

Purpose

This policy is intended to promote efficiency and continuity throughout all campus administrative functions; provide students with high quality assistance and accessibility to all academic and campus services; ensure that students receive an engaging education and respond to emerging needs of students.

MiraCosta College is a local community college funded by the local taxpayers within north coastal San Diego County. The interests of the community and the college are best met when employees are present and visible in the communities they serve. Employees residing out-of-state create operational impacts, including limitations on the employee’s ability to timely report for on-site work, attend in-person departmental and other meetings, trainings, governance or committee assignments, advise student clubs or attend college events, manage performance, productivity, efficiency, collaboration, and/or ensure adequate operational coverage. The residency requirement ensures that students can be served in a modality that best suits their ever-changing needs and is essential for ensuring adequate technology resources, connectivity, virus protection, and assistance can be provided to employees.

Out-of-state residency creates tax and other potential liabilities to the district, including, but not limited to, business license requirements, compliance with various labor and employment laws, unemployment insurance provisions, worker’s compensation, and state mandated training requirements. Pursuant to the California Emergency Services Act, any person employed by a county, city, state agency, or public district in California is a public employee and Disaster Service Worker. In the event of an emergency, a Disaster Service Worker may be called into work and required to report for duty on short notice. Employees performing work out-of-state cannot fulfill the Disaster Service Worker requirements of state law.

Definitions

The term “employees” refers to all District personnel including but not limited to faculty members, classified professionals, administrators, and other full or part-time staff.

An employee’s residence is defined as the primary place the employee certifies is their intended one, true, permanent home or domicile to which the employee intends to return following any absence. The residence determination is made using a variety of factors including where the employee maintains living quarters, place of filing tax returns, property ownership, driver’s license and vehicle registration. The establishment of a P.O. Box does not satisfy residency requirements for purposes of employment.

Employee Residency

All District employees must maintain and permanently reside in a principal place of residence in the State of California that is within two-hundred (200) road miles from the employee's regularly designated District worksite. The two-hundred mile limit extends in all directions via direct streets or freeways from the employee's District worksite within the State of California.

The District may consider an individual request to temporarily reside outside of the State of California or the two-hundred mile limit on a case-by case basis upon approval of the Vice President of Human Resources upon recommendation from the appropriate vice president. Any exception to this policy shall not exceed twelve consecutive months. The District's decision on any such request will be at the District's sole discretion, and is not subject to any appeal procedure, administrative or otherwise.

Associate (part-time) faculty and Community Education short-term employees who have a fully online assignment with the District must reside within the State of California, but may live beyond two-hundred (200) road miles from their designated District worksite without requiring an exception under this policy.

The effective date of this policy shall be July 1, 2023. Any employee who is in violation of this policy may be subject to discipline, up to and including termination from District employment.