



**ANTELOPE VALLEY COLLEGE  
ACADEMIC SENATE MEETING**

**AGENDA**

**December 4, 2014**

**3:00 p.m. – 4:30 p.m.**

**L-201**

To conform to the open meeting act, the public may attend open sessions

1. CALL TO ORDER AND ROLL CALL
2. OPENING COMMENTS FROM THE SENATE PRESIDENT
3. OPEN COMMENTS FROM THE PUBLIC
4. APPROVAL OF MINUTES  
November 20, 2014 Senate Meeting (attachment)
5. REPORTS (5 minutes maximum)
  - a. Tenure Review Committee – Dr. Liette Bohler
  - b. Academic Policies & Procedures – Linda Harmon
  - c. Distance Education & Technology Committee Report – Dr. Nancy Bednar
6. REPORTS ON ACTION ITEMS AND IMPLEMENTATION
7. ACTION ITEMS
  - a. Senate Constitution Proposal (attachment)
  - b. Newleaf Training & Development Contract – Spring 2015 Opening Day Keynote Speaker (attachment)
8. DISCUSSION ITEMS
  - a. Regular Effective Contact Policy – Dr. Nancy Bednar (attachment)
9. INFORMATIONAL ITEMS
10. SENATE ADMINISTRATIVE BUSINESS
  - a. Academic Ranking
    - Michelle S. Bell-Blossom – Adjunct Assistant Professor
    - Thomas Shey – Professor
  - b. Academic Senate Constitution By-Laws Task Force
  - c. Tenure Review Committee Task Force
  - d. Adjunct Senate Representative Election
11. ANNOUNCEMENTS

January 15 – 16, 2015	CTE Curriculum Academy	Anaheim Marriott Suites, Garden Grove
February 20 – 21, 2015	Accreditation Institute	San Mateo Marriott San Francisco Airport
March 13 – 14, 2015	2015 Academic Academy	Westin South Coast Plaza, Costa Mesa
April 9 – 11, 2015	2015 Spring Plenary Session	Westin, San Francisco Airport
June 11 – 13, 2015	Faculty Leadership Institute	San Jose Marriott
July 9 – 11, 2015	2015 Curriculum Institute	Double Tree, Orange

## 12. ADJOURNMENT

### NON-DISCRIMINATION POLICY

Antelope Valley College prohibits discrimination and harassment based on sex, gender, race, color, religion, national origin or ancestry, age, disability, marital status, sexual orientation, cancer-related medical condition, or genetic predisposition. Upon request, we will consider reasonable accommodation to permit individuals with protected disabilities to (1) complete the employment or admission process, (b) perform essential job functions, (c) enjoy benefits and privileges of similarly-situated individuals without disabilities, and (d) participate in instruction, programs, services, activities, or events.

*Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Dr. Ed Beyer, Academic Senate President, at (661) 722-6306 (weekdays between the hours of 8:00 a.m. and 4:30 p.m.) at least 48 hours before the meeting, if possible. Public records related to agenda items for open session are available for public inspection 72 hours prior to each regular meeting at the Antelope Valley College Academic Senate's Office, Administration Building, 3041 West Avenue K, Lancaster, California 93536.*



ANTELOPE VALLEY COLLEGE  
ACADEMIC SENATE MEETING

MINUTES

December 4, 2014

3:00 p.m. – 4:30 p.m.

L-201

To conform to the open meeting act, the public may attend open sessions

1. CALL TO ORDER AND ROLL CALL

The Academic Senate meeting of December 4, 2014 was called to order at 3:02 p.m. by Dr. Ed Beyer, Academic Senate President.

2. OPENING COMMENTS FROM THE SENATE PRESIDENT

Dr. Beyer thanked the senators for healthy debate and collaboration throughout the fall semester. He encouraged senators to look at the senate and sub-committees, and realize the accomplishments that resulted from their work to get things done. He encouraged all to keep up the good work, and noted the Strategic Planning and Budget Council (SPBC) has become a welcoming committee.

3. OPEN COMMENTS FROM THE PUBLIC

4. APPROVAL OF MINUTES

November 20, 2014 Senate Meeting (attachment)

*A motion was made and seconded to approve the minutes of the November 20, 2014 Academic Senate Meeting.*

*Motion carried with corrections; three (3) abstentions.*

5. REPORTS (5 minutes maximum)

a. Tenure Review Committee – Dr. Liette Bohler (attachment)

Dr. Liette Bohler, Tenure Review Coordinator presented the Tenure Review Committee report – see attachment.

b. Academic Policies & Procedures – Linda Harmon

No report.

c. Distance Education & Technology Committee Report – Dr. Nancy Bednar (attachment)

Dr. Nancy Bednar, Distance Education & Technology Committee Chair, presented the Distance Education & Technology Committee report – see attachment

Dr. Bednar discussed the [Online Education Initiative](#) (OEI) – a mission to dramatically increase the number of California Community Colleges (CCC) students who obtain college associate degrees and transfer to four-year colleges and services within a statewide CCC Online Education Ecosystem (OEE). She noted the mandate for accessibility of materials, closed captioning, etc.

Dr. Bednar reported meeting with Dr. Bonnie Suderman regarding the Regular Effective Contact Policy. She plans to create an online handbook for the policy.

## 6. REPORTS ON ACTION ITEMS AND IMPLEMENTATION

### 7. ACTION ITEMS

#### a. Senate Constitution Proposal (attachment)

*A motion was made and seconded to present the Senate Constitution Proposal to the faculty at large, for vetting.*

Dr. Beyer distributed a comment form for senators to solicit feedback from constituents. Ms. Nancy Masters will distribute an electronic version of the executive summary, draft proposal and comment form, to senators for feedback from the faculty at large.

Dr. Beyer reported he will facilitate two (2) workshops during Spring 2015 Opening Day to address the proposed changes. He hopes to present an outline of the by-laws at that time. Dr. Beyer directed senators to forward their division meeting schedules for the first and second meetings of the spring semester, so he may address faculty regarding the draft.

*Motion carried with two (2) abstentions.*

#### b. Newleaf Training & Development Contract – Spring 2015 Opening Day Keynote Speaker (attachment)

FPD – keynote speaker opening day. FPD deals w/board through the Senate. Ratifying recommendation to get on agenda for the board approval.

*A motion was made and seconded to approve the Newleaf Training & Development Contract for the keynote speaker for Spring 2015 Opening Day.*

Discussion was made and noted in opposition of the subject of ***Emotional Intelligence***.

*Motion carried with two (2) abstentions.*

### 8. DISCUSSION ITEMS

#### a. Regular Effective Contact Policy – Dr. Nancy Bednar (attachment)

Dr. Nancy Bednar distributed a final draft of the Regular and Effective Contact Policy. The policy will be placed on the next agenda as an action item for approval.

### 9. INFORMATIONAL ITEMS

### 10. SENATE ADMINISTRATIVE BUSINESS

#### a. Academic Ranking

- Michelle S. Bell-Blossom – Adjunct Assistant Professor

*A motion was made and seconded to approve the Academic Ranking Request for Michelle S. Bell-Blossom.*

*Motion carried with one (1) abstention.*

- Dr. Thomas Shey – Professor

*A motion was made and seconded to approve the Academic Ranking Request for Dr. Thomas Shey as Professor.*

*Motion carried with one (1) abstention.*

- b. Academic Senate Constitution By-Laws Task Force  
The following Senators volunteered to serve on the Academic Senate Constitution By-Laws Task Force: Dr. Glenn Haller, Dr. Matthew Jaffe, Elizabeth Sundberg, Dr. Ed Beyer, Dr. Irit Gat, and Karen Lubick. Dr. Beyer solicited new members for the task force, noting the task force may invite people as necessary to serve as experts.
- c. Tenure Review Committee Task Force  
Dr. Beyer solicited members to join the task force to review the Tenure Review forms, process, mission statement and duties, and make recommendations for improvement. Recommendations would be presented to the Senate, and finally the Union for implementation of changes.

Dr. Susan Lowry noted Dr. Liette Bohler will be a great resource as she also serves on the negotiating team. Volunteers include: Dr. Liette Bohler, Jack Halliday, Tina McDermott, Dietra Jackson, Dr. Irit Gat, Jonet Leighton, Dr. Jessica Harper, Larry Veres. Dr. Susan Lowry noted one problem with the Tenure Review Evaluation process: There should not be a faculty chair of post tenure committees – the chair must always be a Dean. Currently several chairs are faculty. The Faculty Profession Development Handbook states the chair will be compensated. The correction must be made and taken to the district.

Dr. Lowry noted there are likely several other documents (including union documents) that must be corrected. She clarified this is not because the union wants control, but because it is what the contract says.

Dr. Irit Gat volunteered to work with Dr. Lowry to address the issue.

- d. Adjunct Senate Representative Election  
Dr. Beyer announced the election results for the second Adjunct Senate Representative. Lisa Vath was elected as the new Adjunct Senate Representative, and Yesenia Cota and Sara Burns will serve as the two proxies.

11. ANNOUNCEMENTS

Dr. Beyer invited members to look at the new Senate headquarters. He asked committee chairs to submit their meeting dates, as the Senate and Senate sub-committees have priority to reserve the Senate conference room (L-201).

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February 20 – 21, 2015	Accreditation Institute	San Mateo Marriott San Francisco Airport
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June 11 – 13, 2015	Faculty Leadership Institute	San Jose Marriott
July 9 - 11, 2015	2015 Curriculum Institute	Double Tree, Orange

12. ADJOURNMENT

The Academic Senate meeting of December 4, 2014 was adjourned at 3:51 p.m. by Dr. Ed Beyer, Academic Senate President.

<b>MEMBERS PRESENT</b>			
Dr. Ed Beyer	Jack Halliday	Karen Lubick	Ken Shafer
Dr. Liette Bohler	Dr. Jessica Harper	Tina McDermott	Elizabeth Sundberg
Diane Flores-Kagan	Dietra Jackson	Dr. Zia Nisani	Larry Veres
Dezdemonia Ginosian	Dr. Matthew Jaffe	Terry Rezek	Raul Curiel
Dr. Glenn Haller	Jonet Leighton	Van Rider	
<b>MEMBERS ABSENT</b>			
Rosa Fuller	MaryAnne Holcomb	Susan Knapp	Catherine Overdorf
<b>GUESTS/EX-OFFICIO</b>			
Stacey Adams	Dr. Nancy Bednar	Dr. Irit Gat	Dr. Susan Lowry
Dr. Bonnie Suderman			

**NON-DISCRIMINATION POLICY**

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*Approved: Academic Senate Meeting of February 19, 2015*

## Antelope Valley College

### Tenure Review

November 20, 2014

To: Dr. Ed Beyer, Academic Senate

From: Dr. Liette Bohler, Tenure Review Coordinator

Re: Report to Senate

Thanks to prop 30, AVC is hiring again.

We hired a total of 13 new faculty members for the 2014-15 academic year. Last year, in 2013-14, we hired 3 new tenure-track faculty.

We had an orientation for the new faculty.

The senate, together with the faculty union, organized a 3-day orientation for all the new full-time faculty members from August 12-August 14. On the first day of the orientation, I gave a 2-hour introduction to the tenure review process at AVC to our new faculty members.

We also hired a number of new adjunct faculty members. The human resources office organized a 2-hour new adjunct faculty orientation, which was attended by 20 instructors. I gave a short orientation on the evaluation process for adjunct faculty.

To accommodate our 13 new faculty members, I formed, with the help of the Senate and the deans, 13 new tenure review committees and identified the chairs of these new committees.

In addition to these 13 first-year committees, we have 3 second-year committees, 4 third-year committees, and 1 fourth-year committee, which brings up the total of tenure review committees to 21.

One person on a third-year committee in fire-tech retired and needed to be replaced. Another committee member of a 2<sup>nd</sup> year committee in counseling also needed to be replaced by a new member. And because of the college reorganization, 3 committees ended up with a new dean. In keeping with the contract, at the beginning of the fall semester, I met with those committees that had a change in its committee make-up, to review the status of the process, and to review previous reports, suggestions and recommendation. All in all, there were 5 such committees.

Also, according to the contract, the tenure review coordinator is to conduct mandatory orientations of the evaluation and tenure process for the tenure review committees. I offered 7 different orientation sessions between August 25<sup>th</sup> and 29<sup>th</sup> and ensured that all 37 faculty members and 5 deans who were new on a committee attended one of the sessions.

During the course of the fall semester, one faculty member, who is in the tenure-track process in his third year, fell ill and resigned from his duties for the rest of the semester.

So far, all committees were able to adhere to the required timelines that I set in agreement with the VP of Academic Affairs and the union president at the beginning of each academic year. Changes in the work schedules occurred and the appropriate paperwork was filed with me.

The unsigned draft of the contract faculty evaluation reports are due to the tenure review coordinator on December 1<sup>st</sup>. I have already received one draft and evaluation package 2 days ago, which makes it 2 weeks before the due date!

Also, all through the semester, I answered e-mails and phone calls from probationary faculty and committee members to explain procedures, forward tenure review forms, reply to questions, and generally assist with the process.

I also often get e-mails from tenured faculty and adjunct faculty, who are undergoing evaluation and I answer their questions. I always inform them that I am not coordinating their evaluations, that I am not “in charge”.

It is the dean of their division who is in charge of their evaluations. However, I do help them interpret the contract language and I answer any questions they might have regarding their evaluation process.

I met with Dr. Meeta Goel and Dr. Bonnie Suderman to discuss changes in the tabulation process of the student evaluations. Dr. Suderman is in favor of implementing a Scantron system. She told me at the beginning of the semester that she would like to implement a pilot program for the Scantrons and that she would ask the deans for volunteers. I have not heard anything more about this process and I will follow up with her in December.

From what I can tell from old documents, it seems like the last time that the tenure and review policies were reviewed was from 2007-2009. In fall 2009 the new forms were used and the new policies were implemented. 3 people worked on the new policy: Sharon Lowry, the former VP of academic affairs, Debra Olsen-Tolar, the former tenure review coordinator, and Heidi Preschler, the former union president. Even though it says in the “Academic Senate Operating Procedures Handbook” that the tenure review coordinator will, in consultation with the VP of Academic Affairs and the Senate President, “submit recommendations for revisions of policy to Tenure and Review Committee”, there is no such mention in our contract.



That said, it also says in the Senate Handbook under Article XI on committees, in section 1. The Senate shall have the power to create such committees as it deems necessary and such committees shall be known as “Senate Standing Committees”. Members will be appointed by the Senate from within the Senate, or if desired, from outside the Senate. (See AVC Senate Committees). Or the Senate might want to form a task force.

# Distance Education and Technology Committee Report

## Dr. Nancy Bednar

### Fall 2014

We have not yet approved a new mission statement and goals; these are the goals from last year.

## **DETC Mission Statement and Goals**

### **Mission Statement**

The Distance Education and Technology Committee's mission is three-fold: first, to assist in the planning and implementation of Technology Mediated Instruction (TMI) used by instructors and staff in the preparation and delivery of educational materials; second, to provide guidance and recommendations in the pedagogical development and technology in both traditional and distance education courses; and third, to facilitate compliance with accreditation issues involving distance education.

### **Goals**

#### *Immediate Goals (Current Year)*

**Goal #1:** Guided by Strategic Goals 1c and 1e, collaborate with ITS in identifying and addressing instructional technology issues in the faculty offices, classrooms and the computer labs, including: computers, projection and audio systems, podcasts, and phones (2011-2012 Senate Resolution on Faculty Technology Rights).

**Goal #2:** Guided by Strategic Goals 1c and 1e, create distance education policy on Regular and Effective Contact with Students (Title 5 and ACCJC require regular and effective contact) for approval by the Academic Senate and the college by the end of the 2013-2014 academic year.

**Goal #3:** Guided by Strategic Goals 1c and 1e, create a document with Recommended Policies and Procedures for Distance Education Classes and a Faculty Handbook for Distance Education for approval by the Academic Senate and the college by the end of the 2013-2014 academic year.

**Goal #4:** Guided by Strategic Goals 1c and 1e, collaborate with ITS and other content providers to improve or replace the SORT student readiness tool on the AVC Online page.

#### **Short-Term Goals (2-3 Years)**

**Goal #5:** Guided by Strategic Goals 1c and 1e, evaluate and provide recommendations to enhance the AVC Online page on the public website (<http://avconline.avc.edu/>).

**Goal #6:** Guided by Strategic Goals 1c and 1e, work with the Accreditation Steering Committee to ensure that AVC's online and hybrid courses and programs are in compliance with the Guide to Evaluating Distance Education and Correspondence Education published by the ACCJC and Title 5 of the California Education Code. Any recommendations from the Accreditation Steering Committee will be incorporated into the Faculty Handbook for Distance Education.

**Goal #7:** Guided by Strategic Goals 1c and 1e, recommend that the Faculty Professional Development Committee develop a program for faculty using the CMS for the first time, whether in a fully online or hybrid class.

***Long-Term Goal (3-5 years)***

**Goal #8:** Guided by Strategic Goals 1c and 1e, improve retention and success in online courses at AVC.

**Online Education Initiative**

In 2014, the Online Education Initiative (OEI) was created for California Community Colleges. At the direction of Pres. Ed Knudson, Dr. Charlotte Forte-Parnell submitted an application for AVC to participate in OEI. We were selected as one of 8 colleges that would be a part of the Student Readiness portion of the OEI. We could not be full participants because we did not offer enough IGETC courses completely online. The student readiness team is developing an online orientation for students that can be inserted into a course and incorporated as a part of it. We will also be able to post this online orientation on our AVC Online web page. OEI has helped us meet last year's Goal #4 by creating the online orientation for us. OEI also sent us a list of courses that they wanted us to use as a guideline to submit courses to them for use in the Student Readiness pilot. I contacted several instructors who teach the courses that OEI wanted to use and two classes, POLS 101 and CFE 102 have been submitted to OEI for review. We have not yet heard from OEI about acceptance of these classes. If accepted, the online orientation will be inserted into the class as a module for use at the beginning and throughout the class. The goal of having the online orientation in the class is to improve retention and success (our Goal #8). Since both of these classes have data from before the use of the online orientation module, after spring semester we should have comparative data to see if the online orientation module made a significant difference in success and retention.

If you are interested in exploring all that OEI is doing go to: <http://ccconlineed.org/>.

**Accessibility**

Another issue that was raised in the DETC this semester is the issue of accessibility of materials. Federal legislation under the Americans with Disabilities Act (ADA) and

California Education Code Sections 504 and 508 mandate that all college materials be accessible to persons with disabilities. Accessibility includes how documents are created, including Word, Excel, and PowerPoint documents. It includes any pictures or graphics that are included in documents or online courses. Accessibility includes transcripts for all audio material, such as podcasts and close captions for video material. ITS Executive Director Rich Shaw is working to train the IMC staff about accessibility of materials and to remove from the IMC materials that are not ADA and Sections 504 and 508 compliant. I discussed this issue with Mr. Shaw and he indicated that the necessity of training of faculty and staff concerning accessibility issues.

### **Regular Effective Contact Policy**

Goal #2 from the 2013-2014 academic year was the passage by the Senate of a Regular Effective Contact policy for AVC. After the Senate rejected the proposed Regular Effective Contact policy earlier this semester, the policy was again discussed in the DETC. The DETC instructed Dr. Forte-Parnell and me to meet with Vice President Bonnie Suderman to discuss the policy and appropriately revise it. We will be discussing this modified policy today.

Dr. Suderman would like to work with us to create a handbook for online faculty (Goal #3). This is an ongoing project and will continue into the spring semester.

Respectfully submitted,

Dr. Nancy Bednar  
Faculty Co-Chair DETC

**Senate Constitution Proposal Comment Form**

Name: \_\_\_\_\_

Section number: \_\_\_\_\_

Comment: \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_

**Senate Constitution Proposal Comment Form**

Name: \_\_\_\_\_

Section number: \_\_\_\_\_

Comment: \_\_\_\_\_

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**Senate Constitution Proposal Comment Form**

Name: \_\_\_\_\_

Section number: \_\_\_\_\_

Comment: \_\_\_\_\_

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\_\_\_\_\_

Please forward the comments to Nancy Masters - [nmasters@avc.edu](mailto:nmasters@avc.edu) or return them to the Academic Senate mailbox.



## Contract of Engagement

### **Antelope Valley College**

3041 West Avenue K  
Lancaster CA 9353

(Hereinafter referred to as the '**Client**')  
- and -

### **Newleaf California LLC**

27433 Tourney Road, Suite 120, Valencia, Los Angeles, CA 91355  
(Hereinafter referred to as '**Newleaf**)

The *Client* hereby engages *Newleaf* to provide their services for the following:-

**Type of Training and Development:** Keynote - 'Emotional Intelligence' (EQ) - Spring Opening Day

**Preferred Seminar Facilitator / Keynote Speaker / Coach:** Shannon Larremore, Client Partner

The person stated above has been confirmed as the person delivering this assignment. If sickness restricts this person being available to perform this contract, the Client will be given the option of either selecting another person from *Newleaf's* team or rearranging the delivery date.

**Date(s) and Time(s):** Friday Feb 6, 2015 (assuming 10-11:30am 90mins)

**Location:** Performing Arts Center Theatre

**Agreed Fee of \$1,778 + \$300** (for Participant Worksheets prints assuming 250 copies)  
(Excluding: Reimbursable Expenses – see below)

**Discounts Included:** 10% Educational Client

**Deposit of \$1,039** representing 50% of the **Agreed Fee**

This is due within 30 days of contract signing and is necessary to ensure that *Newleaf* commit business calendar time to the Client for the date(s) stated above. If travel expenses (e.g. flights and hotels) are booked in advance, these will be billed to the Client as incurred.

**Participant Guide:** \$See above

Alternatively, the electronic Participant Guide can be sent to the Client to be printed locally without charge from *Newleaf*.

**Participant Numbers:** Assumed about 250

**Cancellation Policy (if the *Client* cancels):**

**Less than 60 days notice** – The Client agrees to pay 100% of the Agreed Fee if the cancellation is made with less than 60 days to run before the event.

**More than 60 days notice** – The Client agrees to pay 50% of the Agreed Fee if the cancellation is made with more than 60 days to run before the event.

**Rebooking Policy (if the Client reschedules):**

Less than 60 days notice – The Client agrees to pay 50% of the agreed fee stated above if the cancellation of the original date(s) is made with less than 60 days to run before the event. This payment is not applied to the future contract.

More than 60 days notice – The Client agrees to pay 25% of the agreed fee stated above if the cancellation of the original date(s) is made with more than 60 days to run before the event. This payment is not applied to the future contract.

**Reimbursable Expenses**

**Business Mileage**

Mileage will be charged at \$0.56 per mile (93 miles return from Santa Clarita)

**Conference Call Costs**

If the *Newleaf* Conference Call Facility is used, such costs will be billed to the Client at cost.

**Billing**

The Training and Development Program fee and associated travel costs must be paid in full to *Newleaf* within a maximum of 30 days after the work is completed. If this contract includes jobs to be delivered at different stages, *Newleaf* will bill after each job is completed, reducing the invoice amount by the applicable deposit portion.

All check payments to be made out to **Newleaf California LLC**.

**Convenience Fee**

As a convenience to the Client, *Newleaf* is able to accept Visa, MasterCard, Discovery, or AMEX. The associated fees will be added to the Agreed Fee. Based on the value of this contract the associated fees would be \$57.15 (2.75%).

**Late Charge**

All invoice payments are due within a maximum of 30 days after date of the invoice. If payment is not received by 5pm on the due date, it will be considered late. A late payment penalty will be applied to the invoice of \$125 (regardless of contract value). In addition, interest will be applied on any outstanding balances of five percent (5%) per month until the balance is paid in full.

**Contract Acceptance**

To accept this contract, please electronically sign or scan and email back to paul.butler@newleaf-ca.com.

**Guarantee**

*Newleaf* always endeavors to carefully understand the Client's desired results from the contracted training and development activity. Examples of such desired results from the contracted training and development activity may include (but are not limited to) increases in *sales, profits, employee morale, leadership effectiveness, time management or customer service*.

Desired results cannot be guaranteed as many factors outside of the control and influence of *Newleaf* may affect actual results. However, if the Client believes *Newleaf* did not provide the *quality or quantity* of desired training and development within the agreed *timeframe*, the Client is entitled to receive their money back in full as a condition of this contract. *Newleaf's* liability is limited to a full money back reimbursement to the Client.

**Indemnity and Professional Liability**

*Newleaf*, shall defend, indemnify and hold harmless the Client, its officers, employees, and agents from and against any and all liability, loss, expense (including reasonable attorneys' fees), or claims for injury or damages arising out of the performance of this Contract but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of *Newleaf*, its officers, employees, agents, or subcontractors.

The Client, shall defend, indemnify and hold harmless *Newleaf*, its officers, employees, and agents from and against any and all liability, loss, expense (including reasonable attorneys' fees), or claims for injury or damages arising out of the performance of this Contract but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the Client, its officers, employees, or agents.

Neither termination of this Contract nor completion of the acts to be performed under this Contract shall release any party from its obligation to indemnify as to any claim or cause of action asserted so long as the event(s) upon which such claim or cause of action is predicated shall have occurred prior to the effective date of termination or completion.

**Other Terms**

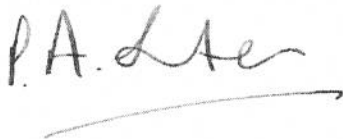
The persons whose signatures appear on this Agreement shall be and hereby are considered an authorized representative of the party for whom they are signing and have authority to bind that party to all terms and conditions of this Agreement. If any legal action is instituted between Client and *Newleaf* in connection with this Agreement, then the prevailing party shall be entitled to recover from the losing party all of its costs and expenses, including court costs and reasonable attorneys' fees.

No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provisions, whether or not similar, nor shall any waiver be a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver. This Agreement contains the entire agreement between the parties and may not be altered, modified, terminated or discharged except by a writing signed by the party against whom such alteration, modification, termination, or discharge is sought.

This Agreement shall be construed and enforced in accordance with, and governed by, the laws of the State of California. The headings of this Agreement are for purposes of reference only and shall not limit or define the meaning of the provisions hereof. This Agreement may be executed in any number of counterparts, including via facsimile, each of which shall be an original and all of which shall constitute one and the same instrument. Time is of the essence of every provision hereof.

The undersigned agree to the terms and conditions detailed above between the *Client* and *Newleaf*.

Signed:



Signed:

\_\_\_\_\_  
on behalf of **Newleaf California LLC**

\_\_\_\_\_  
on behalf of Antelope Valley College

Name: **Paul Butler**

Name: \_\_\_\_\_

Position: **Client Partner**

Position: \_\_\_\_\_

Dated: **November 20, 2014**

Dated \_\_\_\_\_

*This Contract was prepared and sent on November 20, 2014*



**Signature:**

**Email:** [igat@avc.edu](mailto:igat@avc.edu)

**Antelope Valley College**  
**Regular, Effective Contact Policy for Online Instruction**

1. Background

- 1.1. In hybrid or fully online courses, ensuring Regular Effective Instructor/Student Contact guarantees that the student receives the benefit of the instructor's presence in the learning environment both as a provider of instructional information and as a facilitator of student learning.
- 1.2. Title 5 regulations do not make a distinction between regular and distance education courses beyond the need to have a separate curriculum approval process and the need to ensure regular effective contact. The guidelines do say that quality assurances within the regulations apply to all distance education (hereafter, DE) courses, which include hybrid courses. The DE Guidelines require colleges to develop a policy regarding regular effective contact that addresses "the type and frequency of interaction appropriate to each DE course/section or session."

2. Relevant Ed Code

2.1. Ed Code §55202. Course Quality Standards.

The same standards of course quality shall be applied to any portion of a course conducted through distance education as are applied to traditional classroom courses, in regard to the course quality judgment made pursuant to the requirements of §55002, and in regard to any local course quality determination or review process. Determinations and judgments about the quality of distance education under the course quality standards shall be made with the full involvement of faculty in accordance with the provisions of subchapter 2 (commencing with §53200) of chapter 2. NOTE: Authority cited: §66700 and §70901, Education Code. References: §70901 and §70902, Education Code.

2.2. Ed Code §55204. Instructor Contact.

In addition to the requirements of §55002 and any locally established requirements applicable to all courses, district-governing boards shall ensure that:

2.2.1. Any portion of a course conducted through distance education includes regular effective contact between instructor and students, through group or individual meetings, orientation and review sessions, supplemental seminar or study sessions, field trips, library workshops, telephone contact, correspondence, voice mail, e-mail, or other activities. Regular effective contact is an academic and professional matter pursuant to §53200 et seq.

2.2.2. Any portion of a course provided through distance education is conducted consistent with guidelines issued by the Chancellor pursuant to §409 of the Procedures and Standing Orders of the Board of Governors. NOTE: Authority cited: §66700 and §70901, Education Code. Reference: §70901 and §70902, Education Code.

### 3. AVC Distance Education

- 3.1. All distance education courses at AVC, whether hybrid or fully online, will include regular effective contact as described in this section.
- 3.2. **Initiated interaction:** Instructors will regularly initiate interaction with students to determine that they are accessing and comprehending course material and that they are participating regularly in the activities in the course. Opportunities that relate to the content of the course should include those in which students interact with instructors, instructors to interact with students, and students to interact with each other. Providing students with an open-ended question forum, although participation may be required, does not constitute the entirety of effective instructor initiated interaction. In addition to open-ended question forums, utilizing CMS blogs, journals, AVC email, and collaboration chat tools are appropriate to engage instructor and student interaction. Furthermore, implementing web 2.0 tools into course activities (ie. VoiceThread, Twitter, Facebook, etc.) are also appropriate tools to create interaction. Some web 2.0 tools can be brought into the CMS and some can be linked from the CMS. Instructor prepared content (written, recorded, broadcast, etc.) combined with other course materials, creates the “virtual equivalent” of the face-to-face class and must be included in your course.
- 3.3. **Frequency:** Distance Education courses are considered the “virtual equivalent” to face-to-face courses. Therefore, the frequency of the contact will be at least the same as would be established in a regular, face-to-face course. At **the very least**, the number of instructor contact hours per week that would be available for face-to-face students, will also be available, in asynchronous and/or synchronous mode, with students in the DE format. A class that meets three hours a week would require three hours of faculty communication time. Faculty office hours are not included as fulfilling the regular effective contact requirement and are a separate requirement. Given the nature of asynchronous instructional methodologies, contact shall be distributed in a manner that will ensure that regular contact is maintained over the course of a week and should occur as often as is appropriate for the course.
- 3.4. **Establishing expectations and managing unexpected instructor absence:** Instructor availability for any synchronous class meeting times will be posted in the syllabus and/or other course documents that are made available for students when the course officially opens each semester. If the instructor must be out of contact for any reason associated with a leave, the instructor must follow standard procedures for such leave as delineated in the faculty collective bargaining agreement and applicable administrative policies. Students will be notified of the instructor’s absence or leave at the earliest opportunity.
- 3.5. **Type of Contact:** In all AVC DE courses, instructors should use a mix of resources to initiate and maintain contact with students. Acceptable resources include, but are not limited to the following:
  - Threaded discussion forums;
  - AVC email and voice mail;
  - Weekly announcements;

- Field trips, seminars, or other in-person activities;
- Timely feedback for student work.