partners shall have the same rights, protections, and benefits as are granted to a surviving spouse of a decedent.

Therefore, all references to “spouses” in the District’s policies or procedures shall be read to include registered domestic partners as permitted by California law.

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| **Date Adopted: xx/xx/xx** |  |
| *(This is a new policy recommended by the Policy and Procedure Service)* |  |

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**BP 7700 Whistleblower Protection**

**Legal References:**

Education Code Sections 87160-87164;

Labor Code Section 1102.5,

Government Code Section 53296,

Private Attorney General Act of 2004 (Labor Code Section 2698);

Affordable Care Act (29 U.S. Code Section 218C)

* **From the current Coast CCD BP 7700 titled Fraud Prevention in Financial Statements & Whistleblower Protection**

Board members, administrators, faculty, staff and students of Coast Community College District (District) ~~are expected to~~ shall adhere to all rules of conduct ~~to this policy~~ as established by state and federal law.

~~All Board members, management, faculty, staff and students are~~ The Board of Trustees is committed to prevent and deter fraud at the District. Fraudulent behavior ~~would~~ includes:

* Fraudulent financial reporting
* Misappropriation/theft of assets
* Corruption, such as bribery, accepting kickbacks and other illegal acts
* Conflict of interest

The District and its employees have a responsibility for the stewardship of District resources and the public and private support that enables it to pursue its mission. The District is committed to compliance with the laws and regulations to which it is subject and to promulgating District policies and procedures to interpret and apply these laws and regulations in the District setting.

This policy is derived in part from the California Whistleblower Protection Act (Government Code Sections 8547-8547.12). Pursuant to this Act, a District employee ~~may~~ shall not:

1. retaliate against an employee or applicant for employment who has made a protected disclosure, assisted in an investigation, or who has refused to obey an illegal order, ~~nor~~ or
2. directly or indirectly use or attempt to use the official authority or influence of his/ ~~or~~ her position for the purpose of interfering with the right of an applicant or an employee to make a protected disclosure to the District. The District will not tolerate retaliation, and will take whatever action may be needed to prevent and correct activities that violate this policy, including discipline of those who violate it up to and including termination.

The Chancellor shall establish procedures regarding the reporting and investigation of suspected unlawful activities by District employees, and the protection from retaliation of those who make such reports in good faith and/or assist in the investigation of such reports. For the purposes of this policy and any implementing procedures, “unlawful activity” refers to any activity—intentional or negligent—that violates state or federal law, local ordinances, or District policy.

The procedures shall provide that individuals are encouraged to report suspected incidents of unlawful activities without fear of retaliation, that such reports are investigated thoroughly and promptly, that remedies are applied for any unlawful practices, and that protections are provided to those employees who, in good faith, report these activities and/or assist the District in its investigation.

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| **Date Adopted: xx/xx/xx** |  |
| *(This policy replaces current Coast CCD BP 7700)* |  |

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**AP 7700 Whistleblower Protection**

**References:**

Education Code Sections 87160-87164;

Government Code Section 53296;

Labor Code Section 1102.5;

Private Attorney General Act of 2004 (Labor Code Section 2698);

Affordable Care Act (29 U.S. Code Section 218C)

Individuals are encouraged to report suspected incidents of unlawful activities by District employees in the performance of their duties. Reports will be investigated promptly and appropriate remedies applied. Employees who, in good faith, reported such activities and/or assist the District in the investigation will be protected from retaliation.

This procedure sets out the processes for responding to and investigating reports of unlawful activities, as defined in BP 7700 titled Whistleblower Protection, and addressing complaints of retaliation for making such reports.

**Filing a Report of Suspected Unlawful Activities**

Any person may report allegations of suspected unlawful activities. Knowledge or suspicion of such unlawful activities may originate from faculty, staff, or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, vendors, students, or other third parties.

The District will investigate claims of suspected unlawful activities to the best of its ability, and take appropriate remedial measures. The District cannot guarantee confidentiality but shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all parties to the extent possible without impeding the District’s ability to investigate and respond effectively to the complaint. Anonymous reports will be investigated to the extent possible. As set forth fully below, retaliation against individuals who report suspected unlawful activities will not be tolerated.

Normally, a report by a District employee of allegations of a suspected unlawful activity should be made to the reporting employee’s immediate supervisor or other appropriate administrator or supervisor within the operating unit. However, if the report involves or implicates the direct supervisor or others in the operating unit, the report may be made to any another administrator whom the reporting employee believes to have either responsibility over the affected area or the authority to review the alleged unlawful activity on behalf of the District. When the alleged unlawful activities involve a college president, the report should be made directly to the Chancellor. When the alleged unlawful activity involves the Chancellor, the report should be made to the President of the Board of Trustees. When the alleged unlawful activity involves the Board of Trustees or one of its members, the report should be made to the Chancellor who will confer with the President of the Board of Trustees and/or legal counsel on how to proceed.

Allegations of suspected unlawful activities should be made in writing so as to assure a clear understanding of the issues raised, but may be made orally. Such reports should be factual and contain as much specific information as possible. The receiving supervisor or administrator should elicit as much information as possible. If the report is made orally, the receiving supervisor or administrator shall reduce it to writing and make every attempt to get the reporter to confirm by his/her signature that it is accurate and complete.

Once the receiving supervisor or administrator has received and/or prepared a written report of the alleged unlawful activity, he/she must immediately forward to the president of the college where the alleged activity has occurred or to the Chancellor if the activity involves the District office or is District-wide. However, if this process would require submitting the report to an employee implicated in the report, the receiving supervisor or administrator should follow the reporting options outlined, above. The administrator who receives the written report pursuant to this paragraph is responsible for ensuring that a prompt and complete investigation is made by an individual with the competence and objectivity to conduct the investigation, and that the assistance of counsel and/or an outside investigator is secured if deemed necessary.

In the course of investigating allegations of unlawful conduct, all individuals who are contacted and/or interviewed shall be advised of the District’s no-retaliation policy. Each individual shall be: a) warned that retaliation against the reporter(s) and/or others participating in the investigation will subject the employee to the disciplinary process up to and including termination; and b) advised that if he/she experiences retaliation for cooperating in the investigation, then it must be reported immediately.

In the event that an investigation into alleged unlawful activity determines that the allegations are accurate, prompt and appropriate corrective action shall be taken.

**Protection from Retaliation**

When a person makes a good-faith report of suspected unlawful activities to an appropriate authority, the report is known as a protected disclosure. District employees and applicants for employment who make a protected disclosure are protected from retaliation.

Any employee who believes he/she has been (1) subjected to or affected by retaliatory conduct for reporting suspected unlawful activity, or (2) for refusing to engage in activity that would result in a violation of law, should report such conduct to the appropriate supervisory personnel (if such supervisory personnel is not the source of or otherwise involved in the retaliatory conduct). Any supervisory employee who receives such a report, or who otherwise is aware of retaliatory conduct, is required to advise their college president, the Chancellor or designee. If the allegations of retaliation, or the underlying allegations of unlawful conduct involve a college president or the Chancellor, the supervisor shall make the report to the highest level administrator who is not implicated in the reports of unlawful activity and retaliation.

All allegations of retaliation shall be investigated promptly and with discretion, and all information obtained will be handled on a "need to know" basis. At the conclusion of an investigation, as appropriate, remedial and/or disciplinary action will be taken where the allegations are verified and/or otherwise substantiated.

**Whistleblower Contact Information**

Employees who have information regarding possible violations of state or federal statutes, rules, or regulations should contact the State Chancellor’s Office or the District’s Board of Trustees. Employees can contact the State Personnel Board with complaints of retaliation resulting from whistleblower activities. The State Personnel Board hotline is (916) 653-1403.

**Other Remedies and Appropriate Agencies**

In addition to the internal complaint process set forth above, any employee who has information concerning allegedly unlawful conduct may contact the appropriate government agency.

Nothing in this procedure shall preclude good faith personnel actions such as evaluations and/or employee discipline from occurring.

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| **Date Ratified: xx/xx/xx** |  |
| *(This is a new procedure recommended by the Policy and Procedure Service)* |  |

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**BP 7835 Academic Due Process**

Personnel Committee recommended deletion of this current Coast CCD Policy on December 3, 2013

~~Faculty members of the Coast Community College District academic community are expected to govern their conduct in accordance with the laws of the State of California and the written policies of the Board of Trustees of the District.~~

~~In order to insure that each member of the certificated staff and administration will be given the full protection afforded under the constitutions and statutes of the United States and the State of California, the Chancellor shall establish and maintain administrative procedures which provide such due process as may be required by State or Federal law.~~

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| **Date Adopted: xx/xx/xx** |  |
| *(This policy replaces current Coast CCD BP 7835 (renumbered from Policy 060-1-8, Spring 2011))* |  |