



**Student Preparation, Equity and Achievement Council**  
 Online via Zoom  
 December 7, 2020 – Minutes

**Members [19]**

- |  |   |   |  |
|--|---|---|--|
| <input checked="" type="checkbox"/> Audrey Yamagata-Noji, Co-Chair | <input checked="" type="checkbox"/> Lance Heard, Co-Chair | <input checked="" type="checkbox"/> Matt Munro    | <input checked="" type="checkbox"/> Briseida Ramirez-Catalan |
| <input type="checkbox"/> Madelyn Arballo                           | <input checked="" type="checkbox"/> Guadalupe De La Cruz  | <input checked="" type="checkbox"/> Michelle Nava | <input checked="" type="checkbox"/> Lani Ruh                 |
| <input checked="" type="checkbox"/> David Beydler                  | <input type="checkbox"/> Francisco Dorame                 | <input checked="" type="checkbox"/> Donna Necke   | <input type="checkbox"/> Chisa Uyeki                         |
| <input type="checkbox"/> George Bradshaw                           | <input type="checkbox"/> John Kuchta                      | <input checked="" type="checkbox"/> Bruce Nixon   | <input checked="" type="checkbox"/> Jeanne Marie Velickovic  |
| <input checked="" type="checkbox"/> Monika Chavez                  | <input checked="" type="checkbox"/> Sara Mestas           | <input type="checkbox"/>                          | <input type="checkbox"/>                                     |
| <b>Student Representatives:</b>                                    | <input checked="" type="checkbox"/> Hugo Fulcheri         | <input type="checkbox"/>                          | <input type="checkbox"/>                                     |

**Guests: Sokha Song, Ryan Wilson, Maria Tsai**

Item No.	Agenda Item	Discussion	Outcome
1.0	Review Today's Agenda and Minutes: <a href="#">November 2, 2020</a>	Introduced new members Michelle Nava (English faculty) and John Kuchta (Welding).	Minutes motion, seconded, approved by the Council  Accreditation Standard IV.A.7
2.0	<b>Committee Meeting Minutes for Review and Approval</b>		
a.	Student Equity – <a href="#">October 26</a> and <a href="#">November 9</a> minutes received for acceptance	Bruce shared that the committee worked with Associated Students leadership.	Minutes accepted by the Council
b.	Assessment and Matriculation – <a href="#">October 28</a> minutes received for acceptance	1-year throughput report presented by Maria Tsai	Minutes accepted by the Council
c.	Retention and Persistence – <a href="#">October 27</a> and <a href="#">November 10</a> minutes received for acceptance	Jeanne Marie shared that the committee is really focused on equity. Want to serve all students and looking at how different students are disproportionately impacted. Finding out where the gaps are and documenting it. When looking at retention and persistence, focused on students achieving goal and moving forward to achieving academic goal. Francisco inquired of classified representation for the Retention and Persistence committee. Chisa shared that there is a classified at large position vacant.	Minutes accepted by the Council
3.0	Retention & Persistence Committee <a href="#">2020-21 Purpose &amp; Function statement</a>	Functions relate closely with our functions, as well as Assessment and Matriculation committee.	Purpose and Function statement accepted by the Council



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		Will continue to look at purpose and function statement on a monthly basis	
4.0	2019-20 SEA Annual Report (due January 1)	<p>Late notice to complete</p> <p>Workgroup choose 2 additional di groups</p> <p>Jeanne Marie inquired about the ACCESS course</p> <p>Outcomes:</p> <p>COVID-19</p> <p>Check lupita's suggestions</p> <p>Talk about increase in graduation rates in regards to system with auto-awarding. Auto award new system looks at the courses they took and match across all neighbors</p> <p>983 degrees issued through auto-award</p> <p>DHH English &amp; Speech paired courses</p> <p>Audrey will send another draft to all</p> <p>Madelyn asked if she can contribute outcomes part</p>	
5.0	<p>Update on new Title IX changes (<i>Sokha/Ryan</i>)</p> <ul style="list-style-type: none"> <li>• <a href="#">AP 3434 – Responding to Sex Based Harassment Under Title IX</a></li> </ul>	<p>Ryan and Sokha shared AP 3434</p> <p>Released new regulations regarding Title IX sexual harassment. Incorporated these new regulations in this ap.</p> <p>Stronger is terms of college impact</p> <p>Identified Title IX coordinator</p> <p>Not deliberately indifferent – reach out to individuals</p> <p>Title IX jurisdictions depends on criteria</p> <p>Harrasment has to occur in the united states</p> <p>Refers to off campus activites</p> <p>Has to meet the definition of Sexual Harrasment</p> <p>Don't have to be current student/employee</p> <p>Any former staff within 3 years; former student within 1 year</p> <p>The state language hold for us in terms of oversight</p> <p>Left up to individual colleges to define consent</p> <p>Has to have affirmative consent --- otherwise will fall under sexual harassment</p>	



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The complainant has to provide a written complaint.  
Allows for a case where information has been shared, the title IX coordinator can file a complaint .. particularly where it can serve as  
The “touching rule”... anything severe will prompt coordinator to move forward.  
Quid-pro-quo situation --- falls under title IX. A college employee conditions the provision of an aid, benefit, or service of the college on an individual’s participation in unwelcome sexual conduct.  
Another criteria considered as sexual harassment is sexual assault  
Dating violence, domestic violence and stalking as falling under Title IX  
Individuals can report to the Title IX coordinator  
Need to be provided supportive resources and options to file criminal complaints.  
(check)This particular AP --- officials with authority  
Chisa asked if an individual faculty member would fall under this. Ryan clarified that they would not, but would qualify under Title V  
Can record within any time frame  
Supportive measures --- check  
Employees under Title IX can still be placed on administrative leave  
Language need to be included – check  
Notice that they have a right to an advisor  
Notice of the college board policies  
All would be included in notice to both parties  
Criteria to be dismissed a formal complaint:  
If the conduct alleged in the formal complaint would not  
Did not occur on college  
Did not occur in us  
Dismissed – check



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Other specific circumstances that prevent the college from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations  
Limit to geographic location. Would not apply study abroad.  
Language specific to title IX regulations.. check  
If dismissed --- have to provide notice of this  
Appeals would go to VP-HR  
Student and employees go through same process  
Timeline for completion – within 180 days – college will conduct hearing process  
Advisor can be anyone  
In a case where the student/employee doesn't have advisor, the college would have to provide for them, free of charge.  
Have to remain confidential throughout the process  
Cannot use privileged information without consent  
Investigations need to be conducted by a trained investigator  
Evidence standard – this is what is required in the state of California  
Parties have 10 days to provide a written response.  
Live hearing is required, doesn't mean that they have to be in the same room together. Can be held via zoom  
Under Title IX, audio/visual recording is required.  
Decision making panel will be a panel of 3 members, one serving as chair person.  
Panel will be made up of a pool, make up of SS, Instruction and admin services.  
Decision maker will be trained in the process  
Cannot be any biased in the hearing and the  
The decision makers may ask the parties questions  
Continuation of hearing can be requested  
Hearing process  
The advisors can cross-examine each other  
Page 12 – “insultatory” to be corrected



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Audery asked – we have has sensitivity of the complainant not wanting to be seen by the respondent  
Ryan said that the complainant would have to be seen somehow, in order for consideration. Complainant has to submit cross examination.  
Sokha said that this was a challenge that he and Ryan had. To make it more challenging, they have to answer every questions in the cross examination.  
The hearing officers can strike a question that is being asked, but have to provide and explanation.

“The hearing  
#4 & #5 are direct contradiction to #3

John asked what are the chances of this being revisted with the new administration.  
Ryan says that it is high for this issue to be revisted. However, it could take some time to be implemented.  
Decision makers will deliberate after the live hearing  
The determinations will have to include the grounds for respondent to appeal  
Appeal of a dismissal – provide a written appeal  
Specific grounds for appeal – a procedural irregularity affected by the outcome  
The appeal procedure requires a written request  
Still an option for informal resolution process, including mediation... in lieu of formal investigation  
Retaliation prohibited under Title IX  
Everyone under the process needs to be trained  
Check  
Bruce asked if both parties agree during informal process, will the formal process still need to proceed. Yes.  
Lani asked if she took a team to compete in Canada and harassed, would it fall under title IX. Ryan says no, but still



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		<p>should be reported . Sokha clarified that even though faculty is not named in title IX, still applies in the state.        During investigation, if between 2 students in one class, what happens?        Cannot force someone to leave a class, but (CHECK)        Sometimes complainant would say they do not want to leave the class. Cannot tell them to leave        Athletes, could look into different practice times.        Time can impact the ability to continue education        David pointed out on page 7 and incomplete sentence under Supportive Measures.        President Scroggins and HR not supportive of these regulations and not happy with AP.        Will look at it again with new administration.        Passed for a second reading during thanksgiving week.        Threshold is so high and will likely be bounced back        Decision makers are not confidential. Leave responsibility to area VPs . Ensure equity amongst different areas.        If respondents disliked, can potentially sue title IX coordinator.        But with these regulations, the decision makers can be sued.        Challenging if you have never sat in a hearing.        Acting as agents of the college, so would be covered by the college.        CA has a rule in place where were required to update annually</p>	
6.0	<p>AB705 Equitable Placement Validation of Practices (<i>Maria Tsai</i>)</p> <ul style="list-style-type: none"> <li>• <a href="#">Equitable Placement Validation of Practices Submission form</a> (due January 15)</li> <li>• <a href="#">Final AB 705 Validation Template</a></li> <li>• <a href="#">ESS 20-300-009 AB 705 Validation of Practices</a></li> </ul>	<p>Check        How do you decide on the pre-transfer?</p> <p>Work in progress.        Maria is coming up with data set to submit        Use this number to access equity progress        SLAM – “Statistics and Liberal Arts Math        Algebra track – do not have pre-statistics track</p>	



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	<ul style="list-style-type: none"> <li>• <a href="#">AB 705 Research Action Plan Prioritization</a></li> <li>• <a href="#">AB 705 Research Progress</a></li> </ul>	<p>Technically due in June... but decided to make it due January, under the premise that they will provide feedback</p> <p>Can send out 1-yr throughput rate can be sent to council members</p> <p>Can do another joint meeting to present this report</p>	
7.0	<a href="#">AM Recommendation 55</a> (David)	<p>Technical clean up of AQ          Helps students to get to the right place          For non ELL students          Comes down to AMLA branching questions in AQ.          Some of the students will be given Engl 1A</p>	<p>Council moves to approve Move recommendation forward to Academic</p>
8.0	<p>Announcement – SEAP Instruction carryover mini grant process workgroup (Madelyn)</p>	<p>Carryover from the SEAP fund.          Proposed mini-grant process          Hoping the process is similar to the Guided Pathways mini grant process          Will be open to managers, faculty, and faculty/manager teams.          Would like volunteers for workgroup members. The members will be forwarded to VPI          Will be required to collect outcome data          Each funded project would have a unique SEAP budget structure created and placed within the appropriate division’s budget, overseen by the division/department manager and then tracked for spending.          Workgroup will develop mini-grant process and send out to campus community for Spring 2021 project start dates.          Final amount will have to be determined by cabinet.          The hope is that it will expand to the calendar 2020-21.          Good place to come because there is a baseline strategy.          Challenge is the timeline.          The real issue is the term and how much time to spend the money.</p>	



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		Chisa said that there may be other faculty that may be interested ... possibly on the Student Equity Committee. Madelyn said that it will likely take 2 meetings	
	<b>Future Presentations/discussions</b>		
	<a href="#"><i>See attached</i></a>		
	<b>Next meeting dates:</b> March 1, March 15, April 5, April 19, May 3, May 17, June 7		