



OFFICE OF THE PRESIDENT

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April 19, 2016

**TO:** President's Council  
Administrative Council  
Planning Fiscal Council

**FROM:** Sandy Sandello

**SUBJECT:** Revision of BPs / APs

*TH 4/21/16*

The following APs have been revised:

AP 3510	Prevention of Workplace Violence and Disruption (PFC Sub-committee / Senate)
AP 3540	Sexual and Other Assaults on Campus
AP 7211	Faculty Service Area, Minimum Qualifications and Equivalencies

The following APs were pulled and reviewed by Senate with suggested language in green:

AP 4021	Program Discontinuance (Senate)
AP 4025	Philosophy and Criteria for Associate Degree and General Education (Senate)
AP 4050	Articulation (Senate)
AP 4240	Academic Renewal (Senate)

**Should you have any changes to these BPs and APs as presented, please forward to your appropriate Vice President. This will begin the review process.**

**PREVENTION OF WORKPLACE VIOLENCE AND  
DISRUPTION**AP No.  
3510

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**Proposed revisions made by Board sub-committee at July 11<sup>th</sup> sub-committee meeting in red print**

## I. Purpose.

Rio Hondo Community College District ("District") is committed to **providing** and maintaining a safe work and learning environment.

The purpose of this Administrative Procedure is to provide a means to **quickly** address behavior that is disruptive of or threatens the safety of the workplace in a timely manner.

## II. Definitions.

Workplace violence includes, but is not limited to the following : bullying, intimidation, stalking, threats, unwanted physical contact, property damage, physical attack, or violent behavior. This includes acts of violence committed by or against district employees. Such incidents may also involve students, visitors or vendors.

The following definitions are provided to assist individuals in identifying disruptive or violent behavior that should be reported to allow the District to promptly address such behavior.

A. Disruptive Behavior consists of persistent, intentional behavior or conduct, whether in person, in writing, by telephone, or by other electronic means, that may seriously **disturb**, interfere with **or prevent normal work functions or activities** of the workplace, including, but not limited to, the following:

1. Bullying - **unwanted** offensive or malicious behavior which **includes an element of vindictiveness, and is intended to** undermine, **patronize, humiliate**, intimidate or demean the recipient **through persistently negative attacks. Examples include but not limited to the following: yelling, using profanity, waving arms or fists, verbally abusing others, derogatory remarks, insults, and epithets.**

a. In cases of reported bullying, a subcommittee with equal representation of administrators, classified staff, and faculty will be formed to review whether the action meets the definition of bullying. (Academic Senate 3-15-16)

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2. Intimidation - **unwarranted** behavior intended to frighten, coerce, or induce duress. **Examples include but not limited to the following : making statements which are false, malicious, disparaging, derogatory, rude, disrespectful, abusive, or which have the intent to hurt others' reputations.**
    - a. In cases of reported intimidation, a subcommittee with equal representation of administrators, classified staff, and faculty will be formed to review whether the action meets the definition of intimidation.

(Academic Senate 3-15-16)
  3. Stalking - behavior involving harassing or pestering an individual, **in person, in writing, by telephone or by electronic format,** including following, spying on, alarming the individual, **or causing them distress, which may involve physical violence or the fear of physical violence.**
  4. Threat - expression of intent to cause physical or mental harm, which may be direct, indirect, conditional, or contingent, regardless of whether the individual has the present ability to carry out the threat.
- B. Violent Behavior consists of behavior or attempted behavior of a violent nature in the workplace including, but not limited to, the following:
1. Unwanted Physical Contact - behavior such as grabbing, hitting, kicking, pushing, tripping, shoving, throwing objects, or the use of a weapon against an individual, or any other conduct or attempted conduct of a person that endangers the physical health or physical safety of an employee.
  2. Property Damage - behavior that **intentionally** damages an individual's work area, an individual's property, or other District property.

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3. Threat of Violent Behavior - expression of intent to engage in unwanted physical contact (**e.g., moving closer aggressively**), or property damage including a threatening statement or threatening behavior that gives an individual reasonable cause to believe that the individual is at risk of injury. Examples include, but not limited to the following: "You better watch your back" or "I'll get you" as well as implicit threats "you'll be sorry" or "this isn't over". A threat of violent behavior **also** includes bringing a firearm, knife or other weapon of any kind onto campus property, unless such possession or use is a job requirement.
  4. **Physical attack - unwanted or hostile physical contact including but not limited to hitting, fighting, shoving, restraining, or throwing objects.**
  5. **Violent behavior - any physical assault, with or without weapons; behavior that a reasonable person would interpret as being potentially violent [e.g., throwing things, pounding on a desk or door, or destroying property].**
- IV. Procedures.
- A. Roles.
    1. All persons on campus are expected to respect the rights and welfare of others in the workplace and on District property. Individuals who experience or witness Disruptive Behavior or Violent Behavior are encouraged to report such behavior pursuant to this Administrative Procedure.
    2. Supervisors are responsible for training and implementing sound practices to ensure a safe and secure workplace, and shall implement appropriate corrective action in accordance with applicable District policies and procedures.
    3. All supervisors and managers have a mandatory duty to report violent and disruptive behavior.
  - B. Reporting.

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1. Emergency - Violent or Disruptive behavior that is of a criminal nature that requires immediate intervention and/or assistance from police, fire or medical personnel shall be reported by calling 911.
2. Non-Emergency - Violent or Disruptive behavior that is not an emergency shall be reported to any of the following:
  - The supervisor or appropriate department head
  - Human Resources Department [Director of Human Resources]
  - Dean of Student Affairs/Compliance Officer
  - Campus Security

**An employee should normally report violent or disruptive behavior to the employee's supervisor or appropriate department head. If the employee (complainant) is uncomfortable doing so, due to extenuating circumstances or a conflict of interest, the employee may report the violent or disruptive behavior to any of the above. A conflict of interest may exist when the accused is the complainant's supervisor/department head, which may directly influence the accused's own interests or interests treated as the accused's own (perceived or actual), such as interests relating to the accused's spouse or friend, or personal gain.** (Edit made by Loy/Kenn P following Board sub-committee on 11/13/15)

- C. No person who in good faith initiates a complaint or reports an incident under this policy shall be subject to retaliation or harassment.
- D. Restraining Orders/Court Orders: An employee shall notify the District of any restraining orders/court orders when named as a plaintiff, and provide a copy of the order to the Compliance Officer, Room SS-204. In the event the supervisor is informed by an employee of a restraining order, the supervisor will contact the Compliance Officer, ensure he/she is aware of it, and that he/she has a copy of the restraining order on file.
- E. **Prohibition On Retaliation**

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1. **All employees are encouraged to be alert to the possibility of violence on the part of employees, former employees, students, visitors or vendors and shall report all acts of violence and threats of violence to the employee's supervisor or appropriate department head as provided in this procedure.**
2. **This procedure prohibits retaliation against any employee who, in good faith, reports a violation of this policy. All reports of violence will be handled in a confidential manner, with information released on a need-to-know basis. District supervisors and administrators shall be sensitive and responsive to fears from the reporting employee of reprisal.**

## F. District's Response.

1. Disruptive Behavior: The District supervisor, appropriate department head or Compliance Officer shall take appropriate action to promptly investigate and review the factual information gathered to determine the validity of the complaint and/or the extent and nature of the problem, and, if the report is substantiated after investigation, the District supervisor, appropriate department head, or Compliance Officer shall take reasonable steps to ensure that the disruptive behavior in the workplace stops by undertaking efforts to address the behavior by, including but not limited to the following: mediation, rearrangement of work/academic schedules; reassignment; obtaining apologies; providing informal counseling and/or training, etc. and shall report the behavior to the Director of Human Resources or appropriate official.
2. Violent Behavior: Any supervisor, department head or other District official who receives a report of alleged Violent Behavior shall call Campus Security or 911 immediately.
3. If Violent or Disruptive Behavior occurred in violation of BP 3510 or this procedure, the District shall take disciplinary action against the accused and any other remedial action it determines to be appropriate. Disciplinary actions against faculty, staff and students will conform to all relevant

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statutes, regulations, personnel policies and procedures, including the provisions of any applicable collective bargaining agreement.

4. The District shall also take reasonable steps to protect the complainant from further Violent or Disruptive Behavior, and to protect the complainant and witnesses from retaliation as a result of communicating the complaint and/or assisting in the investigation.
5. The District will make efforts to protect victims of workplace violence by offering all feasible security measures. Victims may also need support, special accommodations or adjustments to their work schedule, work location or working conditions in order to enhance their safety. The District will accommodate these requests and needs whenever possible and appropriate.

G. Education and Prevention

The District shall provide education and prevention information about workplace violence and disruption to all of its employees, which shall include: **diversity and cultural awareness in the workplace, conflict resolution**, definitions of violent and disruptive behaviors, preventative steps to maintain a safe workplace, identifying problem behavior, how to respond to violent or disruptive behavior, reporting protocol, and record keeping. This information shall be disseminated to all employees and posted on the college website. Targeted on-going training will be provided to those employees responsible for responding to workplace violence incidents.

V. Reference and Related Policies:

A. Board Policies and Procedures.

1. BP & AP 3410, BP & AP 3430, BP & AP 3500, BP & AP 3505, 3515, BP & AP 3530, BP & AP 3540, BP & AP 5500, and AP 7365
2. District Collective Bargaining Agreements.
3. District Code of Ethics Statement.

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4. District Mission and Values Statement.

B. Legal References:

Cal/OSHA; Labor Code Sections 6300 et seq., Title 8,  
Section 3203, Code of Civil Procedure Section 527.8,  
Penal Code Sections 273.6; 626.9; 26.10; and 12021.



## AP 3510 Workplace Violence

### References:

Cal/OSHA; Labor Code Sections 6300 et seq.;  
Title 8 Section 3203;  
Code of Civil Procedure Section 527.8;  
Penal Code Sections 273.6, 626.9, and 626.10

**NOTE:** *This procedure is **legally required**. Local practice may be inserted. Safety in the workplace is addressed in AP 6800. Districts may merge the two procedures if desired.*

The District is committed to providing a safe work environment that is free of violence and the threat of violence.

### Responding to Threats of Violence

The top priority in this process is effectively handling critical workplace incidents, especially those dealing with actual or potential violence.

Violence or the threat of violence against or by any employee of the District or any other person is unacceptable.

Should a non-employee on District property demonstrate or threaten violent behavior, he/she may be subject to criminal prosecution.

Should an employee, during working hours, demonstrate or threaten violent behavior he/she may be subject to disciplinary action.

The following actions are considered violent acts:

- Striking, punching, slapping, or assaulting another person.
- Fighting or challenging another person to fight.
- Grabbing, pinching, or touching another person in an unwanted way whether sexually or otherwise.
- Engaging in dangerous, threatening, or unwanted horseplay.
- Possession, use, or threat of use, of a firearm, knife, explosive, or other dangerous object, including but not limited to any facsimile firearm, knife, or explosive, on District property, including parking lots, other exterior premises, District vehicles, or while engaged in activities for the District in other locations, unless such possession or use is a requirement of the job.
- Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
- Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2½ inches upon the grounds, unless the person is authorized to possess such a weapon in the course of his/her employment, has been

authorized by a District employee to have the knife, or is a duly appointed peace officer who is engaged in the performance of his/her duties.

Any employee who is the victim of any violent threatening or harassing conduct, any witness to such conduct, or anyone receiving a report of such conduct, whether the perpetrator is a District employee or a non-employee, shall immediately report the incident to his/her supervisor or other appropriate person.

***[List the names of those in the chain of command with a contact number for each person. Included would also be the contact number for the local law enforcement or indicate 911.]***

No one, acting in good faith, who initiates a complaint or reports an incident under this policy will be subject to retaliation or harassment.

Any employee reported to be a perpetrator will be provided both due process and representation before disciplinary action is taken.

In the event the District fears for the safety of the perpetrator or the safety of others at the scene of the violent act, ***[District police] [appropriate law enforcement personnel]*** will be called.

**Revised 4/15, 10/15**



**SEXUAL AND OTHER ASSAULTS ON CAMPUS**AP No.  
3540

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This procedure is legally required.

- I. **For additional information and resources on sexual assault, domestic violence, dating violence, and stalking in the educational/campus environment, the Department of Justice has established a clearinghouse of resources geared towards colleges and universities, which can be accessed at the California Attorney General's website. (CCLC)**

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 any of the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's 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 is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures.

- II. "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. The following definitions should be applied in the context of this administrative procedure:
- "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 or 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 or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or**

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**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 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. (CCLC)**

- III. These written procedures and protocols are designed to ensure that victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. (For physical assaults/violence, see also AP 3500, 3510, and 3515).
- IV. 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 District Compliance Officer, who shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the District Compliance Officer or designee is authorized to release such information.
- V. The District Compliance Officer, or designee, 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 and procedures for such notification, if the alleged victim consents; District Compliance Officer, Director of Facilities Services, Evening College Supervisor, Security Office, and Weekend College Coordinator should be notified.
  - **Information about the importance of preserving evidence and the identification and location of witnesses; (CCLC)**
  - A description of available services and the persons on campus available to provide those services, if requested. Services and those responsible for providing or arranging them include the following:
    - Sexual Assault Counseling and Hospitals
      - East Los Angeles Rape Hotline (bilingual) 800-585-6231
      - Pasadena Rape Crisis Center 626-793-3385
      - Project Sister Sexual Assault Crisis Center Claremont 909-623-1619
      - Santa Monica Rape Treatment Center 310-319-4000
    - Hospitals (Transportation is available to a hospital, if necessary)
      - Presbyterian Intercommunity Hospital 562-698-0811

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- Whittier Hospital 562-945-3561
- Greater El Monte Hospital 626-579-7777
- Queen of the Valley, West Covina 626-962-4011

VI. The District Compliance Officer, or designee, should provide victims with information about the victim assistance resources:

- Some financial assistance may be available to victims through the Los Angeles County District Attorney's Office. Under California law, some victims of crime may receive financial assistance for unreimbursed medical and income losses as a result of the crime. For information on this program, call Los Angeles County Victim/Witness Assistance Program, 562-807-7212;
- Counseling by District Psychological Services, Student Services Building 562-463-7302, or referral to a counseling center;
- Notice to the police, if desired;
- Other available campus resources or appropriate off-campus resources.

A description of each of the following procedures may be provided upon request:

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

VII. The District Compliance Officer should be available to provide assistance to District Security Office regarding how to respond appropriately to reports of sexual violence.

VIII. The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3435, regardless of whether a complaint is filed with local law enforcement.

All alleged victims of sexual assault on District property shall be kept informed, through the District Compliance Officer, 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.

**IX. 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.**

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- X. In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged 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.
- XI. 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. (CCLC)
- IX.XII.** The District shall maintain the identity of any alleged victim or 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, or 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 Director of Marketing and Communications, who shall work with the District Compliance Officer to ensure that all confidentiality rights are maintained.
- XIII.** Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sex offenses and procedures that should be followed after a sex offense occurs. 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;
  - 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;

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- Information for students about existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses;
- Notice to students that the campus will change a victim's academic situation after an alleged domestic violence, dating violence, sex offense, or stalking and of the options for those changes, if those changes are requested by the victim and are reasonably available;
- Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sex offense, or stalking including a clear statement that:
  - 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 sex offense. 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 domestic violence, dating violence, sex offense, or stalking 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 non-forcible sex offenses, domestic violence, dating violence, or stalking.

**XIV.** Education and Prevention Information

The District Compliance Officer or designee shall:

- Provide, as part of each campus' established on-campus orientation program, education and prevention information about domestic violence, dating violence, sexual assault, **and** or 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.**
- Post sexual violence prevention and education information on the campus internet Website regarding domestic violence, dating violence, or stalking.

**XIVXV.** References / Sources:

Education Code Sections 67385 **and 67386**;  
20 U.S.C. § 1092(f);  
34 C.F.R. § 668.46(b)(11)



## AP 3540 Sexual and Other Assaults on Campus

### References:

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

**NOTE:** *This procedure is **legally required**. Local practice may be inserted. The following are the minimum requirements contained in the Education Code and in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“the Clery Act,” 20 U.S. Code Section 1092(f)). The requirements of the Clery Act are broader than those found in California’s Education Code, and apply to all institutions of higher learning that receive federal aid. Districts may insert local procedures: the following example may be used as a guide.*

*In addition, the District may wish to include procedures on responding to domestic violence, dating violence, sexual assaults, or stalking at District sponsored activities on non-District property.*

*This sample procedure addresses domestic violence, dating violence, sexual assaults and stalking. Board Policy 3540 addresses both sexual and physical assaults. Districts may wish to cross reference the administrative procedures related to other physical assaults, including AP 3500, 3510, and 3515 [or insert local numbers].*

*For additional information and resources on sexual assault, domestic violence, dating violence, and stalking in the educational/campus environment, the Department of Justice has established a clearinghouse of resources geared towards colleges and universities, which can be accessed at the California Attorney General’s website.*

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 the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District’s 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 titled 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, 3510, and 3515 **[or insert local numbers]**.)

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 **[designate office]**, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the **[designate position]** is authorized to release such information.

The **[designate position]** shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following:

- 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 and procedures for such notification, if the alleged victim consents; **[List who should be notified]**
- 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. Services and those responsible for provided or arranging them include: **[list person or office responsible after each item]**
  - transportation to a hospital, if necessary;
  - counseling by **[designate]**, or referral to a counseling center;
  - a list of other available campus resources or appropriate off-campus resources;
- 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;
- 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 **[designate position]** should be available to provide assistance to District law enforcement unit employees regarding how to respond appropriately to reports of sexual violence.

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3435, 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 **[designate office]** 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.

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 alleged 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 **[designate office]**, which shall work with the **[designate 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 in 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, 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 chances 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 domestic violence, dating violence, sex offense, or stalking 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 non-forcible sex offenses, domestic violence, dating violence, or stalking.

## **Education and Prevention Information**

The *[designate position]* shall:

- Provide, as part of each campus' established on-campus orientation program, education and prevention 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.
- Post sexual violence prevention and education information on the campus internet website regarding domestic violence, dating violence, sexual assault and stalking.

**Revised 2/03, 2/06, 8/06, 3/12, 6/13, 11/14, 4/15. 10/15**



**PROGRAM DISCONTINUANCE**

AP No. 4021
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Board Reviewed: 8/15/07; 5/13/15

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## I. Initiation of Program Discontinuance

Program discontinuance is an academic and professional matter. Considerations that are integral to this procedure include its effects on students, curriculum, budget and planning, and regional labor needs in the case of career and technical disciplines.

The procedure for program discontinuance should have no adverse effect on current students, involve the creation of a timeline for review and recommendations for improvement and action, and ensure the responsibility for program discontinuance is the shared function of faculty and administration.

The Program Review Committee, the administration, or the faculty, in consultation with the Vice President of Academic Affairs and the Academic Senate, can request an analysis for the discontinuance of a program. This does not need to occur within the planning or program review period, which shall be every two years for vocational programs and every six years for academic programs.

## II. Initial Analysis

Elements in the program discontinuance analysis may include, but are not limited to:

Qualitative data

1. Effects on students
2. Balance in the college curriculum
3. Education and budget planning
4. Issues of regional coordination for occupational programs
5. Quality of the breadth and depth of the curriculum
6. The teaching and learning process
7. Student satisfaction
8. Perception of the program at articulating universities, local businesses and/or industry, and the community
9. Factors of employment in business and industry
10. Goals and objectives in the Educational Master Plan

Quantitative Data

1. Enrollment trends (e.g., lack of demand) over a sustained period of time
2. Frequency of course section offerings to assure reasonable availability for students
3. Retention rates
4. Success rates
5. Term-to-term persistence for those in courses in the major
6. Student completion rates
7. Demand in the local and regional workforce
8. Availability of transfer major (CCLC)
9. Cost to develop and maintain program.

## III. Program Discontinuance Task Force



**PROGRAM DISCONTINUANCE**

AP No.  
4021

Board Reviewed: 8/15/07; 5/13/15

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The Vice-President of Academic Affairs, in consultation with the Academic Senate, will form the Program Discontinuance Task Force. The task force will be co-chaired by the Vice President and the Academic Senate President or their designees. Members shall include a faculty member in the division containing the program, the dean of the affected division, one other dean, and one faculty member who is not in the affected division. Faculty are appointed by the Academic Senate. Where appropriate, program support staff, student services personnel, and the community may be invited to participate. Meetings of the task force shall be public.

The charge to the Program Discontinuance Task Force is:

1. Gather and evaluate all qualitative and quantitative evidence
2. Recommend to the Superintendent/President, the Academic Senate and the Planning Fiscal Council that a program should
  - a. Continue
  - b. Continue with Qualifications
  - c. Discontinue

The task force will review the materials related to the program analysis, as well as data supporting the following criteria:

Vocational Programs

- Declining market/industry demand
- Advisory Committee recommendation
- Decreasing numbers of students enrolled
- Low or decreasing WSCH/FTEF
- Poor rate for student achievement of program goals (e.g. completion rate, numbers of degrees and certificates, job placement)
- Decline in importance of service to related disciplines (applies only when discipline does not offer degree or certificate).

Academic Programs

- Declining university transfer trends
- Insufficient frequency of course offerings to assure reasonable opportunity for completion of the program
- Lack of available resources
- Poor retention within courses
- Poor rate for student achievement of program goals (e.g. completion rate, numbers of degrees and certificates)
- Unavailability of the transfer major
- Poor term-to-term persistence for students in the major

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Within 90 days of being convened, the task force will determine which recommendation shall be forwarded to the Superintendent/President, the Academic Senate, and the Planning and Fiscal Council.

- A. Recommendation to Continue – A recommendation for a program to continue must contain a documented argument based on the qualitative and quantitative data.
- B. Recommendation to Continue With Qualifications – A recommendation for a program to continue with qualifications must contain a documented argument based on the qualitative and quantitative data. Qualifications may consist of requirements of an external regulatory, governing, or licensing body to which the program is subject.

The task force will create a timeline not longer than 18 months that incorporates actions to be undertaken by the program faculty and division dean and the expected outcomes. The Vice President of Academic Affairs will monitor the program's progress. At the end of the specified time, the task force will reevaluate the program.

- C. Recommendation to Discontinue - A recommendation for a program to be discontinued must contain a documented argument based on the qualitative and quantitative data. Should an external regulatory, governing, or licensing body order the discontinuance, the recommendation shall be considered mandated.

In the event of a recommendation to discontinue, the task force will create a timeline for phasing out the program. The plan must include procedures to allow currently enrolled students to complete their plans of study as outlined below.

#### IV. Completion of Plans of Study

In the event a program is discontinued, the Vice President of Academic Affairs and the dean of the affected program will devise a plan that allows currently enrolled students in the program can complete their plan of study in accordance with the College Catalog. ~~These plans may include selection of alternative courses at Rio Hondo College or allowing students to complete their education at another community college.~~ **The plan will include the following actions:**

1. Identify and contact students in the affected major, degree, and or certificate program.
2. Award degrees and certificates to students who have already completed but not petitioned.
3. Identify courses at the college and at area colleges that each student must complete.
4. Confirm which faculty teach the college's courses identified in 3.

**PROGRAM DISCONTINUANCE**

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5. Appoint a faculty member as program coordinator during the discontinuance process.
6. Confirm sufficient counseling support exists for each student.
7. Develop Admissions and Records procedures to ensure students enroll in the college's courses identified in 3.
8. Identify similar programs at area colleges.
9. Determine if completed courses will transfer so that a student may complete the program, degree, and/or certificate at the area college.
10. Establish the length of time needed for each student to complete.
11. Develop a schedule for each student so that he/she is ensured of timely completion.
12. Create a program-wide timeline for final discontinuance of the affected program.
13. Communicate the action plan to affected students as well as program faculty.
14. Communicate the action plan to the community and external agencies and licensing groups where appropriate.

## V. Conclusion of the Process

The Program Discontinuance Task Force will forward its recommendation to the Superintendent/President, the Academic Senate, and the Planning and Fiscal Council. As program discontinuance is an academic and professional matter, mutual agreement is required.

Upon mutual agreement after receiving the recommendation, the Superintendent/President will forward the recommendation to the Board of Trustees. Any program that receives a recommendation to discontinue can be terminated by the Board within a year.

## VI. Collective Bargaining

As this procedure impacts employment, it is a matter of collective bargaining in all cases. The Rio Hondo College Faculty Association and the California School Employees Association will be notified and given the necessary time to resolve the issues of collective bargaining.

## VII. Source/ Reference:

~~Education Code 78016; Title 5, 51022, 55130~~  
Education Code Section 78016;  
Title 5 Sections 51022 and 55130;  
ACCJC Accreditation Standard II.A.15

## AP 4021 Program Discontinuance

### References:

Education Code Section 78016;  
Title 5 Sections 51022 and 55130;  
ACCJC Accreditation Standard II.A.15

**NOTE:** *A procedure for discontinuance of career and technical programs is **legally required**. Procedures for discontinuance of other programs are **suggested as good practice**. Insert local practice.*

The procedure for discontinuance of career and technical programs should include a process for:

- Reviewing such programs every two years to ensure they meet legal standards.
- Terminating programs by the Governing Board if legal and other District standards are not met.

**New 8/04, Revised 4/15**



**PHILOSOPHY AND CRITERIA FOR ASSOCIATE DEGREE  
AND GENERAL EDUCATION**AP No.  
4025

Board Reviewed: 8/15/07

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**Approved Senate language in green*****Note: This procedure is legally required. Local practice may be inserted here.***

- I. ~~The philosophy and criteria for the associate degree and general education at Rio Hondo College District shall address the following considerations contained in the references listed below. These include, but are not limited to:~~

The philosophy and criteria for the associate degree and general education **in the Rio Hondo College District addresses the following considerations. These include but are not limited to the following:**

- A. The programs of the **Rio Hondo College District** are consistent with the institutional mission, purposes, demographics and economics of its community.
- B. The philosophy and **criteria shaping the associate degrees of the Rio Hondo College District shall include learning experiences that lead to the specific capabilities and insights**, ~~regarding the associate degree shall~~ references the policy of the Board of Governors that the associate degree symbolizes a successful attempt to lead students through patterns of learning experiences designed to develop certain capabilities and insight, including **the following:**
1. ~~The ability to~~ **To** think and communicate clearly and effectively **both** orally and **in** writing;
  2. **To** use mathematics;
  3. **To** understand the modes of inquiry of the major disciplines;
  4. **To** be aware of other cultures and ~~times~~ **eras**;
  5. **To** achieve insights ~~gained through experience in thinking about~~ **regarding** ethical problems; and
  6. To develop the capacity for self-understanding.
- II. The philosophy and criteria regarding general education references the policy of the Board of Governors that general education should lead to better self-understanding, including **the following:**
- A. General Education is designed to introduce students to the variety of means through which people comprehend the modern world.
- B. General education introduces the content and methodology of the major areas of knowledge and provides an opportunity for students to develop intellectual skills, information technology facility, affective and creative capabilities, social attitudes, and an appreciation for cultural diversity.

**PHILOSOPHY AND CRITERIA FOR ASSOCIATE DEGREE  
AND GENERAL EDUCATION**

<b>AP No. 4025</b>
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Board Reviewed: 8/15/07

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III. ~~The procedures should also include the process used to determine which courses implement the District's philosophy on the associate degree and general education.~~

III. **The District ensures that its philosophy on associate degrees and general education is maintained through the processes and procedures of the Curriculum committee, articulation agreements, and through the reaffirmation of local, regional and national accreditation.**

IV. Sources/References:

Title 5 Section 55061

**ACCJC** Accreditation Standard **II.A (formerly II.A.3)**

## AP 4025 Philosophy and Criteria for Associate Degree and General Education

### References:

Title 5 Section 55061;  
ACCJC Accreditation Standard II.A (*formerly II.A.3*)

**NOTE:** *This procedure is **legally required**. Local practice may be inserted here.*

The philosophy and criteria for the associate degree and general education should address the considerations contained in the references listed above. These include, but are not limited to:

- The programs of the District are consistent with the institutional mission, purposes, demographics and economics of its community.
- The philosophy and criteria regarding the associate degree references the policy of the Board of Governors that the associate degree symbolizes a successful attempt to lead students through patterns of learning experiences designed to develop certain capabilities and insight, including:
  - the ability to think and communicate clearly and effectively orally and writing;
  - use mathematics;
  - understand the modes of inquiry of the major disciplines;
  - be aware of other cultures and times;
  - achieve insights gained through experience in thinking about ethical problems; and to develop the capacity for self-understanding.

The philosophy and criteria regarding general education references the policy of the Board of Governors that general education should lead to better self-understanding, including:

- General education is designed to introduce students to the variety of means through which people comprehend the modern world.
- General education introduces the content and methodology of the major areas of knowledge and provides an opportunity for students to develop intellectual skills, information technology facility, affective and creative capabilities, social attitudes, and an appreciation for cultural diversity.

**NOTE:** *The procedures should also include the process used to determine which courses implement the District's philosophy on the associate degree and general education.*

**Revised 2/08, 11/14**





ARTICULATIONAP No.  
4050

Board Reviewed: 8/15/07

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**Approved Senate language in green**

- I. Articulation is the responsibility of the **Rio Hondo College District** Articulation Officer.
- II. Articulation requests may come from faculty **of the District** at the college or from four-year institutions. All course outlines must be current (revised within the last five years) before an articulation request can be made. Baccalaureate institutions reserve the right to approve or deny any articulation request. **The following processes shall ensure equitable and correct articulation agreements.**
  - A. **CSU transferability shall be determined locally through the proceedings of the District's Curriculum Committee. UC transferability shall be determined by a yearly UC Transfer Course Agreement (UC TCA) process. Faculty must submit a request in writing to the Articulation Officer for it to be submitted during the annual process.**
  - B. **The requests for CSU GE and/or UC IGETC articulation must be submitted by faculty using the "Request for GE Submission" form (found on the Curriculum Committee website). The form shall be reviewed by the Articulation Officer and vetted through the Curriculum Committee. IGETC requests for major preparation courses may be submitted to the Articulation Officer in an on-going basis.**
- III. Articulation information is **shall be** disseminated to faculty, **and** deans **and** counselors when established and on an on-going basis.
- IV. All articulation agreements for four-year public institutions in California can be found on ASSIST. Courses submitted for UC approval as transferable to all UC's (UC TCA), Intersegmental General Education Courses (IGETC), and CSU General Education breadth courses are submitted through OSCAR to UC or CSU.
  - A. **All articulation agreements, requests and MOUs from regionally accredited private, or out-of-state institutions shall be reviewed by the Articulation Officer.**
- V. Emphasis on establishing articulation is with proximate baccalaureate institutions.
- VI. The Tech Prep Coordinator is responsible for articulation with local high schools.

ARTICULATION

AP No. 4050
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VII. Sources/References:

Title 5, Section 51022(b)

**ACCJC** Accreditation Standard **II.A.10** (formerly II.A.6.a.)

## AP 4050 Articulation

### References:

Education Code Section 66720-66744;  
Title 5 Section 51022(b);  
ACCJC Accreditation Standard II.A.10 (*formerly II.A.6.a*)

**NOTE:** *This procedure is **legally required**. Districts may insert local practice here, which, as good practice, should address designated responsibility and processes for the development, maintenance, and distribution of articulation agreements.*

*Procedures may also identify schools and baccalaureate-level institutions with which the institution articulates that are not geographically proximate (as required by law) but that are determined to be appropriate and advantageous for the college.*

**Revised 2/07, 11/14**



**ACADEMIC RENEWAL**AP No.  
4240

Board Reviewed: 2/17/10; 12/8/10; 5/14/14

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- I. ~~Students may petition only once to have their academic record reviewed~~ **Students may petition to have their academic record reviewed (Senate)** for academic renewal of substandard academic performance under the following conditions:
  - Students must have achieved a grade point average of 2.0 in 30 units and
  - At least two years must have elapsed from the time the course work to be removed was completed.
- II. ~~Up to 30 units of course work may be eliminated from consideration in the cumulative grade point average.~~ **Students may apply for academic renewal multiple times. Up to 30 units of course work, in total, may be eliminated from consideration in the cumulative grade point average (Senate).**
- III. Specific courses and/or categories of courses that are exempt from academic renewal must be described. Academic renewal actions are irreversible. When academic renewal procedures permit previously recorded substandard coursework to be disregarded in the computation of a student's grade point average, the student's permanent academic record should contain an accurate record of all coursework to ensure a complete academic history.
- IV. Academic renewal procedures may not conflict with the District's obligation to retain and destroy records or with the instructor's ability to determine a student's final grade.
- V. Academic Renewal Guidelines (RHC Catalog)

The academic renewal procedure permits the alleviation of a student's previously recorded substandard academic performance that is not reflective of a student's present demonstrated ability and level of performance. Academic renewal may gain for students the benefits of their current level of ability and performance and not permanently penalize them for poor performance in the past.

Therefore, within the regulations listed, Rio Hondo College may disregard particular, previously recorded substandard work from a student's cumulative grade-point average.

1. Students may petition to have their academic record reviewed for academic renewal through the Admissions and Records Office to remove previous substandard work (any course in which a grade below 2.00 has been recorded) taken at Rio Hondo College. The District Superintendent/President, or designee, may grant permission.
2. Up to 30 units may be alleviated.
3. A student's current demonstrated ability may be the basis for alleviating previous substandard work.
4. From the last substandard work to be alleviated, the following 30 consecutive

**ACADEMIC RENEWAL**

<b>AP No. 4240</b>
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Board Reviewed: 2/17/10; 12/8/10; 5/14/14

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units from any accredited college or university must average at least a 2.00 GPA in order to qualify.

5. Two years must have elapsed since the most recent work to be alleviated.
  6. The student's academic record will be appropriately marked indicating those courses that have been alleviated.
- VI. When academic work is alleviated, grades are not removed; they are noted and subtracted from the grade point average. All entries remain legible so that a true and complete record is maintained. There is no assurance that alleviated courses will be treated similarly by other educational institutions outside the District.
- VII. Source / Reference:  
Title 5, Section 55044 and 55046.

## AP 4240 Academic Renewal

### Reference:

Title 5 Section 55046

**Note:** *This procedure is **legally required**. Local practice may be inserted but should comply with the following:*

Students may petition to have their academic record reviewed for academic renewal of substandard academic performance under the following conditions:

- Students must have achieved a grade point average of [**set a minimum of at least 2.0**] in [**set minimum number of units**], and
- At least [**set time limit**] must have elapsed from the time the course work to be removed was completed.

Up to [**set unit limit**] units of course work may be eliminated from consideration in the cumulative grade point average.

Specific courses and/or categories of courses that are exempt from academic renewal must be described. Academic renewal actions are irreversible. When academic renewal procedures permit previously recorded substandard coursework to be disregarded in the computation of a student's grade point average, the student's permanent academic record should contain an accurate record of all coursework to ensure a complete academic history.

Academic renewal procedures may not conflict with the District's obligation to retain and destroy records or with the instructor's ability to determine a student's final grade.

**Note:** *Additional local procedures should be inserted, which **must** include:*

The procedures to be followed by the student in requesting academic renewal.  
Designated authorities.

Revised 8/06, 2/08, 9/08, 4/09





**FACULTY SERVICE AREA, MINIMUM QUALIFICATIONS AND EQUIVALENCIES**AP No.  
7211

Board Reviewed: 6-8-94, 2016

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5165I. Criteria

~~Only infrequently will candidates who do not meet the minimum qualifications qualify through the equivalency process. Candidates do possess equivalent qualifications who have all the appropriate courses for a particular degree but not possess the specific degree named on the Disciplines List. Very rarely, a candidate who is obviously highly qualified, who indeed may be the best qualified of all the candidates, will be able to demonstrate through publications or similar achievements that he or she has qualifications equivalent to those specified on the Disciplines List. However, the one who claims equivalent qualifications will have to provide conclusive evidence, evidence as clear and reliable as the college transcripts being submitted by the other candidates, that he or she has qualifications that are at least equivalent to what is required by the minimum qualifications. Specifically, the one making the claim must provide conclusive evidence in regard to each of the following:~~

- ~~A. For establishing the equivalent of the required degree, possession of a Master's degree and at least the equivalent in the level of the achievement and breadth and depth of understanding for each of the following as separate and distinct criteria:~~
- ~~1. The general education required for that degree; and~~
  - ~~2. The coursework required for that degree as defined by each discipline.~~

~~A candidate who does not provide conclusive evidence in regard to either 1 or 2 does not pass the equivalent of the degree in question when the minimum qualifications is a Master of Arts or Master of Science degree.~~

- ~~B. For the equivalent of required experience, possession of thorough and broad skill and knowledge for each of the following as separate and distinct criteria:~~
- ~~1. Demonstrated mastery of the current skills of the discipline thorough enough for the proposed specific assignment and broad enough to serve as a basis for teaching the other courses in the discipline.~~
  - ~~2. Extensive and diverse knowledge of the working environment of the specific discipline.~~

**FACULTY SERVICE AREA, MINIMUM QUALIFICATIONS AND EQUIVALENCIES**AP No.  
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~~A candidate who does not present conclusive evidence in regard to either 1 or 2 does not possess the equivalent of the experience in question.~~

~~6. Eminence may be the basis for granting the equivalency as determined by the criteria of each discipline.~~

~~1. The ASERC shall approve the decision for granting or denying the equivalency if it is consistent with the criteria previously adopted by the affecting discipline.~~

~~a. The ASERC shall notify the Human Resources Office whether the candidate should be added to the pool of candidates eligible for interview for the faculty position.~~

~~2. The ASERC shall overrule or remand the decision for granting or denying an equivalency if it is determined that the decision is inconsistent with the discipline's adopted criteria or that the discipline(s) committee failed to follow the procedures adopted by the affected division.~~

~~3. The ASERC shall advise the Human Resources Office within two (2) days of its deliberations that the equivalency has been granted, denied or has been referred back to the discipline(s) committee for further consideration.~~

~~E. Should the governing board determine that it intends to overrule the recommendation of the discipline(s) committee and the ASERC regarding the determination of employment on the basis of equivalency, it shall defer final action on its decision until the President of the Academic Senate or his/her designee is provided an opportunity to comment on the proposed decision.~~

**II. FACULTY SERVICE AREAS**

~~A faculty member requesting an additional Faculty Service Area designation shall follow the procedure outlined above, except that the faculty member will have an opportunity to meet with the ASERC before the denial of his/her request for a Faculty Service Area designation by equivalency becomes final.~~

**FACULTY SERVICE AREA, MINIMUM QUALIFICATIONS AND EQUIVALENCIES**AP No.  
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- ~~A. An aggrieved faculty member shall be eligible to proceed to the Formal Hearing as outlined in CP 5005 at the conclusion of the meeting with the ASERC.~~
- ~~B. For purposes of an equivalency grievance, the meeting with the ASERC shall be deemed the informal meeting.~~

**I. Faculty Service Areas**

~~Faculty service areas shall be established after negotiation and consultation as required by law with the appropriate with the Academic Senate and approved by the Board of Trustees.~~

- A. Faculty service areas have been established and are incorporated into the Collective Bargaining Agreement between the District and the Rio Hondo College Faculty Association.
- B. Any changes to those areas can only occur through the negotiations process.
- C. Any faculty member may apply to add a faculty service area by submitting the appropriate form to Human Resources. The form must be submitted by February 15<sup>th</sup> in order to take effect the following academic year.

**II. Minimum Qualifications**

~~Faculty shall meet minimum qualifications established by the Board of Governors, or shall possess qualifications that are at least equivalent to the minimum qualifications set out in the regulations of the Board of Governors adopted pursuant to education code section 87356.~~

- A. The Board of Governors of the California Community Colleges have established minimum qualifications for faculty service areas. Faculty shall meet these minimum qualifications unless Rio Hondo College has established its own. Faculty within a discipline may establish local minimum qualifications so long as they are at least equivalent to those established by the Board of Governors. The local minimum qualifications must be approved by both the Academic Senate and the District.

FACULTY SERVICE AREA, MINIMUM QUALIFICATIONS AND EQUIVALENCIESAP No.  
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- B. Any change in minimum qualifications shall not affect current faculty members already in a faculty service area.

### III. Equivalencies

Equivalency Committee: An Academic Senate equivalency committee shall be established to fulfill the requirement of Education Code Section 87359, which states that the equivalency process "shall include reasonable procedures to ensure that the governing board relies primarily upon the advice and judgment of the Academic Senate to determine that each individual employed under the authority granted by the regulations possesses qualifications that are at least equivalent to the applicable minimum qualifications." In order to ensure that the Board of Trustees relies primarily on the advice and judgment of the Academic Senate, the Academic Senate equivalency committee shall:

- A. Be available to review and serve as a resource regarding equivalency determinations.
  - B. Recommend all equivalency determinations to the Board.
  - C. Further clarify the criteria to be used for determining equivalency.
  - D. Periodically review this procedure and recommend necessary changes to the Academic Senate and the Board.
  - E. In general, ensure that the equivalency process works well and meets the requirements of the law.
- A. Faculty within a discipline may establish local equivalencies for faculty service areas so long as they are at least equivalent to the minimum qualifications established by the Board of Governors. The local equivalencies must be approved by the Academic Senate and by the District.
- B. Any change in local equivalencies shall not affect current faculty members already in a faculty service area.

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## IV. Determination of Equivalencies.

The following procedure is to be used to determine when an applicant for a faculty position, although lacking the exact degree or experience specified in the Disciplines List of the Board of Governors that establishes the minimum qualifications for hire, nonetheless does possess qualifications that are at least equivalent to those required by the Disciplines List. The procedure is intended to ensure a fair and objective process for determining when an applicant has the equivalent qualifications. It is not intended to grant waivers for lack of the required qualifications.

- A. All faculty position announcements will state the required qualifications as specified by the Disciplines List, including the possibility of meeting the equivalent of the required degree or experience.
- B. The District employment application forms for faculty positions will ask applicants to state how whether they meet the minimum qualifications of the Disciplines List or whether they believe they meet the equivalent. Those claiming equivalency will then be asked to state their reasons and to present evidence demonstrate how they meet the equivalency required. It will be the responsibility of the applicant to supply all evidence and documentation for the claim of equivalency at the time of application.

- V. The Human Resources Department will first screen all qualified applicants. Those claiming equivalency will have their claims examined and approved by a division committee. and then a final review by the Senate President prior to being interviewed will be required. Only applicants who are found to meet the test of equivalency shall be selected for interview forwarded to the selection committee.

(Senate suggests that the procedures involved in equivalency determination, IV and V, be removed here and inserted into AP 7217 Faculty Employment where it would be more appropriate)

## VI. Sources / Reference:

Education Code Sections 87001, 87003, 87743.2, 87356, 87359; Title 5, Section 53400 et seq.

# AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies

## References:

Education Code Sections 87001, 87003, and 87743.2;  
Title 5 Sections 53400 et seq.;  
ACCJC Accreditation Standard III.A.2-4

**NOTE:** *This procedure is **legally required**. Local practice may be inserted. The following is provided as an illustrative example only. The equivalency examples are provided in some detail, but in any event must be developed and jointly agreed upon by representatives of the District and the academic senate.*

## Faculty Service Areas

Faculty service areas shall be established after negotiation and consultation as required by law with the appropriate faculty representatives.

## Minimum Qualifications

Faculty shall meet minimum qualifications established by the Board of Governors, or shall possess qualifications that are at least equivalent to the minimum qualifications set out in the regulations of the Board of Governors.

## Equivalencies

Equivalency Committee – An academic senate equivalency committee shall be established to fulfill the requirement of Education Code Section 87359, which states that the equivalency process "shall include reasonable procedures to ensure that the Governing Board relies primarily upon the advice and judgment of the Academic Senate to determine that each individual employed under the authority granted by the regulations possesses qualifications that are at least equivalent to the applicable minimum qualifications..." In order to ensure that the Governing Board relies primarily on the advice and judgment of the Academic Senate, the academic senate equivalency committee shall:

- Be available to screening and selection committees as a resource regarding equivalency determinations.
- Review the decisions of the screening committees as described below.
- Recommend all equivalency determinations to the Governing Board.
- Further clarify the criteria to be used for determining equivalency.
- Ensure that careful records are kept of all equivalency determinations.
- Periodically review this procedure and recommend necessary changes to the Academic Senate and Governing Board.
- In general, ensure that the equivalency process works well and meets the requirements of the law.

**Determination of Equivalencies** – The following procedure is to be used to determine when an applicant for a faculty position, although lacking the exact degree or experience specified in the Disciplines List of the Board of Governors that establishes the minimum qualifications for hire, nonetheless does possess qualifications that are at least equivalent to those required by the Disciplines List. The procedure is intended to ensure a fair and objective process for determining when an applicant has the equivalent qualifications. It is not intended to grant waivers for lack of the required qualifications.

All faculty position announcements will state the required qualifications as specified by the Disciplines List, including the possibility of meeting the equivalent of the required degree or experience.

District application forms for faculty positions will ask applicants to state whether they meet the minimum qualifications of the Disciplines List or whether they believe they meet the equivalent. Those claiming equivalency will then be asked to state their reasons and to present evidence. It will be the responsibility of the applicant to supply all evidence and documentation for the claim of equivalency at the time of application.

The **[designate authority]** will first screen all qualified applicants, assuming that those claiming equivalency are in fact equivalent. Once applicants have been selected for interview, those claiming equivalency will have their claims examined by the **[designate authority]** prior to being interviewed. Only applicants who are found to meet the test of equivalency shall be selected for interview.

The **[designate authority]** shall send its decisions concerning equivalency and non-equivalency to the **[designate authority]** to the academic senate equivalency committee before candidates are notified of interviews. The equivalency committee will review the decisions of the screening, asking the following questions:

- Was the decision made in accord with this procedure?
- Specifically, did the screening committee follow the criteria for evidence of equivalency stated in this procedure?
- Are the Committee's decisions consistent with similar decisions made by earlier committees in this discipline or similar disciplines?

The academic senate equivalency committee shall employ the following procedures in emergencies or special circumstances:

- In case a candidate to be offered an adjunct or temporary position is also an equivalency claimant, the screening committee shall determine the equivalency status immediately following the interview and make a recommendation to the department chair or appropriate area administrator if there is no chair. This recommendation shall be forwarded to **[designate authority]**.
- **[Designate authority]** will review the recommendation and either accept or reject it. If the candidate is acceptable, the department is free to extend



the job offer; if unacceptable, the selection committee may request a review by **[designate authority]**.

- For the purposes of this procedure, an emergency or special circumstance is defined as a situation in which the full hiring process cannot be carried out in a timely manner. Such situations may include, but are not limited to the following:
  - Vacancies that occur shortly before the beginning of a session in which there is not sufficient time for the full equivalency process to take place.
  - Additional sections of a class added shortly before the beginning of a session or after the session begins.
  - An unforeseen opportunity, occurring shortly before the beginning of a session, to staff sections in locations, venues, or subject matter specialties for courses which previously have been difficult to schedule (certain off-campus sites, contract education, short courses, etc.).

The District may elect to award equivalency for faculty teaching in vocational disciplines that do not require the master's degree.

- **Semester units/occupational experience:** 120 semester units AND two years of occupational experience in the discipline; or, 60 semester units AND six years of occupational experience in the discipline; or, 30 semester units or industrial certification AND eight years of occupational experience in the discipline. Note; all semester or equivalent units must all be earned from a regionally accredited postsecondary educational institution.
- **Related occupational experience:** May be substituted by teaching experience in the discipline or related discipline on a year-for-year basis.
- **Recency:** An individual employed to teach a vocational discipline shall demonstrate a competency in the current technology of that discipline.
- **Rare exceptions:** In the rare case that an individual does not specifically meet the equivalency provisions as stated in the above Sections (#1 - #3), and the department chair, the full-time faculty in that discipline (if applicable), supervising instructional administrator and **[insert position, such as Vice President for Academic Affairs]** agree that the person is otherwise qualified to teach in that discipline, that individual's qualifications may be recommended to the academic senate equivalency committee chair as deemed "equivalent" for that discipline.

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