



College Coordinating Council Meeting

September 13, 2023
9:30 a.m. – 10:30 a.m.
L201

Type of Meeting: Regular
Note Taker: Patty McClure
Please Review/Bring: Agenda, Minutes

Committee Members:
Hal Huntsman, Academic Senate
Steve Benitez , ASO
Pamela Ford, Classified Union
Greg Bormann Confidential/Management/Supervisory/Administrators
LaDonna Trimble, Deans
Dr. Jason Bowen, Faculty Union

Dr. Jennifer Zellet, **CHAIR**
Shami Brar, Vice President of Administrative Services
Bridget Cook, General Counsel
Dr. Kathy Bakhit, Vice President of Academic Affairs
Dr. Lauren Elan Helsper, Vice President of Human Resources
Idania Padron, Vice President of Student Services

MEETING

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of August 23, 2023, and Accreditation Update.	All/Jennifer	10 minutes	
II. Constituent Reports	All	5 minutes	
DISCUSSION/ACTION ITEMS:			
I. BP/AP 3440 – Service Animals	Lauren	5 minutes	
II. BP/AP 7100 – Commitment to Diversity	Lauren	5 minutes	
III. BP/AP 7700 – Whistleblower Protection	Lauren	5 minutes	
IV. AP 2715 Board Code of Ethics/Standards of Practice/Censure	Bridget	15 minutes	Returned from August 23, 2023, meeting.
POLICIES OUT FOR CONSTITUENT REVIEW			
POLICIES IN PROCESS			
BP/AP 2510 – Participation in Local Decision Making	Hal/Meeta		Working with the task force.

Decision-Making Principle Document	Jennifer	Meeting with various groups on campus for input.
BP/AP 4010 – Academic Calendar	Kathy	Waiting for Negotiations.
BP/AP 4100 – Graduation Requirements	Idania	Working on revisions with counseling.
BP/AP 4400 – Community Services	Kathy	Working on revisions.
BP/AP 7130 - Compensation	Shami & Legal	
BP/AP 7800 – Emeritus Status (NEW)	Jennifer	Working on revisions.
NEXT MEETING DATE: September 27, 2023		



College Coordinating Council Minutes

August 23, 2023
9:30 a.m. – 10:30 a.m.
L201

Type of Meeting: Regular
Note Taker: Patty McClure
Please Review/Bring: Agenda, Minutes

Committee Members:

- Hal Huntsman, Academic Senate
 - Steve Benitez , ASO
 - Pamela Ford, Classified Union
 - Greg Bormann Confidential/Management/Supervisory/Administrators
 - LaDonna Trimble, Deans
 - Dr. Jason Bowen, Faculty Union
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- Dr. Jennifer Zellet, **CHAIR**
 - Shami Brar, Vice President of Administrative Services – **ABSENT** – Sarah Johnston
 - Bridget Cook, General Counsel
 - Dr. Kathy Bakhit, Vice President of Academic Affairs
 - Dr. Lauren Elan Helsper, Vice President of Human Resources
 - Idania Padron, Vice President of Student Services

MINUTES

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of May 24, 2023.	All	5 minutes	The minutes were approved as presented.
II. Constituent Reports	All	5 minutes	<p>Jason stated it was good to be back and Hal agreed it had been a good week. Lauren gave kudos to the entire campus, as everyone stepped up with the relocation of employees out of the Admin Building.</p> <p>Hal stated that he would like to have BP/AP 7120 - Recruitment and Hiring reviewed and revised. Kathy, Hal, Lauren, Jason, and Pamela have agreed to participate in the revision.</p> <p>The President stated that she would like to suggest that BP/AP 4231 – Grade Change, be revised and Kathy, Idania, and a Senate representative will work on the revision.</p>

DISCUSSION/ACTION ITEMS:

I.	Welcome, Introductions & Brief Review of AP 2510 Participation in Local Decision Making	Jennifer	10 minutes	The President briefly reviewed parts of AP 2510 and stated that there has been some confusion around the charge of the committee, which is broader and much more significant, like directing the work of the college and bringing ideas to the committee. There was some discussion over sections A3, 7A (function of the committee), and 7F, which speaks of “6 out of 7 members in favor.” There was some discussion on the language “negotiated” and Pamela indicated that she would like to keep that language and that there used to be a work group for the revision of 2510. It was agreed to bring 2510 back for further discussion, review, and revision.
II.	Review of BP/AP Review Cycle	All	5 minutes	There was some discussion on the process for the initial revision of the BPs/APs. Pamela suggested that the word “chapter” be taken out and just leave the number, 7000 vs. Chapter 7. Everyone agreed.
III.	AP 2715 Board Code of Ethics/Standards of Practice/Censure	Bridget	2 minutes	The President stated that currently, the district has no way to deal with Board Members and that it is not about people. Pamela shared her concern and that she did not like the language “apologize.” Jason stated that he understands that there is no process in place but that he too did not like the language of “apologize” and did not like the Board policing themselves. Kathy stated that in looking at other organizations there are censure processes. Hal agreed that there needs to be a policy in place. This will be brought back to another meeting for further discussion.
IV.	BP/AP 3440 – Service Animals	Lauren	2 minutes	Ran out of time.
V.	BP/AP 5130 – Financial Aid	Jennifer	2 minutes	Greg stated that this needed to be fast-tracked as it deals with the students enrolled in the bachelor program. It was agreed to go to the September 11, Board Meeting.
VI.	AP 6305 – Reserves	Shami	2 minutes	There was some discussion regarding the new language and Pamela suggested that positions/personnel be included in the scheduled maintenance and not just financial support. The

			President suggested that with a minor revision, it be emailed out to everyone for review and approval and if approved, go to the September 11 th Board Meeting. Everyone agreed.	
VII.	BP/AP 7100 – Commitment to Diversity	Lauren	2 minutes	Ran out of time.
VIII.	BP/AP 7700 – Whistleblower Protection	Lauren	2 minutes	Ran out of time.
POLICIES OUT FOR CONSTITUENT REVIEW				
POLICIES IN PROCESS				
Decision-Making Principle Document	Jennifer	Meeting with various groups on campus for input.		
BP/AP 4010 – Academic Calendar	Kathy	Waiting for Negotiations.		
BP/AP 4100 – Graduation Requirements	Idania	Working on revisions with counseling.		
BP/AP 4400 – Community Services	Kathy	Working on revisions.		
BP/AP 7130 - Compensation	Shami & Legal			
BP/AP 7800 – Emeritus Status (NEW)	Jennifer	Working on revisions.		
NEXT MEETING DATE: September 13, 2023				



BP 3440 Service Animals

References:

The Americans with Disabilities Act of 1990 -- 42 United States Code Sections 12101 et seq.; 28 Code of Federal Regulations Part 35;
28 Code of Federal Regulations Part 36; 34 Code of Federal Regulations Part 104.44 subdivision (b)

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 or emotional support animal in District facilities and on District campuses in compliance with state and federal law.

Also see AP 3440 Service Animals.

Adopted: 12/12/11
Reviewed: 12/12/16
Revised: 1/13/20
Reviewed:
7/3/23

AP 3440 Service Animals

References:

Civil Code Sections 54 et seq.;

Penal Code Section 365.5;

The Americans with Disabilities Act of 1990 -- 42 United States Code Sections 12101 et seq.; 28 Code of Federal Regulations Part 35;

28 Code of Federal Regulations Part 36; 34 Code of Federal Regulations Part 104.44 subdivision (b)

The District will allow an individual with a disability to use a service animal in District facilities and on District campuses in compliance with state and federal law.

The District will allow an individual with a disability to use a miniature horse as a service animal in District facilities and on District campuses if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability and the District has determined, based on the assessment factors provided in this procedure, that a reasonable accommodation can be made.

The District will allow an individual with a disability to be accompanied by his/her/**their** service animal in all areas of the District's facilities where members of the public, invitees, clients, customers, patrons, or participants in services, programs or activities, as relevant, are allowed to go.

These procedures shall also be applicable to an individual who is training a service animal.

Service Animal Defined

A "service animal" or emotional support animal for purposes of this procedure means any dog (or miniature horse, as provided herein) that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

The work or tasks performed by a service animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provision of

emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Exceptions

The District may ask an individual with a disability to remove a service animal from the premises if:

- The animal is out of control and the animal's handler does not take effective action to control it; or
- The animal is not housebroken.

If a service animal is excluded under one of these exceptions, the District will give the individual with a disability the opportunity to obtain goods, services, and accommodations or to participate in the service, program, or activity without having the service animal on the premises.

Assessment Factors for Miniature Horses

The District shall consider the following factors:

- The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- Whether the handler has sufficient control of the miniature horse;
- Whether the miniature horse is housebroken; and
- Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

Control

The service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

Care or Supervision

The District is not responsible for the care or supervision of the animal.

Inquiries by the District

The District may make two (2) inquiries to determine whether an animal qualifies as a service animal:

- Whether the animal is required because of a disability; and
- What work or task the animal has been trained to perform.

The District will not make either of these inquiries when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

An individual may choose to produce a county service dog license or identification tag as proof that the animal is a service animal. Licensure or certification is not required in order to meet the definition of service animal under this procedure. There are no licensing or certification requirements for miniature horses.

No Surcharge

The District will not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. If the District normally charges individuals for damage caused by pets, an individual with a disability may be charged for damage caused by his/her/**their** service animal.

Also see BP 3440 Service Animals and BP/AP 5140 Disabled Student Programs and Services.

Approved: 11/14/11
Reviewed: 12/12/16
Revised: 12/9/19
Revised: 7/3/23



BP 7100 Commitment to Diversity

References:

Education Code Sections 87100 et seq.;
Title 5 Sections 53000 et seq.

The Antelope Valley Community College District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success **and committed to an inclusive, anti-racist campus culture**. The Board of Trustees recognizes that diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students **and employees**. The Board of Trustees is **strongly** committed to hiring and staff development processes that support the goals of equal opportunity and diversity, **and equity, and inclusion**, provide equal consideration for all qualified candidates, **and create an anti-racist academic and employment environment**.

Also see AP 7100 Commitment to Diversity and BP/AP 3420 Equal Employment Opportunity

Adopted: 5/8/06
Revised: 12/11/20
Reviewed:
7/7/23

AP 7100 Commitment to Diversity

References:

Education Code Sections 87100 et seq.;
Title 5 Sections 53000 et seq.

The Antelope Valley Community College District demonstrates its commitment to diversity by complying with all federal, state, and local laws and regulations regarding equal employment and nondiscrimination in employment. The District maintains an Equal Employment Opportunity Plan and Student Equity Plan that addresses issues related to the student's access to educational opportunities and their academic environment.

The District is committed to ensuring equity and diversity among our staff and students' campus wide. The College maintains a commitment to these principles through the recruitment and retention of employees and students, which reflects the diversity of the communities that we serve. By fostering equal participation in critical recruitment and retention activities, we remain driven to establishing and maintaining specific activities and programs designed to promote a mindset of equity, ~~and~~ diversity, inclusion, and anti-racism that welcomes and respects differences.

Also see BP/AP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, and AP 3435 Discrimination and Harassment Complaints and Investigations.

Approved: 11/09/20

Revised: 7/11/2023

BP 7700 Whistleblower Protection

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)

The Superintendent/President 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, remedies are applied for any unlawful practices and protections are provided to those employees who, in good faith, report these activities and/or assist the District in its investigation.

Furthermore, District employees shall not:

- retaliate against an employee or applicant for employment who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order;
- retaliate against an employee or applicant for employment because the employee or applicant is a family member of a person who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order; or
- directly or indirectly use or attempt to use the official authority or influence of his/her/**their** 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.

New: 5/9/16

Revised: 7/11/16
Revised: 7/17/23

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

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 academic personnel, staff, or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, customers, vendors, students, or other third parties.

Anonymous reports will be investigated to the extent possible. However, employees are strongly encouraged not to report anonymously because doing so impedes the District's ability to thoroughly investigate the claim and take appropriate remedial measures. 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 District official 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 activity involves the Superintendent/President 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 Superintendent/President 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/~~they~~ must immediately forward to the president of the college where the alleged activity has occurred. 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 highest-level administrator or trustee 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 discipline up to and including termination; and b) advised that if he/~~she/they~~ ~~or 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. A district employee or applicant whose family member makes a protected disclosure is also protected from retaliation.

Any employee who believes he/she/**they** 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. If the allegations of retaliation, or the underlying allegations of unlawful conduct involve the President, the supervisor shall report to the highest level administrator and/or trustee 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, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees should contact the California Community Colleges 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

Approved: 4/11/16

Revised 8/8/16

Revised: 7/11/23



AP 2715 Board Code of Ethics/Standards of Practice/Censure

Ethical Violations

The Board is responsible for monitoring itself, ensuring adherence to state and federal laws and its own code of ethics. The Superintendent/President will provide the Board with information regarding changes in legislation and ethics laws, but shall not be required to enforce Trustee ethical behavior.

All Board Members are expected to maintain the highest standards of conduct and ethical behavior. The Board will be prepared to investigate the factual basis behind any charge or complaint of Trustee misconduct. The Board will review any complaint of Trustee misconduct to determine whether further investigation is warranted.

When it has been determined that further investigation is warranted, the complaint will be referred by the Board President for investigation and review to an ad hoc committee composed of one Trustee, and two other selected person(s), not subject to the complaint. The committee will be guided in its inquiry by the standards set forth in the Board's Code of Ethics as defined in BP 2715. In a manner deemed appropriate by the committee, a thorough fact-finding process shall be initiated and completed within a reasonable period of time to determine the validity of the complaint.

The Trustee subject to the charge of misconduct shall not be precluded from presenting information to the committee. The committee shall, within a reasonable period of time, make a report of its findings to the Board for consideration and/or action. A Board member may be subject to a resolution of censure by the Board should they determine Trustee misconduct has occurred.

Censure Procedure

Censure is an official reprimand, in the form of a resolution, of disapproval of a Board member's actions. Censure is an appropriate punitive measure when the violation of law or policy is deemed by the Board of Trustees to be a serious offense.

The Board may, but is not required to, attempt to informally resolve the issue by having the Board President speak to the individual Board Member who has acted in a manner that violates the Trustee's obligations under statute, regulation, Board policy, Administrative Procedure, protocol, governance standard or Board direction.

The Board Member will be informed that if such behavior remains unchanged that it may give rise to a motion to censure. If the alleged offending member is the Board President, the Vice President shall be the Board representative to speak to the individual Board member. If the behavior continues or is severe,¹⁷ the following procedures will be utilized:

1. When, in the opinion of any two members of the Board or an ad hoc committee appointed by the Board President, another Board member has, by actions, statements or other conduct, violated his/her/their obligations or responsibilities as a Trustee, the Board President shall have the right to place on the Board's public session agenda a "Motion to Censure" the alleged offending Board Member.
2. The placement of this item on the Board's public session agenda will be in conformity with Board Policy 2340, Agendas. If the alleged offending member is the Board President, the Vice President shall be the Board representative to consider the placement of the item on the agenda.
3. Any such motion, when made, shall be in writing and shall include:
 - a. A specific description of the statute, regulation, Board policy, Administrative Procedure, protocol, governance standard or board direction that is claimed to have been violated;
 - b. A specific factual description of the alleged action, statement or other conduct of the Board Member at issue and a description of how that action, statement or other conduct constitutes a violation;
 - c. The specific recommended language for the proposed censure resolution by the Board of the Board Member for the alleged violation.
4. Any Motion to Censure will be effective upon three affirmative votes of the voting Board members. The Board Member who is the subject of the censure motion shall not, however, be permitted to vote on the motion, and his/her vote shall not be counted in calculating the simple majority.
5. Upon the introduction of any Motion to Censure, and prior to any vote thereon, and in an effort to avoid an official Board Censure, the Board Member who is the subject of said Censure Motion shall be provided the opportunity to explain his/her action, statement, or other conduct, to apologize therefore, and to agree to future compliance with all relevant and applicable statutes, regulations, laws and Board policies and Administrative Regulations.
6. The Board member subject to the censure motion may be represented by counsel at his/her/their own personal expense and may have the representative speak on his/her/their behalf. The foregoing shall not, however, prevent the Board from voting upon or perfecting the Motion to Censure.
7. In order to ensure the right to a fair jury trial, the Board of Trustees shall not impose censure on any of its members for the violation of any law while criminal charges are pending. However, when the criminal proceedings are final, the Board of Trustees

need not be bound by the conclusions of the Court and may consider a motion for censure. While the Board may not act to censure a Trustee while criminal charges are pending, the Board and District may release factual information to the public as deemed appropriate.

Adopted: XX/XX/23