BOARD OF TRUSTEES:

Angela Acosta-Salazar, Gary Mendez, Vicky Santana, Norma Edith García, Madeline Shapiro, Julianna Ojeda, Student Trustee

SPECIAL MEETING OF THE BOARD OF TRUSTEES

MINUTES – May 14, 2012

Location: Rio Hondo College Board Room
3600 Workman Mill Road, Whittier CA 90601

Members Present: Ms. Norma Edith García, President
Ms. Vicky Santana, Vice President (arrived at 6:37pm)
Ms. Madeline Shapiro, Clerk
Ms. Angela Acosta Salazar, Member

Members Absent: Mr. Gary Mendez, Member
Julianna Ojeda, Student Trustee (Excused)

Staff Members: Dr. Ted Martinez, Jr., Superintendent/President
Ms. Teresa Dreyfuss, Vice President, Finance & Business
Mr. Henry Gee, Vice President, Student Services
Dr. JoAnna Downey, Acting Vice President, Academic Affairs
Ms. Sandra Rivera, representing CSEA
Ms. Sandy Sandello (Recorder)

I. CALL TO ORDER
A. Call to Order

Ms. Garcia called the meeting to order at 6:08 p.m.

B. Pledge of Allegiance

Ms. Garcia led the salute to the flag.

C. Roll Call

Mr. Gary Mendez was reported absent. Ms. Santana arrived at 6:37 p.m.

D. Open Communication for Public Comment

Ms. Sandra Rivera addressed the board regarding AP 3510, Workplace Violence Plan, indicating that this item had gone through the review process in 2010 and was held up due to some of the language being negotiable.

II. STUDY SESSION

- BP 3510 – Workplace Violence Plan (see attached)
- AP 3510 – Workplace Violence Plan (see attached)

The Board had a roundtable discussion which included Aaron O’Donnell from Atkinson, Loya and Ruud on BP and AP 3510 – Workplace Violence Plan.
• After a lengthy discussion, it was recommended:
  o that draft BP 3510 be revised to make more specific reference to bullying, intimidation, stalking, or other behavior that may seriously interfere with the orderly operation of the workplace;
  o that draft AP 3510 be revised to indicate that District officials to whom Disruptive Behavior is reported must investigate, and if the report is substantiated, take appropriate action; and
  o that draft AP 3510 be revised to make clear that employees may report to officials other than their direct supervisor.

III. ADJOURNMENT
The meeting was adjourned at 7:50 p.m. in memory of Henry Martinez, the father of former Trustee, Maria Elena Martinez.

The date of the Next Special Meeting: Monday, June 4, 2012, 6:30 p.m. (Rio Hondo College, Board Room, 3600 Workman Mill Road, Whittier)

The date of the Next Regular Meeting: Wednesday, June 13, 2012, 6:00 p.m. (Rio Hondo College, Board Room, 3600 Workman Mill Road, Whittier)
RIO HONDO COMMUNITY COLLEGE DISTRICT

WORKPLACE VIOLENCE PLAN

Board Adopted: 2/18/09, April 2012

I. The Board is committed to promoting and maintaining a District work and learning environment that is safe and free of violence and threat of violence threatening, disruptive or violent behavior. The Board’s priority is the prompt and effective handling of critical workplace violence threatening, disruptive or violent incidents, including those dealing with actual or potential violence in the workplace. (Bold – Legal Council)

II. Superintendent/President shall establish administrative procedures that assure that employees individuals are informed regarding what actions will be considered violent acts and requiring any employee who is the victim of any violent conduct threatening, disruptive or violent behavior in the workplace or is a witness to violent conduct to report the incident and the employees are informed that there will be no retaliation for such reporting. The administrative procedures shall include definitions and procedures for reporting and responding to reports. (Bold – Legal Council)

III. This Policy applies to all employees, students and visitors on all Rio Hondo Community College District campuses. (Bold – Legal Council)

IV. Reference:

This procedure is legally required. Local practice may be inserted.

I. Purpose

The Rio Hondo Community College District ("District") is committed to providing promoting and maintaining a safe work and learning environment that is free of violence and the threat of violence. The top priority in this process is effectively handling critical workplace incidents—especially those dealing with actual threatening, disruptive or potential violence—violation and 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 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.

Employees or students found to have engaged in disruptive behavior may also be subject to discipline for misconduct or for corrective action for performance deficiencies pursuant separate District policies that are applicable under the circumstances (See References and Related Policies Section below).

II. Definitions

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 interfere with the orderly operation of the workplace, including, but not limited to, the following:

1. Bullying - offensive or malicious behavior which tends to undermine, intimidate, or demean the recipient.

2. Intimidation - behavior intended to frighten, coerce, or induce duress.
3. Stalking - behavior involving harassing or pestering an individual, including following, spying on, or alarming the individual.

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. (OSHA)

2. Property Damage - behavior that 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 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. A Threat of Violent Behavior includes bringing a firearm, knife or other weapon of any kind onto campus property, unless such possession or use is a job requirement.

The following actions are examples considered to be violent acts: (CCLC)

1. Striking, punching, slapping or assaulting another person.

2. Fighting or challenging another person to fight.

3. Grabbing, pinching, or touching another person in an unwanted way whether sexually or otherwise.

4. Engaging in dangerous, threatening or unwanted horseplay.

5. 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
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III. 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. (CCLC)

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

V. Any employee reported to be a perpetrator will be provided both due process and representation in accordance with Board Policies and Education Code. (CCLC)

       Classified employees who are found to create a violent workplace will be disciplined and/or terminated based on BP.7365.

VI. In the event the District fears for the safety of the perpetrator or the safety of others at the scene of the violent act, appropriate law enforcement personnel will be called. (CCLC)

III. 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 shall 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.
B. Reporting

1. Emergency - Disruptive behavior that is of a violent or criminal nature that requires immediate intervention and/or assistance from police, fire or medical personnel shall be reported by calling 911.

2. Non-Emergency - Disruptive behavior that is not an emergency shall be reported to any of the following:

   The supervisor or appropriate department head

   Employee - Human Resources Department

   Student - Student Affairs

   Visitors - Security

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. [Add address of this office.] In the event the supervisor is informed by an employee of a restraining order, the supervisor will contact the Compliance Officer, ensure they are aware of it, and that they have a copy of the restraining order on file. (CCLC AP 6800)

E. District's Response: Disruptive Behavior that is not Violent Behavior: The District supervisor, department head or other appropriate official shall take appropriate action to stop the reported Disruptive Behavior in the workplace by working with the appropriate District department as follows:

   Employee - Human Resources Department

   Student - Student Affairs Department

   Visitor - Security

   1. Violent Behavior: Any supervisor, department head or other District official who receives a report of alleged Violent Behavior shall call security immediately.
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2. Individuals engaging in Disruptive or Violent Behavior may be suspended, put on investigatory leave, or excluded from District properties as appropriate under the circumstances, (Refer to Section IV. References and Related Policies.)

IV. 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

4. District Mission and Values Statement

V. 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.