

**PROPOSAL FROM
THE ANTELOPE VALLEY COMMUNITY COLLEGE DISTRICT to the
ANTELOPE VALLEY COLLEGE FEDERATION OF TEACHERS
August 4, 2026**

The following proposal was presented during negotiations by the Antelope Valley Community College District ("District") to the Antelope Valley College Federation of Teachers for the duration of the negotiations leading to a successor agreement to the 2023-2025 Collective Bargaining Agreement (CBA), to be discussed in good faith as required by the Educational Employment Relations Act and the ground rules adopted by the parties. Except as otherwise noted below, the remainder of the status quo Article shall be deemed to remain unchanged:

**ARTICLE VII
RIGHTS AND DUTIES**

7.1.0 Personnel Records

- 7.1.1** One (1) personnel file for each unit member shall be maintained in the Office of ~~Human Resources/Employee Relations~~ **People, Culture and Talent**. The personnel file shall contain only materials necessary for the District's fulfillment of its personnel management responsibilities and related to the faculty member's assigned duties or professional responsibilities.
- 7.1.2** Any material to be placed in the file must be based on documented events, and must be clearly identified as to its source, author, date of preparation, and date of receipt by the District. The unit member must be notified of all materials to be placed in their file prior to the time of insertion in the file. No anonymous materials shall be placed in the personnel file.
- 7.1.3** Before any derogatory material may be placed in a unit member's file, he/she shall be given notice and an opportunity during normal business hours to review the material. Notice to the unit member will be within thirty (30) days of the District's receipt of the derogatory material. If the unit member has not filed a response within thirty (30) working days of notification, the District shall file the derogatory material. Any response filed after the thirty (30) workday period shall be dated and attached to the derogatory material. Material placed in a unit member's personnel file which is subsequently proven to be untrue by the unit member to the Board of Trustees or designee shall be destroyed.
- 7.1.4** Any written and signed complaints about a unit member which are withdrawn or shown to be false shall not be placed in the unit member's personnel file nor utilized in any evaluation or disciplinary action against the unit member.
- 7.1.5** All personnel files will be considered confidential and will not be available to persons other than the unit member or their designee. Members of the District administrative unit shall be limited in their access to personnel files.

Such individuals should review files only on a need-to-know basis which is directly associated with the responsibilities of their job functions.

7.1.6 Discrimination complaint files maintained in compliance with Title V, Title VII, and other federal and state regulations shall be kept in a separate affirmative action/discrimination file as prescribed by statutory regulations. Unit members have the right to receive a ~~full and complete copy summary~~ of all investigative reports and all materials that are in the District's possession that were used in making the determination in all cases where the investigation concludes that the complaint is substantiated, ~~whether or not If~~ the complaint results in any disciplinary action ~~or in any information being placed in the unit member's personnel file the unit member shall receive a copy of the complete investigation report.~~ **"Disciplinary action" is defined as suspension or termination.** Supporting materials include reports from outside investigations as well as reports or notes from District personnel and transcripts of testimony.

[5 C.C.R. 59336(a)(b).]

7.1.7 Members of the Board of Trustees may request a review of a unit member's personnel file at a scheduled meeting of the Board when such review is deemed necessary.

7.1.8 Every unit member shall have the right to inspect all materials placed in her/his official personnel file except as follows and in accordance with Education Code Section 87031:

(a) Materials, such as ratings, reports, or records that were obtained prior to the employment of the unit member involved;

(b) Materials prepared by identifiable examination committee members;

(c) Materials, which were obtained in connection with a promotional examination.

7.1.9 Every unit member shall have the right to inspect material in their official personnel file with the exceptions noted in Section 1.8, provided that the inspection is made at a time when such person is not actually required to render instructional or support service to the District. Unit members who wish to inspect their individual personnel file should contact the Office of ~~Human Resources and Employee Relations~~ **People, Culture and Talent** to arrange an appointment.

7.1.10 A unit member or designated representative may obtain copies of materials made available for inspection in their personnel file. Representatives wishing to obtain copies of materials in a unit member's file must have written authorization signed by the unit member.

7.1.11 Any representative designated by the unit member shall have the right to review the unit member's personnel file and other records dealing with the unit member when accompanied by the unit member or on presentation of a written authorization signed by the unit member.

7.1.12 Disciplinary action is considered confidential.

7.2.0 Complaints Against Unit Members/Due Process

7.2.1 Unit members may have Federation representation at all meetings related to complaints or discipline procedures.

~~7.2.2 The complainant may be accompanied by a person of his or her choice at any meeting related to the complaint.~~

~~2.3~~ When a complaint about a unit member is received, the supervisor receiving the complaint shall use the following procedure:

- (a) If the complaint involves a student grade or is covered under procedures included in the District's, Discrimination and Harassment Complaint Procedure the complaint shall be handled according to the appropriate District policy and procedure.
- (b) Discrimination/harassment complaints shall be referred to the Office of ~~Human Resources and Employee Relations People, Culture and Talent~~. Unit members accused of discrimination/harassment shall be informed of what they are accused before the interview begins and shall have the opportunity to present their side of the matter. Any disciplinary action will follow due process and the provisions regarding discipline in the Education Code. Unit members will be informed of their right to representation when they are notified that a complaint has been filed.
- (c) In all other cases, the supervisor may attempt to resolve the complaint using informal methods that may include holding an informal meeting with both the unit member and the complainant present. If an informal resolution cannot be reached or if the supervisor does not attempt to resolve the complaint informally, then the supervisor will request that the complaint be put in writing, including the nature of the complaint and a summary of the substantiating evidence. A ~~copy-summary of the nature~~ of the complaint shall be given to the unit member. ~~If the complainant does not put the complaint in writing, the complaint will be withdrawn.~~
- (d) If a ~~written~~ complaint is submitted, a meeting may be held between the unit member, complainant and supervisor will be held to discuss the complaint and attempt to resolve the problem with the Director of ~~Human Resources and Employee Relations People, Culture and Talent~~ or their designee present.
- (e) If the complainant is not willing to meet with the unit member, the complaint will be ~~dropped~~ investigated based upon the information that is in the District's possession.
- (f) If the problem is resolved to the satisfaction of all parties, no further action will be taken and a summary of the resolution may be placed in

the unit member's personnel file.

(g) If the problem is not resolved to the satisfaction of all parties, a copy of the complaint may be placed in the personnel file of the unit member in compliance with the provisions of Article VII.1.3.

(h) If there is sufficient substantiating evidence and the immediate supervisor decides further action is necessary, the complainant and unit member will be notified that progressive discipline procedures will be instituted. A copy of the complaint may be placed in the personnel file of the unit member in compliance with the provisions of Article VII.1.3.

7.2.34 Appeal Procedure:

(a) Within three (3) working days following receipt of the immediate supervisor's decision, either party, if dissatisfied with the decision, may appeal to the Vice President or designee having jurisdiction. The Vice President or designee may conduct whatever investigation and consultation deemed necessary for an acceptable resolution to the complaint. A written decision shall be submitted by the **District** Vice President or designee within five (5) working days following receipt of the appeal.

(b) Within three (3) working days following receipt of the Vice President's or designee's decision, either party, if dissatisfied with the proposed solution to the complaint, may appeal to the Superintendent/President. The Superintendent/President shall review proceedings conducted at lower levels in the complaint procedure, and conduct whatever investigation deemed necessary for an acceptable resolution to the complaint. The District Superintendent/President shall render a decision within five (5) working days following receipt of appeal.

(c) Within three (3) working days following receipt of the Superintendent/President's decision, either party, if dissatisfied with the proposed solution to the complaint, may appeal to the Board. If desired, either party shall be allowed a reasonable allocation of time to permit a presentation of the complaint at the next Board meeting (Regular or Special). The decision of the Board shall be the final step within the District's appeal process. Such decision shall be rendered within five (5) working days following the Board meeting in which the complaint was considered.

7.2.45 Progressive Discipline Procedures

(a) **Progressive discipline procedures do not prohibit actions of suspension or dismissal in accordance with Education Code sections 87732, 87734 and 87735.**

(b) The supervisor will meet with the unit member for discussion of the problem, review of the substantiating evidence, and to inform the unit

member that continuance of the unacceptable behavior will result in further action.

(bc) In the event of a second or continuing documented occurrence of the behavior, the supervisor shall meet with the unit member to develop a plan for correction of the problem, to set a reasonable timeline for reevaluation of the unit member's performance, and to inform the unit member of disciplinary actions that will be taken if the problem is not corrected.

(ed) If the behavior is not corrected by the time of reevaluation, or if a third documented incident occurs after the time of reevaluation, the disciplinary action will be taken. Disciplinary actions of suspension or dismissal must be in accordance with Education Code §87732, and §87734, and §87735.

(de) No disciplinary action may take place except for just and sufficient cause.

~~(e) Progressive discipline procedures do not prohibit actions of suspension or dismissal in accordance with Education Code sections 87732 and 87734.~~

(f) Progressive discipline procedures will not be initiated during the processing of an appeal.

(g) Evidence from District-installed security cameras may be used to corroborate discipline charges against a unit member.

~~7.3.0~~ District Directory

7.3.1 The District is responsible for compiling and maintaining an employee directory in current status.

7.3.2 Unit members who do not wish to have their names and addresses included in the District directory must notify the Office of Human Resources/Employee Relations People, Culture and Talent in writing prior to September 15 of each school year.

7.3.3 Directories containing names and addresses of District unit members are intended for District use only. Directories shall not be made available to persons or organizations for commercial purposes or solicitation. Each year the District shall give one (1) copy of the directory to the Federation for use in communicating with bargaining unit members.

~~7.4.0~~ Political Activity

7.4.1 The Board shall not adopt or enforce any policy which limits, during their off duty hours, the participation of unit members in political activities not prohibited by law, unless such activities interfere or hinder performance of assigned professional responsibilities.

255 **7.4.2** During the course of official employment, no unit member shall engage in
256 political activity during the time the unit member is performing contractual
257 duties.
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259 **7.5-0** Candidates for Public Office
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261 Unit members shall not be prohibited from becoming candidates for public office.
262 However, when it is deemed advisable by the Board as serving the best interest of
263 the District and student welfare, said unit members may be required to take a leave
264 of absence, without remuneration, thirty (30) days prior to the election.
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266 **7.6-0** Circulation of Petitions
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268 Petitions may be circulated on school premises by unit members only during off-
269 duty hours. Circulation of petitions is restricted to areas normally not frequented by
270 students, providing no interruption of assigned duties ensues.
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272 **7.7-0** Academic Freedom
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273 Freedom of expression is a legal right protected by the Constitution of the United
274 States. This right is especially important in the academy. Academic freedom in the
275 pursuit and dissemination of knowledge in an educational environment shall be
276 ensured and maintained. Such freedom shall be recognized as a right of all
277 members of the faculty, whether of tenure or non-tenure rank.
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279 To ensure this freedom, faculty shall not be subjected to censorship or discipline
280 solely on the grounds that he or she has expressed opinions or views, or provided
281 access to opinions or views, which are controversial or unpopular. Antelope Valley
282 College faculty have a special responsibility to insist that their institution does not
283 yield to ephemeral passion or heavy community pressures to take hasty actions
284 that may infringe on freedom of expression.
285

286 Faculty have responsibility to present the subject matter of their courses as
287 announced to students and as approved by the faculty in their collective
288 responsibility for the curriculum. However, since instructors are responsible for
289 implementing the learning process, they therefore have the freedom to select
290 materials, methods of application, and procedures in carrying out their job duties.
291 A faculty member is also free to present and discuss subject matter in a practical
292 and relevant format. In areas of controversy, one has the right to express an
293 opinion related to subject matter, and an expression of differing points of view
294 should be allowed and encouraged. Within and beyond the academic community, a
295 faculty member is free to speak or write, as a citizen, without fear of institutional
296 censorship or discipline.
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298 A faculty member is entitled to freedom in research and in publication and shall
299 have exclusive right to all materials, which are the product of that person's mind
300 and talent, unless there is a mutually acceptable contract to the contrary.
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302 If academic freedom of a faculty member is either impeded or brought into
303 question, the code of ethics shall be consulted and the grievance policy shall be
304 followed.
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306 **7.8.0** Regular Assigned Duties

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308 **7.8.1** All unit members shall report for regularly assigned duties unless formally
309 excused.

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311 **7.8.2** Graduation: The Antelope Valley College Federation of Teachers
312 encourages all faculty to attend graduation ceremonies. Full-time faculty
313 shall attend graduation at least every other year. The District shall provide
314 and pay for cap and gown rental of all faculty who attend.

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316 **7.8.3** The District will pay for cap and gown of those faculty who attend. Those
317 who sign up and do not attend may be charged for the rental fee. Faculty
318 who sign up and are absent but in paid status through use of sick leave,
319 for example, will not be charged.

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321 **7.9.0** Attack by Students

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323 Whenever any unit member of the District is physically attacked, assaulted, **stalked,**
324 **threatened,** or menaced by any student, the unit member and the immediate
325 supervisor shall promptly report the incident to appropriate law enforcement
326 authorities having jurisdiction, to the Antelope Valley College Behavioral
327 Intervention Team **(or other appropriate department)**, and to the **Office of**
328 **appropriate** Student Services **personnel**. If a unit member is physically attacked
329 by a student, the **Office of appropriate** Student Services **personnel** shall
330 collaborate with the unit member prior to determining the appropriate action with
331 respect to the student's access to the unit member on campus. The **Office of**
332 **appropriate** Student Services **personnel** shall communicate the decision to the
333 student.

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335 **7.10.0** Meetings

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337 Since open communication between administrators and unit members promotes
338 positive interpersonal relations, unit members may be required to attend and
339 participate in faculty meetings called by administrators. The frequency of faculty
340 meetings shall be left to administrative discretion. Unit members shall be afforded
341 an opportunity to submit agenda items for meetings requiring their attendance.

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343 **7.11.0** Tutoring

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345 Unit members are not to accept, directly or indirectly, remuneration beyond what
346 is delineated in this contract for tutoring students in their respective classes.
347 Tutoring for which the unit member receives payment will not be permitted on the
348 District campus, nor will any facilities or equipment be used for this purpose.

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350 **7.12.0** Release from Contract

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352 **All bargaining unit members requesting release from their contract in writing**
353 **will be released upon the District finding a suitable replacement.**

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355 **13.0** Office/Work Space

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The District shall provide office space to each active full-time faculty member and access to a computer with internet/e-mail access, a printer, and a telephone. The District shall make workspace available to active adjunct faculty and provide access to a computer with internet/e-mail access, a printer, and a telephone.

7.134.0 Deductions from Salary

Upon appropriate written authorization from the faculty member, the District shall deduct from the salary of any unit member and make appropriate remittance for annuities, credit union, charitable donations or any other plans or programs approved by the District, including 403(b) and 457 plans.

15.0—Grades

Deadlines for grade submissions are generally not found in contracts.

ANTELOPE VALLEY COLLEGE DISTRICT

ANTELOPE VALLEY COLLEGE
FEDERATION OF TEACHERS
