

PLEASE NOTE THAT PURSUANT TO RESOLUTION ADOPTED IN NOVEMBER OF 2014, WE WILL BE RENUMBERING THE ENTIRE BOARD POLICY MANUAL AND SECTION TEN, WILL BE RENUMBERED. DO NOT FOCUS ON THE NUMBER AS IT WILL CHANGE. PLEASE READ AS TO CONTENT RATHER THAN FORMAT.

**Section Ten—~~Confidential and Management Personnel~~
Unrepresented Employees
Governance Processes Relative to the
District Board Policy Manual
and Collegial Consultation
With Academic Senates**

Employ the Process of Mutual Agreement

- Policies:**
- (1) **10B4**, Administrative Retreat Rights to Faculty Status for Administrators Hired on or After July 1, 1990 (*include Policies 10B4A through 10B4F*)
 - (2) **10B5**, Administrative Retreat Rights to Faculty Status for Administrators Hired Prior to July 1, 1990 (*include Policies 10B5A through 10B5F*)
- Procedures:** None
- Appendices:** None

Rely Primarily Upon the Advice and Judgment

- Policies:**
- (1) ~~10A5B5~~ **10A6C** (re: college president responsibilities)
 - (2) ~~10A5B16~~ **10A6E** (re: college president responsibilities)
 - (3) **10B3D** (re: selection of management personnel)
 - (4) **10B3H2** (re: selection of management personnel)
 - (5) **10B3H6** (re: selection of management personnel)
 - (6) **10B3I4** (re: joint screening committee for college educational administrator positions)
- Procedures:** None
- Appendices:** None

Proposed Addition to
Kern Community College District Board Policy Manual
Section – Ten – Confidential and Management ~~Unrepresented~~
Employees

Governance Process: **Rely Primarily on Advice and Judgment**
(Sections ~~10A5B5~~ and ~~10A5B16~~, renumbered to ~~10A6C~~ and ~~10A6E~~)

Reason for Revision: To Establish District Policy

10A Administrative Organization (Revised ~~February 3, 2005~~)

10A1AThe Kern Community College District shall use a line-staff organization plan. Administrative authority rests with the Board of Trustees, through the Chancellor to appropriate administrative officers. See **Appendix 10A1(a)** of this Manual for organizational charts.

10A1BThe Chancellor shall appoint an ~~Executive Council~~ **Chancellor's Cabinet** to assist in the solution of administrative problems and formulation of educational policies. (~~Revised December 2, 2004~~)

10A1CEmployees in the Chancellor's ~~Executive Council~~ **Cabinet** shall ~~include~~ be the Chancellor; ~~Chief Financial Officer~~ **Vice Chancellors of District Business Services**, ~~Vice Chancellor of~~ **Educational Services**, ~~Vice Chancellor~~ **Human Resources**, ~~Associate Chancellor, Economic and Workforce Development~~, and ~~Vice Chancellor, Information Technology Management and Operations~~ officers; Presidents of the Colleges; ~~and other staff members appointed by the Chancellor.~~ (~~Revised December 2, 2004~~)

10A1DThe Board of Trustees of the Kern Community College District shall establish policy, and it shall be the ~~right and~~ responsibility of the administrative staff to implement the policy.

10A2 Definition of Unrepresented Employees

This unrepresented employment policy provides working conditions for the following position classifications: Educational Administrator, Classified Administrator, Classified Manager, and Confidential Employee. This employment policy does not apply to the

following unrepresented position classifications: short-term temporary employee, interim employee, and professional experts.

10A310A5 Responsibilities of the Chancellor, College President, and Management Employees

10A5A Chancellor ~~(Corrected April 3, 1996)~~

10A3A10A5A1 The Chancellor is the chief executive officer of the District. All functions of the District are directed by the Chancellor in keeping with policies established by the Board of Trustees.

10A3B10A5BA2 The Board of Trustees shall appoint the Chancellor and fix the salary and term of office.

10A3C10A5CA3 The Chancellor's powers and duties shall be initiatory and executory. The Chancellor shall act both as a professional advisor of the Board in the formulation of policies for governing the District and as chief executor of the policies adopted by the Board. Detailed duties and responsibilities are provided in the job description contract for Chancellor. All powers and duties delegated to the Chancellor are to be executed in accordance with the policies adopted by the Board, ~~and the Chancellor shall act both as a professional advisor of the Board in the formulation of policies for governing the District and as chief executor of the policies adopted by the Board.~~ aAll acts performed by the Chancellor which are classed in law as discretionary are subject to review and to final approval by the Board unless the Board specifically authorizes such acts to be executed in a particular manner.

~~**10A5A4** The Chancellor as Chief executive officer of the Board shall have specific powers and duties and shall be directly responsible to the Board for their proper exercise. The listing of specific responsibilities, however, shall not be interpreted to exclude all those powers and duties not mentioned but which are integral to the position of Chancellor.~~

~~**10A5A5** The Chancellor shall attend all meetings of the Board. The Chancellor may be excused from closed sessions of the Board at the time when personal salary and tenure of the Chancellor are being considered. The Chancellor shall have the right to speak at Board meetings on all matters before the Board.~~

10A3D10A5DA6 The control of the District shall be unified under the Chancellor, and all employees of the District shall be

responsible to the chief executive officer through the District line and staff organization.

~~10A3E~~~~10A5E~~~~A7~~The Chancellor shall nominate or recommend employees, and the Board shall employ from those who have been nominated or recommended by the Chancellor. It shall be the responsibility of the Chancellor to employ and retain well-qualified, competent staff members. The Chancellor may authorize interim employment prior to Board action to accommodate payroll processing, however, Board action is required to ratify employment at the next regularly scheduled Board meeting. *(Revised August 5, 1999)*

~~10A3F~~~~10A5F~~~~A8~~The recommendation for assignment and promotion of all employees of the District shall be made to the Board by the Chancellor.

~~10A3G~~~~10A5G~~~~A9~~The suspension or dismissal of an employee of the District shall be made by the Board on the Chancellor's recommendation. The Chancellor may suspend an employee at any time until the next meeting of the Board under provisions of the law.

~~10A5A10~~ The Chancellor shall direct all matters relating to employees including salary status, professional development, professional records, minimum qualifications, recruitment, staff allocation, and approval of absences and leaves. *(Revised February 3, 2005)*

~~10A5A11~~ The Chancellor shall oversee the planning and administering of a continuing staff development plan for employees of the District.

~~10A5A12~~ The Chancellor shall recommend to the Board the purchase of all supplies and equipment.

~~10A5A13~~ The Chancellor shall direct the preparation of the annual budget and submit it to the Board for approval.

~~10A5A14~~ The Chancellor shall have control and supervision of all District buildings, grounds, and equipment.

~~10A5A15~~ The Chancellor shall approve and recommend to the Board all plans for the construction of buildings, landscaping of property, and repairs or alterations to existing property, and shall see that all plans adopted are properly executed.

~~10A5A16~~ The Chancellor shall have power to make rules and regulations to govern routine matters.

~~10A5A17~~ The Chancellor shall inform the public regarding activities of the Colleges and the District.

~~10A5A18~~ The Chancellor shall make an annual report on the condition and the progress of the District and such other reports as the Board may request from time to time.

~~10A5A19~~ The Chancellor shall hear any complaints against the District and shall act as judge in matters of controversy between the various District employees, and between District employees and students, parents of students, or patrons, when the controversies relate to District affairs. The Board will not deal with such matters except on appeal from the Chancellor's decision or at the Chancellor's request. The Chancellor is charged with the enforcement of the rules, regulations, and decisions of the Board of Trustees and shall be responsible for the dissemination of all general orders adopted by the Board relating to all District employees.

~~10A3H10A5HA20~~ The Chancellor is authorized by the Board of Trustees to accept the resignation of any employee. The Chancellor may delegate this responsibility by written designation to District Officers or College Presidents.

The Chancellor shall receive and may approve all recommended new employees and their affixed initial position assignment to the Board of Trustees pursuant to 11B1.

The Chancellor shall receive and may approve all recommended changes to employee position assignments to the Board of Trustees pursuant to 11B1.

~~10A5A21~~ The Chancellor shall be responsible for the general efficiency of the District and for the development of the teaching, administrative and support staffs, instructional programs and services, and for the growth and welfare of students.

~~10A5A22~~ The Chancellor may delegate, subject to approval by the Board, any of the powers and duties which the Board has entrusted to the Chief executive officer but in every instance shall continue to be responsible to the Board for the execution of the powers and duties delegated.

~~10A3H10A5H23~~ The Chancellor serves as Secretary to the Board of Trustees.
The Chancellor approves all funds administered by the Colleges.

10A6 10A4 College President

~~10AF1B~~ As the executive head of a College, the President is responsible to the Chancellor of the District. As ~~c~~Chief ~~A~~Administrator of the College, the President shall be responsible for ~~maintaining~~ enforcing and following the policies, procedures, rules, and regulations as set forth by the general laws of the United States of America, the State of California, the California Education Code, the Board of Governors of the California Community Colleges, the Board of Trustees and the Chancellor. ~~Chancellor, the Board of Trustees, the California Education Code, the Board of Governors of the California Community Colleges, and the general laws of California and of the United States of America.~~ The President shall have the authority to delegate areas of responsibility as ~~permitted by law.~~ approved by the Chancellor.

~~10A4A10A6A52~~ The College President detailed duties and responsibilities are provided in the President job description located on the Job Descriptions website. The President shall make recommendations to the Chancellor for the employment, retention, and dismissal of all staff.

~~10A4B10A6B5B3~~ The President of each College shall have responsibility for the assignment of all College staff: as approved designated by the Board of Trustees.

~~10A5B4~~ The President shall supervise the evaluation of staff and make recommendations regarding retention and promotion. *(Revised August 5, 1999)*

~~10A4C10A6CB5~~ The President shall appoint management representatives to standing and ad hoc committees, ~~and designate the chairs of College-wide committees according to College policy and the law.~~ *(Revised June 10, 1999)*

~~10A5B6~~ The President shall schedule and conduct meetings of the faculty.

~~10A5B7~~ The Presidents shall represent the College as appropriate at conferences and meetings and with county, state, and federal offices.

~~10A5B8~~ The President shall approve all textbooks and instructional materials.

~~10A5B9~~ The President shall recommend to the Chancellor budget, curricular, facility, and employee requirements essential to

~~effective operations of the College. (Revised February 3, 2005)~~

~~**10A5B10** The President shall supervise programs and services appropriate to community services and the College as a civic center.~~

~~**10A5B11** The President shall direct articulation efforts with high school districts and institutions of higher education.~~

~~**10A5B12** The President shall appoint all citizen committees advisory to College programs after consultation with department or division chairs.~~

~~**10A4D10A6DB13** The President shall carry out such duties as may be assigned by the Chancellor.~~

~~**10A5B14** The President shall direct the efforts of a College toward a realization of its purposes and interpret the College's programs accurately and effectively to the various publics being served.~~

~~**10A5B15** The President shall provide leadership for the instructional and student employee services of the day, evening, and summer programs. (Revised February 3, 2005)~~

~~**10A6EB16** The President shall appoint department/division chairs according to College policy. (Revised June 10, 1999) Refer to Collective Bargaining Agreement~~

~~**10A5B17** The President shall be responsible for campus adherence to adopted courses of study with such exceptions as may be authorized by the Chancellor.~~

~~**10A5B18** The President shall see that extracurricular activities are properly organized and supervised.~~

~~**10A5B19** The President shall advise and assist the staff and instructors in difficult cases of discipline.~~

~~**10A5B20** The President shall be responsible for the development of such rules for the use of buildings, grounds, and equipment as shall ensure their being kept in a neat, secure, and sanitary condition.~~

~~**10A5B21** The President shall be responsible for the learning climate and have the right to administer suitable and proper corrective measures for student misconduct. This may include~~

~~_____ suspension from classes, disciplinary probation, revocation of
_____ Associated Student Body privileges, or other suitable means.~~

~~10A5B22 Advertisements, circulars, or publications other than approved
_____ College related circulars and bulletins to be announced or
_____ distributed on College premises shall have prior approval of
_____ the College President.~~

~~_____ 10A5B23 The President shall be advised of interviews with students
_____ other than those by parents or legal guardians, interviews for
_____ employment, interviews with armed forces representatives,
_____ representatives from four-year colleges, or officers
_____ representing the law.~~

~~_____ 10A5B24 The President shall see that all student body and District
_____ monies are received and disbursed in accordance with
_____ regulations.~~

~~_____ 10A5B25 The President shall delegate, subject to the approval of the
_____ Chancellor, any of the powers and duties entrusted to him/her,
_____ but in every instance he/she shall continue to be responsible
_____ to the Chancellor for the execution of the powers and duties
_____ delegated.~~

10A5 ~~10A7~~ 10A5C *Responsibilities of Management Staff*

10A5C1 Responsibilities and job descriptions of all management positions as designated by the Board of Trustees are to be maintained on a current basis with the District ~~Chancellor~~ *Human Resources office*. *The following is a link to the **Board Approved Job Classification Descriptions**.*
<https://www.kccd.edu/human-resources/job-descriptions>

10A6 ~~10A68~~ *Responsibilities of Confidential Employees*

10A6A ~~10A6A~~ Confidential employees, as designated by the Board of Trustees, are employees who are required to develop or present management positions with respect to employer-employee relation or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions. *(Revised February 3, 2005)*

*Responsibilities and job descriptions of all confidential positions as designated by the Board of Trustees are to be maintained on a current basis with the District Human Resources office. The following is a link to the **Board Approved Job Classification Descriptions**.*
<https://www.kccd.edu/human-resources/job-descriptions>

~~**10A6B** Responsibilities and job descriptions of confidential employees are to be maintained on a current basis with the Chancellor or designee.~~

*Admin 7/21/14
Ch. C. 8/26/14
Ch. C. 9/16/14
CC 9/23/14
Admin 10/13/14
Ch. C. 11/18/14
Admin 1/7/15
Ch. C 1/13/15*