MINUTES
March 15, 2016
Board Room
1:00 p.m.

Present: Lupe Alvarado, Alan Archambault, Robin Babou, Ryan Bronkar, Michelle Bean, Robert Bethel, Fran Cummings, Michael Dighera, Marie Eckstrom, Cameron English, Juan Fernandez, Raquel Flores-Olson, John Frala, Theresa Freije, Sergio Guzman, Yunior Hernandez, Mike Javanmard, George Kimber, Sheila Lynch, Steve Moshier, Katie O’Brien, Tyler Okamoto, Dorali Pichardo-Diaz, Kathy Pudelko, Rudy Rios, Mary Rivera, Kevin Smith, Shelly Spencer, Adam Wetsman, Jon Whitford

I. Call to Order: 1:04 p.m.

II. Officer Elections
A. Elections began at 1:04 and concluded at 1:11 p.m.
B. Administered by Adam Wetsman and Kevin Smith
C. 30 Senators voted. All below listed winners received the majority of the votes.
D. Election Results:
   1. Robert Bethel—President
   2. Dorali Pichardo-Diaz—1st Vice President
   3. Sheila Lynch—2nd Vice President
   4. Michelle Bean—Secretary
   5. Katie O’Brien—Parliamentarian
   6. Mike Dighera—ASCCC Representative
E. Motion: To accept the election results as presented (Motioned by John Frala; seconded by Sergio Guzman; motion passed unanimously)

II. Approval of Minutes: March 1, 2016 minutes approved by consensus with corrections.

III. President’s Report
A. CBT (Collective Brain Trust)—the consultation company will present their findings to the Board next month.
B. Senator Elections—please update Senator seats by elections in your division and document results in division minutes; per Senate bylaws, no appointments to Senate seats—need a vote on record. Arts needs a replacement. PE needs two. AJ needs one more. Two part-timers to be appointed in the fall by AS President.
C. District Awards
   1. Fellow of College—Maurice Meysenburg
   2. Distinguish Service—Less Howard
   3. Distinguish Faculty—Marie Eckstrom
IV. Unfinished Business
A. AP 7211 Faculty Service Areas
   1. **Motion**: To accept AP 7211 with suggested revisions
   2. Motioned by Kathy Pudleko; seconded by John Frala; motion passed unanimously
B. AP 3510 Workplace Violence
   1. **Motion**: To accept AP 3510 as submitted
   2. Motioned by Adam Wetsman; seconded by Katie O’brien; motion passed unanimously

V. New Business
A. AP 4025 Philosophy for Associate Degree
   1. **Motion**: To postpone the vote on AP 4025 for further review
   2. Motioned by Adam Wetsman; seconded by Shelly Spencer; motion passed unanimously
B. AP 4050 Articulation—postponed until next meeting per Senate President
C. AP 5013 Students in the Military
   1. **Motion**: To accept AP 5013 with suggested revisions
   2. Motioned by Adam Wetsman; seconded by Sergio Guzman; motion passed unanimously

VI. Committee Reports
A. Academic Rank—done for this year.
B. Basic Skills—working on grant due at end of month.
C. Bookstore—no report.
D. Curriculum—co-chairs to visit all divisions for curriculum procedure updates.
   Deadline for substantial changes is end of September for the following fall.
E. FLEX/Staff Development—last round of grants due first week of April; no money for summer available; no extra funds for technology (was in last Title V grant—which has ended).
F. ITC—meeting today.
G. SLOs—probably going to TK20 for SLO software; will bring official recommendation to Senate soon. Attended an SLO Workshop on Program SLOs. Joanna Schilling’s goal is to move SLO focus toward meaningful reviews to guide classroom instruction. Program Level SLOs deficient, so a report will be written and submitted by chair to meet ACCJC recommendations.
H. Student Equity—no report.
I. OEC—no report.
J. IEC—no report.
K. Program Review—sent a reminder to program leaders to respond to the Executive Summaries. Recommendation made to present Program Review overview annually to PFC and Senate, as well as highlight programs to the Board monthly.
L. **Safety**—no report.
M. **MIS/Enterprise**—no report.

**VII. Announcements**
A. Marie Eckstrom sits on Common Assessment Initiative steering committee; reminder that new assessment cut scores and MMAP procedures will be implemented in the fall as RHC is a pilot college.
B. Show for Richard Lopez, former faculty member, in the Art Gallery this week—reception is Friday.
C. Faculty Association meeting this Thursday with Investment Workshop.

**VIII. Public Comment**—none.

**IX. Adjournment**: 2:05 p.m.
I. 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.

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.

C. 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.

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 15th 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 the Academic Senate and by the District.

B. Any change in minimum qualifications shall not affect current faculty members already in a faculty service area.

(Academic Senate 3-15-16)

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.

(Academic Senate 3-15-16)

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 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)

(Academic Senate 3-15-16)

VI. Sources / Reference:

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

II. Definitions.

Workplace violence includes, but is not limited to: 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: 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.

2. Intimidation - unwarranted behavior intended to frighten, coerce, or induce duress. Examples include but not limited to: 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.

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.

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: "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.

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

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: 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 statues, 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.


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.
1. **Residence Determinations for Military Personnel and Dependents**

   **A.** A student who is a member of the armed forces of the United States stationed in California on active duty, except a member of the armed forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification. Such student shall retain resident classification in the event that the member of the armed forces is thereafter transferred on military orders to a place outside of California or thereafter retires from active duty, so long as the student remains continuously enrolled in the District.

   **B.** An undergraduate student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in California on active duty shall be entitled to resident classification. Such student shall retain resident classification if he/she is thereafter transferred on military orders to a place outside of California, so long as the student remains continuously enrolled in the District.

   **C.** A veteran who was discharged or released from at least 90 days of active service less than three years before the date of enrollment in a course commencing on or after July 1, 2015 2016, and his/her dependents, regardless of the veteran’s state of residence, is entitled to resident classification.

   **D.** An individual who is the child or spouse of a person who, on or after September 11, 201, died in the line of duty while serving on active duty as a member of the Armed Forces who resides in California and enrolls in the community college within three years of the Service Member’s death in the line of duty following a period of active duty service of 90 days or more is entitled to resident classification.
E. A parent who is a federal civil service employee and his/her natural or adopted dependent children are entitled to resident classification if the parent has moved to California as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.

F. A student claiming the residence classifications provided for in this procedure must provide a statement from the student’s commanding officer or personnel officer providing evidence of the date of the assignment to California, and that the assignment to active duty in California is not for educational purposes. A student claiming the residence classifications provided for here for the dependent of military personnel shall provide a statement from the military person’s commanding officer or personnel officer that the military person’s duty station is in California on active duty as of the residence determination date, or has been transferred outside of California on active duty after the residence determination date, or that the military person has retired from active duty after the residence determination date. (Title 5 Sections 54041 and 54042).

II. Withdrawal Policies for Members of the Military

A. A student who is a member of an active or reserve United States military service and who receives orders compelling a withdrawal from courses shall be permitted to withdraw upon verification of such orders.

A student who is a member of an active or reserve United States military service and who receives orders compelling a withdrawal from courses shall be permitted to withdraw upon verification of such orders. The student must complete the appropriate form prior to withdrawal. An "MW" grade shall be assigned and the student shall receive a full refund of the tuition and fees the student paid to the college for the term in which the student was required to report for military service. Military withdrawal shall not be counted in progress probation, dismissal calculations, or in calculating the permitted number of withdrawals.
A withdrawal symbol may be assigned which may be a “W” or a “MW.” Military withdrawal shall not be counted in progress probation, dismissal calculations, or in calculating the permitted number of withdrawals. In no case may a military withdrawal result in a student being assigned an “FW” GRADE. In no case may a college require a student who is required to report for military duty to withdraw from a course by a specific date in order to receive a full refund of the tuition and fees the student paid to the college for the academic term in which the student was required to report for military service. (CCLC)

Students who are members of the military may be assigned an “MW” grade as referenced in AP 4220.

B. See AP 5075

III. Source / References:

Education Code Sections 68074, 68075, 68075, and 68075.7;

Title 5 Sections 55023, 55024 54041, 54042, 54050, and 58620

Military and Veterans Code Section 824

38 U.S. Code Section 3679