



2-26-19

Academic Senate Meeting Packet

Pg.#	Supplemental Documents	Discussion Item
1	Meeting Agendas	Agendas

Access Meeting Agendas, Minutes, & Supplemental Documents Online:
<http://bit.ly/asmeetingdocs>



February 26, 2019 | 11:30 A.M. - 12:30 P.M. | Faculty House

Academic Senate President

Academic Senate Body

Academic Senate Body:

- a. February 19, 2019

Members of the public may fill out a Public Comment Slip that is located near the meeting agendas in front of the meeting room. Please give your slip to the president before the meeting begins. Comments on items specific to the agenda may be made at this time, or, preferably, during discussion of that agenda item. The president will determine the order of speakers. Speakers have a one-minute time allotment per speaker.

:

- a. Garrison Honors Annual Report - Raymond Tu
- b. Guided Pathways Reporting
- c. Professional Development Institute Report - Marilyn Kennedy
- d. AB 705 Update - Doug Lloyd
- e. Curriculum Committee Update - Anna Hanlon
- f. IMC Update - Rendell Drew

- a. Review and Action of AP/BP 3410 Prohibition of Discrimination and Harassment, and AP/BP 4240 Academic Renewal - Marilyn Kennedy
- b. Bylaws Revisions and Additions Discussion Only



- i. Tuesday, April 16, 2019 at Coastline

Coast Community College District
BOARD POLICY
Chapter 3
General Institution

BP 3410 **Prohibition of NonDiscrimination and Harassment**

[Revision](#)

References:

Education Code Sections 200, 210.2, 212.5, 220, 66252, 66260.6, 66260.7, 66270, 66281.5,66250 et seq., 72010 et seq., P

The ~~Coast Community College~~ District is committed to equal opportunity in educational programs, employment, ~~and all in~~ access to institutional programs and activities, ~~and to in providing an academic and work environment that is based on respecting the dignity of individuals and groups.~~

The District does not discriminate unlawfully in providing educational or employment opportunities to any person on the basis of race or ethnicity, gender, gender identity, gender expression, religion, age, national origin, sexual orientation, marital status, medical condition, pregnancy (including childbirth, breastfeeding or related medical conditions), physical or mental disability, military or veteran status, or genetic information, ~~or~~ because ~~he/she is~~ they are perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

Further, the District shall be free of sexual harassment, sexual violence, sexual assault, and all forms of sexual intimidation and exploitation. It shall also be free of other unlawful discrimination and harassment based on the characteristics listed above or against persons based on having been the subject of domestic violence, sexual assault, or stalking.

This Policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this Policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities, and compensation.

To these ends, the Chancellor shall ensure that the District undertakes education and training activities to counter discrimination, harassment, and retaliation, and to prevent, minimize, and/or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment. All employees of the District will be required to complete training required by law as it relates to unlawful discrimination, harassment, and retaliation. The District shall also provide professional development activities and training to promote the understanding of diversity, equity, inclusion, and nondiscrimination.

~~The foregoing statement is to be incorporated into applicable District and College publications.~~

The Chancellor shall establish administrative procedures which ensure that all members of the ~~college~~ District community, including third parties, students, and employees, ~~can~~ may present complaints regarding alleged violations of this Policy and have their complaints heard in accordance with the Title 5 regulations, District policy, and ~~those of other agencies that administer state and federal laws regarding nondiscrimination law.~~

The Chancellor also shall establish procedures that define unlawful discrimination and harassment. The Chancellor shall further establish procedures for third parties, employees, students, and other members of the District community that provide for the investigation and resolution of complaints regarding harassment, discrimination, and retaliation, and procedures for students to resolve complaints of harassment, discrimination, and retaliation. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

This Policy and related Administrative Procedures (including the procedure for making complaints) shall be widely published and publicized to the community, administrators, managers, faculty, staff, and students

No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, in any private organization whose membership practices are unlawfully discriminatory on the basis of the protected status categories as cited above.

Accommodations

~~When an employee has disclosed a disability~~ As defined by Title I of the Americans with Disabilities Act (67 rg424d(i)6 (al)6 1714 (at 1.2 refEMC /P AMCr)7 (saTe468 (f)-8 ()10 al)6 17ons

that is provided by the employee will be used by the District for the sole purpose of evaluating ~~the employee's potential~~ reasonable accommodations, and should not include information related to medical diagnosis, medications, or treatment. ~~The~~ District will protect the ~~medical~~ information that is provided by the employee in accordance with applicable ~~s~~State and ~~f~~Federal laws.

The employee and manager/~~supervisor,~~ with the assistance of the college ~~personnel office~~ Human Resources Office ~~or~~ and/or the District's Human Resources Office, will participate in a timely, good faith interactive ~~discussion process~~ concerning the functional limitations, the employee's ability to perform the essential functions of the job with or

Coast Community College District
ADMINISTRATIVE PROCEDURE
Chapter 3
General Institution

AP 3410 Prohibition of NonDiscrimination and Harassment

[Revision](#)

References:

Education Code Sections 20001 et seq., 20002 et seq., 66260.6, 66260.7, 66270, **66250 et seq.**,

Government Code Sections 11135 et seq.; 12920, 12926, 12926.1, 12940 et seq.;

Penal Code Sections 422.55 and 422.57;

Military & Veterans Code Sections 389 and 395;

Title 5 of the California Code of Regulations Sections 53000 et seq. and 59300 et seq.;

Title IX of the Education Amendments of 1972 (20 U.S. Code Sections 1681 et seq.; 29 C

Title VI of t626ivil Rights Act of 1964 (42 U.S. Code Sections 2000d- 1 et seq.; 34

Code of Federal Regulations Part 100;

29 Code of Federal Regulations Part 1691);

Equity in Higher Education Act Education Code Sections 66250 et seq.)

Title VII of t626ivil Rights Act of 1974 (42 U.S. Code Sections 2000e et seq.);

Genetic Information Nondiscrimination Act of 2008 (42 U.S. Code Sections 2000ff et seq.;

29 Code of Federal Regulations Part 1635);

Section 504 of the Rehabilitation Act of 1973 (29 U.S. Code Sections 794;

34 Code of Federal Regulations Part 104);

Americans with Disabilities Act (42 U.S. Code Sections 12101 et seq. and 121320 2 54-0.002

e of Federal Regulations Part 1625);

ned Services Employment and Reemployment Act (38 U.S. Code Sections

nd 4311;

e of Federal Regulations Part 1002,626ubpart B);

ia Code of Regulations: Title 2 Sections 7286 et seq.; and

The District is committed to providing an academic and business environment free of unlawful discrimination and harassment. This Procedure defines sexual harassment and other forms of harassment.

This Procedure and the related Policies protects students and employees in connection with all the academic, educational, extracurricular, athletic, and other programs, and business of the District, regardless of whether those programs or that business take place in the District's facilities, in a District vehicle, or at a class or training program sponsored by the District at another location.

Definitions

General Harassment

Harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, and/or sexual orientation of any person, or based on the perception that a person has one or more of these characteristics, is illegal and violates District policy. Gender-based or sex-based harassment does not necessarily involve conduct that is sexual in nature. Any hostile or offensive conduct based on gender or sex can constitute prohibited harassment. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender or sex, could constitute gender-based or sex-based harassment. Harassment comes in many forms, including but not limited to the following conduct:

Verbal: Inappropriate or offensive remarks, slurs, jokes, or innuendoes based on a person's race, sex, gender, gender expression, and/or sexual orientation, religion, disability, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status, gender expression, and/or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats, or intimidation; or sexist, patronizing, or ridiculing statements that convey derogatory attitudes based on sex, gender, gender expression, race, nationality, sexual orientation, religion, disability, or other protected status.

Physical: Inappropriate or offensive touching, assault, or ph (.)2 ()10 (T)5 (hi)6 (s)4ew 29.terference movement. This may include, but is not limited to, k Tsing, patting, lingering orimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, and whistling oraking sexual gestures. It also4ew15.9 (nc)4 (l)6 (udes)14 (any)14

expression, race, national origin, sexual orientation, religion, disability, or other protected status. Ph (.)2 ()10 (T)5 (hi)6 (s)4sexual harassment includes acts of sexual violence, such a sexual assault, sexual battery, stalking, and sexual coercion. Sexual violence refers to ph (.)2 ()10 (T)5 (hi)6 (s)4sexual acts perpetrated against a person's will or where a person is incapab giving consent.

"Hostile environment" sexual harassment occurs when unwelcome conduct based on a person's sex or gender is sufficiently severe or pervasive so as to alter the conditions of an individual's academic or business environment, unreasonably interfere with an individual's academic or work performance, or create an intimidating, hostile, or abusive academic or business environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same sex or gender would perceive the environment as hostile. A single or isolated incident of sexual harassment may be sufficient to create a hostile environment if it is severe, like a sexual assault.

Sexually harassing conduct can occur between people of the same or different sex or genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same sex or gender as the victim would perceive the conduct as harassment based on sex or gender.

Examples: Harassment includes, but is not limited to the following misconduct:

- Verbal: Inappropriate or offensive remarks, slurs, jokes, or innuendoes based on a person's protected status, including but not limited to sex or gender. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, gender expression, sexual prowess, marital status, or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats, or intimidation of a sexual nature or based on sex/gender; or sexist, patronizing or ridiculing statements that convey derogatory attitudes about a particular sex or gender. If applicable, also refer to the "Academic Freedom" section below.
- Physical: Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling, or making sexual gestures. If applicable, also refer to the "Academic Freedom" section below.
- Visual or Written: The display or circulation of offensive sexually or gender oriented or other discriminatory visual or written material. This may include, but is not limited to, emails, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions. If applicable, also refer to the "Academic Freedom" section below.
- Environmental: An academic or business environment that is permeated with racially or, sexually, or gender-oriented talk, innuendo, insults, or abuse not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics, gender, and/or sexually suggestive statements in the academic or business environment. An environment may be hostile if unwelcome sexual behavior or other harassing behavior based on a protected status is directed specifically at an individual or if the individual merely witnesses unlawful harassment in their immediate surroundings. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes

with an individual's learning or work. If applicable, also refer to the “Academic Freedom” section below.

Consensual Relationships

Romantic or sexual relationships between managers and employees, or between managers, faculty, or staff members, as well as romantic or sexual relationships between employees and District students are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty, or staff member must evaluate the student’s or employee’s work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual romantic or sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the District has the authority to transfer any involved employee to eliminate or attenuate the supervisory authority of one over the other, or of an instructor over a student. Such action by the District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

Academic Freedom

The Board of Trustees reaffirms its commitment to academic freedom, but recognizes that academic freedom does not allow any form of unlawful discrimination or harassment. It is recognized that an essential function of education is a probing of opinions and an exploration of ideas that may cause some students discomfort. It is further recognized

~~The District shall from time to time to provide professional and staff development activities and training to promote understanding of diversity.~~

Ratified December 2, 2013

Ratified Date

Coast Community College Dist

5.

The Academic Senate of Orange Coast College By-Laws

The Electorate shall consist of the Faculty, as defined in Article I of the Constitution, and the Senate shall be elected from the members of this body.

The Senate shall be composed of a Senator from each Division, the Library, and Student Services; nine Senators-at-Large, all elected from the regular and contract Faculty; and up to three voting Senators-at Large from the Part-time Faculty. There shall be included within the membership of the Academic Senate, a non-voting student who shall be appointed by the SGOCC. The student representative may designate for the record his/her support or opposition to any matter prior to the official Senate vote. A designation shall be recorded in the Senate meeting minutes. Such student shall have the right to attend all meetings of the Senate except those meetings prohibited by Education Code 72023.5 (a) (2) or when the Senate is in closed session.

Divisions are responsible for conducting their own elections of division senators. The Senate will conduct elections of division Senators if the division requests the assistance of the Senate. During the month of February, eligible divisions shall report to the Senate the results of their elections of division Senators. Divisions shall be responsible for filling vacant seats when they arise. In such cases, divisions shall report to the Senate the results of their elections of replacement Senators. The Senate President shall report the results of divis

Candidates from the part-time members of the Faculty shall receive notice in February that they may nominate themselves for one of three part-time voting Senator-at-Large positions. All interested nominees shall attend the designated meeting in February to present themselves and be endorsed by the Senate for a one year term of office. Vacancies that may occur prior to the next election shall be filled by appointment and endorsement of the Senate.

- a. A permanent vacancy is established when a Senator submits a letter of resignation to the Senate President, is unable to complete the term of office, is absent for three (3) consecutive meetings without prior consent of the President of the Senate, or who becomes ineligible to hold membership in the Senate. Permanent vacancies shall be filled as provided in Sections 3, 4, and 5.
- b. . Temporary vacancies occur when the President declares a Senator is on approved temporary leave. Then the Senate shall conduct an election to fill the seat for the duration of the leave as per Sections 3, 4, and 5; or, in lieu of an election, the Senator may designate a substitute from the same constituency which they represent who will serve as if elected.

Approximately one-third (1/3) of the regular and contract Senate membership shall be elected each year; and each elected member shall serve for a term of three years except for the following changes for the 2016-2017 election cycles only:

- a. Effective for the 2016 Senator-at-Large election only, all five newly elected Senators-at-Large shall draw lots to determine which two shall serve two-year terms in order to re-establish the required one-

The Senate shall be organized annually during the week following the Spring break. The first order of business of the organizational meeting of the Senate shall be the election of officers except the immediate Past President. The officers shall consist of President, Vice President, Secretary, and Parliamentarian, and the immediate Past President. The President, only upon completion of his/her final elected term of office, shall serve as immediate Past President for one semester or one year only if she/he is an elected Senator. If the immediate Past president is no longer a Senator, he/she may remain as an advisor to the Executive Board.

The Senate officers shall be elected by the Senate from the Senate membership. The officers shall be elected by a simple majority of votes cast by a written, secret ballot, and they shall take office on July 1 of the year elected and serve until June 30 of the following year. The term for the office of President shall be for one year with no more than three years in succession.

1. Preside over all Senate meetings and Executive Board meetings.
2. Represent and act as spokesperson for the Academic Senate and the Executive Board
3. Along with the Executive Board:
 - (a) be responsible for establishing the time and place for all Executive Board meetings.
 - (b) be responsible for the preparation of the agenda for all Senate meetings and Executive Board meetings.
 - (c) be responsible for establishing and administering the annual Senate budget and reporting all yearly expenditures to the Senate body in a printed report.
4. Perform any other function normally thought to be within the realm of a presiding officer that is otherwise not denied by the by-laws, Senate rules, or Executive Board rules and not prohibited by the Senate body.

1. Act as President in the absence of that officer.
2. Succeed to the Presidency in the event of a vacancy in that office.
3. Attend specific committee meetings to represent the Senate as assigned by the Executive Board or the Senate.
4. Perform such functions as the President assigns to assist in carrying out the purposes and policies of the Academic Senate.

1. Be responsible for all minutes of the Senate meetings.
2. Distribute electronically the approved minutes to the faculty, College President, Chancellor, Board of Trustees, the Academic Senate Presidents of Coastline Community College and Golden West College, and the faculty union Presidents.
3. Perform such functions as the President assigns to assist in carrying out the purposes and policies of the Academic Senate.

The Academic Senate of Orange Coast College By-Laws

Article 1

Membership and Elections

Section 1. The Electorate. The Electorate shall consist of the Faculty, as defined in Article I of the Constitution, and the Senate shall be elected from the members of this body.

Section 2. Composition of the Senate. The Senate shall be composed of a Senator from each Division, the Library, and Student Services; nine Senators-at-Large, all elected from the regular and contract Faculty; and up to three voting Senators-at Large from the Part-time Faculty. There shall be included within the membership of the Academic Senate, a non-voting student who shall be appointed by ~~the SGOCC~~ student government. The student representative may designate for the record his/her support or opposition to any matter prior to the official Senate vote. A designation shall be recorded in the Senate meeting minutes. Such student shall have the right to attend all meetings of the Senate except those meetings prohibited by Education Code 72023.5 (a) (2) or when the Senate is in closed session.

Section 3. Division Senators. Divisions are responsible for conducting their own elections of division senators. The Senate will conduct elections of division Senators if the division requests the assistance of the Senate. During the month of February, eligible divisions shall report to the Senate the results of their elections of division Senators. Divisions shall be responsible for filling vacant seats when they arise. In

candidates may be nominated from the floor at a general meeting to be held during the month of March. Not later than the first week of March, the President of the Senate shall call an election of regular and contract Faculty to determine the Senators-at-Large. ~~Voting shall be by secret ballot.~~ Senators shall be seated in the order of popular votes received.

Permanent vacancies that occur prior to the next election will be replaced by the Senate President appointing a Faculty member for the remainder of the term from the alternate list of unelected nominees in order of popular votes received and seeking a majority endorsement from the Senate body. If the list has been depleted, an election will be held using procedures approved by the Senate. ~~For temporary vacancies, a Senator may designate a substitute from the same constituency which they represent who will serve as if elected. If an extended absence of more than three (3) meetings is anticipated, the Senate shall~~(t)-5.h8(h)-0.7 (o)-9.6 .h exp4(f)2.6 (55.4 (ac).3 (e)-6 ()10.6 (c)-4.9 (o)-9.6 (n)t-1o)-9.6 (84 0.7

Section 5. Part-Time Senators-at-Large. Candidates from the part-time members of the Faculty shall receive notice in February that they may nominate themselves for one of three part-time voting Senator-at-Large positions. All interested nominees shall attend the designated meeting in February to present themselves and be endorsed by the Senate for a one year term of office. Vacancies that may occur prior to the next election shall be filled by appointment and endorsement of the Senate.

Section 6. Vacancies

- a. **Permanent Vacancies.** A permanent vacancy is established when a Senator submits a letter of resignation to the Senate President, is unable to complete the term of office, is absent for three (3) consecutive

Section 8. Recall and Removal of Senators.

a. Division Senators. A Division may replace its Senator at any time upon the majority vote of the regular and contract Faculty of the Division at a special election called by petition of one-third (1/3) of the regular and contract Faculty of that Division.

b. At-large Senators. The Faculty-at-large may replace an at-large Senator at any time upon the majority of votes of the regular and contract Faculty at a special election called by petition of one-third (1/3) of the regular and contract

Article II

Officers and Committees

Section 1. Officers of the Senate.

a. The Senate shall be organized annually during the week following the Spring break. The first order of business of the organizational meeting of the Senate shall be the election of officers except the immediate Past President. The officers shall consist of President, Vice President, Secretary, and Parliamentarian, and the immediate Past President. The President, only upon

f. The Parliamentarian shall:

1. Rule on parliamentary procedures as prescribed in the latest edition of Robert's Rules of Order, Revised or such other rules or procedures as may be adopted by the Senate.

g. The Immediate Past President may:

1. Attend meetings of the Executive Board as a non-voting member for one semester or one year following his/her last service as Senate President.
2. Perform such functions as the President may assign to assist in carrying out the purposes and policies of the Academic Senate.

h. Non-voting Members of the Senate and the Executive Board:

The Executive Board shall:

- a. Allocate additional duties to each officer as required.
- b. Meet no fewer than five times each semester.
- c. Implement policies adopted by the Senate; develop procedures; perform other functions that are not inconsistent with the intent, purposes, and provisions of the By-laws and directions of the Senate.

Section 3. Executive Board Meeting Time. The Executive Board will meet following each Senate meeting in the Faculty House unless otherwise agreed on.

Article V Amendments of By-Laws

Section 1. Amendments to these By-Laws may be proposed by the Executive Board or by a petition signed by one-third (1/3) or more of sitting Senators.

Section 2. These By-Laws may be amended by a two-thirds (2/3) majority of the Senate.

Article VI Election Procedures

The Senate will conduct electronic elections of senators.

a. Any faculty member may request to vote with a paper ballot. In such instances, the faculty member should request a paper ballot from the Senate President. The paper ballot must be requested and submitted during the period of electronic voting as determined by the Senate President. The Senate President will announce the dates of the election period at a Senate meeting.

b. ~~The Senate will conduct elections for division Senators if the division requests the assistance of the Senate. Otherwise, the division will conduct its own elections and report the results to the Senate in February.~~ The Senate President shall report to the Senate the results of division elections during the President's report/announcements at the next Senate meeting.

c. The Senate will conduct elections for senators-at-large through the electronic procedures adopted by the Senate. 1. To win the Senator-at-Large seat, a candidate must receive more votes than the other candidate(s). 2. If a candidate for Senator-at-Large runs unopposed, the Senate may elect the candidate by acclamation at a Senate meeting.

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Professor Marilyn Kennedy
Orange Coast College, Coast Community College District
Academic Senate Secretary

Definitions:
Momentum Points: