

Antelope Valley Community College District

Administrative Procedures

Chapter 7

Human Resources

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AP 7110 Delegation of Authority, Human Resources

Reference:

Education Code Section 70902(d) ACCJC Accreditation Standard 111.A.11

All applicants for employment with the Antelope Valley Community College District are recommended by the College President and subject to confirmation by the Board.

It shall be the policy of the District to employ the best-qualified applicants for existing vacancies. It shall be contrary to District and State policy for the President or his/her designee to refuse to recommend for employment any person for reasons of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation of the applicant.

It shall be the responsibility of the College President to ascertain that applicants nominated for employment possess all qualifications established by law and Board policy for the position for which application is submitted.

The College President is authorized to appoint regular, part-time, or substitute personnel on a temporary basis in case of an emergency and to authorize employment of short-term, classified, and confidential/management supervisory personnel on a regular basis. Such appointments are subject to ratification for employment at the next Board meeting.

The Vice President of Human Resources is delegated responsibility from the Superintendent President to authorize employment, develop job responsibilities, and perform other personnel actions provided that all federal and state law and regulations, Board Policies and Administrative Procedures are followed.

5/8/06

Revise: 2/12/07

Revised: 4/11/16

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AP 7120 Recruitment and Hiring

Reference:

Education Code Sections 87100 et seq.; 87400; 88003; ACCJC; Accreditation Standard III.A.1

EDUCATIONAL ADMINISTRATOR HIRING PROCEDURES

- I. Establishment of an Educational Administrator Vacancy
 - A. The Board of Trustees shall authorize the District Superintendent/President to fill the educational administrator vacancy. Typically, educational administrators are those who exercise direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services programs of the District.
 - B. The District Superintendent/President shall direct the Vice President of Human Resources/EEO Officer to proceed with the filling of a vacant educational administrator position.
- II. Development and Responsibilities of the Search Committee
 - A. Upon the authorization to proceed with recruitment for an open position, a Search Committee will be established. This Committee shall be comprised of at least two administrators appointed by the District Superintendent/President, or designee, and at least one representative of each of the following: faculty, confidential/management/supervisory (CMS), classified employees, and students, who shall be appointed by their respective organizations. The District Superintendent/President may appoint additional members as appropriate. The Vice President of Human Resources/EEO Officer shall assign an Equal Employment Opportunity (EEO) representative from outside of the hiring area/division, who will serve as a voting member unless the committee determines the representative shall be an advisory member.
 - B. A Vice President or designee shall serve as Chair. The chairperson is responsible for establishing operating procedures, including agreed-upon ground rules, and moving the selection process forward in a timely manner.
 - C. The EEO representative will review the job announcement and consult with the President or Vice President for any adverse impact.
 - D. The Search Committee Chair and the EEO Officer will meet with the Search Committee members for the purpose of defining the role of the committee as that of a recommending body reviewing applications/materials and conducting interviews. In addition:
 1. The EEO Officer or EEO representative will provide an overview of the EEO guidelines and each committee member will receive a copy of the EEO guidelines. (See AP 3420 titled Equal Employment Opportunity)
 2. Each member will also be required to sign a Confidentiality Agreement. All proceedings of the Search Committee shall be kept confidential. Any breach of confidentiality will result in the removal of the committee member. There are limited circumstances under which disclosure of confidential information is authorized (to a District-hired investigator, under subpoena, etc.). No

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discussions regarding the selection process shall take place outside the Search Committee meetings. Any unauthorized disclosure of confidential information by a Search Committee member may result in suspension from serving on selection committees in the future.

- E. The Search Committee will adopt a timeline for future meetings to include the review of applications and interviews.
- F. The membership of the Selection Committee will not change during the process, except in the event of an emergency, or as necessary as determined by the Vice President of Human Resources/EEO Officer and the Chair of the Search Committee, if applicable. Committee members must attend all scheduled meetings. Missing a scheduled meeting will result in removal from the Search Committee. Replacement of committee members is allowable at the initial formation stage only.

III. Job Specifications and Qualifications

- A. The Human Resources Office in conjunction with the Vice President/Chair and EEO Representative will prepare a preliminary position announcement for review by the Search Committee.
- B. The Chair, in consultation with the search committee, prepares a list of any supplementary materials that candidates may be asked to submit with the application for the position.
- C. The position announcement shall clearly state job specifications setting forth the knowledge, skills, and abilities necessary for job performance; desirable leadership characteristics and qualifications; and shall include sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students. Job qualifications beyond the State minimum qualifications which the District wishes to utilize shall be reviewed by the Vice President of Human Resources/EEO Officer before the position announcement is advertised to ensure conformity with the requirements of Title 5 and other state and federal nondiscrimination laws.
- D. The position announcement shall specify a deadline for review of applications for first consideration. The position shall remain open until filled.
- E. A tentative timeline for the search will be prepared at this time.

IV. Advertising the Position

- A. The advertising/recruitment phase of the administrative position shall be long enough to allow for a comprehensive nationwide search, typically 45 days. The District shall actively recruit from both within and outside the District work force to attract qualified applicants and shall include outreach designed to ensure that all persons, including persons from protected groups, are provided the opportunity to seek employment with the District.
- B. The Search Committee Chair recommends to Human Resources the agencies, professional organizations, Internet list servers, individuals, etc., to receive the position announcement, in addition to those normally contacted by Human Resources.
- C. The advertising/recruitment phase will be in conformance with the District's EEO Plan and other state and federal regulations.

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V. Role of Human Resources Office

The Vice President of Human Resources/EEO Officer is responsible for monitoring the entire selection process. At any time the EEO Officer may interrupt the process to ensure equitable treatment of all candidates. The Human Resources Office will support the Committee Chair and all members of the search committee in the following:

- A. Prepare a preliminary position announcement in conjunction with the Vice President/Chair and EEO Representative for review by the Search Committee.
- B. Advertise the position by printing job announcements, posting the announcement on the AVC Web site, and placing ads in publications typically used by the Human Resources Office, as well as those agencies, professional organizations, Internet list servers, individuals, etc. recommended by the Search Committee.
- C. Serve as the contact point for applicants interested in the position, and will receive all applications and required materials for development of the applicant pool.
- D. Prepare the applications for review by the Search Committee, including verifying the completeness of all required materials prior to candidates being invited to campus for an interview.
- E. Review adequacy of the applicant pool and pre-screen for minimum qualifications. The Vice President of Human Resources/EEO Officer, or designee, has the responsibility to take appropriate action to ensure that the applicant pool for all positions is broadly inclusive and affords all groups equal opportunity to obtain information about District openings. Appropriate action may include extending the application period, expansion of the interview pool, halting the process and re-advertising the position, or providing written rationale as to why the hiring process should continue. All applicants for positions of Educational Administrator must meet the requirements of the California Code of Regulations, sections 53406, 53420 and other applicable sections. All degrees submitted by applicants to satisfy the minimum qualifications for Educational Administrator positions must be conferred at the time of application; degrees which are in progress or ABD (all but dissertation/thesis) will not be accepted.
- F. Maintain EEO information on each recruitment.
- G. Provide all complete application packages meeting minimum qualifications to the Search Committee for consideration.
- H. Prior to the screening of applicant materials by the Search Committee, the Human Resources Office will prepare screening forms using the criteria and rating/scoring matrix developed by the Search Committee.
- I. Coordinate the oral interview process. Once the committee has met to determine which candidates are to be invited for oral interviews, the Human Resources Office will contact and schedule interview candidates according to the dates and times determined by the Search Committee. Once the candidates have confirmed their appointments, a list of times will be provided to the Committee Chair.
- J. Arrange interviews with the Superintendent/President to follow the Search Committee interview of each candidate.
- K. Prior to the scheduled interviews, the Human Resources Office will provide a packet of materials for each hiring committee member, including the interview schedule, position announcement, hiring procedure, and a set of interview questions and rating sheet for each interview candidate.

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In addition, the Committee Chair will receive a set of application materials submitted by each interview candidate and a final rating matrix for determining finalists.

- L. All written materials regarding the selection and interview process, including forms provided by the Human Resources Office and separate notes taken by individual selection committee members, must be turned in to the Human Resources Office at the completion of the selection process to become part of the recruitment file.

VI. Developing Evaluation Criteria and Questions

- A. The Search Committee will develop the job-related criteria and the method of evaluating the applications to ensure a thorough assessment of each candidate.
- B. The Search Committee will develop interview questions including any scenarios or presentation required for the personal interviews based on the criteria listed in the position announcement. The questions shall include a diversity question to assess the candidate's sensitivity to, and understanding of, the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of the district's students.

VII. Preliminary Screening of Applicants

- A. The Vice President of Human Resources/EEO Officer will review the applications to ensure there is an adequate pool of candidates.
- B. If the pool of candidates is adequate, committee members will screen applications using the screening criteria previously established. After the screening has occurred, the Search Committee will meet to reach consensus on the best-qualified candidates to be invited for an interview.
- C. The Vice President of Human Resources or designee will conduct reference checks on each candidate selected for an initial interview.
 - a. The President's Executive Council will evaluate the information obtained from each reference prior to inviting the best qualified candidates to the initial interview.
- D. If the applicant pool is deemed not to be adequate, the Committee Chair will meet with the Vice President of Human Resources/EEO Officer to determine how to proceed.

VIII. Interviewing the Applicants Selected in the Preliminary Screening

- A. The Search Committee will conduct interviews using the questions they previously developed.
- B. Each Search Committee member will evaluate candidate responses and rate candidates regarding strengths and weaknesses.
- C. For each interview candidate, each Search Committee member shall complete the forms provided by the Human Resources Office. All written materials regarding the selection and interview process, including forms provided by the Human Resources Office and separate notes taken by individual selection committee members, must be turned in to the Human Resources Office at the completion of the selection process to become part of the recruitment file.
- D. Following the Search Committee interview, each candidate will also be interviewed by the Superintendent/President.

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- E. The Superintendent/President will meet with the Search Committee to offer his/her perspective and to discuss final candidate(s).
 - F. The Search Committee will submit the names of the final candidate(s) unranked to the District Superintendent/President.
 - G. The Superintendent/President will determine the final candidate(s).
 - H. If no final candidate(s) can be determined, the hiring process will return to the most appropriate stage. This may include review of the job specifications and qualifications to determine if changes should be made to the position announcement.
 - I. Once the finalist(s) has (have) been identified, reference checks will be conducted by the Chair of the committee and submitted to the Human Resources Office in a written, legible manner.
 - J. In the case of Vice President and Superintendent/President positions, identified finalists will proceed to the second level interview stage.
- IX. Second Level Interviews for Vice President and Superintendent/President Positions
- In the case of Vice President and Superintendent/President positions, identified finalists proceed to the second level interview stage. The purpose of the second-level interview is two-fold: to give the campus community a chance to meet and evaluate the candidate, and to give the candidate a chance to decide whether this would be a good place for him or her to work.
- A. All finalists should follow the same schedule, so that all will be reviewed under the same conditions. This means that any internal candidates should follow the same schedule as the external candidates.
 - B. Identified finalists will be invited to campus to meet with various individuals and groups including:
 - 1. Superintendent/President (typically from 8:00 a.m. to 9:00 a.m.)
 - 2. Academic Senate and Union representatives (typically from 10:00 a.m. to 11:00 a.m. as one group)
 - 3. Deans (vice president finalists typically meet with Administrative Council members from 11:00 to 12 noon)
 - 4. Board of Trustees (vice president and superintendent/president finalists meet Board members at lunch in the President's Conference room)
 - C. In addition to meetings with various individuals and groups, the candidates should present an "open forum" at which each finalist will be given an opportunity to discuss their preparation for the position, their education and leadership philosophy, their views on significant issues related to the position, and respond to questions from the forum attendees. The forums will be open to the public.
- X. Final Selection
- A. Additional reference checking will be completed at this time.
 - B. The District Superintendent/President will make a final recommendation to the Board of Trustees.
 - C. The Board will approve the recommended candidate in open session.

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- D. If no acceptable candidate is identified, the hiring process will return to the most appropriate stage.

PROCEDURES AND PRACTICES FOR HIRING OF FULL-TIME CONFIDENTIAL/MANAGEMENT/SUPERVISOR STAFF

DEFINITION OF TERMS

For the purposes of this document, the following terms will have the designated meanings:

Confidential refers to any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions. (Govt. Code 3540.1)

Management/Supervisory refers to those positions or classes of positions specified as supervisory, administrative, or executive and excluded from the overtime provisions. (Education Code 88029 and Government Code 3540.1)

Immediate Supervisor refers to the supervisor/manager or administrative officer with direct responsibility for the position under consideration.

Required Qualifications, Desirable Qualifications, and Equivalencies, as used in later sections of the document, refer to the definitions established in Part 1 of the document.

ORGANIZATION

This policy is presented in two sections.

Part I addresses the establishment of Required Qualifications, Desirable Qualifications, and the Evaluation of Equivalencies for Minimum Qualifications.

Part II addresses the hiring procedure. It contains a flow-chart which establishes the order of activities and a narrative which details the procedures.

Unless expressly articulated in narrative form, all hiring activities will be conducted using all of the appropriate procedures in both parts.

PART I Required Qualifications, Desirable Qualifications, Evaluation of Equivalencies

1. Required Qualifications

- a. The Minimum Qualifications recommended by the manager/supervisor and approved and adopted by the Board of Trustees of the District will be used as the basis for minimum qualifications for all non-instructional positions.
- b. All applicants will be provided the opportunity to have equivalent qualifications, as stated on the job description and job announcement, reviewed and considered for the meeting of minimum qualifications.
- c. Required Qualifications for all positions will include "sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic background of community college students." [re: AB 1725, Sect. 87360, p. 50]
- d. The staff of the Human Resources Office will determine the candidates who meet minimum qualifications as set forth in the job announcement based on information provided on the official position announcement. Educational qualifications beyond high school will be verified by copies of official transcripts or degrees provided by the applicant. All degrees and units used to satisfy minimum qualifications shall be from accredited institutions. "Accredited

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institution” shall mean a postsecondary institution accredited by an accreditation agency recognized by either the U.S. Department of Education or the Council for Higher Education Accreditation.

- e. The files of all candidates who meet minimum qualifications will be reviewed by the screening committee. The screening committee will not review the file of any candidate who does not meet minimum qualifications.

2. Desirable Qualifications

- a. Job announcements may include a set of “desirable qualifications,” separate from the minimum qualifications. These desirable qualifications should describe meaningful characteristics that support the functional responsibilities of the position.
- b. The combination of the minimum qualifications and the job-related desirable qualifications will be used as the basis for decision making throughout the screening, interviewing, and recommendation of applicants. Among the desirable characteristics to be considered in the decision making process will be the District’s commitment to “hire and retain employees whose backgrounds and abilities add to the cultural diversity of the institution.”

3. Establishing Required and Desirable Qualifications

- a. The required and desirable qualifications will be identified by the manager/supervisor in consultation with the divisional administrator and the divisional Vice President. The initial drafting of the required and desirable qualifications will be done by the manager/supervisor and/or administrator.
- b. The Equal Employment Opportunity Officer will monitor the minimum and desirable qualifications for adverse impact. If the EEO Officer believes the qualifications appear to be too restrictive, he/she will meet with the divisional administrator and the immediate supervisor to review the qualifications. If discriminatory intent or effect is identified, the EEO Officer shall implement solutions and/or confer with the divisional Vice President to determine necessary remedies.

4. Criteria for Determining Educational Equivalency

- a. In general, formal academic training equivalent to the training stipulated in the minimum qualification will be considered acceptable. Completion of all academic requirements by the effective date of employment shall be required. Examples of such equivalencies might include (but not be restricted to):
 - (1) Minimum degree requirement from an accredited institution with a different name but supported by course work equivalent to the field required.
 - (2) Completion of course work and academic requirements required for the minimum degree from an accredited institution without the award of the degree (e.g., a candidate who has completed degree requirements but has not received the degree due to the academic calendar).

Evidence in support of equivalent academic training shall include transcripts from appropriately accredited institutions.

- b. When minimum qualifications require a bachelor’s degree in a designated major, a bachelor’s major shall be accepted if it meets one of the following sets of criteria.

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- (1) A major designated on the transcript which is determined to be equivalent to the designated major (e.g., Management for Business Administration). If the major is clearly designated on the transcript, no equivalency review is necessary.)
- (2) Twenty-four semester units of credit (or equivalent quarter units) in the designated major field with 18 of those units at the upper division level. For disciplines in which equivalent courses are offered in different departments, the equivalent courses in different disciplines may be counted toward the 24 units.

Evidence in support of equivalent academic training shall include transcripts from appropriately accredited institutions.

- c. For disciplines in which the degree is not generally expected or available (e.g. vocational areas), the equivalent of an associate's degree shall be considered the successful completion of two years of course work at a two- or four-year institution (the equivalent of 60 semester hours) including the completion of courses usual to a general education component.

Evidence in support of equivalent academic training shall include transcripts from appropriately accredited institutions.

- d. In determining the equivalence for a year of specified professional service, Human Resources will consider whether the equivalent experience required the performance of duties typical of the specified professional service.
- e. After a position has gone through a complete announcement, recruitment, and application cycle using the established minimum qualifications criteria, and it is determined that the pool of applicants is inadequate, the following procedure may be used. The administrator and immediate supervisor in the division may determine that a combination of non-academic and academic training and experience will be accepted as equivalent to the minimum qualifications for a position. In such cases, the administrator and the immediate supervisor in the division will specify the following equivalent criteria before the position is announced, and a complete description of the criteria will be included with the position announcement. The determination of equivalent qualifications shall be subject to the review and approval of the EEO Officer.
 - (1) Possession of an associate's degree. An appropriate major discipline(s) will be specified, if the faculty and the immediate supervisor determine the specification of a discipline to be a necessary equivalency.
 - (2) The specific experience required or management function as a full-time employee, etc.
 - (3) The level of the experience (e.g., a management level equivalent to supervisor of record, etc.)
 - (4) The length and/or amount of experience (e.g., four years of full-time experience, four seasons as director/supervisor, etc.)

All specified experience must be verifiable, through references. The reference checks will be reviewed by Human Resources. The procedures outlined in "Establishing Required and Desirable Qualifications" will be used in the establishment of equivalency criteria. This provision may be used again if the new search does not produce an adequate pool.

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- f. Clear and verifiable eminence in a field will be considered equivalent to minimum qualifications. Documentation must be provided that establishes that the candidate is recognized as eminent outside of his/her geographical region and that the candidate's eminence is based on experiences and activities in his/her field clearly beyond those that are usual.

PART II Hiring Procedure

The following narrative supplements the flow charts in the Appendix.

1. Announcement of Positions

- a. The Announcement of a Position will be drafted by the administrator of the division and the immediate supervisor who established the minimum and desirable qualifications for that position (see "Establishing Required and Desirable Qualifications") in consultation with the Vice President of Human Resources, or his/her designee, and the Vice-President with domain over the position.

- b. Position announcements will include the following sections:

Basic Function A brief description of the position and the relationship of the position to the divisional and college functions and activities.

Education and Experience A statement including the established minimum qualifications, the appropriate valid credential(s), the provision for equivalencies, and reference to "sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic background of community college students." (see "Required Qualifications")

Desirable Qualifications A list of the qualifications that have been established as desirable. (See "Desirable Qualifications")

Since the minimum and desirable qualifications will be used to establish the criteria for screening applications, interviewing candidates, and recommending candidates, the descriptions of these qualifications should provide applicants with a basis for submitting supporting materials that address these criteria.

Representative Duties A list of typical duties including the following:

- (1) A brief description of the primary responsibilities.
- (2) A description of any ancillary responsibilities.
- (3) Reference to scheduling considerations (e.g., assignment to evening duties, etc.).
- (4) Leadership responsibilities (e.g., responsibility for leading a specific aspect of a departmental program).
- (5) Service responsibilities related to the assignment (e.g., advisory committees, standing committees, etc.).
- (7) A description of any other duties unique to the position.
- (8) Closing date and address for submission of application materials.

Knowledge A list of the knowledge required to perform the position.

Ability A list of the abilities required to perform the position.

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Work Direction, Lead and Supervisory Responsibilities to provide work direction, lead, and/or supervisory responsibilities to other employees, if applicable, and the levels of employee over whom such authority is exercised.

Contacts District personnel and outside contacts required by the position.

Physical Effort Physical effort required by the position.

Working Conditions

Salary and Benefits A statement of the entry salary range and a brief narrative description of fringe benefits in effect at the time of the announcement.

Application Procedure Applicants will be given instructions regarding the completion of the application process and will be informed that incomplete applications will not be considered. The application procedure will include the following:

- (1) An official district application form. No separate form will be provided for equivalency considerations, however, applicants will be encouraged to provide a narrative description of their equivalent experience along with transcripts and other documentation to support their request for equivalency.
- (2) Official transcripts for all college course work (if required in the announcement). Unofficial transcripts may be used to establish an application file.
- (3) A resume.
- (4) When appropriate, verification of appropriate credentials (i.e. certificates of completion for vocational programs, etc.).
- (5) When appropriate, verification of "professional experience" as articulated in the minimum and desirable qualifications.

The following materials may be required at the discretion of the administrator of the division and the immediate supervisor involved in the drafting of the announcement:

- (6) Recent letters of recommendation or a placement file containing such letters.
- (7) A letter of intent or application.

When appropriate, additional support materials may be requested as optional. Such materials may include work samples (e.g., video tapes, portfolios, written materials, etc.) and other materials directly related to the criteria established in the minimum and desirable qualifications.

Selection Procedure A brief description of the selection process including:

- (1) The review process to select candidates for interviews.
- (2) The candidate will be interviewed by a committee. Final approval is granted by the Board of Trustees, upon the recommendation of the hiring supervisor and the President.
- (3) A description of any other selection activities that are anticipated at the time of the announcement (e.g. a questionnaire, etc.)

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Statement of Equal Employment Opportunity policies including reference to “encouraging applications from minorities and women.”

- c. The Equal Employment Opportunity Officer will review the draft of the job announcement for the potential for adverse impact pursuant to provisions in “b” of “Establishing Required and Desirable Qualifications.”
- d. The final draft of the position announcement will be reviewed by the administrator of the division, the immediate supervisor, and Human Resources.
- e. Upon the approval of the final draft of the announcement, the immediate supervisor for the position will set a tentative time table for the hiring process (e.g., Screening Committee orientation/training, application review, etc.) in consultation with the divisional administrator, the Equal Employment Opportunity Officer, and the Vice-President with domain over the position.

2. Screening Committee

Formation of the Committee

- a. The immediate supervisor for the position will consult with the administrator of the division to formulate a preliminary list of Screening Committee members. If no full-time confidential/management/supervisory staff currently work in the department or perform similar duties, the immediate supervisor will consult with at least two full-time confidential/management/supervisory staff in reasonably related fields. Classified staff may also be included on the Committee.

Once a preliminary list has been formulated, the immediate supervisor will ascertain the willingness of the people on that list to serve. If changes must be made to the preliminary list, the immediate supervisor will consult with the divisional administrator who participated in forming the preliminary list.

- b. The preliminary membership list will be forwarded to the Equal Employment Opportunity Officer and the Vice-President with domain over the position for review. If either of these officers have concerns about the membership list related to the responsibilities of their respective offices, that officer will recommend changes to the immediate supervisor of the division. It will be the responsibility of the immediate supervisor and/or the Vice-President with domain over the position to communicate the resolution of any concerns to the individual(s) in question.

Membership

- a. Every Screening Committee will include members selected by the immediate supervisor of the division and the Vice-President with domain over the position.
- b. Every Screening Committee will include one member designated as the Equal Employment Opportunity Representative. It shall be the responsibility of this member to monitor the committee proceedings for possible adverse impact and to act as an advocate for the institution’s EEO/Staff Diversity goals. It shall be the responsibility of the EEO Officer to appoint the EEO Representative. Persons appointed as EEO Representatives will be employees who have received special training in Equal Employment Opportunity and personnel practices. The responsibilities of the EEO Representative are intended to supplement, not replace or abridge, the responsibilities of the Equal Employment Opportunity Officer.

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- c. Whenever possible, the screening committee shall include members of protected groups (ref.: Title V, 53024)
- d. The chair of the Committee will be the immediate supervisor for the position being hired (or his/her designee).
- e. If unusual circumstances prevent the formation of a Screening Committee as described herein, the immediate supervisor for the position and/or the Vice President with domain over the position will consult with the Equal Employment Opportunity Officer to determine a reasonable representation.

Responsibilities of the Screening Committee

The following activities are sequential:

- a. The Committee will receive training on Equal Employment Opportunity, as well as training in relevant personnel practices before participating in the establishment of criteria or the reviewing of any applications.
- b. The Committee will identify the hiring criteria based on the minimum and desirable qualifications included on the position announcement. The Committee will draft questions to be used in the interviews of all candidates. If desirable, the Committee will articulate any supplementary interview activities to be presented by all candidates (e.g., questionnaires, etc.). The questions and supplementary interview activities will be reviewed by the Equal Employment Opportunity Officer.
- c. The entire Committee will meet to review and the divisional representatives (staff and immediate supervisor) will determine the acceptability of qualifications based on the minimum qualifications established in the announcement of the position and the guidelines described in "Criteria for Determining Equivalency." No assessment of the applicant's qualifications beyond the equivalency to minimum qualifications will be made at this stage of the process.
- d. The Committee members may review the application materials of all candidates who meet minimum qualifications. Committee members will assess each applicant using the criteria established at step "b".
- e. The Committee will meet to determine which applicants shall be invited for an interview based on the established criteria. The number of candidates to be interviewed will be determined by the Committee based on the pool of applicants, the apparent strengths and weaknesses among the candidates, and the need to insure that a diverse and representative group of applicants are interviewed.
- f. If the Screening Committee, in consultation with the Vice President of Human Resources, determines that there is not an adequate pool of candidates who meet the minimum and desirable qualifications as specified in the job announcement, the Committee may request that the position be re-advertised, using the same hiring criteria, application review, and interview procedures. Persons in the original pool of applicants will be notified of the re-advertisement and informed of their status for subsequent considerations. If the Committee determines that there is a need to revise the job announcement, the Screening process will end and the procedures for drafting a position announcement will be initiated.
- g. The list of candidates to be interviewed will be reviewed by the Equal Employment Opportunity Officer. The EEO Officer will determine whether the pool

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of candidates selected for interviews includes a reasonable representation of applicants who, if hired, would help the District meet its diversity goals. If the Equal Employment Opportunity Officer determines that (1) there are applicants who would help the District meet its diversity Employment Opportunity goals and (2) those applicants do meet minimum qualifications as specified in the job announcement, and (3) those applicants were not selected for an interview, the Equal Employment Opportunity Officer will meet with the screening committee to determine which of those applicants will be invited for an interview.

- h. The Committee will interview all candidates using the list of questions and supplementary activities established at step “f”. Appropriate job related “follow-up” questions may be included in the interview so long as (1) they are based directly on the candidate’s response to a question, (2) do not seek information outside of the scope of the established hiring criteria, and (3) are not in violation of Equal Employment Opportunity guidelines.

- j. Following the interviews, the Committee will attempt to arrive at a consensus of the recommendation(s) to make to the hiring supervisor or administrator. If consensus is not possible, the Chair may request a vote or a prioritization by each Committee member. Each Committee member will have equal voting privileges.

If, after the interviews, in consultation with the Equal Employment Opportunity Officer, the Committee determines it cannot recommend any candidate, the Committee may initiate a re-advertisement of the position or the revision of the position announcement as described in item “f” above.

- k. After interviewing the recommended candidates, the hiring supervisor or administrator will select a candidate and forward his/her recommendation to the President and Board of Trustees for final approval.

CLASSIFIED HIRING PROCEDURES

When a classified position is vacant, the manager completes the “Personnel Requisition Form” and submits it to the Human Resources Office for processing. Human Resources will notify the President of the Classified Union. When the “Personnel Requisition Form” is processed, the Human Resources Office will officially announce the position vacancy.

The process will be monitored at 4 stages for Equal Employment Opportunity compliance, which are as follows:

1. Evaluation of Pool
2. Minimum Qualifications
3. Screening and Interview
4. Hiring

ANNOUNCEMENT OF POSITIONS

All announcements will include the following information:

- (1) Title
- (2) Part-time/Full-time
- (3) Permanent/Temporary (District/Categorical)
- (4) Benefits, negotiated by collective bargaining
- (5) Description

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- (6) Representative duties
- (7) Minimum Qualifications (Education and Experience)
- (8) Desirables
- (9) Testing, if applicable
- (10) Salary range
- (11) Working hours, if outside normal hours of 8 – 4:30 p.m.
- (12) Working Conditions
- (13) Deadline Date
- (14) Position Start Date
- (15) Equal Employment Opportunity Statement
- (16) ADA Statement

Testing. The managing supervisor will advise the Human Resources Office what, if any, skills testing are desirable for the position. All tests will be non-discriminatory and in compliance with the spirit of Equal Employment Opportunity (EEO) policies. Tests also need to relate to the responsibilities of the position being hired.

The hiring process will be subject to a check-off list attached to this document (Appendix I). The EEO Officer will review applicant rating criteria, interview questions, supplemental questions, skills and performance tests and any other application materials.

Posting Guidelines (for both full time and part time positions):

- (1) Prior to public announcement, the position will be posted in-house for five working days for any transfer requests.
- (2) All positions not filled by transfer will be open for a minimum of ten working days.

Advertising. Announcements are posted in house for five working days. If not filled by in-house transfer, the announcement will be sent to local school district offices; advertised in one or more area newspapers; and sent to businesses, organizations and other colleges, as appropriate.

No applications will be accepted after 4:30 p.m. on the filing date.

The Human Resources Office will maintain EEO information, score tests (if applicable), prepare file documents, and screen applications to determine candidates that meet minimum qualifications as specified in the job description. If there are any questions regarding the minimum qualifications, the Vice President of Human Resources/designee will review the applications.

Hiring Committee (Recommended 5, minimum of 4 persons):

- (1) The hiring committee chair (Managing Supervisor) and one or two classified representative(s) in the area of hiring to be on the committee.
- (2) The classified union president will select a representative of the classified union.
- (3) The EEO Officer/designee will appoint a classified employee as the EEO representative, who will serve as an additional voting member of the hiring committee.

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- (4) The Human Resources Office reviews composition of the hiring committee for equal employment compliance.
- (5) The hiring supervisor/manager and the EEO Officer/designee will meet with the entire Hiring Committee for the purpose of:
 - a. Defining the role of the hiring committee as that of a recommending body reviewing applications/materials and conducting interviews. Also providing the committee with hiring and selection instructions.
 - b. Providing an overview of EEO guidelines.
 - c. Establishes that all proceedings of the hiring committee shall be kept confidential. The entire hiring process requires confidentiality on the part of all hiring committee members. The rights and reputations of the candidates need to be protected. Ratings and comments made by the committee members must not be shared with non-committee members. All committee members will receive a copy of the EEO guidelines and be required to sign a confidentiality agreement.
 - d. All committee members must attend all meetings, if a committee member does not attend all meetings, they will no longer be on the committee and there will be no replacements allowed. When interviews are being conducted, the committee members will be required to be present for all interviews.
 - e. The hiring supervisor/manager and hiring committee are responsible for organizing and setting schedules and making arrangements for committee meetings for screening and selection. They are also responsible for reviewing the EEO guidelines to ensure compliance.

The Hiring Committee will:

- (a) Determine job-related screening criteria to be used by the committee in selecting candidates to be interviewed and develop the instrument used for ranking applicants;
- (b) Prepare interview questions, each set of questions shall include a diversity question and be read to each candidate;
- (c) Screen and rate all qualified applicants independently and select the best qualified applicants to interview;
- (d) Determine interview date, time and location.

The Human Resources Office will:

- (a) Review the candidates selected for interviews, matching qualifications with screening criteria;
- (b) Review those not selected for interviews against the screening criteria;
- (c) Review Equal Employment Opportunity goals and diversity;
- (d) Schedule interviews

Preparation of Interview Packet:

The Office of Human Resources, prior to the interview, will provide a packet of materials for each hiring committee member, which will include:

- (1) Interview schedule
- (2) Applications and any attachments

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- (3) Job announcement
- (4) Hiring Procedures
- (5) Copy of Interview Questions and Rating Sheet
- (6) A final rating sheet will be given to the EEO representative or hiring committee chair

Interview Process:

- (1) The hiring committee will meet prior to the interviews to review procedures.
 - The same questions should be asked to each candidate, by the same committee member, and in the same sequence. Questions will be provided so candidates can read along with committee member. The chair or EEO representative will make sure the candidate(s) leave the questions in the interview room
- (2) The chair or designee will welcome the candidate and introduce the hiring committee members.
- (3) Committee members make appropriate notes and ratings for each candidate.
- (4) The hiring committee shall forward to human resources the acceptable candidates (preferably two), ranked in order of preference.

Appointment

Appointments to classified service shall be accomplished by the Board upon the recommendation of the President.

The President may authorize employment of short-term, classified, and confidential/management/supervisory personnel on a regular basis. Such appointments are subject to ratification for employment at the next Board meeting.

PROCEDURES AND PRACTICES FOR HIRING OF FULL-TIME AND ADJUNCT (PART-TIME) FACULTY

ORGANIZATION

- I. Procedure for hiring full-time faculty
- II. Procedure for hiring adjunct (part-time) and temporary (full-time) faculty
- III. Procedure for employing faculty interns
- IV. Role of Human Resources and the Application Process
- V. Glossary of Terms
- I. **The procedure for hiring full-time faculty is presented in four sequential sections:**
 - A. **Development of Job Announcement**
 - B. **Development and Role of Hiring Committee**
 - C. **Screening Process**
 - D. **Interview Process**
- A. **DEVELOPMENT OF JOB ANNOUNCEMENT**
 - 1. The faculty of the division/discipline, the educational administrator of the area/division, and the faculty EEO representative will draft the job

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announcement in consultation with the Faculty Union. (The faculty EEO representative may be from within or outside of the division. If a faculty member is not readily available, the educational administrator may assume the role of the EEO representative.) The District's Equal Employment Opportunity Officer will review the job announcement and consult with the area/division for any adverse impact.

2. The job announcement must contain the following sections:

Introduction: A brief description of the position, relationship to division, the discipline offerings, and any special responsibilities.

Required Minimum Qualifications: 1) the most current minimum qualifications as listed in the publication "Minimum Qualifications for Faculty and Administrators in California Community Colleges"; 2) the Academic Senate's approved Equivalency (See Appendix A); 3) any appropriate valid credential(s); 3) and a specific reference to "sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic background of community college students" (Assembly Bill 1725; Education Code 87360). If a candidate is claiming equivalency, an AVC Supplemental Equivalency Request Form must be provided and used.

Desirable Qualifications: A list of additional qualifications suggested by the division/discipline faculty, in consultation with the Faculty Union. The Equal Employment Opportunity Officer will monitor the job-related, desirable qualifications for adverse impact. If they appear to be too restrictive, he/she will meet with the division faculty and educational administrator to review qualifications.

Duties of Position: A list of typical duties, including the following:

- (1) A brief description of the primary responsibilities
- (2) A description of any co-curricular responsibilities (e.g. coaching, directing, etc.)
- (3) Reference to scheduling consideration (e.g. assignment to evening duties or off-campus)
- (4) Leadership responsibilities (e.g. responsibility for leading a specific aspect of an academic program)
- (5) Service responsibilities related to the academic and/or co-curricular assignment (e.g. advisory committees, standing committees, curriculum development, etc.)
- (6) A description of any other duties unique to the position
- (7) Closing date, list of required application materials, and address for submission

Salary and Benefits: A statement of the entry salary range and a brief description of fringe benefits in effect at the time of the job announcement.

Required application materials: An official, district application (signed and completed), a letter of intent, official transcripts (unofficial transcripts may be used to establish an application file), a curriculum vita or resume, and, when appropriate, verification of credentials and/or licensure, or professional experience. It is the determination of the faculty whether to request current

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letters (dated within the last year) of professional reference for all positions in that division.

B. DEVELOPMENT AND ROLE OF HIRING COMMITTEE

1. The majority of the hiring committee members must be faculty members and must include a diverse membership that will bring a variety of perspectives to the assessment of applicant qualifications (Title 5: 53024 (f)).
2. The membership of the committee must include discipline faculty members. (If discipline faculty are not available, faculty from a related discipline or, if related discipline faculty are not available, adjunct discipline faculty may be selected.)
3. The membership of the committee will also consist of the educational administrator of the division/area (who will serve as the committee chair and EEO representative if a faculty member is not readily available to do so) and an appointed Academic Senate representative. The Vice President with domain over the position will begin his/her participation at the point of interviews.
4. In the formation of the committee, the educational administrator for the position will consult with the discipline faculty of the division to formulate a preliminary list of committee members. The educational administrator for the position, will request from the President of the Academic Senate the name of the individual (from outside the division) appointed to serve as the faculty representative of the Senate. (This faculty member cannot serve as the faculty EEO representative.)
5. Once the preliminary committee is formed, the educational administrator will circulate the list to the division faculty for comment. If changes must be made to the preliminary committee, the educational administrator will consult with the faculty who participated in forming the preliminary committee.
6. The preliminary committee list is forwarded to the District's Equal Employment Opportunity Officer. If there are identified concerns about the membership list, he/she will recommend changes to the educational administrator of the division. The discipline faculty must agree to any changes made to the committee membership. The educational administrator will communicate the resolution of any concerns to the individual(s) in question.

C. SCREENING PROCESS

The following activities are sequential:

1. At the first meeting, the EEO representative of the committee will train the hiring committee on Equal Employment Opportunity, as well as on relevant personnel practices. The training should include the District's EEO Plan as it relates to the current position. The committee will identify the hiring criteria based on the job-related, desirable qualifications included on the job announcement, as well as on consideration of the District's EEO Plan.
2. The committee will draft questions to be used in the interviews for all candidates. If desired, the job-related, supplemental interview activities or written material (e.g. teaching demonstration, sample lessons, syllabus, student handouts, etc.) for all candidates will be developed. The District's

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Equal Employment Opportunity Officer will review questions and supplemental interview activities or written material.

3. The discipline faculty on the hiring committee and the educational administrator will review the application packets to determine if minimum qualifications have been met. For those candidate(s) claiming equivalency to the minimum qualifications, the faculty and educational administrator must agree that a candidate meets the equivalency criteria. If they determine that the candidate(s) does meet the equivalency criteria, the candidate's packet is forwarded to the Equivalency Committee (see Appendix A). NO CANDIDATE IN THE HIRING POOL CAN BE INVITED FOR AN INTERVIEW UNTIL THE EQUIVALENCY COMMITTEE HAS REVIEWED THE EQUIVALENCY EVIDENCE PROVIDED BY A CANDIDATE.
4. The hiring committee will review only those application packets of candidates who meet minimum qualifications, as well as those that have been determined to meet the minimum qualifications through equivalency.
5. The committee will determine which candidates shall be invited for interview based on the established hiring criteria.
6. The list of candidates will be reviewed by the District's Equal Employment Opportunity Officer, who will then determine whether the pool includes reasonable representation in order to help meet the District's EEO Plan. If the EEO Officer determines that representative, qualified individuals have been excluded from the interview process and their inclusion would help the district meet the District's EEO Plan, he/she will meet with the hiring committee to determine if any of those candidates will be invited for interview.

D. INTERVIEW PROCESS

1. The hiring committee will interview all candidates using the agreed upon and approved list of questions and supplemental activities/written materials. Appropriate, job-related "follow up" questions may be included in the interview as long as (1) they are based directly on the candidate's response to a question, (2) do not seek information outside of the scope of the established hiring criteria, and (3) are not in violation of EEO guidelines.
2. The president may separately interview all candidates.
3. Following the interviews, the committee will attempt to arrive at consensus regarding the recommendation of one or more candidates to make to the President. If consensus cannot be reached, the Chair can request a vote or obtain a priority list of recommended candidates. All members have an equal vote.
4. If, after interviews, in consultation with the district's EEO Officer, the hiring committee determines it cannot recommend a candidate(s) to the President, the committee may revise the job announcement, in consultation with the Faculty Union, and begin a re-advertisement of the position.
5. Once the committee has reached a recommendation of one or more candidates, it will, along with the President, attempt to arrive at consensus to make a recommendation to the Board of Trustees.

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6. The President will forward the Committee's recommendation (or recommendations if the committee is filling more than one position) to the Board of Trustees for final approval. The President may report a dissenting point of view to the Board of Trustees if he/she does not agree with the Committee's recommendation(s). The President will present to the Academic Senate President and committee, in writing, the reason for his/her dissenting point of view before taking recommendation to the Board of Trustees.

However, the President may not make an alternative recommendation to the Board. The expectation is that faculty recommendations regarding the hiring of faculty will normally be accepted is reinforced; only in exceptional circumstances and for compelling reasons communicated in writing to the hiring committee and to the President of the Academic Senate of the college will the Board not accept the committee's recommendation. The committee will then be reconvened and apprised of the Board's decision.

II. Procedure for hiring adjunct (part-time) and temporary (full-time) faculty

- a. **Announcement of Positions** The Announcement of a Position will be drafted by at least one full time division/discipline faculty member, the faculty EEO representative, the educational administrator (in consultation with the Faculty Union), the Vice President of Human Resources and Employee Relations (or his/her designee), and the Vice-President with domain over the position. If a faculty member is not readily available, the educational administrator may assume the role of the EEO representative. If necessary, revisions will be made to the Desirable Qualifications (see "Development of Job Announcement")
- b. See Section I.A.2: Full-Time Faculty Development of Job Announcement
- c. **Hiring Committee Membership** Each hiring committee will include the educational administrator and at least one full time discipline faculty member who currently teaches the subject matter covered by the job announcement. (If a discipline faculty member is not available, a faculty member from a related discipline may be included.) The discipline faculty member on the hiring committee will also serve as the Academic Senate representative.
- d. **Formation of the Hiring Committee** The educational administrator for the position will consult with the discipline faculty who currently teach the subject matter covered by the job announcement (or performs other duties related to the position) to determine which faculty member will serve on the Committee. If no full-time discipline faculty currently teach in the subject matter or perform similar duties, the educational administrator will consult with at least two full-time faculty of the division in reasonably related disciplines.
- e. See Section I C.3: Full-Time Faculty Screening Process
- f. Each committee member will have an opportunity to review the application packets prior to interviews being scheduled.
- g. If desired, supplemental interview activities or written material (e.g. teaching demonstration, sample lessons, syllabus, student handouts, etc) may also be included for adjunct hires.
- h. Following the interviews, the hiring committee will determine which candidates will be placed in the pool of potential adjunct faculty. Once a candidate has been placed in a pool, the educational administrator may assign the adjunct faculty member(s) to teach/serve in the specified academic discipline as the divisional

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need requires and the law permits. The adjunct faculty member will remain in the pool unless the District Part-Time Faculty Evaluation Procedure results in a recommendation to the Vice President of Human Resources and Employee Relations, or his/her designee, that the adjunct faculty member be dropped from the pool of faculty eligible for assignment, or has remained in hiring pool without an assignment for three years.

The appropriate Vice President will notify the Office of Human Resources and Employee Relations if an adjunct faculty

member has received an unsatisfactory evaluation or has remained in the hiring pool without an assignment for three years.

Upon that notification, the Office of Human Resources and Employee Relations will remove that adjunct faculty member from the appropriate hiring pool(s).

Emergency Hiring

- a. Vacancies occurring less than seven weeks before the start of a term shall be considered emergency hires when there are no instructors available in the established pool. Any vacancy occurring seven weeks or more before the start of the term will be subject to the regular provisions of this hiring procedure.
- b. As soon as a need is established, the educational administrator will notify the Vice President of Human Resources and Employee Relations of the need to make an emergency hire. The Vice President of Human Resources and Employee Relations, or his/her designee, will provide the educational administrator with the most recent job announcement for the position. The educational administrator, in consultation with the Faculty Union, will make any necessary revisions to the announcement. The Vice President of Human Resources and Employee Relations, or his/her designee, and the educational administrator will determine appropriate methods of recruitment for the position and establish a timetable for the hiring procedure.
- c. The educational administrator will review the applications of candidates for emergency hire and interview the candidates who meet minimum qualifications. When possible, a full-time faculty member will be involved in the selection procedure as stipulated in the hiring procedure for adjunct faculty. If a candidate is claiming equivalency to the required minimum qualifications, the administrator must forward the application packet to the Equivalency Committee (per Equivalency Procedure: Appendix A). If the Equivalency Committee concurs with the educational administrator that the objective evidence supports the equivalency, then the educational administrator may select a candidate to interview. Once all interviews are completed, the educational administrator may select an individual to fill the emergency need. (If a full-time faculty member was involved in the selection procedure, he/she will assist in the selection of the individual to be hired.)

Adjunct faculty hired under this emergency procedure will not automatically become a part of the regular pool of adjunct instructors. During the term for which the emergency hiring occurred, the adjunct position will be advertised and candidates will be added to the pool according to the normal procedure outlined above. Candidates hired under the emergency procedure may be added to the regular pool after a satisfactory evaluation procedure that included participation by at least one full-time faculty member who currently teaches the subject matter. If no full-time faculty member currently teaches the subject matter, a full-

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time faculty member in a reasonably related discipline will participate in the evaluation.

III. Procedure for employing faculty interns (see Appendix B)

The Faculty Internship Program at Antelope Valley College offers us the opportunity to increase the recruitment of new instructors and also enhance efforts to build a diverse and representative faculty. The program introduces a faculty intern to the community college campus environment through a partnership with a tenured faculty member who acts as a mentor, providing a positive learning experience for the development of a faculty intern. During an academic year, the program offers faculty interns the full range of faculty activities and experiences necessary to acquire the tools to become a successful community college instructor, counselor, librarian, or other faculty assignment.

California Code of Regulations (Subchapter 5) states that the governing board of any community college district may establish a faculty internship program pursuant to the provisions of the Subchapter and Section 87487 of the Education Code. In accordance, governing boards may employ, as faculty interns within the program, graduate students enrolled in the California State University, the University of California, or any other accredited institution of higher education or in vocational and technical fields where a master's degree is not generally expected or available, persons who are within one year of meeting the regular faculty minimum qualifications. Persons who meet the regular faculty minimum qualifications but who lack teaching, counseling, library, or other community college faculty experience may also be included in the internship program. The purpose is to enhance community college efforts toward building a diverse and representative faculty. In order to accomplish this, the internship program shall place special emphasis on locating and attracting qualified graduate students who are members of underrepresented groups.

IV. Role of Human Resources and the Application Process

Human Resources will manage the flow of paperwork to ensure that the hiring procedure is followed. In terms of the role of the Human Resources Office as it relates to determining equivalency, it will be to collect, date stamp, and forward applications and other pertinent information to the hiring committee. The Human Resource Office will assist the hiring committee chair in providing the Equivalency Committee with the application and evidence provided by candidates identified by discipline faculty and dean for meeting claims of equivalency.

V. Glossary of Terms

For the purposes of this document, the following terms will have the designated meaning:

1. Adverse or Disparate Impact—refers to a statistical measure that is applied to the effect of a selection procedure, and demonstrates a disproportionate negative impact on a historically underrepresented group per Title 5, Section 53024 (b).
2. Educational Administrator— refers to an administrator who is employed in an academic position designed by the governing board of the district as having direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services program of the college or district. Educational administrators include, but not limited to, chancellors, presidents, and other supervisory or management employee designated by the governing board as educational administrators per Education Code: 87002 (b).

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3. Equal Employment Opportunity—refers to practices that assure all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the district per Title 5, 53024.
4. Protected Group—refers to any group defined in terms of ethnic group identification, race, color, national origin, religion, age, gender, disability, ancestry, or sexual orientation per Title 5, section 53024 (c).
5. Faculty—refers to all non-administrative academic staff, both classroom and non-classroom.
6. Faculty Academic Senate Representative—refers to a faculty member from outside the area/division (except on an adjunct hiring committee) appointed to the committee by the Academic Senate President and trained in the hiring process. This faculty member brings breadth to the committee and helps ensure that the procedures/practices are being followed. (This faculty member cannot serve as the faculty EEO representative.)
7. EEO Representative— refers to a faculty member from within or outside the division/discipline. If a faculty member is not readily available, the educational administrator of the area/division may assume the role of EEO representative.
8. Required Minimum Qualifications— refers to those qualifications listed in Title 5, Sections 53400-53430 and outlined in the “Minimum Qualifications for Faculty and Administrators in California Community Colleges” publication. Assembly Bill (AB) 1725 and Education Code 87360 require that the following statement accompany each announced position: sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic background of community college students.
9. Desirable Qualifications— refers to meaningful characteristics that support the functional responsibilities of the position but are separate from the required minimum qualifications. Desirable qualifications must be job related; they must NOT CREATE A BARRIER FOR EMPLOYMENT.
10. Equivalency—refers to the Academic Senate’s approved equivalency for the required minimum qualifications developed by discipline faculty. The approved discipline equivalency shall be reviewed and affirmed by the Academic Senate every three years. If not reviewed and affirmed, the equivalency is no longer valid; at which time, the established minimum qualifications must be used. The approved equivalency cannot be less than the minimum qualifications, but can be more rigorous. By law, a “single course equivalency” cannot be approved.
11. Discrimination—refers to the unlawful treatment of people differently or disparately, when it is in the form that is constitutionally or statutorily forbidden.
12. Qualified—refers to persons who can carry out the duties of a particular position from the date of employment.
13. Consensus—refers to when the committee has reached general agreement.

6/11/07

Revised: 10/8/07

Revised: 4/14/08

Revised: 5/12/08

Revised: 12/12/11

Revised: 3/09/15

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Classified Hiring Procedures Checklist

- ☐ Hiring Supervisor submits a Personnel Requisition Form to Human Resources
- ☐ Human Resources notifies Classified Union President
- ☐ Announcement is sent out to in-house for transfers, for a minimum of 5 working days, if in-house transfer, see in-house transfer checklist
- ☐ If there are no in-house transfers, announcement out to public, which includes the 16 items of information listed in procedures.
- ☐ If applicable, perform skills testing
- ☐ If no testing is required, human resources will prepare all documentation for hiring committee review
- ☐ Select hiring committee members per hiring guidelines and forward names to Human Resources
- ☐ Human Resources reviews composition of hiring committee for EEO compliance
- ☐ EEO representative is appointed by EEO officer/designee for committee
- ☐ EEO Officer/designee meets with hiring committee to review EEO guidelines, hiring guidelines and confidentiality
- ☐ Hiring supervisor and hiring committee organize and schedule required meetings and establish hiring criteria and notify human resources
- ☐ The hiring committee will review applications and select candidates for interview and notify human resources
- ☐ Human resources will review the candidates and verify that the candidates meet EEO compliance and screening criteria; then will schedule the interviews
- ☐ Human resources prepares interview packet for committee members
- ☐ Committee interviews candidates and selects a minimum of two candidates and fills out the top portion of “Recommendation for Employment” form and forwards to human resources

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- ☐ Rating sheet and all other materials are turned into Human Resources by the EEO representative
- ☐ Committee chair performs reference checks on both candidates. Selected candidate is placed on bottom half of “Recommendation for employment” form
- ☐ Human resources notifies the candidate, College President and places candidates name on the Board personnel schedule for final approval
- ☐ Human resources notifies candidates not selected for the position
- ☐ EEO officer/designee prepares a report on selection process

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AP 7121 Faculty Internship (Suspended 11/14/11)

ANTELOPE VALLEY COLLEGE FACULTY INTERNSHIP PROGRAM

The Faculty Internship Program at Antelope Valley College offers the opportunity to increase the recruitment of new instructors and also enhance efforts to build a diverse and representative faculty. The program introduces a faculty intern to the community college campus environment through a partnership with a tenured faculty member who acts as a mentor, providing a positive learning experience for the development of a faculty intern. During an academic year, the program offers faculty interns the full range of faculty activities and experiences necessary to acquire the tools to become a successful community college instructor, counselor, librarian, or other faculty assignment.

California Code of Regulations (Subchapter 5) states that the governing board of any community college district may establish a faculty internship program pursuant to the provisions of the Subchapter and Section 87487 of the Education Code. In accordance, governing boards may employ, as faculty interns within the program, graduate students enrolled in the California State University, the University of California, or any other accredited institution of higher education or in vocational and technical fields where a master's degree is not generally expected or available, persons who are within one year of meeting the regular faculty minimum qualifications. Persons who meet the regular faculty minimum qualifications but who lack teaching, counseling, library, or other community college faculty experience may also be included in the internship program. The purpose is to enhance community college efforts toward building a diverse and representative faculty. In order to accomplish this, the internship program shall place special emphasis on locating and attracting qualified graduate students who are members of underrepresented groups.

A person employed as a faculty intern shall be employed as a temporary faculty member under Section 87482.5 of the Education Code and shall meet the minimum qualifications specified in Section 53502 of Title 5. A faculty intern shall be limited to two years of participation in the program.

For purposes of this Subchapter, the term "faculty intern" does not include any person, no matter how designated, who only assists in a class taught by a regularly qualified member, and who has no independent responsibility for instruction or supervision of students. Such a person may be termed an "intern," and may serve as a volunteer or receive a stipend according to policies established by the district.

Those individuals interested in being considered for the faculty internship program will obtain an application from the Human Resource and Employee Relations Office. The applicant will provide the number of units required for their current university degree/vocational program and evidence (i.e. transcripts) to demonstrate that they are at least mid-way toward meeting the minimum qualifications for a full-time faculty member. The faculty intern hiring process will include faculty from the discipline area, division/area dean, and one member from the Faculty Internship Steering Committee.

The Steering Committee, comprised of faculty and administrators, will oversee the program. With the leadership of a faculty coordinator, the committee will provide campus activities, train mentors, train faculty interns, and match faculty mentors with faculty interns. The overall responsibility of the Steering Committee is as follows:

- Recruit and select mentors from different disciplines
- Participate in the review and selection of faculty intern applications

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- Inform mentors and interns on program requirements and responsibilities
- Organize and host campus activities; train mentors and faculty interns
- Maintain the current status of each faculty intern's progress
- Advise faculty interns on job application procedures to AVC and other community colleges
- Advocate the Faculty Internship Program to local higher education institutions

At the start of their internship, newly selected faculty interns will be given information and training to begin their teaching, counseling, or other faculty assignment. Faculty interns and mentors will meet and begin reviewing their intern assignment and determine which of the mentor's college responsibilities the faculty intern can participate in during an academic year. (*The Faculty Internship Program does not operate during the summer months or intersession.*) A tenured faculty mentor is assigned one faculty intern per academic year. In turn, faculty interns are limited to one teaching, counseling, or other faculty assignment per semester.

- Faculty interns who have not had teaching experience in their educational programs must begin their internship at AVC with the first semester activities.
- Faculty interns who have had teaching experience within their educational programs, may be permitted by the Steering Committee to start their internship at AVC with the second semester activities. (Documentation of teaching is required.)

Academic Year Activities

First Semester

During the *first half of the semester*, faculty interns observe mentors in their classrooms, counseling offices, or other faculty assignments. Faculty interns observe teaching, classroom management, or counseling techniques, etc., review course outlines of record, syllabi, handouts, or other instructor/counselor/faculty materials. Faculty interns are expected to attend college meetings, FLEX activities, area/division meetings, and other college responsibilities of their mentors as agreed upon.

During the *second half of the semester*, the mentor and faculty intern agree to a specific unit that the intern is responsible to instruct/counsel, etc. Mentors provide immediate feedback once the activity is completed. Additional faculty activities can be performed if the mentor determines that the faculty intern is able and agrees.

At the *end of the semester*, the mentor writes a summary of the faculty intern's development and makes one of the following recommendations to the Steering Committee: (1) The intern can be offered a course/or other faculty assignment for the next semester (depending on the availability of assignment); (2) The intern can be assigned additional direct mentoring for the next semester, in which the first semester activities are repeated.

Second Semester

During the *semester*, when the faculty intern has been assigned a class as the faculty member of record, he/she will review the course outline of record and create a syllabus, develop handouts, exams, and all materials related to that class assignment with assistance from the mentor. When the faculty intern has been assigned counseling duties or another faculty assignment, he/she will assemble materials to conduct workshops, counsel and advise students, refer students to appropriate services, administer assessments, assist students with planning and decision-making, and/or refer students to relevant informational resources. In both instances, the mentor will observe the faculty intern at least four times

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during the semester. Feedback will be offered both orally and in writing. The mentor will be available to discuss any work performance concerns with the faculty intern.

At the *end of the semester*, the mentor writes an evaluation of the faculty intern's development, including what he/she has mastered in understanding the role of teaching, counseling, and other faculty duties in the community college environment. The evaluation will be forwarded to the Steering Committee.

Once the faculty intern successfully completes the second semester activities of the AVC Internship Program and meets the minimum qualifications for the discipline, he/she may apply for an adjunct faculty position.

FACULTY INTERNSHIP TERMS AND CONDITIONS

Faculty Intern Agreement

Faculty interns will be expected to:

1. Meet with the mentor at regularly scheduled times.
2. Attend regularly scheduled class, counseling, or other faculty duty hours.
3. Call upon the mentor as needed with respect to his/her schedule
4. Carry out specific assignments made by the mentor
5. Meet with and assist students during office hours, as directed by the mentor
6. Share ideas with mentor
7. Receive and discuss appropriate criticism
8. Discuss needs/ideas with the mentor to help with success as an intern.
9. Develop sample course or faculty assignment materials
10. Seek out advice from Steering Committee
11. Participate in the activities, workshops, training, area/division meetings, FLEX activities, and overall college activities as agreed with mentor.
12. Develop appropriate course/counseling/other faculty assignment materials and methods that include a multicultural perspective.
13. Participate in the evaluation of the AVC Internship Program

I certify that I have read and understand the terms and conditions of this agreement and agree to abide by them.

Faculty Intern

Date

Steering Committee Chair

Date

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FACULTY INTERSHIP PROGRAM

Faculty Mentor Agreement

The faculty mentor assigned to a faculty intern is expected to:

1. Provide the intern with a campus tour identifying
 - Division/Area offices and staff
 - Mailroom
 - Duplication
 - Location of equipment and supplies
 - Academic Senate Office
 - Student Support Services, IMC, and Library
2. Meet the faculty intern prior to the beginning of the semester to set up the following
 - Regular meeting times
 - Review of text(s) and related teaching/counseling/other faculty assignment materials
 - Review of Course Outline of Record and course syllabus
 - Discuss absence reporting and support personnel
 - Discuss campus safety
 - Discuss Student Code of Conduct
 - Discuss Faculty Code of Ethics, Academic Freedom Policy
3. Meet with the faculty intern regularly; visit classroom, counseling, or other faculty assignment at least four times during the semester
4. Respond promptly to the faculty intern's questions or concerns
5. Introduce the faculty intern to other faculty and staff
6. Define the faculty intern's role in faculty office hours
7. Assist the faculty intern when he/she develops course material, syllabi, assignments, exams, handouts and workshop, assessment and other faculty materials.
8. Share counseling, teaching and other faculty responsibility by allowing the faculty intern to take an active role in evaluations, classroom presentations, workshops, advisement, etc. when the faculty intern is ready.
9. Provide learning experiences for the faculty intern (being sure not to overextend responsibilities)
10. Help the faculty intern understand faculty responsibilities beyond the classroom or primary faculty assignment by discussing shared governance, tenure and evaluation, faculty development, division/area meetings, service to the college, etc.
11. Provide and receive appropriate criticism
12. Conduct evaluation of faculty intern's development
13. Provide assistance in job seeking skills

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14. Assist the faculty intern in developing curriculum and approaches for teaching, counseling, and other faculty assignments that include diversity and multicultural perspectives.

15. Participate in the evaluation of the AVC Faculty Internship Program

Faculty Mentor

Date

Steering Committee Chair

Date

Faculty Coordinator, Faculty Mentor, and Faculty Intern will receive some compensation, per faculty union and administrative agreement.

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Suspended: 11/14/11

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AP 7125 Verification of Eligibility for Employment

Reference:

8 U.S.C Section 1324a

The District will not hire or recruit a person for employment if it knows that the person is not a citizen of the United States and is not authorized to be employed in the United States.

Reliable documentation of eligibility is required for employment from all persons hired. "Reliable documentation" as set out in federal law includes one or more of the following:

- A United States passport or alien registration card, or similar identification document containing a photograph of the prospective employee, that indicates the person is authorized to work in the United States

OR

- A U.S. driver's license or ID card or similar ID document containing a photograph of the prospective employee.

AND

- A social security card or other documentation issued by the United States government showing authorization to work in the United States.

The District will complete for each new employee the verification form or forms required by the United States government. The District will retain such forms for at least three years for persons it does not hire. For persons it does hire, the District will retain such forms for at least three years or until one year after the persons leaves the District's employment, whichever is later.

The District will protect the privacy of the information it collects pursuant to this procedure.

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AP 7126 Applicant Background Checks

Reference:

Civil Code Section 47, 1785.16, 1785.20, and 1786.16 et seq. ; Fair Credit Reporting Act (federal); Health and Safety Code, Sections 1522, 1568.08, 1569.17 and 1596.871

Applicants for positions may be subject to background or reference checks.

Where a background investigation is performed by a third party, the Vice President of Human Resources or designee shall make a clear and conspicuous disclosure to the applicant on a separate form before the report is procured. The applicant shall be provided an option to receive or not receive the report. If the applicant is not hired, or the district takes other action that adversely affects any applicant based in whole or in part upon the third-party report, the Vice President of Human Resources or designee shall provide oral, written, or electronic notice of:

- the adverse action to the applicant;
- the name, address, and telephone number of the third party agency that furnished the report;
- the applicant's right to obtain a free copy of the report; and
- the applicant's right to dispute the accuracy or completeness of any of the information in the report.

Child Development Center

The California Health and Safety Code requires a background check of all employees and volunteers (under certain conditions) of child care centers. If the California Department of Social Services finds that the individual has been convicted of a crime other than a minor traffic violation, the individual cannot work or be present in any community care facility unless they receive a criminal record exemption from the Community Care Licensing Division, Caregiver Background Check Bureau (CBCB). In addition, all applicants are required to undergo the Child Abuse Central Index name check. When an individual receives a criminal record clearance, he/she may work or volunteer in a licensed facility.

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AP 7130 Compensation

Reference:

Education Code Sections 87801; 88160; Government Code Section 53200; U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended.

Classified Compensation

Full Time Employees

The District shall maintain a single salary schedule for all regularly employed classified employees. The salary schedule for classified personnel on a full-time basis is based on a standard eight hour per day, forty hour workweek.

Part Time

Employees assigned to work less than the number of hours prescribed for full-time employees will be paid at the rate their employment bears to full-time service. This provision does not apply to short-term hourly or student employees.

Pay for Holidays (EC 88029)

If a person serving in an exempt position is required to work on a holiday, he/she shall be compensated, in addition to his/her regular pay for the holiday, at a rate not less than his/her normal rate of pay.

Pay Periods

Regular Employees

Time of payment for classified employees shall be established by the Board providing that such payment is made at least once during each calendar month.

Regular classified employees of the District shall be paid on the 10th and 25th of each calendar month. Nothing contained in the foregoing provisions shall be construed as prohibiting the Board from making payment of earned salary prior to the aforementioned pay period.

Substitute Employees

Substitute employees of the District shall be paid on or about the tenth working day of the month following the month in which the services were performed.

Overtime

Overtime pay will be included in the salary warrant that is issued on the 10th of the month following that in which such overtime pay was earned.

Error in Compensation (EC 88166)

Whenever it is determined that an error has been made in the calculation of a classified employee's salary, the Board shall, within five workdays following the discovery of the error,

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provide the employee with a statement of the correction and supplemental payment drawn against any available funds of the District.

Salary Deductions

Deductions Required by Law

Deductions from the employee's wage, mandated by law, shall be made for the following reasons:

- State and Federal Income Tax
- Public Employees Retirement (PERS)
- Old Age, Survivors and Disability Insurance (OASDI)
- Medicare

Dues (GC 3543.1) (E.C. 87833, 88167)

Refer to Section 7.12 of the Antelope Valley College Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement for information regarding dues and other payroll deductions.

Salary Advances

This District does not allow salary advances.

Authorization

The Board shall, not later than the date prescribed by law for approval of the budget, fix salaries for the ensuing school year for all persons employed by the District in classified positions. The Board may, at that time, include an increase in annual salaries, all or part of which is conditioned upon actual receipt by the District of anticipated revenue from all sources. If the revenue actually received is less than anticipated, the Board may, at any time during the school year, reduce the annual salaries by an amount not to exceed the amount which was granted due to the anticipated revenue from all sources. The Board may, at any time during the school year, increase the salaries of persons employed by the District in non-academic positions for the remainder of the year.

Differential Compensation (EC 88180)

Refer to Sections 12.7, 12.7.1, and 12.7.2 of the Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement for information regarding differential compensation.

Paid Holidays (EC 88203)

General Provisions Refer to Article VIII of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Restrictions Refer to Article VIII of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

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Substitute Holiday

Any classified employee required to work a workweek other than Monday through Friday, and as a result thereof loses a holiday, shall be compensated in the amount to which the employee would have been entitled had the holiday fallen within his/her normal work schedule, or provided a substitute holiday.

Paid Vacations

Refer to Article VIII of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Salary Schedules

Provisions of Salary Schedule

The basic or minimum salary for those who meet the minimum requirements for training and experience is indicated on the schedule for each position listed, together with other salaries.

A full year of classified service is required to progress from one step to another.

All salaries on the schedule are full-time salaries intended for full-time service except as noted in the schedule (Refer to Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement/Exhibit A). Salaries for part-time service shall be pro-rated in relation to full-time service.

No classified employee in the service of the District shall be reduced in salary as the result of the adoption of a new schedule.

Placement

All new probationary employees shall be placed on Step 1 and shall remain at this initial step until the anniversary date is attained.

Additional salary increments shall occur on the annual anniversary of the first increment until the maximum is reached.

Anniversary Date

The anniversary date for classified employees shall be established at the time of appointment as a regular member of the classified service. If that date upon which an employee first performs any and all duties required falls between the first and the fifteenth of a month, the anniversary date shall be designated as the first of the month in which service is so rendered; if the date of first service is between the sixteenth day and the last day of a month, the anniversary date shall be designated as the first day of the following or subsequent month in which service is so rendered.

Adopted Schedule

The salary schedule will be adopted by the Board of Trustees annually and shall be published, with a copy provided to the bargaining unit and any employee who requests one.

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Unemployment Compensation

Eligibility

Every regularly employed classified employee of the district, except those listed below, shall be protected by unemployment insurance pursuant to Sections 605 and 802 of the Unemployment Insurance Code.

Exempt Employees

Students employed part-time and enrolled in college classes offered by the District, apprentices, temporary professional experts, emergency, limited term, or provisional employees or volunteers are excluded from unemployment insurance.

It shall be the responsibility of the Human Resources Office thereof to inform classified employees of their rights in the event of unemployment.

Academic Personnel Compensation and Related Benefits

Salary Schedule

See current *Antelope Valley College Federation of Teachers Collective Bargaining Agreement*.

General Provisions S

Salaries of individual academic personnel will be established in accordance with the schedules and the provisions under which they are administered.

For academic personnel new to the district, credit for appropriate previous teaching experience will normally be allowed up to a maximum of five years. For disciplines in which a master's degree is not generally expected or available, partial credit toward the five-year maximum may be allowed for appropriate work experience in related professions and industries upon the recommendation of the President.

Refer to Article IX in the current *Antelope Valley College Federation of Teachers Collective Bargaining Agreement*.

Request for Approval of Units for Advancement

Refer to Article IX in the current *Antelope Valley College Federation of Teachers Collective Bargaining Agreement*.

Pay Periods

Refer to Article X in the current *Antelope Valley College Federation of Teachers Collective Bargaining Agreement*.

Related Benefits

Related benefits shall be those established by the collective bargaining process and as approved by the governing board on an annual basis.

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Salary Advances

This District does not allow salary advances.

Prohibit of Incentive Compensation

Senior managers and executive level employees who are only involved in the development of policy and do not engage in individual student contact or the other covered activities will not generally be subject to the incentive compensation ban.

Although athletic coaches may be covered employees, subject to certain limitations, and, based upon the District's determination on a case-by-case basis [after consulting with exclusive representatives, if any], coaching staff and other athletic personnel may be exempt from the prohibition of incentive compensation.

The Superintendent/President or designee shall identify any covered employees of the District and determine whether the District's compensation arrangements comport with the prohibition on incentive compensation, and to the extent that they do not, make necessary modifications to comply. Similarly, the Superintendent/President or designee shall identify any covered service providers, evaluate whether the contract pricing structure is consistent with the prohibition on incentive compensation, and if not, determine what modifications the District can make to any applicable contract.

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Antelope Valley College
Tablet Stipend

Your position with the College, or Board of Trustees, has been identified by the Office of the President as requiring access to a personal tablet device in order to fulfill your day-to-day responsibilities to the Board of Trustees, and/or the College. To facilitate fulfillment of this requirement, and alleviate institutional responsibility due to loss or damage, a one-time stipend of \$1,275 will be awarded to cover the expense of acquisition. Upon request, this stipend will be provided every 4 (four) years in order to ensure that the technology is updated in a timely manner. The following standard components are recommended and will officially be supported by Information Technology Services:

- One (1) Apple iPad with 16 GB Memory, a Retina Display, and wireless capacity, and AppleCare extended warranty protection.
- One (1) Protective Cover (Targus Versavu Carrying Case is recommended)
- One (1) Protective Screen Film (Zagg InvisibleSHEILD is recommended)
- GoodReader for iPad – for document management/viewing from cloud storage (available through the Apple App Store)

Your acceptance of this stipend, and signature below, signals acceptance of the following terms:

- Stipend is a one-time funding for purchase.
- Stipend is taxable income and will be reflected within your annual tax documentation.
- Equipment purchased is recognized as is your personal property and the college has no responsibility for maintenance or repair in the event of damage.
- Equipment is required for fulfillment of duties of your office and it is your responsibility to insure its availability and good condition to execute those duties.
- Information Technology Services will provide basic training and support for the device's use, as an established standard for Tablet Computing for the college. That support will be limited to basic support of: Apple's IOS on the device; AVC/Gmail electronic mail configuration; access to AVC Wireless; web access to BoardDocs; Skype & FaceTime for video conferencing; access to GoogleDrive; and use of GoodReader. *(All other support needs should be directed to the manufacture and their support services.)*

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IDENTIFIED POSITIONS
FOR ACCESS TO A
PERSONAL TABLET DEVICE

Five (5) Board Members
Superintendent/President
Executive Assistant to the Superintendent/President
Administrative Assistant – President's Office
Vice President Human Resources
Vice President Student Services
Vice President Academic Affairs
Executive Director of Facilities, Planning & Campus Development
Executive Director of Information Technology Services
Executive Director of Public & Governmental Relations
Antelope Valley College Confidential/Management/Supervisory Employee
President Antelope Valley College Federation of Teachers President
Antelope Valley Federation of Classified Employees President
Executive Director of Business Services
Academic Senate President
Executive Director of Advancement & Foundation

4/14/08

Revised: 9/10/12

Revised: 4/15/13

Revised: 4/11/16

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AP 7145 Personnel Files

Reference:

Education Code Section 87031, Labor Code Section 1198.5

Refer to Antelope Valley College Faculty collective bargaining agreement Article X, 1.0 Personnel Records.

Refer to Antelope Valley College Classified collective bargaining agreement Article VII, 1.0 Personnel Records.

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AP 7150 Evaluation

Reference:

Accreditation Standard III.A.1.b

EVALUATION OF FACULTY AND NON-CMS CLASSIFIED EMPLOYEES

Refer to Antelope Valley College Faculty collective bargaining agreement Article VIII, Tenure and Evaluation.

Refer to Antelope Valley College Classified collective bargaining agreement Article IX, Evaluation and Discipline of Unit Members

EVALUATION OF VICE PRESIDENTS, DEANS and EXECUTIVE DIRECTORS

Scope

This evaluation procedure applies to the following leadership staff members: Vice Presidents, Deans, and Executive Directors.

Philosophy

The administrative evaluation process, by identifying an individual's areas of special competence as well as ways to improve and grow, is aimed at the betterment of personal performance, thereby enhancing the effectiveness of the College's administrative services and the quality of the educational experience provided to students. The goal of evaluation is to acknowledge and encourage high performance levels, motivating individuals to become more effective.

A formal evaluation provides administrators the opportunity to reflect on their accomplishments, redefine goals, formulate new approaches and strategies, identify barriers and needs, and reassess their professional development plans. It also provides the opportunity for administrators and their supervisors to engage in a constructive dialogue with a view towards clarifying goals and expectations, acknowledging excellence, and communicating on issues affecting the good of the College. Finally, evaluation provides a means for those affected by an administrator's actions and services to participate in assessing their effectiveness.

Evaluation Criteria

The administrator's performance will be measured in accordance with the criteria outlined below.

The effective administrator should demonstrate the following qualities, skills, and competencies:

1. Leadership

The administrator's leadership skills are measured by the extent to which he or she:

- a. Practices democratic leadership, delegating responsibilities and encouraging participation in decision-making.
- b. Supports the rights of others to be heard and provides the means for all to share in setting and accomplishing goals.
- c. Makes timely and effective decisions.
- d. Displays receptivity to changes and new ideas.

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- e. Sets reasonable and substantive goals and objectives and works effectively toward them.
- f. Displays sound judgment and perspective, focusing on basic issues rather than trivia.
- g. Plans effectively and imaginatively.
- h. Takes the lead in identifying, selecting, and training new employees.

2. Communication, Coordination, and Collegiality

In dealing with other individuals, the administrator:

- a. Is committed to and maintains effective communication with everyone.
- b. Is consistent in the application and interpretation of policy
- c. Recognizes the accomplishments of others and is willing to put others first.
- d. Is committed to collegiality and shared governance.
- e. Recognizes problems and is willing to solve them effectively and impartially.
- f. Is sensitive to diversity, working effectively with different types of people and tolerating a variety of viewpoints and perspectives.
- g. Maintains an atmosphere of candor, trust, and respect.
- h. Open, approachable, fair, and consistent when dealing with others.
- i. Displays awareness of relevant regulations and statewide issues.
- j. Keeps abreast of developments within his/her area of responsibility and coordinates as necessary with statewide agencies.
- k. Serves on committees and participates in special projects such as program review and accreditation.
- l. Effectively represents his/her unit in interactions with all campus constituencies.
- m. Represents the college within the community.

3. Organization and Management

The administrator's organizational and Management skills are revealed in the extent to which he/she:

- a. Maintains an efficient and effective office structure.
- b. Displays attention to detail
- c. Develops an effective budget and establishes procedures to allocate funds and monitor expenditures.
- d. Shows skill in planning, organizing, and implementation.

4. Professional Qualities

The effective administrator has the following qualities:

- a. Current and extensive knowledge of his/her discipline or area of expertise.
- b. Broad intellectual and cultural interests and understanding.
- c. Commitment to a quality educational experience.

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- d. Proponent of professional growth for self and staff.
- e. Concern for the institution as a whole rather than just his/her unit.
- f. Initiative, resourcefulness, and creativity.

Evaluation Schedule and Procedures

1. Newly-hired administrators will be evaluated annually during their first three years of service. Thereafter, evaluations will be required every three years. The evaluations will be conducted during the period of September to February, with the completed evaluation submitted to the President by February 15.
2. Each administrator will use a questionnaire to assess his/her performance. The questionnaire will address all of the major subdivisions of the Criteria (*Leadership; Communication; Coordination; and Collegiality; Organization and Management; Professional Qualities*) and will provide opportunity for and encourage written comment. Every effort will be made to protect the anonymity of those who respond to the questionnaire.

The questionnaire will provide an opportunity for those affected by the services or actions of the administrator to assess his/her performance. The individuals to be invited to complete the evaluation instruments will be determined by the person being evaluated and the supervisor. However, any individual with direct knowledge of the administrator's performance who has not been included among those selected to respond to the questionnaire may request inclusion from the supervisor.

3. The supervisor of the individual being evaluated will distribute the questionnaires, collect and collate the results. After the supervisor has reviewed the questionnaires, they will be forwarded to the evaluatee for summary and analysis.
4. After receipt of the completed questionnaires, the administrator will review the questionnaire data and provide a written summary of findings along with appraisal to address identified areas of concern.
5. The administrator will review progress toward achieving the prior year's goals and objectives as developed in conjunction with the supervisor. In addition, goals and objectives will be reviewed and updated annually as part of the Evaluation Conference held with the supervisor.
6. The supervisor will complete the Administrative Employee Evaluation prior to meeting with the administrator. The evaluation should address the quality of the administrator's performance and his/her personal and professional effectiveness including, if applicable, recommendations for improvement. The administrator and supervisor will meet to discuss the evaluation and both will sign it to indicate it has been reviewed. . The employee's signature on the evaluation indicates only that he/she has read the evaluation. The evaluatee may append written comments to the supervisor's evaluation.
7. An Evaluation conference will be held each year.
8. The completed and signed evaluation, along with supporting materials, will be forwarded to the President. The President has the option of conducting an additional evaluation meeting if desired.

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9. After the evaluation process is completed, all materials will be forwarded to the Office of Human Resources & Employee Relations for placement in the employees personnel file.

EVALUATION OF CONFIDENTIAL, MANAGEMENT, AND SUPERVISORY (CMS) EMPLOYEES

Scope

This evaluation procedure applies to those employees designated as Confidential, Management, and Supervisory (CMS).

Philosophy

The CMS evaluation process, by identifying an individual's areas of special competence as well as ways to improve and grow, is aimed at the advancement of personal performance, thereby enhancing the effectiveness of the College's services and the quality of the educational experience provided to students. The goal of evaluation is to acknowledge and encourage high performance levels, motivating individuals to become more effective.

A formal evaluation provides CMS employees the opportunity to reflect on their accomplishments, redefine goals, formulate new approaches and strategies, identify barriers and training or other needs, and reassess their professional development plans. It also provides the opportunity for CMS employees and their supervisors to engage in a constructive dialogue with a view towards clarifying goals and expectations, acknowledging excellence, and communicating on issues affecting the good of the College.

Evaluation Criteria

The performance of CMS employees will be measured in accordance with the criteria outlined below.

Annual appraisals are to be completed between April 1 and May 31 of each year for the first three years of employment. Beginning with the fourth year of employment evaluations may be done biennially. Final markings and comments on the appraisal should be in ink or typewritten. Additional pages may be used if more space is needed for narrative comments. The evaluation is to be given to the employee and discussed in a private meeting with the employee. Any changes made to the evaluation should be initialed by the employee and supervisor. All attachments must be signed by the employee and evaluator.

CMS employees are to be evaluated in conjunction with the *Essential Functions* of their respective job description. The supervisor should refer to the *Essential Functions* of the employee's job description prior to beginning the evaluation process.

Derogatory Information

Information or material of a derogatory or critical nature which has been received from others may not be used unless the specific issue has been verified to the satisfaction of the supervisor, in consultation with the Vice President of Human Resources, and relates directly to the CMS employee's employment.

Signature and Response to Evaluation

The CMS employee's signature on the report indicates only that he/she has read the report. The CMS employee may, within ten (10) working days, respond in writing to an evaluation with which the CMS employee is not in agreement. This response shall be attached to the evaluation in question. The Human Resources Office will distribute a copy of the response to the supervisor.

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Evaluation Schedule for Probationary CMS Employees

Probationary CMS employees shall be rated by their immediate supervisor at the end of the 3rd month, 6th month, 9th month and prior to the end of the 12th month of employment. The above schedule does not prevent dismissal of such CMS employee at any time during the one year probationary period.

Evaluation Categories

Evaluation of the competence of CMS employees shall include, but not be limited to:

- (1) Knowledge of Work
- (2) Quality of Work Productivity
- (3) Dependability
- (4) Communication Skills
- (5) Initiative
- (6) Interpersonal Relations
- (7) Professionalism
- (8) Safety Practices

The Supervisor should include information on staff member's overall performance highlighting:

- (1) areas of strengths
- (2) areas for further development
- (3) areas for improvements
- (4) areas where unique or extraordinary factors contribute to the evaluation

Each rating other than *Standard* (below or above) requires an explanation in the *Comments* box beside the category. Each rating below *Standard* must be based on issues discussed with the employee prior to the evaluation, supported by a statement of facts in the *Comments* box, and accompanied by a separate *Development Plan*. Subsequently, one or more conferences shall be held with the employee to assist him/her in correcting deficiencies previously noted. A record of such conference(s) shall be prepared by the evaluator for the file on the employee and a copy submitted to him/her.

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Revised: 9/13/10

Revised: 5/11/15

Revised: 8/8/16

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AP 7160 Professional Development

Reference:

Education Code Sections 87150, et seq; Accreditation Standard III.A.14

The District plans for and provides all personnel with appropriate opportunities for continued professional development, consistent with the district's mission. The District will evaluate these programs and use the results of the evaluation as the basis for improvement.

The *Superintendent/President* shall annually submit to the chancellor of the California Community Colleges an affidavit that contains all of the following:

- A statement that Antelope Valley College has an advisory committee, composed of administrators, faculty, and staff representatives, which has assisted in the assessment of the faculty and staff development needs and in the design of the plan to meet those needs;
- The Antelope Valley Community College District has completed a campus human development resources plan for the current and subsequent fiscal years; and
- A report of the actual expenditures for faculty and staff development for the preceding year.

Staff Development Guidelines and Procedures

Funds are available for staff development projects for all staff (classified-faculty-administrators).

All proposals must be related to current assignment(s) at AVC. A maximum amount (established annually by the Staff Development Committee) is available per person between July 1 and June 30 as long as funds are available. More than one proposal may be submitted if the maximum has not been reached. Project proposal forms are available online and in the Human Resources office.

Guidelines and criteria for receiving Staff Development funds are published annually by the Staff Development Committee. Once approved by the Committee, the proposal is submitted to the Board of Trustees for final approval. Individuals will be notified when this process is completed (usually the following day after the regular Board meeting.)

Please Note: The Staff Development Committee expects that the information/knowledge gained from a staff development project will be shared with the campus community. On the Proposal Form for staff development funding, employees must indicate which constituency group(s) may benefit and the method for disseminating the information/knowledge.

Reimbursement

Within 30 days of completion of a project, employees must submit a Request for Reimbursement form, handwritten forms will be returned, with original receipts to Human Resources. When more than one person attends the same conference, it is expected that each person will submit a separate individualized report. Staff development pays only for actual receipted expenses (no receipts are required for food or gasoline). The committee will assume that reimbursement will not be requested if a reimbursement form is not

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received within 30 days after completion of the project. If an employee is unable to complete the project, he/she must notify Human Resources as soon as possible so that another applicant can use the allocated funds. An employee may not cancel an approved project and substitute it with another.

Travel, Lodging, Food

Specific applicable allowances for expenses are available in the Business Office or on-line.

IMPORTANT: Do not forget to submit a trip request form prior to any off-campus activity. Indicate "Staff Development Funds" in the method of funding box.

Classes

If the project request includes enrollment in a class, the class must fit the staff development criteria. Tuition, books, supplies, and travel expenses are reimbursable. Reimbursement for classes taken is contingent upon receiving a grade of "C" or better in the class. Therefore, an employee must submit a grade report with the request for reimbursement. Staff Development cannot pay for classes and their associated expenses that will advance faculty/staff on their respective salary schedules.

General Information

Handwritten paperwork will not be accepted and a copy of the relevant conference materials must be attached. If the proposal includes activities, that are not prescheduled, such as visiting museums, etc., an itinerary showing each activity and how the activity will meet the project must be included. All acronyms or abbreviations must be spelled out during their first use on the request form. If substitutes are needed for class coverage, the hourly rate should be included as part of the proposal. Staff Development does not pay for overtime or compensatory time. The Staff Development committee has the final decision on all proposals. Submit proposals or any questions to designated Human Resource personnel.

Prepayment

If an employee requires prepayment of travel/registration/hotel fees, he/she must submit the appropriate requisitions along with the Staff Development form. Fully approved requests must be received by the Business Office no less than thirty (30) days prior to the date of the non-refund period of the registration workshop/conference. Prepayment will be made to the organization hosting the workshop/conference by check or purchase order no later than five (5) working days after Board approval.

An employee who cancels after the non-refund date is responsible to reimburse the District for any funds expended. A request for hotel prepayment must be received no less than thirty (30) days prior to the date of stay. Employees must use a personal credit card to hold reservations if the hotel requires it. The District will make available a check, payable to the hotel only, three working days prior to departure. If an employee must cancel after the non-refundable date that was established by the conference organizers, he/she is responsible for all cancellation fees up to full payment.

Refer to Antelope Valley College Classified collective bargaining agreement
Article IX, Professional Development.

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Revised: 3/09/15, 5/9/16

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AP 7210 Academic Employees

Reference:

Education Code Sections 87400 et seq; 87600 et seq; 87482.8; Title 5, Section 51025

Refer to Antelope Valley College Faculty collective bargaining agreement for information on:

- *Rights and Duties* (Article VII),
- *Tenure and Evaluation* (Article VIII) and
- *Faculty Assignment* (Article X)

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AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies

Reference:

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

Faculty Service Areas

Refer to Antelope Valley College Faculty collective bargaining agreement Article XV.

Minimum Qualifications and Equivalencies

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.

Equivalency Procedure

Introduction

Education Code Section §87359 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 possess qualifications that are at least equivalent to the applicable minimum qualifications.” While neither the Education Code nor Title 5 regulations provide additional guidelines for what constitutes at least equivalent, each district, through its academic senate, must establish standards and criteria for equivalency, ensuring that they are not less than the minimum qualifications specified on the Disciplines List. Once the local equivalency process has reached a recommendation regarding an individual applicant, Education Code §87359(a) requires that the governing board include action on the equivalency as part of its subsequent hiring process.

District equivalency policies most often recognize three ways of demonstrating equivalency: 1) course work, 2) work experience, 3) eminence in the field (a sub-set of experience), or a combination thereof. But whatever the means used for determining equivalency, “equivalency should never mean less than the qualifications specified on the Disciplines List,” nor are districts free to ignore this provision within the law.

The State Academic Senate has consistently supported the following basic principals for granting equivalency:

- Equivalent to the minimum qualifications means equal to the minimum qualifications, not nearly equal.
- The applicant must provide evidence of attaining coursework or experience equal to the general education component of a regular associate or bachelor’s degree.
- The applicant must provide evidence of attaining the skills and knowledge provided by specialized course work required for a master’s degree (for disciplines on the Master’s List) or requisite experience or coursework (for disciplines on the Non-Master’s List).

Furthermore, this evidence must be as clear and reliable as the college transcripts being submitted by the other candidates, proving that he/she has qualifications that are at least equivalent to what is required by the minimum qualifications.

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The approved discipline equivalency shall be reviewed and affirmed by AVC's Academic Senate every three years. If not reviewed and affirmed, the equivalency is no longer valid; therefore, the established minimum qualifications must be used. In addition, every three years, the Equivalency Committee, a standing committee of the Academic Senate, will review the equivalency procedure and make recommendations to the Academic Senate and governing board regarding any necessary changes.

Equivalencies—just like, minimum qualifications—are in a discipline, and they are the same whether the position under consideration is full-time, part-time, or a full year or semester replacement.

Equivalency Committee:

- A Standing Committee of the Academic Senate whose purpose is to verify that there is documented, objective evidence to support the claim that the qualifications of a candidate are equivalent to the minimum qualifications required for a discipline. All decisions of the committee are made through consensus. Membership is as follows:
 - Vice President of Academic Affairs (or designee)
 - Three Faculty – *3 year terms (staggered)

Of the three faculty members serving, one will be selected to act as committee chair. When a committee faculty member is unable to attend a meeting to make a determination on an equivalency, the Academic Senate President will serve as proxy.

Equivalency Process:

1. The discipline faculty will review the official Course Outlines of Record for the discipline when writing the equivalency to minimum qualifications. (There is no single course equivalency.)
2. The discipline faculty will send the proposed equivalency to the Equivalency Committee for review. Once the Equivalency Committee and discipline faculty agree to the final proposed equivalency, it will be forwarded to the Academic Senate for approval.
3. Once approved, the equivalency is sent to Human Resources to be placed on job announcements. All records of equivalency determinations will be dated and kept in the Office of Human Resources and Employee Relations.
4. The evidence provided by a candidate claiming equivalency (whether full-time or part-time) is reviewed by the full-time, discipline faculty member(s) on the hiring committee, along with the immediate educational administrator of the division/area. If the faculty and administrator agree that a candidate's evidence meets the equivalency criteria, the candidate's application packet will be forwarded to the Equivalency Committee by the hiring committee chair. No candidate can be invited for an interview until the Equivalency Committee has reviewed the equivalency evidence provided by a candidate.
5. The discipline faculty who reviewed the evidence with the administrator will be present when the Equivalency Committee reviews the candidate's application and equivalency evidence. (When discipline faculty are unable to participate in the determination of a candidate's claim of meeting equivalency, a related discipline faculty member or a discipline faculty member from a neighboring college will be invited to review the application and evidence.)
6. The Equivalency Committee either concurs or does not concur with the discipline faculty. If the Equivalency Committee determines that the documented, objective evidence

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supports the equivalency, then the hiring committee can review the application and consider inviting the candidate for an interview.

7. If the Equivalency Committee does not concur with the discipline faculty, the decision of the Equivalency Committee is final. The candidate's material will not be seen by the hiring committee.

Criteria for Determining Equivalency

The Equivalency Committee recommends the approval of employment based on equivalent qualifications as follows:

(where a master's degree is generally required)

In general, formal academic training equivalent to the training stipulated in the minimum qualifications will be considered acceptable.

- Minimum degree requirement with a different name from an accredited institution and supported by course work equivalent to the field required.
- Completion of course work and academic requirements required for the minimum degree from an accredited institution without the award of the degree (e.g., a doctoral student advanced to candidacy in a program that did not award a master's or a candidate who has completed degree requirements but has not received the degree due to the academic calendar).

(when minimum qualifications permit a bachelor's degree in the designated discipline plus a master's in a related discipline)

- A specific major on the transcript that is determined to be equivalent to the designated discipline (e.g. Speech and Drama for Theatre).
- Twenty-four semester units of credit (or equivalent quarter units) in the designated major field with 18 of those units at the upper division level. For disciplines in which equivalent courses are offered in different departments, they may be counted toward the 24 units.

(where the master's degree is not generally expected or available (as designated in the Disciplines List adopted by the Board of Governors)

- The equivalent of an associate's degree is the successful completion of two years of coursework at a two-or-four year institution (the equivalent of 60 semester units) including the completion of courses usual to a general education component.
- Professional experience must be the performance of duties typical of the specified professional service.
- Bachelor's degree in an appropriate major-discipline.
- Length, depth, and/or amount of professional experience.

Evidence of Equivalency

Evidence shall be:

2. A transcript showing that the applicant successfully completed appropriate courses at a regionally accredited college or equivalent foreign institution whose accredited status is recognized by the district (AVC accepts the California Commission on Teacher Credentialing which states that individuals who have completed college or university course work at an institution in a country other than the United States must obtain a complete evaluation of foreign transcripts, degrees and other relevant documents prior

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to employment with an educational institution). Foreign Transcripts Evaluations accepted by AVC and recommended by California Commission on Teacher Credentialing include agencies such as: Academic & Professional International Evaluations, Academic Credentials Evaluation Institute, and American Education Research Corporation.

3. Publications that show the applicant's command of the major/discipline in question, and his/her General Education background (i.e. course work for an associate degree required).
4. Other work products that show the applicant's command of the major/discipline or occupation in question, and
5. Work experience verification.

(See Candidates Supplemental Equivalency Request Form.)

Role of Human Resources and Employee Relations

The role of the Human Resources Office related to determining equivalencies will be to collect, date stamp, and forward applications and other pertinent information to the hiring committee. The Human Resources Office will assist the hiring committee chair in providing the Equivalency Committee with the application and evidence for candidates identified by discipline faculty and dean for meeting claims of equivalency.

Appeal Process

If a candidate's equivalency is denied either as a result of the discipline faculty and administrator's decision or the Equivalency Committee's evaluation, the candidate may request that a review be done by the Vice President of Human Resources and Employee Relations. This review will be done in consultation with the Equivalency Committee and the discipline faculty and administrator who originally reviewed the application and evidence. Consensus from this review will be the final decision.

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SUPPLEMENTAL EQUIVALENCY REQUEST

Antelope Valley College

Applicant's Name (Please Print)

Division/Department

Please review carefully the approved equivalency for this discipline that is stated on job announcement.

1. Degree (discipline) for which you claim equivalency:_____.
2. Indicate the educational preparation on which you base this claim for the discipline (major):_____.
3. Indicate what relevant courses you have taken or other objective evidence that verifies you have the equivalent of the General Education portion for a college degree:_____.
4. Describe in detail work experience that you believe establishes equivalency to the minimum qualifications. If you are using work products or other objective items that cannot be submitted, provide detailed information from an objective sources about the nature of this work product or experience.

Note: If you are using courses to establish equivalency, you must submit both an official transcript and copies of the appropriate pages from the college catalog.

If you are using publications or other objective work products, you must submit documentation; if not possible please explain why.

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AP 7216 Academic Employees: Grievance Procedure for Contract Decisions

Reference:

Education Code Section 87610.1

Refer to Antelope Valley College Faculty collective bargaining agreement Article VIII, *Tenure and Evaluation*.

Refer to Antelope Valley College Faculty collective bargaining agreement Article XIV, *Grievance Policy*.

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AP 7230 Classified Staff

Reference:

Education Code Section 88003; 88004; 88009; 88013

Classified Employment

Refer to the District's Classified Hiring Procedures (See AP 7120)

Assignment and Responsibility

General Provisions

The Board shall fix and prescribe duties to be performed by all persons in the classified service and other non-academic positions (EC 88009).

Classification of Positions (EC 88001)

Refer to AP 7236 and Section 5.2 of the *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement* for definitions of classified, probationary, regular, substitute, short-term and student employees.

Transfer, promotion, demotion

Refer to the *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement* for information on transfer, promotion, and demotion of classified employees.

- Transfer (Article VIII)
- Promotion (Article VIII)
- Demotion (Article IX)

Reclassification

Refer to Article V of the *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement* for information on reclassification.

Shift Differentials

Refer to Article V of the *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Work Load

Regular Workweek (EC 88026)

Refer to Article XII of current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Workweek: Five Consecutive Days (EC 88030)

Refer to Article XII of current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Workweek: Four Consecutive Days (EC 88031)

Refer to Article XII of current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Part Time

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Refer to Article XII of current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Saturday or Sunday Work Schedule

Refer to Article XII of current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Overtime (EC 88027)

Authority to Determine

Refer to Article XII of current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Rate of Payment

Refer to Article XII of current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Definition of Overtime (EC 88027)

Refer to Article XII of current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

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AP 7231 Seniority

Reference:

Education Code Section 87743 et seq.; 88017(b); 88117; 88127

Seniority Determination

Seniority, or order of employment for any class, shall be determined by the day the classified employee first renders probationary service.

In the event two or more employees render probationary service on the same day, order of employment shall be determined by lot drawn by the Office of Human Resources.

Probationary employees shall be notified in writing of the proposed drawing. An employee may attend or designate a representative to attend the drawing in lieu of personal attendance.

Seniority, or order of employment, once determined (full-time or part-time), shall be entered on the employee's record. Each new probationary employee shall be notified, in writing, by the Office of Human Resources as to his/her order of employment for that school year.

Refer to Antelope Valley College Classified collective bargaining agreement Article XII, Workweek 12.8.4.

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AP 7232 Classification Review

Reference:

Education Code Section 88001; 88009

Every position in the classified service in the District shall be assigned a classification.

These classifications will determine the salary levels that shall be applied to these positions.

Review of class specifications shall be undertaken by mutual agreement between the district and classified union to revise and update the duties and/or responsibilities of positions in the classified service.

Refer to Antelope Valley College Classified collective bargaining agreement, Article V.

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AP 7233 Claims for Work out of Classification

Reference:

Education Code Section 88010

Classified employees shall not be required to perform duties that are not fixed and prescribed for the position by the Board unless the duties reasonably relate to those fixed for the position, for any period of time that exceeds five working days within a 15-calendar-day period except as authorized in these procedures.

An employee may be required to perform duties inconsistent with those assigned to the position for a period of more than five working days if his or her salary is adjusted upward for the entire period he or she is required to work out of classification and in amounts that will reasonably reflect the duties required to be performed outside his or her normal assigned duties.

Refer to Antelope Valley College Classified collective bargaining agreement, Article V.

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AP 7234 Overtime

Reference:

Education Code Section 88027; 88028; 88029; 88030

Refer to Antelope Valley College Classified collective bargaining agreement, Article XII.

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AP 7236 Substitute and Short Term Employees

Reference:

Education Code Section 88003

Classification of Positions (EC 88001)

Substitute (EC 88003)

"Substitute employee," means any person employed to replace any classified employee who is temporarily absent from duty. In addition, if the district is then engaged in a procedure to hire a permanent employee to fill a vacancy in any classified position, the governing board may fill the vacancy through the employment, for not more than 60 calendar days, of one or more substitute employees.

Substitute employees are not considered part of the classified service and hence not eligible for permanency.

Short Term (EC 88003)

A "short-term" employee," means any person who is employed to perform a service for the District, upon the completion of which, the service required, or similar services, will not be extended or needed on a continuing basis.

Short-term employees shall be paid on a separate salary schedule. Short-term employees do not accrue vacation leave or leave of absence for illness or receive pay for holidays. They are not eligible for retirement or health insurance benefits.

If a short-term employee is injured on the job, he/she is covered under workers compensation. Also, if a short-term employee is laid off by the District, in some cases the employee may be eligible for unemployment.

Dismissal

Dismissal of Substitute, Short-Term, and Restrictive Employees

Classified employees listed as substitute, short-term and restricted are at-will employees and may be dismissed at the discretion of the President.

Such employees are not entitled to due process, in the form of progressive discipline, or a hearing afforded permanent employees.

Procedures For Hiring "Short-Term" And "Substitute" Temporary Employees (Non-Academic, Non-Continuing Assignments)

OVERVIEW

This procedure details the process used for departments to specify the service required to be performed by "short-term" employees prior to employment of such individuals. The employment of "short-term" employees is intended to address the needs of the District for appropriate time periods while maintaining the integrity of the bargaining unit. It is not intended to provide a method of unreasonably increasing relative use of such employees.

The District shall maintain a hiring pool of applicants for "short-term" and "substitute" temporary positions. "Short-term" employees will be hired out of the District pool. All "short-term" and "substitute" employees must meet the minimum qualifications of the temporary assignment.

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Short-Term and Substitute Temporary Employment Request – Non-academic, Non-continuing Assignment

Human Resources Personnel Action Form (PAF)

CODES, REGULATIONS, AND DISTRICT POLICIES RELATED TO THIS PROCEDURE

Education Code 88003

Section 88003 of the Education Code requires that, before employing a “short-term employee,” the Governing Board, at a regularly scheduled Board meeting, shall specify the service to be performed by the employee pursuant to the definition of “classification” in subdivision (a) of Section 88001, and shall certify the ending date of the service. The ending date may be extended by the Governing Board, but shall not extend beyond 75 percent of a school year.

“Substitute employee” means any person who is employed to replace any classified employee who is temporarily absent from duty. In addition, if the district is then engaged in a procedure to hire a permanent employee to fill a vacancy in any classified position, the governing board may fill the vacancy through the employment, for not more than 60 calendar days, of one or more substitute employees. No “substitute” employee can be employed for more than 75 percent of a school year.

Seventy-five percent of a college year means 195 working days, including holidays, sick leave, vacation and other leaves of absences, irrespective of number of hours worked per day.

STEP	TASK PERFORMED BY	DESCRIPTION
1	Supervisor/Manager	<p>The initial number of days that a “short-term” employee can work in one assignment cannot exceed 100 days. If the number of days previously approved for a temporary assignment does not meet the department work requirements, the supervisor/manager must submit a “Request for Extension of Short-Term and Substitute Temporary Non-academic Assignment” form (Step 6).</p> <p>When hiring a “substitute” employee for a unit position where the unit member is off of work due to medical or other temporary leave, the substitute will be employed for a period no longer than the time the unit member is on leave.</p> <p>When hiring a “substitute” employee to fill a unit position vacated by a former unit member, the maximum number of days in which a substitute can be used is 60 days, regardless of the number of substitutes assigned to the vacancy during that period</p> <p>If a prospective “short-term” employee is to be hired, subject to approval by the Board, the supervisor must complete and provide the “Short-Term and Substitute Temporary Employment Request” form to the Human Resources Office to determine if the hire is consistent with the law. Education Code Section 88003.</p> <p>The “Short-Term and Substitute Temporary Employment Request” form shall include a brief description of services required, recommended title, recommended</p>

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		<p>pay range, budget code, hours per week, and beginning and ending dates of temporary assignment.</p> <p>The form must be approved by the appropriate Vice President and the Vice President of Business Services. Submit the approved form to the Human Resources Office no later than the 15th of each month</p>
2	Human Resources	<p>The Human Resources Office will review the "Short-Term/Substitute Temporary Employment Request" form to determine if the proposed assignment is consistent with Education Code Section 88003.</p> <p>Once the determination has been made that the proposed assignment is consistent with the law, the Human Resources Office will verify that the recommended employee was drawn from a District "short-term/substitute" pool; that the individual meets the minimum qualifications of the temporary assignment; and that the rate of pay is appropriate for the assignment.</p> <p>If the proposed assignment and/or the recommended employee do not meet the requirements, the Human Resources Office will consult with the originating supervisor.</p> <p>After verification, the form will be forwarded to the Superintendent/President for approval/disapproval.</p>
3	Superintendent/ President	<p>Superintendent/President will approve/disapprove temporary assignment as submitted. The form will be returned to the Human Resources Office for further processing.</p>
4	Human Resources	<p>The Human Resources Office will place the approved temporary assignment and recommended employee on the Personnel Schedule for ratification by the Governing Board. The Human Resources Office will process the Personnel Action Form and other necessary employment paperwork for the recommended temporary employee to begin working.</p>
5	Governing Board	<p>Governing Board will ratify temporary assignment/recommended employee as submitted.</p>
6	Supervisor/Manager	<p>If before the ending date previously approved by the Board, the department work requirements exceeds the initial 100 days allowable for a "short-term" employee, the supervisor/manager must submit a "Request for Extension of Short-Term (Non-Academic) Assignment" form, approved by the appropriate vice president, to the Human Resources Office.</p>
7	Payroll Department	<p>Monthly reports will be generated and distributed to the supervisors, indicating the number of hours and days worked and the remaining balances for each "short-term" employee.</p>

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8	Human Resources/Payroll	Human Resources /Payroll will terminate “short-term” and “substitute” employees as of the ending date of their temporary assignment.
9	Supervisor/Manager	If a “short-term” or “substitute” employee terminates prior to their scheduled assignment end date, supervisor/ manager must complete a Personnel Action Form and submit it to the Human Resources Office for processing.

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Revised: 9/14/09

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AP 7240 Confidential Staff

Reference:

Government Code Section 3540.1(c)

Confidential employees shall receive the same salary and health benefits as non-confidential employees who work under the same job titles or, in the case of classified employees, who work in the same classifications.

The terms and conditions of employment for confidential employees shall be provided for as necessary by additional procedures developed by the Vice President of Human Resources.

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AP 7250 Educational Administrators Reassignment Rights

Reference:

***Education Code Sections 72411 et seq; 87002(b); 87457-87460
Government Code Section 3540.1(g) and (m)***

Any administrator who has not previously acquired tenured status as a faculty member within the District shall have the right to become a first year probationary faculty member if the following apply:

- A. The administrator has completed at least two years of satisfactory service in the District, including any time as a faculty member (Ed Code 87458).
- B. The termination of the administrative assignment is for any reason other than dismissal for cause (Ed Code 87732).
- C. If the Governing Board initiates the reassignment of an administrator, the Board shall give the employee upon request a written statement of the reasons for transfer (Ed Code 87457). For an administrator whose contract term is longer than one year, the notice shall be given at least six months prior to the expired contract unless the contract or appointment provides otherwise. For administrators whose contract term is one year, notice shall be given on or before March 15 (Ed Code 72411(b)).
- D. If the administrator initiates the reassignment request, the request shall be made in writing and include assignment preferences. Reassignment actions should be submitted at least 90 days in advance of the effective date of reassignment to permit time for the staffing and program adjustments that may be necessary.
- E. The Governing Board shall determine that the administrator meets California Community College Board of Governors' minimum qualifications for employment as a faculty member based upon input by the Academic Senate. The division to which the administrator would be assigned may provide the Academic Senate with its views regarding the effect of the reassignment on the division's programs and staffing, including the availability of sufficient assignments in the discipline or service to accommodate an additional full-time faculty member. Based on the qualifications and preference of the administrator and the availability of teaching or service areas, the Academic Senate may recommend the discipline to which the administrator should be assigned. The report of the Academic Senate will be considered before the Governing Board makes a final decision, and a written record of both the Governing Board's and Academic Senate's views will be available (Ed Code 87358). An administrator reassigned as a faculty member shall become a first-year probationary faculty member once his/her administrative assignment expires. Every effort will be made to complete the process outlined above within 60 days.
- F. The administrator, before reassignment is final, must meet the Faculty Service Area (FSA) Procedure for competency. (Refer to Antelope Valley College Federation of Teachers collective bargaining agreement, Article XV.)
- G. In placing the reassigned administrator on the faculty salary schedule, he/she will be given the same consideration as any probationary faculty member.

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Revised 9/10/12

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AP 7270 Student Workers

Refer to the Job Placement Center for information on the process for hiring student workers, limits on hours that a student may work or other considerations related to CalWORKs, federal work-study and other student worker positions.

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AP 7330 Communicable Disease

Reference:

Education Code Section 87408; 87408.6; 88021

For applicants for positions:

- A medical certificate is required showing that the applicant is free from any communicable disease, including, but not limited to, active tuberculosis, unfitting the applicant to instruct or associate with students.
- The medical certificate shall be submitted by a physician as authorized by code.
- The medical examination is conducted not more than six months before the submission of the certificate and is at the expense of the applicant.
- A contract of employment may be offered to an applicant subject to the submission of the required medical certificate.
- The medical certificate becomes a part of the personnel record of the employee and is open to the employee or his or her designee.
- Results of the examination showing the employee was examined and found free from active tuberculosis shall become a part of the personnel record of the employee and filed with the Office of Human Resources.
- Failure to comply with the compulsory requirement of the tuberculosis examination may result in the employee being placed on an unpaid leave status until results of the examination have been received.

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AP 7337 Fingerprinting

References:

Education Code Sections 87013 and 88024; Penal Code Sections 11102.2 and 11077.1

The Vice President of Human Resources and Employee Relations will designate one or more employees to receive, store, disseminate and destroy criminal records furnished by the California Department of Justice and to serve as the contact for the California Department of Justice for related issues. Any such employee must be confirmed by the California Department of Justice as required by law and pursuant to California Department of Justice procedures. The Vice President of Human Resources and Employee Relations will notify the California Department of Justice by March 1 of each year beginning on March 1, 2012, of the individuals designated.

The Vice President of Human Resources and Employee Relations will ensure that criminal history record information is destroyed once the District's business need for the information is fulfilled.

The Board shall, within ten working days of the date of employment, require each person applying for any regular (non-temporary) position to be fingerprinted. In addition, anyone applying for student or hourly (temporary) employment in the Child Care Center, Bookstore, Cafeteria, and other departments where minors are present or cash is handled or there is access to sensitive information on students or employees, shall be fingerprinted prior to employment. These records and a personal description of the employee shall be transmitted to the Department of Justice.

Fingerprints of persons applying to work in the Police Department and other departments as shall be designated by the Board, shall also be transmitted to the Federal Bureau of Investigation, along with those of any applicants who do not possess a valid California identification. The fee for transmittal of the fingerprints to the Department of Justice and Federal Bureau of Investigation shall be born by the District; rolling fees, if any, shall be the responsibility of the applicant.

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Revised: 10/10/11

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AP 7341 Sabbaticals

Reference:

Education Code Sections 87767 et seq.

The District may grant a leave of absence for study and travel (sabbatical) under to any academic employee who has rendered service to the District for at least six consecutive years preceding the granting of the leave, but not more than one such leave of absence shall be granted in each six-year period.

The standards of service that shall entitle the employee to the leave of absence are contained in the Antelope Valley College Faculty collective bargaining agreement, Article V.

No absence from the service of the district under a leave of absence, other than another sabbatical leave, shall be deemed a break in the continuity of service required by this section, and the period of the absence shall not be included as service in computing the six consecutive years of service required by this section.

Service under a national recognized fellowship or foundation approved by the Board of Governors, for a period of not more than one year, for research, teaching or lecturing shall not be deemed a break in continuity of service, and the period of the absence shall be included in computing the six consecutive years of service required by this section.

Every employee, as a condition to being granted a leave of absence pursuant to this procedure, shall agree in writing to render a period of service to the District following his or her return from the leave of absence that is equal to twice the period of the leave.

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AP 7343 Industrial Accidents and Illness Leave

Reference:

Education Code Sections 87787, 88192.

Academic Employees

Academic employees shall be entitled to not less than 60 days leave on account of an industrial accident or illness in any one fiscal year for the same accident.

Allowable leave shall not be accumulated from year to year.

Industrial accident or illness leave shall commence on the first day of absence.

When an academic employee is absent from his or her duties on account of an industrial accident or illness, the employee shall be paid the portion of the salary due him or her for any month in which the absence occurs as, when added to his or her temporary disability indemnity under the Labor Code, will result in a payment to the employee of not more than his or her full salary. "Full salary," shall be computed so that it shall not be less than the employee's "average weekly earnings" as that phrase is used in Section 4453 of the Labor Code. For purposes of this section, however, the maximum and minimum average weekly earnings set forth in Section 4453 of the Labor Code shall otherwise not be deemed applicable.

Industrial accident or illness leave shall be reduced by one day for each day of authorized absence regardless of a temporary disability indemnity award.

When an industrial accident or illness leave overlaps into the next fiscal year, the employee shall be entitled to only the amount of unused leave due him or her for the same illness or injury.

Upon termination of the industrial accident or illness leave, the employee shall be entitled to the benefits provided in Education Code Sections 87780, 87781 and 87786, and, for the purposes of each of these sections, his or her absence shall be deemed to have commenced on the date of termination of the industrial accident or illness leave. However, if the employee continues to receive temporary disability indemnity, he or she may elect to take as much of his or her accumulated sick leave which, when added to his or her temporary disability indemnity, will result in a payment to the employee of not more than his or her full salary.

During any paid leave of absence, the employee may endorse to the District the temporary disability indemnity checks received on account of his or her industrial accident or illness. The District shall issue the employee appropriate salary warrants for payment of the employee's salary and shall deduct normal retirement, other authorized contributions, and the temporary disability indemnity, if any, actually paid to and retained by the employee for periods covered by the salary warrants.

Any employee receiving benefits as a result of this section, during periods of injury or illness, shall remain within the State of California unless the Superintendent/President or designee authorizes travel outside the state.

Refer to the Antelope Valley College Faculty collective bargaining agreement, Article V.

Classified Employees

Classified employees shall be entitled to not less than 60 days leave on account of an industrial accident or illness, in any one fiscal year for the same accident.

Allowable leave shall not be accumulative from year to year.

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Industrial accident or illness leave of absence will commence on the first day of absence.

Payment for wages lost on any day shall not, when added to an award granted the employee under the workers' compensation laws of this state, exceed the normal wage for the day.

Industrial accident leave will be reduced by one day for each day of authorized absence regardless of a compensation award made under workers' compensation.

When an industrial accident or illness occurs at a time when the full 60 days will overlap into the next fiscal year, the employee shall be entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred, for the same illness or injury.

The industrial accident or illness leave of absence is to be used in lieu of entitlement acquired under Education Code Section 88191. When entitlement to industrial accident or illness leave has been exhausted, entitlement to other sick leave will then be used; but if an employee is receiving workers' compensation, the person shall be entitled to use only so much of the person's accumulated or available sick leave, accumulated compensating time, vacation or other available leave which, when added to the workers' compensation award, provide for a full day's wage or salary.

Periods of leave of absence, paid or unpaid, shall not be considered to be a break in service of the employee.

During all paid leaves of absence, whether industrial accident leave as provided in this procedure, sick leave, vacation, compensated time off or other available leave provided by law or the action of the district, the employee shall endorse to the District wage loss benefit checks received under the workers' compensation laws of this state. The District, in turn, shall issue the employee appropriate warrants for payment of wages or salary and shall deduct normal retirement and other authorized contributions. Reduction of entitlement to leave shall be made only in accordance with this procedure.

When all available leaves of absence, paid or unpaid, have been exhausted and if the employee is not medically able to assume the duties of the person's position, the person, if not placed in another position, shall be placed on a reemployment list for a period of 39 months. When available, during the 39-month period, the person shall be employed in a vacant position in the class of the person's previous assignment over all other available candidates except for a reemployment list established because of lack of work or lack of funds, in which case the person shall be listed in accordance with appropriate seniority regulations.

Refer to Antelope Valley College Classified collective bargaining agreement, Article XI.

An employee who has been placed on a reemployment list, as provided above, who has been medically released for return to duty and who fails to accept an appropriate assignment, shall be dismissed.

5/8/06

Revised: 6/13/11

Revised: 8/8/16

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AP 7345 Catastrophic Leave

Reference:

Education Code Section 87045

Refer to Antelope Valley College Faculty collective bargaining agreement Article V,
Catastrophic Leave.

Refer to Antelope Valley College Classified collective bargaining agreement Article XI,
Catastrophic Leave.

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AP 7346 Employees Called to Military Duty

Reference:

Military and Veteran's Code section 389 et seq; Education Code Sections 87018, 87700, 87832 and 88116; 38 U.S.C. Section 4301 et seq.

The following applies to any district employee, academic or classified, who enters the active military service of the United States of America or of the State of California, including active service in any uniformed auxiliary of any branch of the military service, during any period of national emergency declared by the President of the United States or during any war in which the United States of America is engaged.

Leave

Upon presentation of a copy of orders for active duty in the Armed Forces, the National Guard, or the Naval Militia, the district shall grant a military leave of absence for the period of active duty specified in the orders, but not to exceed five years for a permanent, probationary, or exempt employee, or for the remainder of a limited-term employee's appointment or a temporary employee's appointment.

Salary

Any district employee called to active duty who has been in the service of the district for at least one year will continue to receive his or her salary for the first thirty (30) calendar days of ordered military service. Employees who are members of the National Guard will continue to receive salary for the first thirty (30) calendar days of active service regardless of length of service with the district.

In addition, the district may provide for not more than 180 calendar days as part of the employee's compensation all of the following:

1. The difference between the amount of his or her military pay and allowances and the amount the employee would have received as an employee, including any merit raises that would otherwise have been granted during the time the individual was on active military duty.
2. All benefits that he or she would have received had he or she not been called to active military duty unless the benefits are prohibited or limited by vendor contracts.

Employees returning from military leave shall have their salary adjusted to reflect salary increases that are not based on merit.

Health Benefits

An employee on military leave for less than 31 days shall continue to receive health insurance benefits.

Employees on leave for longer than thirty (30) days may elect to continue health care coverage for themselves and their eligible dependents for a maximum period of eighteen (18) months.

Returning veteran employees whose coverage was terminated because of military leave will not be subject to any exclusion or waiting period prior to reinstatement of health coverage.

Vacation and Sick Leave

Employees on military leave accrue any benefits the district provides to other employees, e.g. if employees on other approved leaves are permitted to accrue vacation or sick leave, employees on military leave will do so as well.

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Employees on military leave shall accrue any benefits afforded by any collective bargaining agreement negotiated during their absence.

Any employee on temporary military leave for training who has worked for the district for at least one year shall continue to accrue vacation, sick leave and holiday privileges up to a maximum period of 180 days.

Reinstatement

An employee on active duty military leave shall be entitled to return to the position held by him or her at the time of his or her entrance into the service within six months after the employee honorably leaves the service or is placed on inactive duty.

In the case of a contract academic employee, absence on military leave shall not count as part of the service required for the acquisition of tenure, but the absence shall not be construed as a break in the continuity of service. If the employee was employed by the district for more than one year, but had not yet become a regular academic employee of the district, he or she is entitled to return to the position for the period of time his or her contract of employment had to run at the time he or she entered military service.

In the case of an academic employee, absence on military leave shall not be construed as a break in the continuity of service.

In the case of a classified employee, absence on military leave shall not be construed as a break in the continuity of service.

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AP 7348 Accommodations

References:

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

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

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

For Disabilities:

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

For Pregnancy and Related Medical Conditions:

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

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

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

For Religious Belief or Observance:

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

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Lactation Accommodation

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

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

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

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

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

Interactive Process:

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

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

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

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

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

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

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

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

New 5/8/17

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AP 7360 Discipline and Dismissal - Academic Employees

Reference:

Education Code Section 87669; 87732

Causes for Discipline and Dismissal

A regular employee or academic employee may be dismissed or penalized for one or more of the following causes:

- Immoral or unprofessional conduct.
- Dishonesty.
- Unsatisfactory performance.
- Evident unfitness for service.
- Physical or mental condition that makes him or her unfit to instruct or associate with students.
- Persistent violation of, or refusal to obey, the school laws of the state or reasonable regulations prescribed for the government of the community colleges by the Board of governors or by the governing board of the district
- Conviction of a felony or of any crime involving moral turpitude.
- Conduct specified in Section 1028 of the Government Code. (i.e., knowing membership in the Communist Party or of any organization which advocates the overthrow of the government of the United States by force or violence.)

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AP 7365 Discipline and Dismissal - Classified Employees

Reference:

Education Code Section 88013; Government Code Sections 3300 et seq.

Progressive Employee Discipline

Unit members who have violated a rule or regulation prescribed by the Board in Board Policy 7365 shall be subject to appropriate disciplinary action. Disciplinary action shall conform to established principles of progressive discipline as listed below. (Refer to Article IX of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*)

Informal Conference

Refer to Article IX of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*

Written Reprimand

Refer to Article IX of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*

Conferences, Directives, and Further Reprimands

Refer to Article IX of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*

Documentation Review/Recommendation

Refer to Article IX of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*

Suspension

Refer to Article IX of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Demotion

Refer to Article IX of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Dismissal

Cause (EC 88013)

Refer to Article IX of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Notice of Disciplinary Action (EC 88016)

Refer to Article IX of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*

Dismissal Procedures for Permanent Employees (EC 88013)

Refer to Article IX of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Effective Date - Classified Employee Dismissal

The effective date of the dismissal of a classified employee shall be the date on which the Board of Trustees makes a decision unless otherwise specified in the decision. (Refer to

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Article IX of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*)

Dismissal Procedures for Probationary Employees

Refer to Article IX of the current *Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement*.

Judicial Review - Classified Employee Dismissal

Judicial Review may be had by filing a petition for writ of mandate in accordance with the provisions of the Code of Civil Procedure. Any such petition shall be filed within 30 days after the effective date of the decision or the last day on which reconsideration can be ordered. The right to petition shall not be affected by the failure to seek reconsideration before the Board of Trustees.

The complete record of the proceedings, if one has been made, or such parts thereof as are designated by the petitioner, shall be prepared by the District and shall be delivered to petitioner, within 30 days after a request therefore by him/her, upon the payment of the fee specified in Section 69950 of the Government Code as now or hereinafter amended for the transcript, the cost of preparation of other portions of the record and for certification thereof. The complete record includes the pleadings, all notices, and orders issued by the District or Board of Trustees, the final decision, a transcript of all proceedings, if made, the exhibits admitted or rejected, the written evidence and any other papers in the case.

Reconsideration - Classified Employee Dismissal

The Board of Trustees itself may order a reconsideration of all or part of the case on its own motion or on petition of the affected party, if at the time of final decision the Board has specified that reconsideration is available to the parties.

The power to order a reconsideration shall expire thirty days after the effective date of the decision. If no action is taken on a petition within the time allowed for ordering reconsideration, the petition shall be deemed denied.

The case may be reconsidered by the Board of Trustees on all the pertinent parts of the record and such additional evidence and argument as may be permitted.

4/14/08

Revised: 10/12/09

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AP 7370 Political Activity

Reference:

Education Code Sections 7050 through 7058 et seq.

No restriction shall be placed on the political activities of any employee of the District except as provided in board policy and these procedures.

No District funds, services, supplies, or equipment may be used to urge the support or defeat of any ballot measure or candidate, including but not limited to any candidate for election to the governing board.

District resources may be used to provide information to the public about the possible effects of a bond issue or other ballot measure if both the following conditions are met:

- The informational activities are otherwise authorized by the Constitution or laws of the State of California; and
- The information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

Any administrator or board member may appear before a citizens' group that requests the appearance to discuss the reasons why the Board called an election to submit to the voters a proposition for the issuance of bonds, and to respond to inquiries from the citizens' group.

An officer or employee of the District may solicit or receive political funds or contributions to promote the support or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service, or other working conditions of officers or employees of the district. Such activities are prohibited during working hours, and entry into buildings and grounds of the District during working hours is prohibited. Such activities are permitted during nonworking time. "Nonworking time" means time outside an employees' working hours, whether before or after the work-day or during the employees' lunch period or other breaks during the day.

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AP 7371 Personal Use of Public Resources

Reference:

Government Code Section 8314, Penal Code Section 424

No employee or consultant shall use or permit others to use public resources, except that which is incidental and minimal, for personal purposes or any other purpose not authorized by law.

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AP 7380 Retiree Health Benefits: Academic, Classified, Confidential/Management/Supervisory and Administrators

Reference:

Education Code Section 7000 et seq.

Retiree health benefits for represented (i.e. classified and faculty) employees are governed by the respective collective bargaining agreements:

Refer to Antelope Valley College Faculty collective bargaining agreement, Article VI.

Refer to Antelope Valley College Classified collective bargaining agreement, Article VIII.

Retiree health benefits for non-represented (i.e. confidential/management/ supervisory and educational administrator) employees are governed by a Memorandum of Understanding, dated August 15, 2007, as follows:

Plans and Eligibility

Medical Plans--The District will offer the following medical plans, including the Employee Assistance Program, to all permanent full-time and part-time employees, and retirees, effective October 1, 2007:

- a. Blue Cross 1A
- b. Blue Cross 2C
- c. Blue Cross 3C
- d. Blue Cross 6A
- e. Kaiser #1
- f. Kaiser #8
- g. High Deductible PPO #2

Domestic partners are eligible for benefits under the medical plans, subject to Central Valley Trust's "Domestic Partner Guidelines."

Additional benefits offered beyond the medical plans include Delta Dental, Medical Eye Services, Term Life Insurance and Income Protection. Retirees are included in all additional benefits except for the income protection plan.

Contributions

The annual District cap is \$13,385.10.

The employee contribution for all full-time permanent employees and retirees shall be the same amount for the same plans (e.g., plan 1A will cost the same for both, as will plan 2C etc.).

The District's contribution for permanent employees working less than full-time shall be based on a percentage of employment. Such employees may waive enrollment in any plans in which they are not required to be enrolled and use the District's contribution to cover up to the full cost of the plans in which they are enrolled.

For the 2007-08 benefits year, the employee contribution for full-time permanent employees and retirees shall be

- a. Blue Cross 1A: \$972

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- b. Blue Cross 2C: \$408
- c. Blue Cross 3C: \$ 72
- d. Blue Cross 6A: no employee contribution
- e. Kaiser #1: no employee contribution
- f. Kaiser #8: no employee contribution
- g. High Deductible PPO#2: no employee contribution

For the 2007-08 benefits year, the District will cover any costs not covered by the District cap plus the employee or retiree contribution.

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AP 7385 Salary Deductions

Reference:

Education Code Section 87040; 87833; 87834; 88167; Government Code Section 3540 et seq.

Deductions Required by Law

Deductions from the employee's wage, mandated by law, shall be made for the following reasons:

- State and Federal Income Tax
- Public Employees Retirement (PERS & STRS)
- Old Age, Survivors and Disability Insurance (OASDI)
- Court ordered deductions

Dues (GC 3543.1) (E.C. 87833, 88167)

Upon recognition or certification of an exclusive representative, only the employee organization recognized as the exclusive representative unit shall have the right to have membership dues deducted.

Any revocation of an employee's written authorization permitting dues deductions shall be in writing and becomes effective commencing with the next pay period.

The Board may levy a fee not to exceed the actual cost to the District for such dues deductions.

Voluntary Deductions

The Board may deduct, without charge, from the employee's wage, an amount requested by said employee for the following: tax sheltered annuities or other benefits not provided by the District.

The written authorization by the employee shall contain the amount and time during the pay period when deductions shall be made. Such authorization shall remain in effect until expressly revoked in writing by the employee.

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AP 7400 Travel

Reference:

Education Code Section 87032

Authority of President

The President or his/her designated representative shall have the authority to approve transportation by District employees when rendering services to the District by providing District-owned vehicles or authorizing mileage allowance in accordance with Board policy.

District-Owned Vehicles

The use of District-owned vehicles by employees shall be limited to transacting official District business. The use of such vehicles for personal convenience is prohibited.

When not in use for District purposes, all District-owned vehicles shall be parked on College premises in a location designated for that purpose.

Reimbursement for Mileage and Expenses

The President/Superintendent may authorize mileage expense to be paid to College personnel on authorized school business with the understanding that whenever commercial transportation is available and convenient that the lower rate will prevail for reimbursement.

Reimbursement for such mileage and expense shall be at the rates established by the Board of Trustees and outlined in Administrative Procedures for any College personnel.

Reimbursement for Mileage - Personal Car

An employee may choose to drive a personal car instead of a District car when a school car is not available for an authorized College trip, or if the employee prefers to drive his/her personal car.

Refer to Antelope Valley College Faculty collective bargaining agreement, Article IX.

Refer to Antelope Valley College Classified collective bargaining agreement, Article XI.

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AP 7500 Volunteers

References: *Education Code Sections 72401, 87010, and 87011*
Government Code Section 3119.5

Purpose and Scope

The purpose of this procedure is to outline the District policy on volunteers. Each volunteer is subject to the screening process set forth in this policy, with the following exceptions:

- volunteers serving in single day college events.
- individuals serving as volunteers in Associated Student Organization officer positions at the colleges. ASO officers are not entitled to defense and indemnity by the District.

General

The District may enter into agreements with outside organizations to provide volunteers to the District to work at college locations. Such agreements will contain appropriate defense and indemnification language to protect the district from liability in connection with the volunteer services.

Volunteers serve the District in an "at will" capacity. The District may terminate a volunteer's services for any reason or no reason at all.

Pursuant to Government Code section 3119.5, no person aged 60 years or older may be excluded from volunteer service if the person is physically, mentally and professionally capable of performing the services involved. A person shall be deemed "professionally capable" if he/she can demonstrate reasonable proficiency or relevant certification and performs his/her professional duties in accordance with laws, regulations or the technical standards that govern his/her area of volunteer responsibility.

Volunteers may not be used in lieu of classified employees. The District may not refuse to employ a person in a vacant classified position and use volunteers instead, nor may it abolish any classified positions and use volunteers instead.

Screening

The District shall use a written application form that requires, at a minimum, the volunteer's name, address and phone number.

A volunteer's service record shall be maintained by the district.

Subject to the limitations of this policy, employees assigned to other positions within the District may serve as volunteers during off-hours.

Fingerprints of each volunteer may be required. Volunteers with on-going assignments and volunteers who interact with minors shall be required to provide a complete set of fingerprints for the purpose of running a criminal background check.

No person may serve as a volunteer in the District if:

- He/she has been convicted of or if he or she has charges pending which pertains to any sex offense (as defined in Education Code section 87010), or controlled substance offense (as defined in Education Code section 87011).
- He/she has been convicted of a crime and the Vice President of Human Resources determines that: the nature of the crime is too serious to serve as a volunteer; the crime

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was too recent; and/or the crime is inconsistent with obligations in performing assigned duties as a volunteer. In making this determination the Vice President of Human Resources may consult with other Vice Presidents as necessary.

- He/she has a health condition that would preclude him/her from satisfactorily performing essential duties of the position.
- He/she makes a false statement or omits a statement as to any material fact on the application form.

Incidental Expenses

Persons serving without pay as volunteers may receive reimbursement for incidental expenses.

Benefits

Volunteers are employees of the District only for the purpose of worker's compensation benefits for injuries sustained while engaged in the performance of any service under the direction and control of the district. With the exception of worker's compensation (Education Code Section 72401), volunteers shall serve without any type of compensation or any other benefits granted to district employees. Volunteers shall not be entitled to defense and indemnity from the district.

5/8/06

Revised: 3/11/13

Revised: 6/13/16

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AP 7600 College Police

Reference:

Education Code Section 72330

The Superintendent/President is delegated the responsibility to establish minimum qualifications of employment for the College Chief of Police including but not limited to the conditions contained in Board Policy (see *BP 7600*).

Every member of the police department first employed by the District before July 1, 1999 must, in order to retain his or her employment, meet the requirements of Education Code Section 72330.2, including but not limited to:

- Submission of one copy of his or her fingerprints which shall be forwarded to the Federal Bureau of Investigation
- A determination that the employee is not a person prohibited from employment by a California community college district, and
- If the employee is required to carry a firearm, is not a person prohibited from possessing a firearm.

Every member of the college police shall be supplied with, and authorized to wear, a badge bearing words "Antelope Valley Community College Police." Every member of the college police shall be issued a suitable identification card.

Salaries for college police shall be established after appropriate negotiations with their exclusive representative. If no such unit is established, the Vice President of Business Services shall recommend salaries.

The Vice President of Business Services, in cooperation with the Chief of Police, shall issue such other regulations as may be necessary for the administration of the college police.

- Schedules and shifts
- Call back procedures
- Weapons practices, especially drawing weapons
- Use of vehicles
- Pursuit practices
- Discipline procedures
- Training

The College Police shall cooperate with local law enforcement in accordance with an agreement to be entered into in accordance with the requirements of Education Code Section 67381. The agreement shall address, but not be limited to, the following:

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- Operational responsibilities for investigations of the following violent crimes: willful homicide, forcible rape, robbery, aggravated assault
- Geographical boundaries of the operational responsibilities
- Mutual aid procedures

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AP 7700 Whistleblower Protection

References:

Education Code Sections 87160-87164;
Government Code Section 53296;
Labor Code Section 1102.5;
Private Attorney General Act of 2004 (Labor Code Section 2698);
Affordable Care Act (29 U.S.C. 218C)

Individuals are encouraged to report suspected incidents of unlawful activities by District employees in the performance of their duties. Reports will be investigated promptly and appropriate remedies applied. Employees who, in good faith, reported such activities and/or assist the district in the investigation will be protected from retaliation.

This procedure sets out the processes for responding to and investigating reports of unlawful activities, as defined in BP 7700 titled Whistleblower Protection, and addressing complaints of retaliation for making such reports.

Filing a Report of Suspected Unlawful Activities

Any person may report allegations of suspected unlawful activities. Knowledge or suspicion of such unlawful activities may originate from academic personnel, staff, or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, customers, vendors, students, or other third parties.

Anonymous reports will be investigated to the extent possible. However, employees are strongly encouraged not to report anonymously because doing so impedes the District's ability to thoroughly investigate the claim and take appropriate remedial measures. As set forth fully below, retaliation against individuals who report suspected unlawful activities will not be tolerated.

Normally, a report by a District employee of allegations of a suspected unlawful activity should be made to the reporting employee's immediate supervisor or other appropriate administrator or supervisor within the operating unit. However, if the report involves or implicates the direct supervisor or others in the operating unit, the report may be made to any another District official whom the reporting employee believes to have either responsibility over the affected area or the authority to review the alleged unlawful activity on behalf of the District. When the alleged unlawful activity involves the Superintendent/President the report should be made to the president of the board of trustees. When the alleged unlawful activity involves the board of trustees or one of its members, the report should be made to the **Superintendent/President** who will confer with the president of the board of trustees and/or legal counsel on how to proceed.

Allegations of suspected unlawful activities should be made in writing so as to assure a clear understanding of the issues raised, but may be made orally. Such reports should be factual and contain as much specific information as possible. The receiving supervisor or administrator should elicit as much information as possible. If the report is made orally, the receiving supervisor or administrator shall reduce it to writing and make every attempt to get the reporter to confirm by his/her signature that it is accurate and complete.

Once the receiving supervisor or administrator has received and/or prepared a written report of the alleged unlawful activity, he/she must immediately forward to the president of the college where the alleged activity has occurred. However, if this process would require submitting the report to an employee implicated in the report, the receiving supervisor or administrator should follow the reporting options outlined, above. The high-level

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administrator or trustee who receives the written report pursuant to this paragraph is responsible for ensuring that a prompt and complete investigation is made by an individual with the competence and objectivity to conduct the investigation, and that the assistance of counsel and/or an outside investigator is secured if deemed necessary.

In the course of investigating allegations of unlawful conduct, all individuals who are contacted and/or interviewed shall be advised of the District's no-retaliation policy. Each individual shall be: a) warned that retaliation against the reporter(s) and/or others participating in the investigation will subject the employee to discipline up to and including termination; and b) advised that if he or she experiences retaliation for cooperating in the investigation, then it must be reported immediately.

In the event that an investigation into alleged unlawful activity determines that the allegations are accurate, prompt and appropriate corrective action shall be taken.

Protection from Retaliation

When a person makes a good-faith report of suspected unlawful activities to an appropriate authority, the report is known as a protected disclosure. District employees and applicants for employment who make a protected disclosure are protected from retaliation. A district employee or applicant whose family member makes a protected disclosure is also protected from retaliation.

Any employee who believes he/she has been (1) subjected to or affected by retaliatory conduct for reporting suspected unlawful activity, or (2) for refusing to engage in activity that would result in a violation of law, should report such conduct to the appropriate supervisory personnel (if such supervisory personnel is not the source of or otherwise involved in the retaliatory conduct). Any supervisory employee who receives such a report, or who otherwise is aware of retaliatory conduct, is required to advise their college president. If the allegations of retaliation, or the underlying allegations of unlawful conduct involve the President, the supervisor shall report to the highest level administrator and/or trustee who is not implicated in the reports of unlawful activity and retaliation.

All allegations of retaliation shall be investigated promptly and with discretion, and all information obtained will be handled on a "need to know" basis. At the conclusion of an investigation, as appropriate, remedial and/or disciplinary action will be taken where the allegations are verified and/or otherwise substantiated.

Whistleblower Contact Information

Employees who have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees should contact the California Community Colleges Chancellor's Office or the District's Board of Trustees. Employees can contact the State Personnel Board with complaints of retaliation resulting from whistleblower activities. The State Personnel Board hotline is (916) 653-1403.

Other Remedies and Appropriate Agencies

In addition to the internal complaint process set forth above, any employee who has information concerning allegedly unlawful conduct may contact the appropriate government agency.

New: 4/11/16

Revised: 8/8/16

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