



College Coordinating Council Meeting

April 14, 2021
9:30 a.m. – 10:30 a.m.

Type of Meeting: Regular
Note Taker: Patty McClure, Megan Aceves
Please Review/Bring: Agenda, Minutes

Committee Members:
Jedidiah Lobos, Academic Senate
Cameron Zappetta ASO
Bridget Cook, General Counsel – **CHAIR**
Pamela Ford, Classified Union
Michelle Hernandez, Confidential/Management/Supervisory/Administrators
LaDonna Trimble, Deans
Dr. Aurora Burd, Faculty Union
Isable Saber, Vice President of Academic
VACANT Vice President of Human Resources
Dr. Erin Vines, Vice President of Student Services

MEETING

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of March 24, 2021.	All		
II. Constituent Reports	All		
INFORMATION/DISCUSSION/ACTION ITEMS:			
III. AP 5040 – Student Records	Erin	10 minutes	Returned from January 13, 2021 CCC Meeting and Constituent Review.
IV. AP 3100 – Organizational Structure	Bridget	20 minutes	Returned from March 24 th , 2021 CCC Meeting for further discussion.
V. AP 2510 – Participation in Local Decision Making	Bridget	20 minutes	
FUTURE AGENDA ITEMS:			
NEXT MEETING DATE: April 28, 2021			

Zoom Meeting Information

Join Zoom Meeting

<https://avc.zoom.us/j/94965535938?pwd=c1FHbW95VHFHT01Ra0pYS3NMOFRFdz09>

Meeting ID: 949 6553 5938

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College Coordinating Council MINUTES

March 24, 2021
9:30 a.m. – 10:30 a.m.

Type of Meeting: Regular
Note Taker: Patty McClure (ABSENT) & Megan Aceves
Please Review/Bring: Agenda, Minutes

Committee Members:
Jedidiah Lobos, Academic Senate
Cameron Zappetta ASO
Bridget Cook, General Counsel – **CHAIR**
Pamela Ford, Classified Union
Michelle Hernandez, Confidential/Management/Supervisory/Administrators - **ABSENT**
LaDonna Trimble, Deans - **ABSENT**
Dr. Aurora Burd, Faculty Union
Isabelle Saber, Vice President of Academic
VACANT Vice President of Human Resources
Dr. Erin Vines, Vice President of Student Services

MINUTES

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of February 24, 2021.	All		The minutes were approved as presented.
II. Constituent Reports	All		Cameron stated that ASO is starting elections and accepting candidate applications for Student Trustee and ASO Officers. He stated that he would not be running again and would be focusing on his studies.
INFORMATION/DISCUSSION/ACTION ITEMS:			
III. AP 3100 – Organizational Structure	Erin	5 minutes	There was much discussion, about the positions listed and process. Aurora proposed additional language and Bridget clarified that CCC does not dictate the President’s authority. There was some discussion regarding review of the BP/APs together and Aurora requested that the BP & AP be brought back for further discussion, review and, revision. Bridget stated that she would take this to the President, then to Executive Council, and will update CCC.
IV. AP 5040 – Student Records	Erin	5 minutes	Due to lack of time, this item was tabled until the next meeting.

FUTURE AGENDA ITEMS:			
NEXT MEETING DATE: April 14, 2021			

Zoom Meeting Information

Join Zoom Meeting

<https://avc.zoom.us/j/99796264253?pwd=Q3ZGaThpRy9kc3d0bXNadyttMkFqdz09>

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AP 5040 Student Records, Directory Information, and Privacy

References:

Education Code Sections 66093.3 and 76200 et seq.;
Title 5, Sections 54600 et seq. and 59410;
Civil Code Section 1788.90 et seq. and 1798.85;
20 U.S. Code Section 1232g subdivision (j) (U.S. Patriot Act);
ACCJC Accreditation Standard II.C.8

A cumulative record of enrollment, scholarship, and educational progress shall be kept for each student.

Collection and Retention of Student Information

The District shall treat all students equitably in the receipt of all school services, including, but not limited to, the gathering of student and family information for the institution's benefit programs.

Enrollment Services shall maintain in writing District policies and procedures for gathering and handling sensitive student information, and appropriate personnel shall receive training regarding those policies and procedures.

The District will provide students and families with annual notice, at the beginning of each school year, of institutional policies for student privacy and the abilities of parents or eligible students to inspect student information.

The District will provide students an opportunity to opt out of disclosure of directory information.

Directory Information is defined as the student's name, address, telephone number, date and place of birth, major field of study, participation record in college sponsored activities and sports, weight and height (if an athletic team member), dates of attendance, degrees and awards, and the educational institution of most recent attendance.

Notices must describe the following:

- The kind of information that the school has identified as directory information;
- The eligible student's ability to refuse to let the school designate the information as directory information, which could be disclosed to outside entities;
- The period of time in which the eligible student has to notify the school in writing that he/she does not want the information designated as directory information; and
- That opting out by the noted deadline is the students' only way to prevent the release of directory information.

Any sensitive information, such as a student's, parent's, or guardian's SSN, any AB 540 determinations, or citizenship status information collected by the District or disclosed by the student, should be maintained only for as long as necessary.

If the District possesses information that could indicate immigration status or citizenship status, the District shall not consider the acquired information in admissions decisions or access to educational courses or degree programs.

Students may elect not to provide immigration or citizenship status information to the institution, and this election shall not impede admissions or enrollment in educational programs.

The District shall not create a list of student names linked with immigration status.

AVC Sheriff's Office shall not inquire into an individual's immigration status for immigration enforcement purposes.

AVC Sheriff's Office shall not aid any effort to create a registry containing individuals' country of birth or based on any other protected characteristics of victims, witnesses, or suspects of crimes unless required by law for specified purposes.

Release of Student Records: No instructor, official, employee, or governing board member shall authorize access to student records to any person except under the following circumstances:

- Student records shall be released pursuant to a student's written consent. **Student send written request to Admissions and Records.**
- "Directory information" may be released in accordance with the definitions in **Board Policy BP 5040 Student Records, Directory Information, and Privacy.**
- Student records shall be released pursuant to a judicial order or a lawfully issued subpoena. Subpoenas for student records are released only after a **fourteen (14)** day notification period has elapsed from the date of receipt. **All Subpoenas are processed by campus General Counsel.**
- Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution of terrorism.
- Student records may be released to officials and employees of the District only when they have a legitimate educational interest to inspect the record. District officials and employees with legitimate educational interest may request student records through the Admission and Records Office.

Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees or the United States Office of Civil Rights, where that information is necessary to audit or evaluate a state or federally supported educational program or pursuant to federal or state law. Exceptions are that when the collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner that will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements. All requests should be directed to the Dean of Enrollment Services.

Student records may be released to officials of other public or private schools or school systems, including local, county, or state correctional facilities where education programs are provided, where the student seeks or intends to enroll or is directed to enroll. The release is subject to the conditions in Education Code **Section 76225**. All requests should be directed to the Dean of Enrollment Services.

Student records may be released to agencies or organizations in connection with a student's application for, or receipt of, financial aid, provided that information permitting the personal identification of those students may be disclosed only as may be necessary for those purposes as to financial aid, to determine the amount of the financial aid, or conditions that will be imposed regarding financial aid, or to enforce the terms or conditions of financial aid. **All requests should be directed to the Director of Financial Aid.**

Student records may be released to organizations conducting studies for, or on behalf of, accrediting organizations, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering financial aid programs, and improving instruction, if those studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of those organizations and the information will be destroyed when no longer needed for the purpose for which it is conducted. All requests should be directed to the Dean of Enrollment Services.

Student records may be released to appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, subject to applicable federal or state law. **All request should be directed to campus General Counsel.**

The following information shall be released to the federal military for the purposes of federal military recruitment: student names, addresses, telephone listings, dates and places of birth, levels of education, **major(s)**, degrees received, prior military experience, and/or the most recent previous educational institutions enrolled in by the students. All requests

should be directed to the Dean of Enrollment Services.

Access to Student Records for Immigration Enforcement Purposes

The District must obtain a student's written consent before disclosing educational records, unless the information is relevant for a legitimate educational interest or includes directory information only. Neither exception permits disclosing information for immigration enforcement purposes; no student information shall be disclosed for immigration enforcement purposes without a court order or judicial warrant. Without a court order or a judicial warrant, written consent must be signed and dated by the student, or (if the student is a minor) by the student's parent(s) or guardian(s), before disclosure of the information, and must specify the records that may be disclosed, the purpose of the disclosure, and the party or class of parties to whom the disclosure may be made.

If desired by the student, the District must provide a copy of the records to be released. The party to whom the information is disclosed may not re-disclose the information to any other party without the prior consent of the student or subsequent court order.

All interactions with immigration authorities seeking to review student records shall be referred to the campus General Counsel.

- Bridget Cook, General Counsel
legal@avc.edu
661.722.6651

District personnel shall provide a set of responses for District personnel to use in response to officers seeking access to records for immigration enforcement purposes.

In addition to notifying campus General Counsel, District personnel shall take the following action steps in response to an officer other than campus police requesting access to student records:

1. Ask for the officer's name, identification number, and agency affiliation;
2. Record or copy this information;
3. Ask for a copy of any warrants;
4. Inform the officer that you are not obstructing his/her efforts but that you need to contact a campus administrator or campus counsel for assistance.

AVC Sheriff's Office shall not provide personal information about an individual for immigration enforcement purposes, unless that information is publicly available, or required by a court order or judicial warrant. "Personal information" is defined as any information that identifies or describes an individual, and includes but is not limited to, a student's physical description, home or work address, telephone number, education, financial matters, medical or employment history, and statements made by, or attributed to, the individual. This restriction does not apply to information regarding the immigration or citizenship status of an individual.

Unless the District is served with a judicial subpoena or court order that by its terms prohibits disclosure to the student, the student must be notified of any judicial order or subpoena before the institution complies with the order in accordance with FERPA.

Charge for Transcripts or Verifications of Student Records-

A student/former student shall be entitled to two (2) free copies of the transcript of his/her record or to two (2) free verifications of various student records. Additional copies shall be made available to the student, or to an addressee designated by him/her, at the rate of **one dollar (\$1.00)** per copy. Students may request transcript online at the College's website. The District will not refuse to provide a transcript for a current or former student on the grounds that the student owes a debt; condition the provision of a transcript on the payment of a debt, other than a fee charged to provide the transcript; charge a higher fee for obtaining a transcript, or provide less favorable treatment of a transcript request because a student owes a debt; or use transcript issuance as a tool for debt collection.

Electronic Transcripts

Student may request transcripts electronically by visiting the Transcript Office website.

Use of Social Security Numbers

The district **shall not** do any of the following:

- Publicly post or publicly display an individual's social security number;
- Print an individual's social security number on a card required to access products or services;
- Require an individual to transmit his/~~er~~ her social security number over the internet using a connection that is not secured or encrypted;
- Require an individual to use his/~~er~~ her social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication devise; or
- Print, in whole or in part, an individual's social security number that is visible on any materials that are mailed to the individual, except those materials used for:
 - Application or enrollment purposes;
 - To establish, amend, or terminate an account, contract, or policy; or
 - To confirm the accuracy of the social security number.

If the District has, prior to January 1, 2004, used an individual's social security number in a manner inconsistent with the above restrictions, it may continue using that individual's social security number in that same manner only if:

- The use of the social security number is continuous;
- The individual is provided an annual disclosure that informs the individual that he/~~er~~ she/~~they~~ has the right to stop the use of his/~~er~~ her/~~their~~ social security number in a

- manner otherwise prohibited;
- **The** District agrees to stop the use of an individual's social security number in a manner otherwise prohibited upon a written request by that individual;
 - No fee shall be charged for implementing this request; and the **D**istrict shall not deny services to an individual for making such a request.

Also see BP/AP 3310 Records Retention and Destruction; AP 5040 Student Records, Directory Information, and Privacy; and AP 5045 Student Records – Challenging Content and Access Log.

Approved: 2/6/06
Revised: 4/14/08
Revised: 10/9/17
Revised: 4/12/21



AP 3100 Organizational Structure

References:

Education Code Section 72400;
Title 5, Section 53200

The District's organizational structure shall be:

3100.1 ORGANIZATIONAL DIVISIONS, DEPARTMENTS AND OFFICES

(See Appendix I – Organizational Charts)

3100.2 President's Executive Council-Level Administration

President's Executive Council level administration consists of those officials and functions that control the organization and operation of the college system, or employees whose responsibilities extend over a major administrative division of the college.

In the Antelope Valley Community College District, President's Executive Council-level administration shall consist of the President; Vice President Academic Affairs; Vice President Student Services, Vice President of Human Resources and Employee Relations; ~~Vice President of Administrative Services, General Counsel; Executive Director of Business Services of Fiscal and Financial Services; Executive Director of General Services,~~ Executive Director of Information Technology Services, Executive Director of Facilities; Dean of Institutional Effectiveness, Research and Planning; Executive Director of Marketing and Public Information, ~~and~~ Executive Director of the Foundation, ~~and~~ Internal Auditor.

3100.3 Line of Responsibility (Education Code Section 70902)

Each District employee shall be responsible to the Board of Trustees through the Superintendent/President. Supervision of District employees shall be exercised by personnel to whom such responsibility has been specifically delegated.

District personnel shall refer matters requiring administration action to the administrative officer having immediate responsibility of the area in which the problem arises.

Administrative officers shall refer such matters to the next higher authority if circumstances warrant.



All District employees have the right to appeal any decision made by an administrative officer to the next higher authority and, through appropriate successive steps, to the Board of Trustees.

3100.4 President's Executive Council

Purpose

It is the desire of the Board of Trustees that democratic working relationships be maintained among the personnel of the administrative staff, and to maintain a free flow of communications involving College Administration and District employees.

Meetings

Regular meetings shall be held at periodic intervals as determined by the Superintendent/President. The Superintendent/President may also call special meetings as conditions may warrant.

Responsibilities

The President's Executive Council shall function in an advisory capacity to the Superintendent/President on matters related to District policies, administrative problems, collective bargaining issues or any issue related to the District's education program or school operation.

The President's Executive Council shall also serve as a channel of communication in the administrative organization of the District.

3100.6 Administrative Council

In an endeavor to promote communications with middle management and supervisory officials, the Superintendent/President may establish an Administrative Council whose membership shall consist of management personnel.

The responsibilities of the Administrative Council shall be communication and operation.

Meetings shall be held at the discretion of the Superintendent/President.

PROCEDURE FOR CHANGING THE ORGANIZATIONAL STRUCTURE OF THE COLLEGE

This procedure describes the organizational units at Antelope Valley College, which persons or groups can initiate a review of the current organizational structure, the steps for reaching recommendations for proposed changes, and who has the authority to



implement proposed changes. The goal of such reviews shall be to improve efficiency and/or cost effectiveness of services, programs, learning outcomes or operational outcomes:

A. Organizational Units: Antelope Valley College is organized into ~~four (4)~~ five (5) structural levels.

1. **College**
2. **Offices:** Superintendent/President; Academic Affairs; **Student Services;** Human Resources and Employee Relations; **Business Services;** **Administrative Services;** **General Counsel;** Information Technology Services; Facilities; Institutional Effectiveness; Marketing & Public Information; AVC Foundation; **and Internal Audit.**
3. **Areas/Divisions:** (these synonymous terms for subdivisions of offices are used for instructional divisions and non-instructional areas, e.g. Health Sciences Division.
4. **Departments** (subdivisions of areas/divisions).

B. Initiation of a review

1. The Superintendent/President may initiate a review of any of the organizational units.
2. The College Coordinating Council (CCC) and Strategic Planning Committee may request a review of any organizational unit by sending a request for a review to the Superintendent/President.
3. The administrative head of any office, area/division, or department may request a review for his/her own organizational unit by sending a request for a review to the Superintendent/President through the administrative structure.
4. All requests for a review must be in writing and state the rationale and provide data that support the goals of such reviews.
5. The Superintendent/President will inform the President's Executive Council and CCC of any requests for a review.
6. The Superintendent/President has the final authority to initiate a review of an organizational unit.
7. The Superintendent/President will initiate a review by sending a memo to notify all constituencies that a review is being implemented. This memo will appoint an administrator to oversee the review, set forth the rationale and data that justify the review, and establish a timeline for the formulation of proposed changes.



C. Process for proposing organizational changes

Intra-divisional changes

Intra-divisional Academic department re-organization will be completed within the division, with approval of the majority of the faculty in the division, the division dean, and the Vice President overseeing the division. Information of the change and the rationalization will be provided to the Academic Senate for information only.

Other organizational changes

1. The administrator in charge of the review will solicit input from all employees in the organizational unit(s) affected by the review, including any not identified in the initial review that might be impacted as a result of proposed changes.
2. Based on this input, the administrator will formulate proposed changes through dialogue/discussion with the affected organizational units.
3. A written summary of the proposed changes will go out to the entire campus allowing two (2) weeks for discussion. During that period, administrators and employees should evaluate any adverse impact that might arise from the proposed change.
4. The campus community will give input/feedback to the administrator overseeing the review.
5. The administrator overseeing the review will present the proposed changes and a summary of campus feedback to CCC for discussion.
6. The Superintendent/President will make the final decision on proposed changes based on feedback from the campus community and the discussion at CCC.
7. This final version of the proposed changes will go out to the entire campus for discussion/feedback for at least one (1) week.
8. The Superintendent/President will take the final changes to the Board of Trustees for information.
9. The Superintendent/President will communicate the final changes to the appropriate vice presidents, deans, directors, and employees and follow up with implementation.

Approved: 11/7/05

Revised: 10/9/06

Revised: 4/9/07

Revised: 6/11/07

Revised: 6/14/10

Revised: 11/14/16

Revised: 5/8/17

Revised: 12/9/19

Revised: 4/12/21

AP 2510 Participation in Local Decision-Making

Reference:

***Education Code Section 70902(b)(7); Title 5, Sections 53200 et seq; 51023.5; 51023.7
Accreditation Standard IV.A.2, IV.A.5***

ADMINISTRATIVE PROCEDURES RELATED TO PARTICIPATORY GOVERNANCE

The faculty, students, staff, and administration of Antelope Valley Community College District have developed the following procedures to fulfill the statutory requirements of Title 5 related to Participatory Governance.

Procedures for Participatory Governance Committees and Academic and Professional Matters:

- A. Procedures related to participatory governance committees:
 1. All collegewide participatory governance committees will abide by the “Participatory Governance Committee Operating Procedures” in Appendix I. Academic Senate committees will operate in accord with Senate guidelines.
 2. To insure “effective participation,” collegewide participatory governance committees shall include representatives from constituencies directly affected by the recommendation and representatives who also have expertise related to the role and purpose of the committee, whenever possible.
 3. The College Coordinating Council (CCC) will determine the role and function of collegewide participatory governance committees and specify the membership and terms of those committees. In addition, the CCC will review the role, function and membership of all collegewide participatory governance committees at least every three years and modify as needed. Participatory governance committees may request that the CCC review their role, function, or membership at any time for possible modification.
 4. Each constituent group represented on the College Coordinating Council will determine the process by which it appoints representatives to collegewide participatory governance committees.
 5. Each collegewide standing committee will determine if any part of an item or issue before it is related to an academic and professional matter, or a collective bargaining issue, using the guidelines listed in Appendix II, and refer that part to the College Superintendent/President and the Academic Senate or Collective Bargaining Agent, as appropriate, for consideration.
- B. Procedures for reaching agreement on Academic and Professional Matters:
 1. Recommendations related to Academic and Professional Matters, where the Board relies primarily on the Academic Senate, will be submitted to the Board of Trustees for consideration, via the Superintendent/President. If the recommendations of the Academic Senate are not accepted, the Board will communicate the “compelling reasons or legal liability” to the Academic Senate in a written statement.
 2. For those Academic and Professional Matters that require mutual agreement, the Mutual Agreement Council will solicit feedback from the Board of Trustees and the Academic Senate, and may solicit feedback from other college constituent groups if needed. The Mutual Agreement Council will deliberate until mutual agreement is reached between the Board of Trustees, or their designees, and the Academic Senate.

3. If mutual agreement is reached, the Board will put the new policy into effect unless legal liability or substantial fiscal hardship can be demonstrated. If mutual agreement cannot be reached and a policy currently exists, the current policy remains in effect, unless legal liability or substantial fiscal hardship can be demonstrated. Both the Board of Trustees, or their designees, and the Academic Senate will communicate in a joint statement the reasons that agreement cannot be reached.
4. Mutual agreements between the Academic Senate and the Board of Trustees, or their designees, will be placed on the next scheduled Board Agenda as an informative report. Mutual agreements requiring Board approval will be submitted at a subsequent meeting as a communication for approval.
5. The Mutual Agreement Council will also serve as a forum for the President's Executive Council and Senate Executive Committee to share information and discuss concerns about academic and professional matters.

AVCCD Governance Councils and Committees:

- A. College Coordinating Council
- B. Mutual Agreement Council
- C. Strategic Planning & Budget Council
- D. Collegewide Participatory Governance Committees
 1. Staff Development Committee
 2. Information Technology Committee
 3. Matriculation Committee
 4. Equal Employment Opportunity Advisory Committee
 5. Campus Safety Committee
 6. Calendar Committee
 7. Legislative Committee
 8. Enrollment Management Committee
- E. Academic Senate Standing Committees
 1. Academic Policies & Procedures Committee
 2. Faculty Professional Development Committee
 3. Honors Program Committee
 4. Distance Education Committee
 5. Student Learning Outcomes Committee
 6. Equivalency Committee
 7. Senate Grant Program Committee

Membership and Functions of Governance Councils:

- A. College Coordinating Council
(Membership)

1. Superintendent/President and/or Vice Presidents (one vote) Representing the Board of Trustees
2. Academic Senate President
3. Administrative Council Representative
4. President of Faculty Exclusive Bargaining Unit
5. President of Classified Exclusive Bargaining Unit
6. Confidential/Management/Supervisory Unit Representative
7. Associated Student Organization Representative

(Function)

- a) The College Coordinating Council will serve as the coordinating body for governance issues at Antelope Valley College, except academic and professional matters and collective bargaining issues. The Council will have four main functions: issue management, providing a communication network for distributing information to all college constituent groups, determining the decision-making and recommending authority of collegewide participatory governance committees, and submitting recommendations to the President in areas of “effective participation”.
- b) Issue management means the Council will determine the appropriate governance committee or process to address any new issue or task that is not already assigned to an existing committee or process. When the Council assigns an issue or task to an existing or a newly created committee, the Council will specify in writing the nature and scope of the assignment, if the committee has decision-making or recommending authority, the appropriate reporting process, and a timeline for completion of the assignment.
- c) If an issue before the Council involves an academic and professional matter, it will be referred to the Academic Senate and the-President’s Executive Council for consideration. If an issue before the Council involves collective bargaining matters, it will be referred to the affected Collective Bargaining Unit and the Superintendent/President for deliberation.
- d) When a collegewide participatory governance committee makes a recommendation that only requires “effective participation” of faculty, staff and students, the College Coordinating Council will consider the recommendation and communicate the committee’s recommendation to all college constituent groups.
- e) The Council may address an issue itself, when a recommendation cannot be made in a timely manner by another committee or process, or the Council determines that **not** taking action will expose the district to legal liability or cause substantial fiscal hardship. The Council may also make a recommendation to the Superintendent/President when no existing or new committee or process is deemed appropriate for handling the issue, or a committee or constituent group requests a recommendation from the Council regarding an issue.
- f) The Council shall seek consensus as the basis for making decisions. However, when consensus cannot be reached, the Council may take action if six out of seven Council members are in agreement. When a resolution before the Council does not have the required “6 out of 7” members in favor, the status quo remains in effect until such time as a mutually acceptable resolution can be negotiated and agreed to by 6 of the 7 members of the Council. The Council will determine, by consensus, criteria and a process for emergency and fast-track decision-making to be used when waiting until the next regular Council meeting would not be in the best interest of the district. All Council members have a single vote and the meetings of the Council shall be open.

- g) The Council will review the purpose/function and scope of decision-making/recommending authority of each college standing committee every three years. Any recommendation for change in purpose or scope of a committee, including the dissolution of the committee, will be presented to college constituent groups for feedback. All feedback will be shared with the affected committee. The Council and the affected committee will discuss the recommendation and the feedback from constituent groups with the goal of reaching consensus. If consensus is reached, the purpose/function and/or decision-making/recommending authority will be changed. If consensus cannot be reached, the Council may still make changes in these areas if six of seven Council members are in agreement with the change.
- h) If a proposed change in purpose/function involves an academic and professional matter, the recommendation and feedback from constituent groups will be forwarded to the Mutual Agreement Council (MAC) for deliberation. If mutual agreement is reached by the MAC, the purpose will be changed. If mutual agreement cannot be reached, the purpose/function of the committee remains the same in accord with the provisions of Title 5.

B. Mutual Agreement Council

(Membership)

- 1. President's Executive Council
- 2. Senate Executive Committee

(Function)

The Mutual Agreement Council consists of the President's Executive Council and the Senate Executive Committee and its purpose is to consult and deliberate with the intention of reaching mutual agreement between the Academic Senate and the Board of Trustees on academic and professional matters 6, 7, 9, 10 and 11 of Section 53200 in Title 5. "The governing board, or its designees, and the academic senate shall reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations."

C. Strategic Planning & Budget Council

(Membership)

- 1. Superintendent/President - Ex-Officio
- 2. Academic Senate President (Co-chair)
- 3. Dean of Institutional Effectiveness, Research and Planning (Co-chair)
- 4. College Vice Presidents (4)
- 5. Faculty Union Representative (1)
- 6. Student Representatives (2)
- 7. Faculty Representatives (5 - 1 transfer, 1 student services, 1 instructional resources, 1 vocational, 1 adjunct)
- 8. Classified Representatives (5)
- 9. Confidential/Management/Supervisory Representative (1)
- 10. Deans/Directors Representatives (2)
- 11. Director of Facilities Planning and Campus Development
- 12.-Director of Information Technology Services

13. Executive Director of Institutional Advancement and Foundation

14. Director of Public and Governmental Relations

15. Enrollment Management Committee Co-chair

(Function)

The Strategic Planning & Budget Council (SPBC) is a shared governance council that provides oversight and monitoring of the various planning documents within the institution in order to accomplish the mission and goals of the district. SPBC utilizes the Educational Master Plan, which is the district's strategic plan, to review the mission, vision, values, and practices of the institution and to monitor and modify the Strategic Goals and the Institutional Learning Outcomes.

The council reviews the annual budget requests brought forward by the Budget Subcommittee and makes a recommendation to the Superintendent/President to fund those requests that utilize institutional resources most efficiently in accomplishing the district's strategic goals and improving the Institutional Learning Outcomes. SPBC works collegially with the Superintendent/President to recommend budget priorities in a timely fashion. The Superintendent/President may recommend budget expenditures to the Board of Trustees without consensus of the SPBC in those instances of legal and fiscal responsibility, as cited in both Education Code and Title 5. The Superintendent/President submits budget recommendations to the Board of Trustees for approval.

In order to function most efficiently and to support and execute the Educational Master Plan, members of the SPBC are assigned to the following subgroups/subcommittee:

- Facilities: Based on the findings of the Educational Master Plan, responsible for developing and evaluating the effectiveness of the Facilities Master Plan, which oversees the district's long-range infrastructure, building, and parking needs.
- Human Resources: Responsible for creating a Human Resources Plan that includes a long-range Staffing Plan to support the program needs identified in the Educational Master Plan.
- Finance: Responsible for developing a Finance Plan to analyze and determine the financial impact and necessary resources to implement the Facilities, Human Resources, Technology, and Enrollment Management plans.
- Communications: Responsible for developing, implementing, and evaluating a marketing and communications plan with strategies to increase communications with our internal and external constituents. Responsible for disseminating information to the campus and general community through e-mail, the website, myAVC, and the SPBC Annual Review.
- Educational Master Plan: Responsible for annually reviewing the Educational Master Plan to ensure that the District's ongoing needs are met.
- Budget Subcommittee: Responsible for evaluating and prioritizing the annual budget requests to most efficiently utilize institutional resources and present those recommendations to the SPBC.

APPENDIX I

"Participatory Governance Committee Operating Procedures"

Each committee will have a statement of purpose/function in accord with the district mission and a membership list, along with the minimum number and frequency of meetings that will be held during the academic year. In addition, each committee will have a statement of reporting responsibilities to

individuals, committees or constituent groups and publish this information to all district employees. Committees will make decisions or recommendations through consensus.

Each committee will also circulate a "Call for Agenda Items" five working days prior to a meeting and distribute to members and post an agenda two working days prior to a meeting. Each committee will also distribute to members and post a draft of unapproved minutes within ten working days after a meeting. Minutes will include a brief summary of discussion regarding actions taken, including motions made, seconded, passed or defeated. On an annual basis, each committee will review its activities and submit a year-end report to whichever reporting body it is accountable. In most instances, reports would be made to the College Coordinating Council, Superintendent/President, or appropriate administrator. The year-end report will include accomplishments, preview issues for the coming year, and make recommendations for change in membership or function.

APPENDIX II

"Criteria for Committees to Use in Determining if an Item is an Academic and Professional Matter or a Collective Bargaining Issue"

In doing their work, committees, particularly the chair(s), must recognize which items/issues under discussion are subjects of collective bargaining (CB) or are academic and professional matters (APM). Unless specifically asked to handle a CB item or an APM, the committee should not. In addition, each participatory governance committee should assure effective participation of all parties, as well as effective communication with the College Coordinating Council (CCC). As committees forge recommendations, the committee chair is responsible for assuring the following steps have been completed:

Verify that the topic is not CB or APM (unless the CB/APM has been assigned to the committee)

Develop recommendation/policy with input from all representatives

--if representatives are not attending, committee chair notifies constituency president

--ask regularly if representatives have consulted with their constituency

--consult with CCC if stuck, hit controversy or need clarification

Disseminate to campus via mailbox or email prior to completing last draft of recommendation/policy and give the campus 2 weeks to respond to any issues

Consider campus input, complete and send to the Superintendent/President and the CCC

If CB, send to presidents of college and union (s); if APM, send to presidents of college and senate

COLLECTIVE BARGAINING

salaries--steps, columns, merit pay, rate of pay for stipends, bonuses, reassigned time, overtime,

placement & advancement benefits

leaves, vacations, holidays

union & district rights

grievance, arbitration & evaluations

discipline procedures.

academic freedom

committees that deal with CB items, such as calendar, classified: as it relates to work hours and calendar year for classified, certificated: as it relates to academic year and work hours

discrimination—sex, race, religion etc

job assignments, reclassification & reassignment

seniority, promotions, retirement

office space & parking

graduation attendance

preparation time

tools/equipment: access to computer, telephone and equipment necessary for the job

training (impact on wages/hours, such as sabbaticals, staff development, flex) & travel

contracting out of bargaining unit work

work load/class size/work hours/work days

ACADEMIC AND PROFESSIONAL MATTERS

curriculum, including establishing prerequisites

degree and certificate requirements

grading policies

education program development

standards or policies regarding student preparation and success

district and college governance structures as related to faculty roles

faculty roles and involvement in accreditation

policies for faculty professional development activities—(staff development, flex, sabbaticals, faculty academy, senate grant program)

processes for program review

processes for planning and budget

APPENDIX III

Other Statutory Requirements related to Participation in Local Decision-making

- **Ed Code 66450: *Distribution of academic presentations***

Pursuant to Ed. Code Section 66450-66452, anyone (other than the instructor of record) making a recording in any medium of a classroom presentation cannot use the recording for financial or economic gain. Students who are found to be in violation of this section will be subject to disciplinary measures. All persons found to be in violation of this section may be subject to legal action. Distribution of classroom information or materials requires prior permission from the instructor of record.

Students will be informed of this regulation through posting in the college catalog and the Antelope Valley College website.

See Board Policy #5500

- **Ed Code 87458: *Administrative retreat rights***

The process by which the board of trustees determines retreat rights of administrators shall be developed and agreed upon jointly by representatives of the board and the academic senate, and the board relies primarily upon the advice and judgment of the academic senate to determine that the administrator possesses the minimum qualifications for employment as a faculty member. See Administrative Procedure #7250

- **Ed Code 87359: *Equivalencies to minimum qualifications***

The process and criteria used to determine that individual faculty members who do not meet the applicable minimum qualifications specified in Ed. Code 87356 shall be developed and agreed upon jointly by representatives of the board of trustees and the academic senate. The board shall rely primarily upon the advice and judgment of the academic senate to determine that faculty members possess qualifications that are at least equivalent to the applicable minimum qualifications.

Equivalencies for each discipline will be determined by full-time faculty from the respective disciplines and submitted to the Academic Senate for approval. Equivalencies must be approved by the Academic Senate and available to the Human Resources Office prior to screening of applicants.

See Administrative Procedure #7211

- **Ed Code 87360: *Faculty hiring***

Hiring criteria, policies, and procedures for new faculty members shall be developed and agreed upon jointly by representatives of the board of trustees and the academic senate.

See Administrative Procedure #7120

- **Ed Code 87610.1: *Faculty tenure***

The faculty's exclusive representative shall consult with the academic senate prior to engaging in collective bargaining on procedures related to tenure evaluation procedures.

See Administrative Procedure #7210

- **Ed Code 87663: *Faculty evaluation***

The board of trustees, in consultation with the faculty, shall adopt rules and regulations establishing the specific procedures for the evaluation of its contract and regular employees on an individual basis and setting forth reasonable but specific standards which it expects its faculty to meet in the performance of their duties. Such procedures and standards shall be uniform for all contract employees with similar duties and all regular employees with similar duties.

See Administrative Procedure #7150

- **Ed Code 87743.2: *Faculty service areas***

The faculty's exclusive representative shall consult with the academic senate in developing its proposals for establishing faculty service areas.

See Administrative Procedure #7211

- **Title 5 55022: *Curriculum committee***

Curriculum Committee. The college and/or district curriculum committee (Academic Policies and Procedures Committee) recommending the course shall be established by the mutual agreement of the college and/or district administration and the academic senate. The committee shall be either a committee of the academic senate or a committee that includes faculty and is otherwise comprised

in a way that is mutually agreeable to the college and/or district administration and the academic senate.

In order to fulfill the mandate of Title 5, Section 55022, the Board of Trustees and the Academic Senate mutually agree to establish a curriculum committee, referred to as the Academic Policies and Procedures Committee, comprised of members from each faculty division and co-chaired by a full-time faculty member and the vice president of academic affairs.

- **Title 5 53204: Academic senate/union agreements**

Nothing in these administrative procedures shall be construed to impinge upon the due process rights of faculty, nor detract from any negotiated agreements between collective bargaining representatives and district governing boards. It is the intent of the Board of Governors to respect agreements between academic senates and collective bargaining representatives as to how they will consult, collaborate, share, or delegate among themselves the responsibilities that are or may be delegated to academic senates pursuant to these regulations.

Glossary of Terms

1. Academic Senate

An organization representing faculty, whose primary function is to consult collegially with the governing board of a district and/or the administration of a college as their representative. The role of the academic Senate constitutes a delegation of authority; by regulation local governing boards are required to consult collegially with the academic Senate on academic and professional matters. (Title 5 §53200-53201) (Ed Code §70901)

2. Ad-Hoc

A group of individuals working on a one-time task

3. College Coordinating Council (CCC)

The College Coordinating council is a governance group of district constituent leaders, established to respond to changing conditions in the institution within a participatory governance framework.

4. Collegewide Participatory Governance Committee

A committee that functions under the operating guidelines of the College Coordinating Council.

5. Consensus

A decision-making process used to resolve conflict creatively and with general agreement. Complete unanimity is not the goal. Each individual should accept the group's decision on the basis of logic and feasibility.

6. Constituent

Individual members of any represented group.

7. Effective Participation of Faculty Outside of Academic and Professional Matters

Faculty shall be provided with opportunities to participate on matters affecting them. (Title 5 §51023)

8. Effective Participation of Staff

a) Staff shall be provided with opportunities to participate in the formulation and development of district and college policies and procedures. Governing boards should solicit input of staff on matters affecting them. Delegation of authority does not extend to staff. The policies and

procedures of the governing board shall ensure that the recommendations and opinions of staff are given every reasonable consideration. (Title 5 §51023.5)

- b) Except in unforeseeable, emergency situations, the governing board shall not take action on a matter having a significant effect on staff until it has provided staff with an opportunity to participate in the formulation of the policy or procedure or the joint development of recommendations regarding the action.

Governing board procedures shall ensure that at the district and college levels, recommendations and positions developed by staff are given every reasonable consideration. (Title 5 §51023.5)

9. Effective Participation of Students

- a) Students shall be provided an opportunity to participate in the formulation and development of district and college policies and procedures that have or will have a significant effect on students. This right includes the opportunity to participate in processes for jointly developing recommendations to the governing board regarding such policies and procedures. Delegation of authority does not extend to students.
- b) Except in unforeseeable, emergency situations, the governing board shall not take action on a matter having a significant effect on students until it has provided students with an opportunity to participate in the formulation of the policy or procedure or the joint development of recommendations regarding the action.

Governing board procedures shall ensure that at the district and college levels, recommendations and positions developed by students are given every reasonable consideration. (Title 5 §51023.7)

10. Exceptional Circumstances

The regulations do not define the terms “exceptional circumstances” and “compelling reasons,” and these terms are not intended to have a legal definition. These terms mean that Boards must usually accept Senate recommendations in relation to academic and professional matters. In instances where a recommendation is not accepted, the Board’s decision must be in writing, based on a clear and substantive rationale which puts the explanation for the decision in an accurate, appropriate, and relevant context. (Title 5 §53203 - d.2).

11. Participatory Governance

Effective participatory governance includes collectively sharing ideas and formulating good recommendations to present to Boards of Trustees or their designee. It is the responsibility of the Board to focus on the needs and best interests of the district as a whole.

Participatory governance is not effective when the participating entities interpret their roles to include final approval of policies, procedures or budgets. (May 19, 1999 Report to the Consultation Council on the Effectiveness of Faculty, Staff and Student Participation in College and District Governance.)

12. Recommendations

Committee makes a “decision” of what to recommend to appropriate bodies (i.e., Academic Senate, Superintendent/President, or Board of Trustees). (Title 5 §53203(d).)

13. Senate Standing Committee

A committee formed by the Academic Senate on academic and professional matters assigned to it.

14. Taskforce

A group carrying out a specific task.

15. Title 5

The California Code of Regulations specific to education. (California Code of Regulation 1/99 Update).

16. Subgroup

A group of individuals assigned by the Strategic Planning and Budget Council to formulate recommendations relating to a designated institutional function or interest including Human Resources, Facilities, Communication, Educational Master Plan, Budget Subcommittee, and Finance.

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