



College Coordinating Council Meeting

Wednesday, February 28, 2018
 A124 – President’s Conference Room
 9:30 a.m. – 10:30 a.m.

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

Committee Members:

Dr. Susan Lowry/Van Rider, Academic Senate
 Michelle Arvizu Garcia, Associated Student Organization
 Ed Knudson, President
 Pamela Ford, Classified Union
 Michelle Hernandez, Confidential/Management/Supervisory/Administrators
 LaDonna Trimble, Deans
 Dr. Scott Lee, Faculty Union
 Dr. Bonnie Suderman, Vice President of Academic Affairs
 Mark Bryant, Vice President of Human Resources
 Dr. Erin Vines, Vice President of Student Services

AGENDA

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of December 13, 2017.	All		
II. Constituent Reports	All		
INFORMATION/DISCUSSION/ACTION ITEMS:			
III. BP 6330 – Purchasing	Ed	2 minutes	
IV. BP & AP 7400 – Travel	Ed	2 minutes	
V. BP 4020 – Program, Curriculum, and Course Development	Bonnie	2 minutes	
VI. AP 4228 – Course Repetition – Significant Lapse of Time	Bonnie	2 minutes	
VII. AP 4229 – Course Repetition – Variable Units	Bonnie	2 minutes	
VIII. AP 4235 – Credit By Examination	Bonnie	2 minutes	
IX. AP 4236 – Advanced Placement Credit	Bonnie	2 minutes	
X. AP 5011 – Admission and Concurrent Enrollment of High School and Other Young Students	Erin	2 minutes	
XI. AP 3435 – Complaint Procedure for Discrimination or Harassment	Mark	2 minutes	Returned from December 13, 2017 CCC Meeting.

XII. BP 7250 – Educational Administrators	Mark	2 minutes	Returned from December 13, 2017 CCC Meeting.
FUTURE AGENDA ITEMS:			
NEXT MEETING DATE: March 14, 2018			



College Coordinating Council Minutes

Wednesday, December 13, 2017
A124 – President’s Conference Room
9:30 a.m. – 10:30 a.m.

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

Committee Members:
Van Rider, Academic Senate
Michelle Arvizu, Associated Student Organization
Ed Knudson, President
Pamela Ford, Classified Union and **Kim Fite**
Michelle Hernandez, Confidential/Management/Supervisory – **Rick Shaw in as Proxy**
LaDonna Trimble, Deans
Dr. Scott Lee, Faculty Union – **David Adams in as Proxy**
Dr. Bonnie Suderman, Vice President of Academic Affairs
Mark Bryant, Vice President of Human Resources
Dr. Erin Vines, Vice President of Student Services

MINUTES

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of November 8, 2017.	All		Minutes were approved as presented.
II. Constituent Reports	All		Pamela stated that there are a few positions open for the upcoming elections. Michelle Arvizu stated that ASO would be meeting regarding the student survey for the proposed academic calendar.
INFORMATION/DISCUSSION/ACTION ITEMS:			
III. ITS Reorg	Rick	30 minutes	There was some discussion on the Help Desk Coordinator position and the skill set necessary for the position.
IV. AP 5013 – Students in the Military	Erin	5 minutes	It was agreed to go forward to the January 8, 2018 board meeting.
V. AP 3435 - Complaint Procedure for Discrimination or harassment	Mark	2 minutes	It was agreed to send out to the constituent groups and return to the February 28, 2018 CCC Meeting.
VI. BP 7250 – Educational Administrators	Mark	2 minutes	It was agreed to send out to the constituent groups and return to the February 28, 2018 CCC Meeting.
VII. BP & AP 7330 – Communicable Disease	Mark	2 minutes	It was agreed to go forward to the January 8, 2018 board meeting.
VIII. AP 7336 – Certification of Freedom from Tuberculosis	Mark	2 minutes	It was agreed to go forward to the January 8, 2018 board meeting.

IX.	AP 7500- Volunteers	Mark	2 minutes	It was agreed to go forward to the January 8, 2018 board meeting.
X.	BP & AP 6400 – Audits	Ed	2 minutes	It was agreed to go forward to the January 8, 2018 board meeting.
XI.	BP 7310 - Nepotism	Ed	2 minutes	It was agreed to go forward to the January 8, 2018 board meeting.
FUTURE AGENDA ITEMS:				
NEXT MEETING DATE: January 10, 2018				It was agreed the next meeting would be January 24, 2018.

BP 6330 Purchasing

Reference:

Education Code Section 81656

Public Contracts Code Section 20650

The Superintendent/President is delegated the authority to purchase supplies, materials, apparatus, equipment and services as necessary to the efficient operation of the District. No such purchase shall exceed the amounts specified by Section 20651 of the California Public Contract Code as amended from time to time.

All such transactions shall be reviewed by the Board every 30 days.

All purchase orders shall be approved or ratified by the Board and recorded in the official Board minutes. Purchases which meet one or more of the following criteria may be submitted for ratification.

- a. Items which, in the judgment of the ~~Vice-President~~ Executive Director of Business Services, are required for immediate use in the instructional program or for the immediate repair of buildings or equipment.
- b. Items on a standard list for which bids/quotations have been secured and approved by the Board.
- c. Equipment items which have prior approval of the Board.
- d. Expenditures from the Revolving Cash Fund.
- e. Purchase orders of \$25,000 or less.

See Administrative Procedures # 6330

~~Adopted: 5/8/06~~

Revised: 11/13/06,

~~Revised: 12/14/17 10/31/16~~

BP 7400 Travel

Reference:

Education Code Section 87032; Government Code Section 11139.8

The Superintendent/President is authorized to attend conferences, meetings and other activities that are appropriate to the functions of the District.

The Superintendent/President shall establish procedures regarding the attendance of other employees at conferences, meetings, or activities. The procedures shall include authorized expenses, advance of funds, and reimbursement.

All *district-sponsored* travel outside the United States must be approved in advance by the Board.

Note: Government Code Section 11139.8 prohibits a state agency from requiring its employees, officers, or members to travel to, or approving a request of state-funded or sponsored travel to, any state that, after June 26, 2015, has eliminated protections against discrimination on the basis of sexual orientation, gender identity, or gender expression. This also applies to any state that has enacted a law that authorizes or requires discrimination against same-sex couples or their family or on the basis of sexual orientation, gender identity, or gender expression, subject to certain exceptions. The California Community College Chancellor's Office has indicated it will not approve requests from community college districts to travel to a restricted state. The California Community Colleges Chancellor's Office has also opined that Government Code Section 11139.8 does not apply to local community college districts. However, California law has recognized local community college districts as state agencies for certain purposes, among those is the community college funding mechanism. Therefore, travel to prohibited locations as determined by the California State Attorney's General Office will be limited to the exceptions identified in Government Code Section 11139.8.

Board of Trustees - Advance Travel Authorization

Members of the Board of Trustees are authorized to attend meetings of professional organizations and to receive reimbursement of necessary and actual expenses related thereto.

See Administrative Procedures # 7400

Adopted: 5/8/06

Revised 02/2018

AP 7400 Travel

Reference:

Education Code Section 87032, Government Code Section 11139.8

Authority of President

The President or his/her designated representative shall have the authority to approve transportation by District employees when rendering services to the District by providing District-owned vehicles or authorizing mileage allowance in accordance with Board policy.

District-Owned Vehicles

The use of District-owned vehicles by employees shall be limited to transacting official District business. The use of such vehicles for personal convenience is prohibited.

When not in use for District purposes, all District-owned vehicles shall be parked on College premises in a location designated for that purpose.

Reimbursement for Mileage and Expenses

The President/Superintendent may authorize mileage expense to be paid to College personnel on authorized school business with the understanding that whenever commercial transportation is available and convenient that the lower rate will prevail for reimbursement.

Reimbursement for such mileage and expense shall be at the rates established by the Board of Trustees and outlined in Administrative Procedures for any College personnel.

Reimbursement for Mileage - Personal Car

An employee may choose to drive a personal car instead of a District car when a school car is not available for an authorized College trip, or if the employee prefers to drive his/her personal car.

Refer to Antelope Valley College Faculty collective bargaining agreement, Article IX.

Refer to Antelope Valley College Classified collective bargaining agreement, Article XI.

Note: Government Code Section 11139.8 prohibits a state agency from requiring its employees, officers, or members to travel to, or approving a request of state-funded or sponsored travel to, any state that, after June 26, 2015, has eliminated protections against discrimination on the basis of sexual orientation, gender identity, or gender expression. This also applies to any state that has enacted a law that authorizes or requires discrimination against same-sex couples or their family or on the basis of sexual orientation, gender identity, or gender expression, subject to certain exceptions. The California Community College Chancellor's Office has indicated it will not approve requests from community college districts to travel to a restricted state. The California Community Colleges Chancellor's Office has also opined that Government Code Section 11139.8 does not apply to local community college districts. However, California law has recognized local community college districts as state agencies for certain purposes, among those is the community college funding mechanism.

Therefore, travel to prohibited locations as determined by the California State Attorney's General Office will be limited to the exceptions identified in Government Code Section 11139.8

subd. (c):

- 1. Enforcement of California law, including auditing and revenue collection.**
- 2. Litigation.**
- 3. To meet contractual obligations incurred before January 1, 2017.**
- 4. To comply with requests by the federal government to appear before committees.**
- 5. To participate in meetings or training required by a grant or required to maintain grant funding.**

6. To complete job-required training necessary to maintain licensure or similar standards required for holding a position, in the event that comparable training cannot be obtained in California or a different state not subject to the travel prohibition.

7. For the protection of public health, welfare, or safety, as determined by the affected agency, department, board, authority, or commission, or by the affected legislative office.

All travel requests are to be sent to the Business Office prior to travel. The Business Office will routinely check the California State Attorney's General's website and will notify the department if the travel is to a prohibited location.

5/8/06

Revised 02/2018

BP 4020 Program, Curriculum, and Course Development

Reference:

*Education Code Section 70901(b), 70902(b); 78016;
Title 5, Section 51000, 51022, 5502.5, 55100, 55130, 55150;
U.S. Department of Education regulations on the Integrity of Federal
Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as
amended;
34 Code of Federal Regulations Sections 600.2, 602.24, 603.24, and 668.8;
ACCJC Accreditation Standards II.A and II.A.9*

The programs and curricula of the District shall be of high quality, relevant to community and student needs, and evaluated regularly to ensure quality and currency. To that end, the Superintendent/President, while continuing to rely primarily on the recommendations of the Academic Senate as outlined in BP 2510, shall establish procedures for the development and review of all curricular offerings, including their establishment, modification or discontinuance.

Furthermore, these procedures shall include:

- appropriate involvement of the faculty and Academic Senate in all processes;
- regular review and justification of programs and course descriptions;
- opportunities for training persons involved in aspects of curriculum development; **and**
- consideration of job market and other related information for vocational and occupational programs.

All new courses and programs, including program deletions, shall be approved by the Board.

All new programs shall be submitted to the Office of the Chancellor for the California Community Colleges for approval as required.

Individual degree-applicable credit courses offered as part of a permitted educational program shall be approved by the Board. Non-degree-applicable credit and degree-applicable courses that are not part of an existing approved program must satisfy the conditions authorized by Title 5 regulations and shall be approved by the Board.

Credit Hour

Consistent with federal regulations applicable to federal financial aid eligibility, the District shall assess and designate each of its programs as either a “credit hour” program or a “clock hour” program.

The Superintendent/President will establish procedures which prescribe the definition of “credit hour” consistent with **Title 5 and** applicable federal regulations, as they apply to community college districts.

The Superintendent/President shall establish a procedure to ensure that curriculum at the District complies with the definition of “credit hour” or “clock hour,” where applicable.

The Superintendent/President shall also establish procedure for using a clock-to-credit hour conversion formula to determine whether a credit hour program is eligible for federal financial aid. The conversion formula is used to determine whether such a credit-hour program has an appropriate minimum number of clock hours of instruction for each credit hour it claims.

See Administrative Procedures #4020 and #4021

Adopted: 2/6/06

Revised: 3/10/08

Revised: 6/11/12

Revised: 11/14

Revised: 10/12/15

Revised: 2018

AP 4228 Course Repetition – Significant Lapse of Time

Reference:

Title 5 Section 55043

Students may be permitted or required to repeat courses in which a “C” or better grade was earned where there was a significant lapse of time **of no less than 36 months** since the grade was obtained and:

- The District has established a recency prerequisite for a course or program; or
- An institution of higher education to which a student wishes to transfer has established a recency requirement that the student cannot satisfy without repeating the course.

When a student needs to repeat an **active participatory experience course in physical education, or visual or performing arts, or that is related in content** due to a significant lapse of time, each repetition attempt will be counted toward the established repetition limits. However, if a student has already exhausted the number of permitted repetitions, then an additional repetition due to significant lapse of time may be permitted or required by the District.

When a course is repeated due to a significant lapse of time, the District may disregard the previous grade and credit when computing a student’s grade point average.

5/11/09

Revised 2018

AP 4229 Course Repetition – Variable Units

Reference:

Title 5 Section 55044

Students may be permitted to enroll in variable unit open-entry/open-exit courses as many times as necessary to enable them to complete the entire curriculum of the course once.

Students may not repeat variable unit open-entry/open-exit courses unless:

- The course is required for legally mandated training; or
- The course is a special class for students with disabilities which needs to be repeated; or
- Repetition of the course is justified by extenuating circumstances; or
- The student wishes to repeat the course to alleviate substandard work.

A student may not enroll in a variable unit open-entry/open-exit active participatory course in physical education, visual arts, or performing arts, more than once.

When a course is repeated due to a significant lapse of time, the District may disregard the previous grade and credit when computing a student's grade point average.

2/8/10

Revised 2018

AP 4235 Credit by Examination

Reference:

Education Code Section 79500
Title 5, Sections 55050 and 55052

Credit by Examination may be obtained by one of the following methods:

- Achievement of a score of [3 or higher] on an Advanced Placement Examination administered by the College Entrance Examination Board. Consult the “Non-traditional Credit Guideline” document available through the Counseling Center.
- Achievement of a score that qualifies for credit by examination in the College Level Examination Program. Consult the “Non-traditional Credit Guideline” document available through the Counseling Center.
- Credit by satisfactory completion of an AVC Course Proficiency Exam administered by the college in lieu of completion of a course listed in the college catalog. Consult the “Non-traditional Credit Guideline” document available through the Counseling Center.

Determination of Eligibility to take an AVC Course Proficiency Exam

- The student must be currently registered in the college and in good standing
- The course is listed in the college catalog
- Antelope Valley College faculty have designated the course as one that may be challenged by examination

Credits acquired by examination are not applicable to meeting of such unit load requirements as Selective Service deferment, Veteran's or Social Security benefits.

Credits acquired by examination shall not be counted in determining the 12 semester hours of credit in residence required for an Associate degree.

A student's academic record clearly indicates that the credit was earned by examination by an annotation of (CHL).

The results of the challenge exam, with grade and grade points, are entered upon the student's academic record. No record will be made if a student receives a failing grade on a challenge exam.

A student may apply up to **48** units earned by credit by examination to the Associate degree.

A student cannot earn credit by examination for courses in which they are currently enrolled.

Students desiring to challenge a course by examination should submit a petition to the Office of Admissions & Records before the end of the fourth week of the semester.

Challenge examinations must be completed by the seventh week of the semester.

2/6/06

Revised: 4/14/08

Revised: 2018

AP 4236 Advanced Placement Credit

Reference:

Education Code section 79500

Any student who passes a College Board Advanced Placement (AP) examination with a minimum score of three in a subject matter will be awarded credit in a general education area with a subject matter similar to that of the AP examination.

Course by Course equivalency for AP examination is determined by the appropriate discipline faculty and approved through the Academic Policies and Procedures Committee (AP&P).

For any AP examination that the District does not offer a course similar in content, the District will award credit in the General Education area shown on the California Community College General Education AP List. If there is no General Education area that fits the AP Examination, the District may award elective credit.

The District shall post its Advanced Placement Credit procedure on its Web site in the Antelope Valley College Catalog.

New 10/17

AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students

Reference:

Education Code Sections 48800; 48800.5; 76001; 76002; 76004

Admission Criteria and Procedures for Younger Students

Special Admission Packets

Special **full-time** and **part-time** students as defined in Board Policy 5010 are required to complete a special admit enrollment packet consisting of an admission application, special admit authorization form, and information pertaining to the guidelines and requirements for special admit students.

Summer-school students as defined in Board Policy 5010 are required to complete a special admit enrollment packet consisting of an admission application, special admit authorization form, and information pertaining to the guidelines and requirements for special admit students.

Special Part-time Student Admission

To be considered for admittance as a special part-time student, the student must meet the eligibility standards as established in Education Code Sections 48800 and 76001.

All part-time special admission students taking courses at Antelope Valley College shall have their enrollment fees waived. All special admission students admitted as fulltime students will be assessed enrollment fees. Full-time special admit students may be considered for a BOG Fee Waiver.

Admission is subject to seat availability. The student must submit:

- district application for admission;
- written and signed parental or guardian consent;
- written and signed approval of his or her principal (Note: a parent or guardian of a pupil who is not enrolled in a public or private school may petition directly without the signature of a principal.);
- documentation to demonstrate that the student is capable of profiting from instruction. The Dean of ~~Student Services (Counseling)~~Counseling and Matriculation has the authority to make the final decision whether a student can benefit from instruction.

Special Full-time Student Admission

To be considered for admission as a special full-time student, the student must meet the eligibility standards as established in Education Code Section 48800.05.

Admission is subject to seat availability. The student must submit:

- district application for admission;
- written and signed parental or guardian consent;

- written and signed acknowledgment of his or her principal. (Note: a pupil who is not enrolled in a public or private school does not need to provide written acknowledgment from his/her school principal.);
- documentation to demonstrate that the student is capable of profiting from instruction;
- written approval of the governing board of the school district of attendance. The Dean of Counseling and Matriculation Student Services (Counseling) has the authority to make the final decision whether a student can benefit from instruction.

Special Summer Session Student Admission

To be considered for admission as a special summer session student, the student must meet the eligibility standards as established in Education Code Section 48800 and 76001. Student will not be admitted unless they have availed themselves of all opportunities to enroll in equivalent courses at their school of attendance.

The student must submit:

- written and signed parental or guardian consent;
- written and signed approval of his or her principal that the student has availed himself or herself of all opportunities to enroll in an equivalent course at his or her school of attendance; and
- documentation to demonstrate that the student has adequate preparation in the disciplines to be studied.

All required documents shall be sent to the Dean of Student Services (Admissions & Records Enrollment Services).

High School Student Admission

For students attending high school, the Admissions & Records Office will review the materials and determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college. The decision of the Dean of Counseling and Matriculation Student Services (Counseling) shall be final. This determination may be made by applying one or more of the following criteria:

- a review of the materials submitted by the student;
- meeting with the student and his or her parent or guardian;
- consultation with College Counselors;
- consideration of the welfare and safety of the student and others; and/or
- consideration of local, state and/or federal laws.

Special admit students who are 15 years of age and/or have completed the 8th grade may be eligible to take PE courses.

Middle and Lower School Student Admission

For students attending middle and lower schools, the admission determination shall be made by Dean of Counseling and Matriculation Student Services (Counseling). The school must provide transcripts and a letter signed by the principal indicating how in his or her opinion the student can benefit from instruction. The Dean of Counseling and Matriculation Student Services (Counseling) will determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college, and that the student's safety and that of others will not be affected. The decision of the Dean of Counseling and Matriculation Student Services (Counseling) shall be final.

Once a decision has been made, the student, his or her parent or guardian and the school principal shall be informed of the decision. This determination may be made by applying one or more of the following criteria:

- a review of the materials submitted by the student;
- meeting with the student and his or her parent or guardian;
- consultation with Dean of [Counseling and Matriculation Student Services \(Counseling\)](#);
- consideration of the welfare and safety of the student and others;
- consideration of local, state and/or federal laws;
- review of the content of the class in terms of sensitivity and possible effects on the minor;
- requirements for supervision of the minor; and/or
- times the class(es) meet and the effect on the safety of the minor.

Other Special Admission Regulations

Students will not be admitted unless they have availed themselves of all opportunities to enroll in equivalent courses at their schools of attendance. Courses in which high school and other young students are permitted to enroll will be open to the entire college population, and will be taught with the rigor appropriate to college-level courses in accordance with the approved course outline. Enrollment priority status for special admission students is conducted in accordance with AP 5500. Special admission students begin registration during the open registration period.

Records of enrollment of these students for apportionment purposes will be maintained in the Admissions & Records Office. All claims for state apportionment for K-12 students must meet all of the following criteria; the class is open to the general public and is advertised in one or more of the following:

- The college catalog
- The regular schedule of classes
- An addenda to the catalog or schedule

If the decision to offer a class on a high school campus is made after publication of the district's regular schedule of classes, and the class is only advertised to the general public through electronic media, the class must be advertised for a minimum of 30 continuous days prior to the first meeting of the class.

If the class is offered on a high school campus, the class may not be held during the time the campus is closed to the general public, as defined by the school board.

If the class is a physical education class, no more than 10 percent of the enrollment of the class may consist of special part-time or full time students.

ALL concurrent students will receive college credit for completed courses.

If a request for special part-time or full-time enrollment is denied for a pupil who has been identified as highly gifted, the Board shall provide written findings and reasons for the denial within 60 days. A recommendation regarding the request for admission, and the denial, shall be submitted to the Board at a regularly scheduled meeting that falls at least 30 days after the request for admission has been submitted.

2/6/06

Revised: 5/6/06

AP 3435 Discrimination and Harassment Complaints and Investigations

Reference:

20 U.S.C. Section 1681 et seq.;
Education Code Section 212.5, 231.5, 66281.5, and 67386;
Government Code 12950.1;
Title 5, Sections 59320, 59324, 59326, 59328, and 59300 et seq.;
34 C.F.R. Section 106.8(b);
Title 2 Sections 11023 and 11024

ANTELOPE VALLEY COLLEGE COMPLAINT PROCEDURE FOR ALLEGATION OF DISCRIMINATION* OR SEXUAL HARASSMENT

Complaints

The law prohibits coworkers, supervisors, managers, and third parties with whom an employee comes into contact from engaging in harassment, discrimination, or retaliation. Any person who has suffered harassment, discrimination, or retaliation may file a formal or informal complaint of harassment, discrimination, or retaliation.

A formal complaint is a written and signed statement filed with the District or the State Chancellor's office that alleges harassment, discrimination, or retaliation in violation of the District's Board Policies, Administrative Procedures or in violation of state or federal law. An informal complaint is any of the following: (1) An unwritten allegation of harassment, discrimination, or retaliation; (2) a written allegation of harassment, discrimination, or retaliation that falls outside the timelines for a formal complaint; or (3) a written complaint alleging harassment, discrimination, or retaliation filed by an individual who expressly indicates that he or she does not want to file a formal complaint.

Informal Complaint

Any person may submit an informal complaint to the Vice President of Human Resources or any other District or college administrator. Administrators receiving an informal complaint shall immediately notify the Vice President of Human Resources in writing of all pertinent information and facts alleged in the informal complaint.

Upon receipt of an informal complaint, the Vice President of Human Resources or designee will notify the person bringing the informal complaint of his or her right to file a formal complaint, if the incident falls within the timeline for a formal complaint, and explain the procedure for doing so. The complainant may later decide to file a formal complaint, if within the timelines to do so. If the individual chooses not to file a formal complaint, or if the alleged conduct falls outside the timeline to file a formal complaint, the Vice President of Human Resources or designee shall consider the allegations contained in the informal complaint and determine the appropriate course of action. This may include efforts to informally resolve the matter, or a fact-finding investigation.

Investigation of an informal complaint will be appropriate if the Vice President of Human Resources or designee determines that the allegation(s), if proven true, would constitute a violation of the District policy prohibiting harassment, discrimination, or retaliation. The Vice President of Human Resources or designee will explain to any individual bringing an informal complaint that the Vice President of Human Resources or designee may decide to initiate an investigation, even if the individual does not wish the Vice President of Human Resources or designee to do so. The Vice President of Human Resources or designee shall not disregard any allegations of harassment,

discrimination, or retaliation solely on the basis that the alleged conduct falls outside the deadline to file a formal complaint.

Formal Complaints

Formal Complaints must be filed with the State Chancellor or the Vice President of Human Resources or designee unless the party submitting the Formal Complaint alleges discrimination, harassment, or retaliation against the responsible District officer, in which case it should be submitted directly to the Superintendent/President or the State Chancellor.

Formal Complaints should be submitted on the form prescribed by the State Chancellor. A copy of the form will be available at the Human Resources Office and on the college's/district's website.

If any party submits a written allegation of harassment, discrimination, or retaliation not on the form described above, the District will seek to have the individual complete and submit the form. However, if the individual chooses not to do so, the District will attach the written allegation(s) to the form and treat it as a Formal Complaint. In no instance will the District reject a written allegation of harassment, discrimination, or retaliation on the basis that it was not submitted on the proper form.

A Formal Complaint must meet each of the following criteria:

- It must allege facts with enough specificity to show that the allegations, if true, would constitute a violation of District policies or procedures prohibiting discrimination, harassment, or retaliation;
- The complainant must sign and date the Formal Complaint;
- The complainant must file any Formal Complaint not involving employment within one year of the date of the alleged discriminatory, harassing, or retaliatory conduct or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation(s) of discrimination, harassment, or retaliation.
- The complainant must file any Formal Complaint alleging discrimination, harassment, or retaliation in employment within 180 days of the date of the alleged discriminatory, harassing, or retaliatory conduct, except that this period shall be extended by no more than 90 days following the expiration of the 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days.

If the Formal Complaint does not meet the requirements set forth above, the Vice President of Human Resources or designee will promptly return it to the complainant and specify the defect. If the sole defect is that the Formal Complaint was filed outside the applicable proscribed timeline, the

Vice President of Human Resources or designee will designee will handle the matter as an informal complaint.

Oversight of Complaint Procedure

The Vice President of Human Resources is the "responsible District officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

The actual investigation of complaints may be assigned by the Vice President of Human Resources to other staff or to outside persons or organizations under contract with the District. This shall occur whenever the Vice President of Human Resources is named in the complaint or implicated by the allegations in the complaint or if it is deemed more appropriate to have an outside investigator involved.

Who May File a Complaint

Any student, employee, or third party who believes he/she has been discriminated against or harassed by a student, employee, or third party in violation of this procedure and the related policy.

A student, employee, or third party who believes he/she has been discriminated against or harassed in violation of these policy and procedures may make a complaint orally or in writing

Where to File a Complaint

If a complainant decides to file a formal written unlawful discrimination or harassment complaint against the District, he/she must file the complaint on a form prescribed by the State Chancellor's Office. These approved forms are available from the Human Resources Office and at the State Chancellor's website.

The completed form must be filed with any of the following:

- The *Vice President of Human Resources or designee*;
- The Vice President of Student Services
- Superintendent/President
- The State Chancellor's Office.

Employment-Related Complaints

Complainants filing employment-related complaints shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

Complaints filed with the EEOC or the DFEH should be forwarded to the State Chancellor's Office.

Any District employee who receives a harassment or discrimination complaint shall notify the Vice President of Human Resources immediately.

Filing a Timely Complaint

Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages anyone who believes they are being harassed or discriminated against, to file a complaint. The District also strongly encourages the filing of such complaints within 30 days of the alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate.

All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination; the existence of a hostile, offensive or intimidating work environment, and acts of retaliation.

The District will investigate complaints involving acts that occur off campus if they are related to an academic or work activity or if the harassing conduct interferes with or limits a student's or employee's ability to participate in or benefit from the school's programs or activities.

Communicating that the Conduct is Unwelcome

Although it is not required, the District encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste or inappropriate.

Intake and Processing of the Complaint

Upon receiving notification of a harassment or discrimination complaint, the Vice President of Human Resources or designee shall:

- Undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules; obtaining apologies; providing informal counseling, training, etc.
- Advise the complainant that he/she need not participate in an informal resolution of the complaint, as described above, and has the right to end the informal resolution process at any time. Mediation is not appropriate for resolving incidents involving sexual violence. Mediation in all cases is permitted as long as all parties agree.
- Advise a student complainant that he/she may file a complaint with the Office of Civil Rights of the U.S. Department of Education and employee complainants may file a complaint with the Department of Fair Employment and Housing. All complainants should be advised that they have a right to file a complaint with local law enforcement, if the act complained of is also a criminal act. The District must investigate even if the complainant files a complaint with local law enforcement. In addition, the District should ensure that complainants are aware of any available resources, such as counseling, health, and mental health services. The Vice President of Human Resources or designee shall also notify the State Chancellor's Office of the complaint.
- Take interim steps to protect a complainant from coming into contact with an accused individual, especially if the complainant is a victim of sexual violence. The Vice President of Human Resources should notify the complainant of his or her options to avoid contact with the accused individual and allow students to change academic situations as appropriate. For instance, the District may prohibit the accused individual from having any contact with the complainant pending the results of the investigation. When taking steps to separate the complainant and accused individual, the District shall minimize the burden on the complainant. For example, it is not appropriate to remove complainants from classes or housing while allowing accused individuals to remain.

Investigation

The Vice President of Human Resources shall:

- Authorize the investigation of the complaint, and supervise or conduct a thorough, prompt and impartial investigation of the complaint, as set forth below. Where complainants opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. In the case of a formal complaint, the investigation will include

interviews with the complainant, the accused, and any other persons who may have relevant knowledge concerning the complaint. This may include victims of similar conduct.

- Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, or other unlawful discriminatory conduct, giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.

Investigation of the Complaint

The District shall promptly investigate every complaint and claim of harassment or discrimination. No claim of workplace or academic harassment or discrimination shall remain unexamined. This includes complaints involving activities that occur off campus and in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, on a District bus, or at a class or training program sponsored by the District at another location. The District shall promptly investigate complaints of harassment or discrimination that occur off campus if the alleged conduct creates a hostile environment on campus.

As set forth above, where the complainant opts for an informal resolution, the Vice President of Human Resources or designee may limit the scope of the investigation, as appropriate. The District will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints about the same individual; and the accused individual's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the complainant if it cannot maintain confidentiality.

Investigation Steps

The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this policy shall have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the District's grievance procedures operate. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially.

Investigators will use the following steps:

- Interview the complainant(s)
- Interview the accused individual(s)
- Identify and interview witnesses and evidence identified by each party
- Identify and interview any other witnesses
- If needed; remind all individuals interviewed of the District's no-retaliation policy
- Consider whether any involved person should be removed from the campus pending completion of the investigation
- Review personnel/academic files of all involved parties as warranted.
- Reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion.

- When the District evaluates the complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred.

Timeline for Completion

The District will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within 90 days of the District receiving the complaint.

Cooperation Encouraged

All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed. No employee will be retaliated against as a result of lodging a complaint or participating in any workplace investigation.

Written Report:

The results of the investigation of a complaint shall be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the Formal Complaint;
- A summary of the testimony provided by each witness interviewed by the investigator;
- An analysis of relevant evidence collected during the course of the investigation;
- A specific finding as to whether there is probable cause to believe that discrimination, harassment, or retaliation occurred with respect to each allegation in the complaint; and
- Any other information deemed appropriate by the District.

Confidentiality of the Process

Investigations are best conducted within a confidential climate. Therefore, the District does not reveal information about ongoing investigations except as necessary to fulfill its legal obligations. The District will keep the investigation confidential to the extent possible, but it cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation and to protect the rights of Accused students and employees during the investigation process and any ensuing discipline.

Administrative Determination

- In any case not involving employment discrimination, within 90 days of receiving a formal complaint, the District shall complete its investigation and forward a copy of the investigative report to the State Chancellor, a copy or summary of the report to the complainant, and written notice setting forth all of the following to both the complainant and the Chancellor:
 - The determination of the Vice President of Human Resources or designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;

- A description of actions taken, if any, to prevent similar problems from occurring in the future;
 - The proposed resolution of the complaint; and
 - The complainant's right to appeal to the district governing board and the Chancellor.
- In any case involving employment discrimination, within 90 days of receiving a formal complaint, the District shall complete its investigation and forward a copy or summary of the report to the complainant, and written notice setting forth all the following to the complainant:
 - The determination of the Vice President of Human Resources or designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;
 - A description of actions taken, if any, to prevent similar problems from occurring in the future;
 - The proposed resolution of the complaint; and
 - The complainant's right to appeal to the District governing board and to file a complaint with Department of Fair Employment and Housing or the U.S Equal Employment Opportunity Commission.

Discipline and Corrective Action

If harassment, discrimination or retaliation occurred in violation of the policy or procedure, the District shall take disciplinary action against the accused and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense. Remedies for the complainant might include, but are not limited to:

- Providing an escort to ensure that the complainant can move safely between classes and activities;
- Ensuring that the complainant and alleged perpetrator do not attend the same classes or work in the same work area;
- Preventing offending third parties from entering campus;
- Providing counseling services or a referral to counseling services
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a student-complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record; and
- Reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the complainant being disciplined.

If the District imposes discipline, the nature of the discipline will not be communicated to the complainant. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in harassment when the sanction directly relates to the complainant; for example, the District may inform the complainant that the harasser must stay away from the complainant.

Disciplinary actions against faculty, staff, and students will conform to all relevant statutes, regulations, personnel policies and procedures, including the provisions of any applicable collective bargaining agreement.

The District shall also take reasonable steps to protect the complainant from further harassment, or discrimination, and to protect the complainant and witnesses from retaliation as a result of communicating the complaint or assisting in the investigation. The District will ensure that complainants and witnesses know how to report any subsequent problems, and should follow-up with complainants to determine whether any retaliation or new incidents of harassment have occurred. The District 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.

If the District cannot take disciplinary action against the accused individual because the complainant refuses to participate in the investigation, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

Appeals and District Final Decision

If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision.

If the complainant is not satisfied with the results of the administrative determination, the complainant may, within fifteen (15) days, submit a written appeal to the district governing board. The governing board shall review the original complaint, the investigative report, the administrative determination, and the appeal and issue a final district decision in the matter within forty-five (45) days after receiving the appeal. A copy of the final district decision rendered by the governing board shall be forwarded to the complainant and to the Chancellor. The complainant shall also be notified of his/her right to appeal this decision.

If the governing board does not act within forty-five (45) days, the administrative determination shall be deemed approved and shall become the final district decision in the matter.

In any case not involving employment discrimination, harassment, or retaliation, the complainant shall have the right to file a written appeal with the Chancellor within thirty (30) days after the governing board issues the final district decision or permits the administrative determination to become final. Such appeals shall be processed pursuant to the provision of Title 5 Section 59350

In any case involving an allegation of discrimination on the basis of race, color, national origin, sex, disability or age, in the provision of programs and services provided by the college, a complainant may also file a complaint with U.S. Department of Education. Complaints may also be filed with the Equal Employment Opportunity Commission or the Department of Fair Employment and Housing (addresses listed below)

Equal Employment Opportunity Commission
Roybal Federal Building
255 E. Temple Street, 4th Floor

Los Angeles, CA 90012
<http://www.eeoc.gov>

Office for Civil Rights (OCR)
United States Department of Education
50 Beale Street, Suite 7200
San Francisco, CA 94105
<http://www.ed.gov/offices/OCR>

Department of Fair Employment and Housing (DFEH)
611 West Sixth Street, Suite 1500
Los Angeles, CA 90017
<http://www.dfeh.ca.gov/default.asp>

Extension of time

Within 150 days of receiving a complaint, the district will forward the following to the Chancellor:

- The original complaint;
- The report describing the nature and extent of the investigation conducted by the district;
- A copy of the notice sent to the complainant (pursuant to Government Code 59336);
- A copy of the final district decision rendered by the governing board or a statement indicating the date on which the administrative decision became final
- A copy of the notice to the complainant (pursuant to Government Code 59338);
- Such other information as the Chancellor may require.

Extensions: Failure to Comply

If a District, for reasons beyond its control, is unable to comply with the 150-day deadline specified for submission of materials to the Chancellor, the District may file a written request that the Chancellor grant an extension of the deadline. The request shall be submitted no later than ten (10) days prior to the expiration of the deadline established and shall set the reasons for the request and the date by which the District expects to be able to submit the required materials.

A copy of the request for an extension shall be sent to the complainant who may file written objections with the Chancellor within five (5) days of receipt.

The Chancellor may grant the request unless delay would be prejudicial to the complainant.

If a District fails to comply with the requirements by the required deadline, including any extension granted, the Chancellor may proceed to review the case based on the original complaint and any other relevant information then available.

File Retention

The District will retain on file for a period of at least three years after closing the case copies of:

- The original complaint;
- The investigatory report;
- The summary of the report if one is prepared;
- The notice provided to the complainant, of the District's administrative determination and his or her right to appeal;
- Any appeal; and
- The District's final decision.

The District will make such documents available to the State Chancellor upon request

Where the complaint allegation consists of Sexual Misconduct, as defined by Title IX, the following applies:

Sexual Misconduct

Sexual misconduct includes sexual harassment and sexual violence.

- Sexual harassment may include unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or education setting.
- Sexual violence refers to physical sexual acts perpetrated against a person's will or when a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability. Sexual violence includes rape, sexual assault, sexual battery, and sexual coercion.
- Affirmative consent means an affirmative, conscious, and voluntary agreement to engage in sexual activity.

Sexual misconduct creates a hostile environment if the conduct is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the District's program. A single or isolated incident may create a hostile environment if the incident is sufficiently severe.

Complaint Procedure

Where the complaint involves a minor, the District will comply with California mandated reporting requirements.

All responsible employees are required to report all actual or suspected sexual misconduct to the Title IX Coordinator immediately. A responsible employee is any employee who has the authority to take action to redress sexual misconduct, who has been given the duty of reporting incidents of sexual misconduct to the Title IX Coordinator or Vice President of Human Resources or designee, or whom a student or employee could reasonable believe has this authority or duty. The District is on notice if a responsible employee knew, or in the exercise of reasonable care should have known, about the sexual misconduct.

Any person may make a complaint by contacting the Title IX Coordinator directly. The District's Title IX Coordinator is the Vice President of Human Resources. The Title IX Coordinator will receive all relevant details about the alleged sexual misconduct reported to the District responsible employee in order to determine what occurred and how to resolve the situation. This includes the names of alleged victim and alleged perpetrator (if known), and the date, time, and location of the alleged sexual misconduct.

Privileged or Confidential Reporting

A responsible District employee should, whenever possible, before a student or employee reveals information that he or she may wish to keep confidential, ensure that the person making the report understands the employees obligations to report to the Title IX Coordinator, the victims option to request confidentiality, which the District will take into consideration, and the victims ability to share the information confidentially with designated District employees.

Professional, licensed, mental health counselors, and pastoral counselors, who provide mental-health counseling to members of the District community, or interns, graduate students, and others

supervised by professional licensed counselors, are not required to report any information to the title IX Coordinator.

Non-professional counselors who work or volunteer in health center, victim advocacy office, women's center, etc., including front desk personnel and student employees in the course of their duties, may maintain confidentiality. They are not required to report actual or suspected sexual misconduct to the Title IX Coordinator in a way that identifies the student without the victims consent.

Authority over Parties

The District has authority over students, employees, and third parties for alleged violations of this policy that occur on District property. The District has authority over District employees and students for alleged violations of this policy that occur at District activities or events. The District may exercise authority over events that occur off-campus to determine if the conduct occurred in the context of an education program or activity or had continuing effects on campus or in an off-campus education program or activity.

Standard of Proof

The District will use a "preponderance of the evidence" standard of proof in determining whether there has been a violation of this policy. This standard of proof is also known as "more likely than not" standard.

Upon Receiving the Complaint – Health and Safety

The Title IX Coordinator or designee, will make an immediate assessment concerning the health and safety of the victim and campus community as a whole. The District will provide the reporting party and responding party victim with immediate, interim measures necessary to protect his or her health and safety. These immediate interim measures may include:

- Providing an escort
- Ensuring that the victim and perpetrator do not attend the same classes or work in the same area
- Preventing offending third parties from entering campus
- Providing counseling services or a referral to counseling services
- Providing academic support services

Where the District determines that there is a substantial threat to the campus community, it will issue a timely warning. The District will issue the warning according to District Administrative Procedures. The District will not to disclose the victim's name or other identifying information when issuing the warning.

Communicating that the Conduct is Unwelcome

The employee or student may, but is not required to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste, or inappropriate.

Intake and Processing of the Complaint

The Title IX Coordinator will not use mediation or any similar process to informally resolve a sexual misconduct complaint.

If the District determines that a sexual misconduct complaint is appropriate for informal resolution, it may permit an informal resolution, including mediation. All parties, including the complainant and

respondent, must receive full disclosure of the allegations and information about options for formal resolution before voluntarily agreeing to participate in an informal resolution. If parties agree to an informal resolution, the District does not have to complete a full investigation and adjudication of a report of sexual misconduct.

Confidentiality

Where the victim requests confidentiality regarding a reportable incident or that the District not conduct an investigation, the District will take all reasonable steps to comply with the victim's request or inform the victim when it cannot ensure confidentiality. investigate while honoring the request. The District will not disclose the name of the victim unless the victim provides written consent after being informed of his/her right to have the information withheld. Where the victim insists that the District not disclose his or her name or other identifiable information to the alleged perpetrator, the District will inform the victim that its ability to respond will be limited. The District will evaluate this request in the context of its responsibility to provide a safe and nondiscriminatory environment for all employees and students. When weighing a request for confidentiality against the seriousness of the alleged harassment, the Title IX Coordinator will take the factors listed above into consideration.

Fact-Finding Investigation

Where the victim has filed a criminal complaint with local law enforcement, the District will consider what information the District is able to share, pursuant to state and federal law, to ensure that victims are not unnecessarily required to give multiple statements about a traumatic event. The District will continue to conduct its own thorough, reliable, prompt, and impartial investigation. The District will normally complete its sexual misconduct investigation within 960 business days of receiving the complaint, unless extended by the Title IX Coordinator for good cause. The Title IX Coordinator will notify the victim and accused in writing of the reason for the extension and the projected new timeline.

The victim and accused will have equal opportunity to present relevant witnesses and other evidence to the District investigator. The District will provide the same opportunities to the victim and accused, for example if the District permits the victim or accused to have a lawyer or other advisor present, it must do so for the other party. Any District imposed restrictions on the ability of a lawyer or other advisor to speak or participate in the interview must also apply equally..

The results of the fact-finding investigation will be set out in a formal investigative report which will include the requirements listed above and a credibility determination of the victim, accused, and witnesses.

Reporting to State Chancellor's Office

The District considers all sexual misconduct complaints to be formal complaints. The Vice President or designee must notify the State Chancellor's Office of any sexual misconduct complaints. Upon completing the investigation, the District shall forward to the Chancellor's Office a copy of the investigative report and administrative determination and to the complainant a copy or summary of the investigative report and administrative determination.

Dissemination of Policy and Procedures

District Policy and Procedures related to harassment will include information that specifically addresses sexual violence. District policy and procedures will be provided to all students, faculty members, members of the administrative staff and members of the support staff, and will be posted on campus and on the District's website.

Initial Hire

When hired, employees are required to sign that they have received the policy and procedures, and the signed acknowledgment of receipt is placed in each employee's personnel file. In addition, these policies and procedures are incorporated into the District's course catalogs and orientation materials for new students.

Supervisory Employee Training

By January 1, 2006, the District shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees who are employed as of July 1, 2005. All new supervisory employees must be provided with the training and education within six months of their assumption of a supervisory position. After January 1, 2006, the District shall provide sexual harassment training and education to each supervisory employee once every two ~~years.~~years.

The training and education required by this procedure shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

Supervisor's harassment training must also address potential exposure and liability for employers and individuals, supervisor's obligation to report sexual harassment, discrimination, and retaliation when they become aware of it, appropriate remedial measures to correct harassing behavior, and a review of "abusive conduct."

The District will maintain appropriate records of the training provided, including the names of the supervisory employees trained, the date of training, sign in sheets, copies of all certificates of attendance or completion issued, the type of training provided, a copy of all written or recorded training materials, and the name of the training provider. If the training is provided by webinar, the District will maintain a copy of the webinar, all written materials used by the training and all written questions submitted during the webinar, and document all written response or guidance the trainer provided during the webinar. The District will retain these records for at least three years.

Staff Training

Training of all staff will be conducted. This includes counselors, faculty, health personnel, law enforcement officers, coaches, and all staff who regularly interact with students. Training for academic staff should emphasize environmental harassment in the classroom. The District will also provide training to students who lead student organizations. The District should provide copies of the sexual harassment policies and training to all District law enforcement unit employees regarding the grievance procedures and any other procedures used for investigating reports of sexual violence.

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In years in which a substantive policy or procedural change has occurred, all District employees will attend a training update and/or receive a copy of the revised policies and procedures.

Participants in training programs will be required to sign a statement that they have either understood the policies and procedures, their responsibilities, and their own and the District's potential liability, or that they did not understand the policy and desire further training.

Education and Prevention for Students

In order to take proactive measures to prevent sexual harassment and violence toward students, the District will provide preventive education programs and make victim resources, including comprehensive victim services, available. The District will include such programs in their orientation programs for new students, and in training for student athletes and coaches. These programs will include discussion of what constitutes sexual harassment and sexual violence, the District's policies and disciplinary procedures, and the consequences of violating these policies. A training program or informational services will be made available to all students at least once annually.

The education programs will also include information aimed at encouraging students to report incidents of sexual violence to the appropriate District and law enforcement authorities. Since victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of District or campus rules were involved, the District will inform students that the primary concern is for student safety and that use of alcohol or drugs never makes the victim at fault for sexual violence. If other rules are violated, the District will address such violations separately from an allegation of sexual violence.

4/14/08

Revised: 10/12/09

Revised: 3/10/14

Revised: 2016

Revised: 10/16

Revised: 11/17

BP 7250 Educational Administrators

Reference:

***Education Code Sections 72411 et seq., 87002(b), 87457-87460;
Government Code Section 3540.1(g) and (m)***

An administrator is a person employed by the Board in a supervisory or management position as defined in Government Code Sections 3540, et seq.

Educational administrators are those who exercise direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services programs of the District.

An educational administrator who has not previously acquired tenure as a faculty member in the District shall have the right to become a first year probationary faculty member once his or her administrative assignment expires or is terminated, if the following criteria are met:

- The administrator meets the criteria established by the District for minimum qualifications for a faculty position, in accordance with procedures developed jointly by the Superintendent/President and the Academic Senate and approved by the Board. The Board shall rely primarily on the advice and judgment of the Academic Senate to determine that an administrator possesses minimum qualifications for employment as a faculty member.
- The requirements of Education Code Section 87458(c) and (d), or any successor statute, are met with respect to prior satisfactory service and reason for termination of the administrative assignment.
- The District has a vacancy for which the administrator meets minimum qualifications.

Educational administrators shall be compensated in the manner provided for by the appointment or contract of employment. Compensation shall be set by the Board upon recommendation by the Superintendent/President. Educational Administrators shall further be entitled to health and welfare benefits made available by action of the Board upon recommendation by the Superintendent/President.

Educational administrators shall be entitled to vacation leave, sick leave, and other leaves as provided by law, these policies, and administrative procedures adopted by the Superintendent/President.

Every educational administrator shall be employed by an appointment or contract of up to four years in duration.

The Board may, with the consent of the administrator concerned, terminate, effective on the next succeeding first day of July, the terms of employment and any contract of employment with the administrator, and reemploy the administrator on any terms and conditions as may be mutually agreed upon by the Board and the administrator, for a new term to commence on the effective date of the termination of the existing term of employment.

If the Board determines that the administrator is not to be reemployed when his or her appointment or contract expires, notice to an administrator shall be in accordance with the terms of the existing contract. If the contract is silent, notice shall be in accordance with Education Code Section 72411.

An Educational Administrator's duties and responsibilities are determined by the job announcements for the position.

Educational Administrators are entitled to *Administrative Reassignment Rights* as specified in AP 7250.

See Administrative Procedure #7250

Adopted: 5/8/06

Reviewed: 4/17

Revised: 10/17