



College Coordinating Council Meeting Via Zoom

May 27, 2020
A140 – President’s Conference
Room 9:30 a.m. – 10:30 a.m.
(Less than 10 people)

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

Committee Members:
Dr. Jessica Harper, Academic Senate
Cameron Zappetta ASO
Bridget Cook, General Counsel
Pamela Ford & Wade Saari, Classified Union
Michelle Hernandez, Confidential/Management/Supervisory/Administrators
LaDonna Trimble, Deans
Dr. Scott Lee & Dr. Aurora Burd, Faculty Union
Dr. Les Uhazy, Interim Vice President of Academic
Jenn Burchett, Vice President of Human Resources
Dr. Erin Vines, Vice President of Student Services

MEETING

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of May 13,, 2020.	All		
II. Constituent Reports	All		
INFORMATION/DISCUSSION/ACTION ITEMS:			
I. BP & AP 2205 – Internal Audit	Wendy	1 minute	
II. BP & AP 6400 – Audits	Diana	1 minute	Brought back from the February 26 th meeting. Committee wanted to review both Internal & External Audit policies together.
III. BP 2355 - Decorum	Bridget	1 minute	
IV. AP 3515 – Reporting of Crimes	Bridget	1 minute	
V. AP 3540 - Sexual and Other Assaults on Campus	Bridget	1 minute	

III. BP & AP 7100 – Commitment to Diversity	Jenn	1 minute	Returned from May 13, 2020 meeting.
FUTURE AGENDA ITEMS:			
NEXT MEETING DATE: June 10, 2020			

Zoom Meeting Info

Join from PC, Mac, Linux, iOS or Android: <https://cccconfer.zoom.us/j/98519107573>

Or iPhone one-tap (US Toll): +16699006833,98519107573# or +13462487799,98519107573

Or Telephone:

Dial:

+1 669 900 6833 (US Toll)

+1 346 248 7799 (US Toll)

+1 253 215 8782 (US Toll)

+1 646 876 9923 (US Toll)

+1 301 715 8592 (US Toll)

+1 312 626 6799 (US Toll)

Meeting ID: 985 1910 7573

International numbers available: <https://cccconfer.zoom.us/u/axDIzmSzw>

Or Skype for Business (Lync):

<SIP:98519107573@lync.zoom.us>



College Coordinating Council Minutes

May 13, 2020

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(Less than 10 people)

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

Committee Members:

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Cameron Zappetta & Jack Danielson, ASO
Bridget Cook, General Counsel
Wade Saari, Classified Union
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LaDonna Trimble, Deans
Dr. Scott Lee & Dr. Aurora Burd, Faculty Union
Dr. Les Uhazy, Interim Vice President of Academic
Jenn Burchett, 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 April 22, 2020.	All		The minutes were approved with a minor revision of updating the attendance.
II. Constituent Reports	All		Jack Danielson thanked everyone for the opportunity to serve and welcome Cameron Zappetta to the committee. Erin Vines stated that last week the CARES ACT funds were awarded to some of the students and that they were looking at trying to give all students additional funding.
INFORMATION/DISCUSSION/ACTION ITEMS:			
III. BP & AP 7100 – Commitment to Diversity	Jenn	1 minute	There was some discussion on language regarding the population that we serve and will be brought back to another meeting.
IV. AP 7121 – Faculty Internship	Jenn	1 minute	It was agreed to go forward to the June Board meeting.
V. BP 7140 – Collective Bargaining	Jenn	1 minute	It was agreed to go forward to the June Board meeting.

VI.	BP & AP 7370 – Employee Political Activity	Jenn	1 minute	It was agreed to go forward to the June Board meeting.
VII.	BP & AP 2360 – Minutes	Bridget	1 minute	It was agreed to go forward to the June Board meeting.
VIII.	AP 3750 – Use of Copyrighted Material for Educational Purposes	Bridget	1 minute	It was suggested that Bridget review and it will be brought back to another meeting.
IX.	BP & AP 3820 – Gifts	Bridget	1 minute	It was agreed to go forward to the June Board meeting.
X.	AP 6750 – Parking	Bridget	1 minute	It was agreed to go forward to the June Board meeting.
XI.	BP & AP 5030 - Fees	Erin	1 minute	There was some discussion on fees and Erin will verify, make minor changes and bring back to another meeting.
XII.	AP 5055 – Enrollment Priorities	Erin	1 minute	It was agreed to go out to constituents for review.
XIII.	BP & AP 5420 – Associated Student Finance	Erin	1 minute	There were some revisions missing, and decided to bring back to another meeting.
XIV.	BP & AP 5800 – Prevention of Identity Theft in Student Financial Transactions	Erin	1 minute	It was agreed to go out to constituents for review.
FUTURE AGENDA ITEMS:				
NEXT MEETING DATE: May 27, 2020				

Zoom Meeting Info

Join from PC, Mac, Linux, iOS or Android: <https://cccconfer.zoom.us/j/93535497400>

Or iPhone one-tap (US Toll): +16699006833,93535497400# or +12532158782,93535497400

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+1 669 900 6833 (US Toll)

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Meeting ID: 935 3549 7400

International numbers available: <https://cccconfer.zoom.us/j/93535497400>

Or Skype for Business (Lync):

<SIP:93535497400@lync.zoom.us>

BP 2205 Internal Audit

References:

Education Code Section 84040; 85237.5,85266.5

ACCJC Accreditation Standard III D.5,8

Board of Governors Standards for Approval of District Applications for Independent Warrant Authority

To protect the District's value to its community, it is the commitment of the Board to foster proactive improvement and accountability in the effectiveness, efficiency and integrity of operations.

In support of this effort and the District's fiscal independence, the Board shall establish an Internal Audit Department to provide independent, objective appraisals, advice and insight to reduce risk and improve operations. The Internal Auditor shall report functionally to the Board of Trustees and administratively to the Superintendent/President.

Also see AP 2205 Internal Audit and BP/AP 6400 Audits.

Adopted: 8/10/20

AP 2205 Internal Audit

References:

Education Code Section 84040
ACCJC Accreditation Standard III D.5,8
Board of Governors Standards for Approval of District Applications for
Independent Warrant Authority

ANTELOPE VALLEY COMMUNITY COLLEGE DISTRICT INTERNAL AUDIT SERVICES CHARTER

Purpose

Internal Audit Services' mission is to strengthen and protect the District's value by providing independent, objective appraisals, advice and insight to reduce risk and improve operations. Internal Audit Services supports the District in the achievement of its objectives by promoting pro-active risk assessments and providing independent examinations of procedures and processes to evaluate the extent to which:

- Internal controls are consistently and effectively applied;
- Financial, property and informational assets are safeguarded;
- Resources are utilized in a prudent, efficient and cost effective manner;
- Reported information is timely, accurate and reliable;
- Policies, plans, procedures, laws and regulations are followed;
- Operational and program results achieved are consistent with the District's objectives.

Authority & Responsibility

The Internal Auditor will serve the District in a manner consistent with the mandatory guidance prescribed by the Institute of Internal Auditors (IIA), including the Standards for Professional Practice of Internal Auditors, its Core Principles, Code of Ethics and definition of Internal Auditing.

The Internal Auditor reports functionally to the Board of Trustees and administratively to the Superintendent/President. This reporting relationship provides independence from operations and promotes comprehensive consideration of audit areas.

In fulfilling its responsibilities the Internal Auditor's activities will include:

- Assisting management in pro-active risk assessment;
- Developing and implementing flexible risk-based audit plans and programs;

- Providing reports and memoranda to communicate audit results and cost effective recommendations;
- Suggesting policies and procedures where appropriate;
- Assisting management in the coordination of external audits, serving as a liaison to external auditors;
- Facilitating the resolution of audit issues with administrators who have the most direct involvement and accountability;
- Providing training to help educate District staff on fraud prevention and internal controls;
- Investigating allegations involving theft or misuse of District's assets;
- Maintaining a quality and assurance improvement program, consistent with IIA's Standards, to ensure the effectiveness and quality of the internal audit effort.

To effectively carry out its duties, the Internal Auditor is authorized full and complete access to all District records, properties and personnel relevant to the performance of reviews and investigations. The responsibility of the Internal Auditor is to handle documents and information obtained during a review in the same prudent manner required of those employees normally responsible for them.

To maintain objectivity, the Internal Auditor should have no direct authority or responsibility over the activities under review and his or her review shall not relieve others of their responsibilities. Furthermore, in order to avoid compromising independence, the Internal Auditor should not develop or implement policies or procedures, prepare records or engage in activities that would normally be reviewed as part of the audit function.

The Internal Auditor's role in various District meetings and committees should be limited to rendering advice and staying abreast of strategic, governance and risk issues.

Also see BP 2205 Internal Audit and BP/AP 6400 Audits.

Approved: 8/10/20

BP 6400 ~~Financial~~ Audits

References:

Education Code Section 84040 ~~subdivision~~ (b);
CCR Title 5 Sections ~~59012 59100 through 59116~~;
ACGJC Accreditation Standard III.D.7

There shall be an annual outside audit of all funds, books, and accounts of the District in accordance with the regulations of Title 5. The Superintendent/President shall assure that an annual outside audit is completed. The Superintendent/President shall recommend a certified public accountancy firm to the Board of Trustees with which to contract for the annual audit.

~~An Internal Audit Department shall be established and maintained to perform independent, objective audits, advisory services, internal control & compliance reviews, and other related assignments.~~

~~The Board of Trustees recognizes the need to protect the independence and objectivity of the District's audit functions and to ensure auditors are free from influence, interference, and coercion.~~

Adopted: 5/8/06
Revised: 12/14/15
Revised: 1/8/18
Revised: 3/9/20

AP 6400 **Financial Audits**

References:

Education Code Sections 84040 subdivision (b), 84040.5, and 81644;
CCR Title 5 Sections 59012 59100 through 59116;
ACCJC Accreditation Standard III D.7

On or before April 1 of the fiscal year, the Board of Trustees shall approve the selection of an auditor who shall be a certified public accountant licensed by the California State Board of Accountancy.

The length of an auditing firm's contract shall be determined by the District but shall be for no longer than five (5) years. The audit shall include all funds under the control or jurisdiction of the District. The audit shall identify all expenditures by source of funds and shall contain:

- A statement that the audit was conducted pursuant to standards and procedures developed in accordance with Education Code Section 84040.5, and
- A summary of audit exceptions and management recommendations.

Audit reports for the preceding fiscal year must be submitted to the state California Community Colleges Chancellor's Office by December 31.

~~Internal Audit is an independent, objective assurance and consulting activity designed to add value to the institution's operations through a systematic approach to evaluate and improve the effectiveness of the District's governance, risk management and control processes. The Internal Audit Department should operate in a manner consistent with the Standards for Professional Practice of Internal Auditors & Code of Ethics adopted by the Institute of Internal Auditors. The Internal Audit Department reports to the Board of Trustees with direction provided by the Disbursing Officer for the pre-audit of disbursements. The Internal Auditor does not have direct responsibility or authority over any of the operations reviewed. Nor does the Internal Auditor develop or implement policies or procedures, prepare records, or engage in activities which would normally be reviewed as part of the audit function. Internal audit recommendations related to a specific activity under audit may be communicated in a written report or as appropriate, verbally to operating management to review and implement at their discretion or direction of their direct report.~~

~~Both the external and internal auditors are authorized complete access to all District records, properties and personnel relevant to the performance of audits and investigations.~~

Approved: 5/8/06
Revised: 11/9/15

Revised: 1/8/18
Revised: 3/9/20



BP 2355 Decorum

References:

Education Code Section 72121.5;
Government Code Section 54954.3 subdivision (b)

The following will be ruled out of order by the presiding officer.

- ~~Remarks or discussion in public meetings on charges or complaints which the Board of Trustees has scheduled to consider in closed session.~~
- ~~Profanity, obscenity, and other offensive language.~~
- ~~Disrupting, disturbing, or otherwise impeding the orderly conduct of the meeting.~~
- Physical violence ~~and~~/or threats of physical violence directed toward any person or property.

In the event that any meeting is willfully interrupted by the actions of one or more persons so as to render the orderly conduct of the meeting unfeasible, the person(s) may be removed from the meeting room.

Speakers who engage in such conduct may be removed from the podium and denied the opportunity to speak to the Board of Trustees for the duration of the meeting.

Before removal, a warning and a request that the person(s) curtail the disruptive activity will be made by the President of the Board of Trustees. If the behavior continues, the person(s) may be removed by a vote of the Board of Trustees, based on a finding that the person is violating this policy, and that such activity is intentional and has substantially impaired the conduct of the meeting.

If order cannot be restored by the removal in accordance with these rules of individuals who are willfully interrupting the meeting, the Board of Trustees may order the meeting room cleared and may continue in session. The Board of Trustees shall only consider matters appearing on the agenda. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this rule.

Also see BP/AP 2340 Agendas, BP/AP 2345 Public Participation at Board Meetings, BP/AP 2350 Speakers, and AP 2355 Decorum and Debate Protocol.

Adopted 7/5/05
Reviewed: 8/8/16
Revised: 9/9/19
Revised: 7/13/20



AP 3515 Reporting of Crimes

References:

Education Code Sections 212, 67380, 67383, and 87014;
Penal Code Sections 245 and 422.55;
Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998;
20 United States Code Section 1232g;
34 Code of Federal Regulations Part 668.46;
34 Code of Federal Regulations Part 99.31 subdivisions (a)(13), (14);
Campus Security Act of 1990

Members of the Antelope Valley Community College District who are witnesses or victims of a crime should immediately report the crime to the Antelope Valley Community College Campus Sheriff's Office when and if that criminal act is committed within the jurisdiction of the College Campus Sheriff's Office. Members of the Antelope Valley Community College District who are witnesses or victims of a crime off campus and outside the jurisdiction of the Campus Sheriff's Office, should contact the Los Angeles County Sheriff's Department:

In Lancaster contact: (661) 948-8466
In Palmdale contact: (661) 267-4300

In the event an employee is assaulted, attacked, or menaced by a student, the employee shall notify his/ her supervisor as soon as practical after the incident. The supervisor of any employee who is attacked, assaulted, or menaced shall assist the employee to promptly report the attack or assault to the Antelope Valley Community College Campus Sheriff's Office. The supervisor himself/ herself shall make the report if the employee is unable or unwilling to do so. Reporting a complaint to local law enforcement will not relieve the District of its obligation to investigate all complaints of harassment.

The District will instruct members of the Antelope Valley Community College Campus Sheriff's Office to notify students and employees complaining of sexual violence of their right to file a sex discrimination complaint with the District in addition to filing a criminal complaint, and to report incidents of sexual violence to Human Resources if the complainant consents.

The District shall publish warnings to the campus community about crimes that are considered to represent a continuing threat to other students and employees in a manner that is timely and will aid in the prevention of similar crimes. The information shall be disseminated by the Public Information Officer (PIO) in a manner that aids the prevention of similar crimes.



The District shall publish warnings to the campus community about the following crimes:

- Criminal homicide – murder and non-negligent manslaughter;
- Criminal homicide – negligent manslaughter;
- Sex offenses – forcible and non-forcible sex offenses;
- Domestic violence, dating violence, and stalking;
- Robbery;
- Aggravated assault;
- Burglary;
- Motor vehicle theft;
- Arson;
- Arrests for liquor law violations, drug law violations, and illegal weapons possession;
- Persons who were not arrested for liquor law violations, drug law violations, and illegal weapons possession, but who were referred for campus disciplinary action for same;
- Crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability and involve larceny-theft, simple assault, intimidation;
- destruction/damage/vandalism of property, or any other crime involving bodily injury;
- Those reported to Antelope Valley Sheriff Department and
- Those that are considered to represent a continuing threat to other students and employees.

In the event that a situation arises, either on or off campus, that, in the judgment of the Antelope Valley College Deputy and the Superintendent/President or designee, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the Public Information, Officer (PIO), e-mail system to students, faculty, and staff. The information shall be disseminated by the Public Information Officer (PIO) in a manner that aids the prevention of similar crimes.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Public Information Officer (PIO) may also post a notice on the campus-wide electronic bulletin board on the Antelope Valley College Web Site, providing the community with more immediate notification. The electronic bulletin board is immediately accessible via computer by all faculty, staff, and students. Anyone with information warranting a timely warning should report the circumstances to the Antelope Valley College Campus Sheriff's Office, by phone extension 6399 or in person.



The District shall not be required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the District shall follow its emergency notification procedures.

The District shall annually collect and distribute statistics concerns crimes on campus. All college staff with significant responsibility for student and campus activities shall report crimes about which they receive information.

The District shall publish an Annual Security Report every year by October 1 that contains statistics regarding crimes committed on campus and at affiliated locations for the previous three (3) years. The Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims' assistance program, student discipline, campus resources and other matters. The District shall make the report available to all current students and employees. The District will also provide perspective students and employees with a copy of the Annual Security Report upon request. A copy of the Annual Security Report can be obtained by contacting the Public Information Officer (PIO) or is published in the campus newspapers monthly.

If an individual is a victim of a crime and does not want to pursue action within the District's System or the criminal justice system, the individual may still want to consider making a confidential report. The purpose of a confidential report is to comply with the individual's desire to keep the matter confidential, while taking steps to ensure the future safety of the individual and others. With such information, the District can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

The campus sheriff encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the campus sheriff's office cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other campus security authorities as identified below.

The District may disclose the final results of a **student** disciplinary proceeding to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, regardless of the outcome. The District may also disclose to anyone, the final results of a disciplinary proceeding in which it concludes that a student violated school policy with respect to a crime of violence or non-forcible sex offense. The offenses that apply to this permissible disclosure are



- Arson;
- Assault offenses;
- Burglary;
- Criminal homicide – manslaughter by negligence;
- Criminal homicide – murder and non-negligent manslaughter;
- Destruction, damage, or vandalism of property;
- Kidnapping or abduction;
- Robbery;
- Forcible sex offenses.

The disclosure may only include the final result of the disciplinary proceeding with respect to the alleged criminal offense. The District shall not disclose the name of any other student, including a victim or witness, unless the victim or witness has waived his or her right to confidentiality.

To Report a Crime:

Contact sheriff's department at 661-722-6300 ext 6399 and dial 4-4-4 (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the police department. In addition, crimes may reported to the following areas:

- Vice President of Student Services – 661-722-6300 ext 6303
- Vice President of Human Resources – 661-722-6300 ext 6120
- Student Life – 661-722-6300 ext 6354

Required Reports to Local Law Enforcement Agency

Any report of willful homicide, forcible rape, robbery, aggravated assault, sexual assault, or hate crime, committed on or off campus, that is received by a campus security authority and made by the victim for the purposes of notifying the institution or law enforcement must be immediately, or as soon as practicably possible, disclosed to the local law enforcement agency. The report shall not identify the victim, unless the victim consents to being identified after the victim has been informed of his/her right to have his/her personally identifying information withheld. If the victim does not consent to being identified, the alleged assailant shall not be identified in the information disclosed to the local law enforcement agency unless the institution determines that both of the following apply, in which case the institution shall disclose the identity of the alleged assailant to the local law enforcement agency and notify the victim of the disclosure:

- The alleged assailant represents a serious or ongoing threat to the safety of students, employees, or the institution; and



- The immediate assistance of the local law enforcement agency is necessary to contact or detain the assailant.

Also see BP 3515 Reporting of Crimes and AP 3516 Registered Sex Offender Information.

Approved: 11/7/05

Revised: 8/8/16

Revised: 12/12/16

Revised: 12/9/19

Revised: 7/13/20



AP 3540 Sexual and Other Assaults on Campus

References:

- Education Code Section 67385, 67385.7, and 67386;
- 20 U.S. Code Section 1092 subdivision (f);
- 34 Code of Federal Regulations Part 668.46 subdivision (b)(11)

Any sexual assault or physical abuse, including, but not limited to: rape, domestic violence, dating violence, sexual assault, or stalking as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, in connection with all academic, educational, extra-curricular, athletic, and other programs of the District, whether those programs take place in the District facilities or at another location or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (See also AP 5500 Standards of Student Conduct)

“Sexual assault” includes but is not limited to: rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.

“Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

“Domestic violence” includes felony or misdemeanor crimes of violence committed by:

- a current or former spouse of the victim;
- a person with whom the victim shares a child in common;
- a person who is cohabitating with or has cohabitated with the victim as a spouse;
- a person similarly situated to a spouse of the victim under California law; or
- any other person against an adult or youth victim who is protected from that person’s acts under California law.

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others, or to suffer substantial emotional distress.

It is the responsibility of each person involved in sexual activity to ensure that he/she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative



consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

“Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity.

These written procedures and protocols are designed to ensure victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. (For physical assaults/violence, see also AP 3500 Campus Safety, AP 3510 Workforce Violence, and AP 3515 Reporting of Crimes.)

All students, faculty members, or staff members who allege they are the victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the campus Police Department, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the campus Police Department is authorized to release such information by court order.

Sheriff personnel shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following, upon request:

- A copy of the District's policy and procedure regarding domestic violence, dating violence, sexual assault, or stalking;
- A list of personnel on campus who should be notified of the assault (see list below), and procedures for such notification, if the alleged victim consents;
- Information about the importance of preserving evidence and the identification and location of witnesses;
- A description of available services, and the persons on campus available to provide those services if requested;
 - The Vice President of Student Services for referral to a counseling center and other on or off-campus resources, student disciplinary procedures, modification of class schedules, and tutoring, if necessary.
 - The Vice President of Human Resources for employee disciplinary procedures



- The Antelope Valley College Sheriff's Department for transportation to a hospital, if necessary, and all other law enforcement matters.
- The victim's option to:
 - notify proper law enforcement authorities, including on-campus and local police;
 - be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
 - decline to notify such authorities.
- Information about the participation of victim advocates and other supporting people;
- The rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by a court;
- Information about how the District will protect the confidentiality of victims; and
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

A description of each of the following procedures:

- Criminal prosecution
- Civil prosecution (i.e., lawsuit);
- District disciplinary procedures, both student and employee;
- Modification of class schedules;
- Tutoring, if necessary.

The persons on campus who should be notified of the assault include:

- The President/Superintendent
- The Vice President of Student Services
- Sexual Assault Response Services (SARS) (661) 723-7273

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3435 Discrimination and



Harassment Complaints and Investigations, regardless of whether a complaint is filed with local law enforcement.

All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through the Campus Sheriff's Department, or the Vice President of Student Services of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of domestic violence, dating violence, sexual assault, or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.

The District shall maintain the identity of any alleged victim, witness, or third-party reporter of domestic violence, dating violence, of sexual assault, or stalking on District property, as defined above, in confidence unless the alleged victim, witness, or third-party reporter specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged domestic violence, dating violence, sexual assaults, or stalking on District property shall be referred to the District's Public Information Office, which shall work with the campus Police Sheriff Department and the Vice President of Student Services Office to assure that all confidentiality rights are maintained.

A complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic honesty.

In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to allege lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

- The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.
- The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.

In the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

- The complainant was asleep or unconscious.



- The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.
- The complainant was unable to communicate due to a mental or physical condition.

The District shall maintain the identity of any alleged victim, witness, or third-party reporter of domestic violence, dating violence, sexual assault, or stalking on District property, as defined above, in confidence unless the alleged victim, witness, or third-party reporter specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged domestic violence, dating violence, sexual assaults, or stalking on District property shall be referred to the District's Public Information Office, which shall work with the Human Resources Office to assure that all confidentiality rights are maintained.

Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sexual assault, domestic violence, dating violence, and stalking and procedures that should be followed after an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any District proceeding arising from such a report.

The statement must include the following:

- A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;
- Procedures to follow if a domestic violence, dating violence, sex offense, or stalking occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- Information on a student's right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests, and the right to decline to notify these authorities;
- Information about how the District will protect the confidentiality of victims;
- Information for students about existing on- and off-campus counseling, mental health, victim advocacy, legal assistance, or other services for victims;



- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement
- Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sexual assault, or stalking including a clear statement that:
 - Such proceedings shall provide a prompt, fair, and impartial resolution;
 - Such proceedings shall be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
 - The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
 - Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged domestic violence, dating violence, sexual assault, or stalking, the procedures for the accused and victim to appeal the results of the disciplinary proceeding, of any changes to the results that occurs prior to the time that such results become final, and when such results become final. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
- A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or nonforcible sex offenses, domestic violence, dating violence, or stalking.

Education and Prevention Information

The Superintendent/President or designee shall:

- Provide, as part of the campus' established on-campus orientation program, education, **and** prevention, **and outreach** information about domestic violence, dating violence, sexual assault, and stalking. The information shall be developed in collaboration



with campus-based and community-based victim advocacy organizations, and shall include the District's sexual assault policy and prevention strategies including empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction.

(NOTE: Beginning January 1, 2020, Districts must annually review and update procedures and protocols adopted pursuant to Education Code Section 67385 in collaboration with sexual assault counselors and student, faculty, and staff representatives.

The outreach programming included as part of an incoming student's orientation must include at a minimum, all of the following:

- The warning signs of intimate partner and dating violence.
 - Campus policies and resources relating to intimate partner and dating violence.
 - Off-campus resources and centers relating to intimate partner and dating violence.
 - A focus on prevention and bystander intervention training as it relates to intimate partner and dating violence.
- Post sexual violence prevention and education information on the campus internet website regarding domestic violence, dating violence, sexual assault, and stalking.

Also see BP 3540 Sexual and Other Assaults on Campus, BP/AP 3410 Nondiscrimination, BP/AP 3430 Prohibition of Harassment, and AP 3435 Discrimination and Harassment Complaints and Investigations.

Approved: 11/7/05

Revised: 1/8/07

Revised: 5/9/16

Revised: 4/13/20

Revised: 7/13/20

BP 7100 Commitment to Diversity

References:

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

The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success. 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. The Board of Trustees is committed to hiring and staff development processes that support the goals of equal opportunity and diversity, and provide equal consideration for all qualified candidates.

~~Refer to Chapter 3, AP 3420 for Equal Employment Opportunity practices. Also see AP 7100 Commitment to Diversity and BP/AP 3420 Equal Employment Opportunity.~~

Adopted: 5/8/06
Revised: 6/8/20

AP 7100 Commitment to Diversity

References:

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

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

Antelope Valley College 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 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: 7/13/20