



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
To Constituents & AS for Feedback

Point Person	Date Requested	Anticipated Date of Recommendation:	Recommendation Received:
K Hannon	8/7/2023	Recommendation Received	2/21/2024
Reason(s) for Review/Changes			
> Legal Update 42: The Service updated this procedure to provide a process for staff and faculty to declare an affirmed name, gender, or both pursuant to changes in the Education Code.			

Review Level

Level 2

Anticipated AP2410 Schedule (for info on this process, visit <https://sbccd.edu/ap2410>)

- 02/26/2024 PPAC Approves Review Level
- 02/27/2024 Levels 2 & 3 to Constituents for Feedback
- 03/11/2024 PPAC Receives Feedback from Constitutents & Academic Senates
- 04/11/2024 BOT First Reading
- 05/09/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
3. Legal changes are **shown in blue** and should only be considered optional if indicated.
4. If there are no changes showing, this item is being presented for information only.
5. For questions on this recommendation, please contact J Torres or kgoodric@sbccd.edu.

RECOMMENDATION STARTS ON NEXT PAGE

AP 7145 Personnel Files *(no matching BP exists)*

P&P Chapter Lead Recommendation
San Bernardino Community College District



02/28/24

Reason(s) for Review/Changes

> **Legal Update 42: The Service updated this procedure to provide a process for staff and faculty to declare an affirmed name, gender, or both pursuant to changes in the Education Code.**

Review Process Notes:

Personnel records are private, accurate, complete, and permanent.

Every employee has the right to inspect personnel records pursuant to the Labor Code.

Information of a derogatory nature shall not be entered into an employee's personnel records unless and until the employee is given notice and an opportunity to review and comment on that information. The employee shall have the right to enter, and have his/her own comments attached to any derogatory statement. The review shall take place during normal business hours and the employee shall be released from duty for this purpose without salary reduction.

The employee shall not have the right to inspect personnel records at a time when the employee is actually required to render services to the District.

Nothing in this procedure shall entitle an employee to review ratings, reports, or records that were:

- a. obtained prior to the employment of the person involved,
- b. prepared by identifiable examination committee members,
- c. obtained in connection with a promotional examination or interview.

The Chancellor shall implement a system by which staff and faculty can declare an affirmed name, gender, or both name and gender identification to be used in their records where legal names are not required by law. Upon the request of a staff or faculty member, the District shall update any records for the individual to include the affirmed name, gender, or both name and gender identification. The records that shall be updated include but are not limited to District-issued email addresses, employee identification cards, class rosters, transcripts, diplomas, certificates of completion of courses, or similar records.

References:

Education Code Section 87031;

Labor Code Section 1198.5

End of Recommendation for AP 7145 Personnel Files