

College Coordinating Council Meeting

Wednesday, March 22, 2017
 A124 – President’s Conference Room
 9:30 a.m. – 11:00 a.m.

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

Committee Members:

- Irit Gat, Academic Senate
- Roderick Mendoza, Associated Student Organization
- Ed Knudson, President -
- Pamela Ford, Classified Union
- Michelle Hernandez, Confidential/Management/Supervisory
- 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 February 22, 2017 and March 8, 2017.	All		
II. Constituent Reports	All		
INFORMATION/DISCUSSION/ACTION ITEMS:			
III. Accreditation Follow Up (Tina McDermott & Mike Pesses)	Bonnie	15 minutes	
IV. AP 3100 - Organizational Structure	Bonnie	1 minute	Returned from 2.8.17 CCC Meeting for final approval.
V. BP & AP 3710 – Securing of Copyright of District Materials	Ed	1 minute	Returned from 2.8.17 CCC Meeting for further discussion / revisions.
VI. BP & AP 5220 – Shower Facilities for Homeless Students	Erin	1 minute	Returned from 2.22.17 CCC Meeting for final approval.
VII. AP 7348 Accommodations	Mark	1 minute	Returned from 1.11.17 CCC Meeting for final approval.
FUTURE AGENDA ITEMS:			
NEXT MEETING DATE: April 12, 2017			

College Coordinating Council Minutes

Wednesday, February 22, 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:

Irit Gat, Academic Senate
Roderick Mendoza, Associated Student Organization
Ed Knudson, President - **ABSENT**
Pamela Ford, Classified Union – **Kim Fite in as Proxy**
Michelle Hernandez, Confidential/Management/Supervisory - **ABSENT**
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 - **ABSENT**

MINUTES

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of February 8, 2017.	All		The minutes were approved as presented.
II. Constituent Reports	All		Roderick stated that ASO had received 4 applications for vacancies. Stated that he would be graduating after the Spring Semester and looking at replacing his position as Student Trustee. Scott stated that there would be a meeting on Monday regarding upcoming negotiations. LaDonna stated that she thinks she should something out to the new deans explaining the process of board policies.
INFORMATION/DISCUSSION/ACTION ITEMS:			
III. AP 3225 – Institutional Effectiveness	Ed	2 minutes	Discussion regarding the language “district shall develop” and who would be engaged in developing. It was decided to revise and bring back to another CCC meeting after revisions.
IV. BP 7360 – Discipline and Dismissals – Academic Employees	Mark	2 minutes	Revisions were noted and will go to the March 13 th board meeting for a first reading.
V. BP 5140 – Disabled Students Programs and Services	Erin	2 minutes	It was approved to go to the March 13 th board meeting.
VI. BP & AP 5220 – Shower Facilities for Homeless Students	Erin	2 minutes	It was agreed to send out to the constituent groups for 30 days and return back to the March 22 nd CCC meeting.

FUTURE AGENDA ITEMS:			
NEXT MEETING DATE: March 8, 2017			

College Coordinating Council Minutes

Wednesday, March 8, 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:

Irit Gat, Academic Senate
Roderick Mendoza, Associated Student Organization
Ed Knudson, President - **ABSENT**
Pamela Ford, Classified Union
Michelle Hernandez, Confidential/Management/Supervisory
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

MINUTES

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of February 22, 2017.	All		
II. Constituent Reports	All		<p>Pamela stated that she and Jenell Paul would be traveling to Sacramento at the end of the month for a conference. Stated that Classified Employee Recognition is the 3rd week of May and that it would be nice if the Administration would organize the event and not the classified staff and that it would be nice to have an Administrator of the Year recognition.</p> <p>Scott stated that he would be attending that conference as well.</p> <p>Irit stated that May 11th would be the Faculty Recognition in the HS Quad. Stated that they are accepting letters of intent for the position of Academic Senate President until the end of April.</p> <p>Roderick stated that ASO has sworn in 5 new officers and that they are new students who would be around for 2 years.</p>
INFORMATION/DISCUSSION/ACTION ITEMS:			
III. AP 7360 – Discipline and Dismissal-Academic Employees	Mark	5 minutes	There was discussion on advanced notice, electronic notices, definition of regular employees and alignment with the Collective Bargaining Agreements.

			Revisions were recommended and to bring back to a future CCC meeting.
FUTURE AGENDA ITEMS:			
NEXT MEETING DATE: March 22, 2017			

AP 3100 Organizational Structure

Reference:

Education Code Section 72400; Title 5, Section 53200

The District's organizational structure shall be:

ORGANIZATIONAL DIVISIONS, DEPARTMENTS AND OFFICES (See
Appendix I – Organizational Charts)

President's Executive Council-Level Administration

President's Executive Council level administration consists of those officials and functions that control the organization and operation of the college system, or employees whose responsibilities extend over a major administrative division of the college.

In the Antelope Valley Community College District, President's Executive Council-level administration shall consist of the President; Vice President Academic Affairs; Vice President Student Services, Vice President of Human Resources and Employee Relations; Executive Director of Business Services; Executive Director of Information Technology Services, Executive Director of Facilities; Dean of Institutional Effectiveness, Research and Planning; Executive Director of Marketing and Public Information and Executive Director of the Foundation.

Line of Responsibility (EC 70902)

Each District employee shall be responsible to the Board through the President. Supervision of District employees shall be exercised by personnel to whom such responsibility has been specifically delegated.

District personnel shall refer matters requiring administrative action to the administrative officer having immediate responsibility of the area in which the problem arises.

Administrative officers shall refer such matters to the next higher authority if circumstances warrant.

All District employees have the right to appeal any decision made by an administrative officer to the next higher authority and, through appropriate successive steps, to the Board.

President's Executive Council

Purpose

It is the desire of the Board that democratic working relationships be maintained among the personnel of the administrative staff, and to maintain a free flow of communications involving College Administration and District employees.

Meetings

Regular meetings shall be held at periodic intervals as determined by the President. The President may also call special meetings as conditions may warrant.

Responsibilities

The President's Executive Council shall function in an advisory capacity to the President on matters related to District policies, administrative problems, collective bargaining issues or any issue related to the District's education program or school operation.

The President's Executive Council shall also serve as a channel of communication in the administrative organization of the District.

Administrative Council

In an endeavor to promote communications with middle management and supervisory officials, the President may establish an Administrative Council whose membership shall consist of management personnel.

The responsibilities of the Administrative Council shall be communication and operation. Meetings shall be held at the discretion of the President.

PROCEDURE FOR CHANGING THE ORGANIZATIONAL STRUCTURE OF THE COLLEGE

This procedure describes the organizational units at Antelope Valley College, which persons or groups can initiate a review of the current organizational structure, the steps for reaching recommendations for proposed changes, and who has the authority to implement proposed changes. The goal of such reviews shall be to improve efficiency and/or cost effectiveness of services, programs, learning outcomes or operational outcomes:

- A. Organizational Units: Antelope Valley College is organized into four structural levels.
 1. College
 2. Offices: Superintendent/President; Academic Affairs; Human Resources and Employee Relations; Business Services; Information Technology Services; Marketing & Public Information; Facilities; Institutional Effectiveness, Research and Planning; AVC Foundation.
 3. Areas/Divisions: (these synonymous terms for subdivisions of offices are used for instructional divisions and non-instructional areas, e.g. Health Sciences Division.
 4. Departments (subdivisions of areas/divisions)
- B. Initiation of a review
 1. The Superintendent/President may initiate a review of any of the organizational units.
 2. The College Coordinating Council (CCC) and Strategic Planning Committee may request a review of any organizational unit by sending a request for a review to the Superintendent/President.
 3. The administrative head of any office, area/division, or department may request a review for his/her own organizational unit by sending a request for a review to the Superintendent/President through the administrative structure.
 4. All requests for a review must be in writing and state the rationale and provide data that support the goals of such reviews.
 5. The Superintendent/President will inform the President's Executive Council and CCC of any requests for a review.
 6. The Superintendent/President has the final authority to initiate a review of an organizational unit.
 7. The Superintendent/President will initiate a review by sending a memo to notify all

constituencies that a review is being implemented. This memo will appoint an administrator to oversee the review, set forth the rationale and data that justify the review, and establish a timeline for the formulation of proposed changes.

C. Process for organizational changes

Intra-divisional changes

Intra-divisional department re-organization will be completed within the division, with approval of the majority of the faculty, the dean, and the Vice President. Information of the change will be provided to the Academic Senate.

Other organizational changes

1. The administrator in charge of the review will solicit input from all employees in the organizational unit(s) affected by the review, including any not identified in the initial review that might be impacted as a result of proposed changes.
2. Based on this input, the administrator will formulate proposed changes through dialogue/discussion with the affected organizational units.
3. A written summary of the proposed changes will go out to the entire campus allowing two weeks for discussion. During that period, administrators and employees should evaluate any adverse impact that might arise from the proposed change.
4. The campus community will give input/feedback to the administrator overseeing the review.
5. The administrator overseeing the review will present the proposed changes and a summary of campus feedback to CCC for discussion.
6. The Superintendent/President will make the final decision on proposed changes based on feedback from the campus community and the discussion at CCC.
7. This final version of the proposed changes will go out to the entire campus for discussion/feedback for at least one week.
8. The Superintendent/President will take the final changes to the Board of Trustees for information.
9. The Superintendent/President will communicate the final changes to the appropriate vice presidents, deans, directors, and employees and follow up with implementation.

11/7/05

Revised: 10/9/06

Revised: 4/9/07

Revised: 6/11/07

Revised: 6/14/10

Revised: 11/14/16

Revised: 4/10/17

BP 3710 Securing of Copyright for District Materials

Reference:

Education Code Sections 72207, 81459, 17 United States Code 201

The Superintendent/President is directed to develop appropriate administrative procedures to implement the provisions of the Education Code that authorize the securing of copyright protection for works, including but not limited to registering copyrights and policing infringements, on behalf of the District. The procedures developed by the Superintendent/President shall assure that the District may use, sell, give or exchange published materials and may license materials prepared by the District in connection with its curricular and special services.

These procedures shall not infringe upon the rights established through collective bargaining as described in Article XIX of the Faculty Collective Bargaining Agreement titled "Intellectual Property Rights."

See Administrative Procedure #3710

Adopted: 11/7/05

Reviewed: 4/10/17

AP 3710 Securing of Copyright for District Materials

Reference:

Education Code Sections 72207; 81459, 17 United States Code 201

The President, through legal counsel, shall initiate the process for securing copyright for any materials the District is entitled to ownership and for which the District wishes to obtain copyright protection to safeguard its rights of using, selling, giving or exchanging and licensing of those materials. Through legal counsel, the Superintendent/President shall initiate action to protect the District's copyrights against infringement.

Copyright Issues in the Library (17USC108)

Interlibrary Loan

Lending

The library may make one copy of an article from a periodical or chapter of a book in order to fulfill a request for this material from another library through interlibrary loan.

- The copy must become the property of the requestor.
- The copy must have a notice of copyright.
- The copy must be for private educational purposes.

Interlibrary Loan/Reserve Photocopy Notice

Notice: This material may be protected by copyright law. (Title 17 U.S. Code)

Borrowing

Issues surrounding the borrowing of materials are complex. It is considered appropriate to follow the **CONTU Guidelines on Photocopying and Interlibrary Loan Arrangements.**

- The library may only receive in any calendar year five copies of an article or articles from any one particular journal or periodical published within the last five years prior to the date of the request. This is known as "The Rule of Five". Subsection 108 (g) (2)
- The Rule of Five does not apply to works prior to the last five years.
- The requested copies must become the property of the requestor.
- The copies may be used only for "private study, scholarship or research."
- The library shall keep records of all requests "until the end of the third complete calendar year after the end of the calendar year in which the respective request shall have been made". (CONTU Guidelines 4)
- The "Warning of Copyright" must be printed on the interlibrary loan request form and be prominently displayed at the place where interlibrary loan requests are taken.

"Warning of Copyright" Notice

Notice

Warning Concerning Copyright Restrictions

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material.

Under Certain Conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use", that user may be liable for copyright infringement.

This institution reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law.

Photocopy Machines

Photocopy Machine Liability

General Exemptions. Clause (1) of subsection (f) specifically exempts a library or archives or its employees from liability for the unsupervised use of reproducing equipment located on its premises, provided that the reproducing equipment displays a notice that the making of a copy may be subject to the copyright law. Clause (2) of subsection (f) makes clear that this exemption of the library or archives does not extend to the person using such equipment or requesting such copy if the use exceeds fair use. Insofar as such person is concerned the copy or phonorecord made is not considered "lawfully" made for purposes of sections 109, 110 or other provisions of the title.

Photocopy Machine Notice

Notice: The copyright law of the United States (Title 17 U.S. Code) governs the making of photocopies or other reproductions of copyrighted material. The person using this equipment is liable for any infringement.

Other Library Copyright Issues (17UCS108)

Replacement of Damaged Copy

Subsection (c) authorizes the reproduction of a published work duplicated in facsimile form solely for the purpose of replacement of a copy or phonorecord that is damaged, deteriorating, lost or stolen, if the library or archives has, after a reasonable effort, determined that an unused replacement cannot be obtained at a fair price. The scope and nature of a reasonable investigation to determine that an unused replacement cannot be obtained will vary according to the circumstances of a particular situation. It will always require recourse to commonly-known trade sources in the United States, and in the normal situation also to the publisher or other copyright owner (if such owner can be located at the address listed in the copyright registration), or an authorized reproducing service.

Out-of-Print Works

Subsection (e) authorizes the reproduction and distribution of a copy or phonorecord of an entire work under certain circumstances, if it has been established that a copy cannot be obtained at a fair price. The copy may be made by the library where the user makes his request or by another library pursuant to an interlibrary loan. The scope and nature of a reasonable investigation to determine that an unused copy cannot be obtained will vary according to the circumstances of a particular situation. It will always require recourse to commonly-known trade sources in the United States, and in the normal situation also to the publisher or other copyright owner (if the owner can be located at the address listed in the copyright registration), or an authorized reproducing service. It is further required that the copy become

the property of the user, that the library or archives have no notice that the copy would be used for any purpose other than private study, scholarship, or research, and that the library or archives display prominently at the place where reproduction requests are accepted, and include on its order form, a warning of copyright in accordance with requirements that the Register of Copyrights shall prescribe by regulation.

Multiple Copies and Systematic Reproduction

Subsection (g) provides that the rights granted by this section extend only to the "isolated and unrelated reproduction of a single copy or phonorecord of the same material on separate occasions." However, this section does not authorize the related or concerted reproduction of multiple copies or phonorecords of the same material, whether made on one occasion or over a period of time, and whether intended for aggregate use by one individual or for separate use by the individual members of a group. With respect to material described in subsection (d)—articles or other contributions to periodicals or collections, and small parts of other copyrighted works—subsection (g)(2) provides that the exemptions of section 108 do not apply if the library or archive engages in "systematic reproduction or distribution of single or multiple copies or phonorecords." This provision in S. 22 provoked a storm of controversy, centering around the extent to which the restrictions on "systematic" activities would prevent the continuation and development of interlibrary networks and other arrangements involving the exchange of photocopies. After thorough consideration, the Committee amended section 108(g)(2) to add the following proviso:

- Provided, that nothing in this clause prevents a library or archives from participating in interlibrary arrangements that do not have, as their purpose or effect, that the library or archives receiving such copies or phonorecords for distribution does so in such aggregate quantities as to substitute for a subscription to or purchase of such work.

11/7/05

Reviewed: 4/10/17

BP 5220 Shower Facilities for Homeless Students

References:

Education Code Section 76011

The Superintendent/President or designee shall establish procedures necessary to make on-campus shower facilities available to any homeless student who is enrolled in coursework, has paid enrollment fees, and is in good standing with the district.

New 4/10/17

AP 5220 Shower Facilities for Homeless Students

References:

Education Code Section 76011

The district maintains shower facilities for student use on campus that may be used by any homeless student who is enrolled ~~in a minimum of [#] units of coursework~~, has paid enrollment fees, and is in good standing with the district.

A homeless student is defined as a student who does not have a fixed, regular, and adequate nighttime residence. This includes, but is not limited to, students who: are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative accommodations; are living in emergency or transitional shelters; have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings; or are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

Showers are located at Locker Room 145 for women and Locker Room 125 for Men ~~[insert location(s), building name(s), etc.]~~ and are open to use by homeless students from ~~[insert days and hours – not less than two hours per weekday]~~. In the event that these hours conflict with the hours of an intercollegiate athletic program, the district will ~~[insert district's plan of action if hours of operation conflict with an intercollegiate athletic program]~~. as arranged by mutual agreement between the student and the Dean of Student Life and Services as long as it does not conflict with the intercollegiate athletic program.

New 4/10/17

AP 7348 Accommodations

References:

29 U.S. Code Section 207(r);
42 U.S. Code Section 12101 et seq.;
42 U.S. Code Sections 2000e et seq.;
29 Code of Federal Regulations Parts 1605.1 et seq.
Government Code Sections 12926, 12940, and 12945;
Labor Code Sections 230 and 1030 et seq.
Title 2 Sections 11040 et seq., 11050, et seq., and 11060 et seq.

Absent undue hardship or direct threats to the health and safety of employee(s), the District provides employment-related reasonable accommodations to:

- qualified individuals with disabilities, both applicants and employees, to enable them to perform essential job functions;
- employees with conditions related to pregnancy, childbirth, or a related medical condition, if she so requests, and with the advice of her health care provider;
- employee victims of domestic violence, sexual assault, or stalking to promote the safety of the employee victim while at work; and
- employees who request reasonable accommodation to address a conflict between religious belief or observance and any employment requirement.

For Disabilities:

The District has an affirmative duty to provide reasonable accommodations to applicants or employees with disabilities unless the timely, good faith interactive process reveals that there is no reasonable accommodation that will allow the applicant or employee to perform essential job functions without causing the agency undue hardship or without presenting a direct threat to the health and safety of himself/herself or others.

For Pregnancy and Related Medical Conditions:

The District must provide an interactive process to assess reasonable accommodations, in addition to leave rights, to employees disabled by pregnancy and related medical conditions.

For Victims of Domestic Violence, Sexual Assault, or Stalking:

Effective January 1, 2014, the District also has an affirmative duty to provide reasonable accommodations to employee-victims of domestic violence, sexual assault, or stalking, that would protect the safety of the employee-victim while at work. As is the case with disability-related accommodations, the law requires a timely, good faith interactive process. The goal is to identify safety-related accommodations that do not cause undue hardship and that do not compromise the safety and health of all employees. Like the interactive process for disabilities, the agency has the duty to restart the interactive process if the employee requests new accommodation(s) due to changed circumstances.

For Religious Belief or Observance:

Although not legally required, the employer is required to prove that it has explored any available reasonable alternative means of accommodating the religious belief or observance. Though an interactive process is not legally mandated for religious accommodation, an interactive process meeting is suggested as good practice and is an effective way for an employer to prove that it explored any available reasonable alternative means of accommodating the religious belief or observance.

Lactation Accommodation

An overtime-eligible employee who wishes to express breast milk for her infant child during her scheduled work hours will receive additional unpaid time beyond the 15-minute compensated rest period. Employees desiring to take a lactation break must notify a supervisor prior to taking such a break. Breaks may be reasonably delayed if they would seriously disrupt operations. Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

The District will make reasonable efforts to accommodate employees by providing an appropriate location to express milk in private. The District will attempt to find a location in close proximity to the employee's work area, and the location will be other than a toilet stall. Employees occupying such private areas shall either secure the door or otherwise make it clear to others through signage that the area is occupied and should not be disturbed. All other employees should avoid interrupting an employee during an authorized break under this section, except to announce an emergency or other urgent circumstance.

Any employee storing expressed milk in any authorized refrigerated area within the work area shall clearly label it as such. No expressed milk shall be stored at the work area beyond the employee's workday.

AVCCD is required to engage in a "timely, good faith, interactive process" with an employee or applicant in response to requests for reasonable accommodation which may involve one or more of the following:

- *Potential Accommodations for Religious Creed, Religious Dress Practice, or Religious Grooming Practice*
- *Disability Accommodation*
- *Supporting Documentation or Certification*
- *Reasonable Medical Documentation of Disability*
- *Interactive Communication or Interactive Process*
- *Potential Accommodations for Applicants or Employees with Disabilities*
- *Potential Accommodations for Employees Affected by Pregnancy and Related Medical Conditions*
- *Determination Regarding Accommodation*
- *Certification of Victim Status*

Interactive Process:

An effective interactive process provides the means by which an employer and employee determine if a reasonable accommodation is feasible based on the following:

- Analysis of the essential job functions
- Identification of the limitations of the position
- Identification of possible accommodations
- Consideration of preferences of the employee or applicant

An accommodation may be requested by the employee, an applicant or a healthcare provider, a family member or another representative.

A decision regarding the allowance of a proposed accommodation should be made whenever possible within 20 days of the interactive meeting.

Following each interactive meeting, the employer should document the accommodations considered in a letter to the file or a letter to the employee. Documentation should include:

- Attendees present during the interactive meeting. And that the employee was notified of their option to have a representative present.
- That the employer was flexible in terms of scheduling the meetings.
- Whether the meeting was tape recorded
- A list of accommodations suggested during the meeting
- Responses to the proposed accommodations
- Whether the meeting resulted in any agreement

If an accommodation cannot be agreed upon, the denial must be supported by specific, legitimate reasons.

A periodic review of the status of the accommodation should take place to review the effectiveness of the accommodations, and to review the need to either continue or terminate the accommodation.

New 10/16