



Classified Senate Meeting Minutes

September 09, 2020 | 11:00 a.m. - 12:00 p.m. | Zoom Meeting

Senators	Attendance	Senators	Attendance
Vanessa Ayala	Present	Jasmine Nguyen	Present
Karen Bowen	Present	Katie Olivier	Present
Nelson Contreras	Present	Andrea Rangno	Present
Audrey Crouse	Present	Teresa Rodriguez	Present
Kris Cutting	Present	Eva Shaffer	Absent
Heather Dominguez	Present	Cecilia Schreyer	Absent
Kayla LaBounty	Present	Leo Stiles	Absent
Christina Miramontes	Present	Jillian Whistler	Present

Guests

Shannon Quihuiz, Amy Morgan, Angelina Barger, Ashley Rippeon, Belta Moon, Bill Moon, Carlos Amescua, Carole Farr, Connie Oh, Daisy Segovia, Desire D’Amore, Eduardo Cervantes, Eric Bryan, Eva P., Heather Riessen, Ivane Bui, Jack, Jami Jacobi, Janae Hunter, Janine Wood, Jeanamarie Pirio, Jeanette Adame, Jennifer Rivera, John Fawcett, Julie Yan, Karen Ladouceur, Karen Latham, Kayden Nguyen, Kelly Lam, Larissa Nazarenko, Liz D. Parker, Maria TullaiDavis, Martha Guevara, Matte Segerblom, Michelle Ozuna, Minerva Mondragon, Mireille Halley, Scott, Paulina Trieu, Phukhanh Vu, Phuong Phan, Quintin Powell, Rayline Anderson, Rebecca Morgan, Ricky Goetz, Rini Sukaesih, Sherri Schroeder, Stephanie Phonsiri, Stephanie Tatekawa, Tere Vasquez, Theresa De Los Santos, Thu Nguyen, Thuy Nguyen, Tiffany Huynh, Tracey Garcia, Tuan Vo, Veronica Sanchez, Victor Pino, and Zach Gonzalez.

Recorder of Minutes: Beatriz Rodriguez

1. Call to Order - Classified Senate President:

President Jasmine Nguyen called the meeting to order at 11:03 a.m.

2. Approval of the Minutes - Classified Senate Body:

Motion 1: Senator Kris Cutting moved to approve the May 27, 2020 minutes; motion seconded; motion approved unanimously.

3. Officer, Senator, and Committee Reports:

a. President’s Report – Jasmine Nguyen:

- President Nguyen reported that she will post the President’s report on the OCC portal.
- She welcomed the new senators: Karen Bowen from the Administrative Wing, Kayla LaBounty, Christina Miramontes, Teresa Rodriguez and Jillian Whisker as new full time and

at-large senators. There is currently a vacancy for the Instructional Wing as Kristen Hickman is no longer at OCC.

- OCC will put together a taskforce with the goal to create a culture of inclusion and belonging for students, faculty, staff and administrators. It is called the President's Taskforce on Equity and Inclusion, led by the President's Office. The makeup of this taskforce includes four managers, four faculty members, two CFCE representatives, two classified members, two students and additional resource members. The Classified Senate will put a call out within the next few days to select its two representatives.
- The Classified Senate presidents at the District level pushed for a climate survey to survey the faculty and staff that work for the District. The survey will analyze what is going on within the workplace. Daisy Segovia will be the OCC representative on this taskforce. The taskforce is already in place and a climate survey will go out within the next few weeks.
- Initially, the Chancellor had stated to not take any chairs, desks, or other equipment. They are looking at updating that decision. The campus will not be reopening this calendar year.
- HR wants to remind classified staff to not work over eight hours a day.

b. Vice President Committee Membership & Outreach – Nelson Contreras:

- There are six open committees. An interest form will go out with committee descriptions. These committees are administrative services, planning council, campus safety committee, international multicultural committee, technology committee and district consultation console technology subcommittee. All of the committees meet at most twice a month. Some of them only meet once a semester. It is encouraged for classified staff to fill out the interest form and fill the open spots in these committees.

4. New Business:

a. Title IX Changes – Shannon Quihuiz & Liz Parker:

- **Shannon Quihuiz:** At the end of May, the federal Department of Education released information to change details to the Title IX policy. Shannon Quihuiz presented the interim policy that was put together over the summer. The new guidance was issued on May 19th and the enforceable date was August 14th. The governing bodies met over the summer to put forth an interim guidance. There are many changes. The published document is over 2000 pages. All the Title IX coordinators in the District overwent training and reviewed all the information. Shannon Quihuiz summarized some of the changes. The Title IX team has broadened and each role or each person on that team has been given a specific duty within the grievance process. For example, it teased out the differences or what an investigator does versus what a hearing a decision maker does. The second piece is regarding jurisdiction. In the past, the jurisdiction would be overreached because it happens off campus or because it would happen in programs internationally. Title IX has now been very narrowly defined to apply to the United States only. It does not mean that things that happened in programs abroad cannot be addressed. However, it did shape the jurisdiction. Section one of the document is Definitions. A lot of the definitions such as sexual harassment, sexual assault, dating and domestic violence, all those changed. Now "sexual harassment" is an umbrella term to house all the other behaviors. Within the definition section, it will state which definitions or which names has the Department of Education recognized, for example, the words "survivor", "respondent", "complainant". A lot of those were very fluid and in past guidance. This new guidance affirms that "complaint" and "respondent" are the two main terms that will be used for the people that are involved in agreements. They also changed the terminology of "supportive measures" which were originally referred to as "interim measures" and things of that nature. The language throughout the document had to change. The most extreme change is within the actual grievance procedure. The section about reporting sexual harassment or informal resolution, investigation process, hearing process, and appeal, are new guidance procedures. Now, when someone with the authority to institute corrective measures becomes aware of this

type of behavior, the minimal response is to make sure that that person has access to supportive measures and then also make sure they are aware of how to file a formal complaint. The new guidance outlines what the standards of a formal complaint are so they can only be filed by a complaint or signed by a Title IX coordinator. It also specifies other information that people would need in order to pursue a formal complaint. Once the District has that formal complaint, then they are able to go through an informal resolution process if both parties agree or use the investigatory process. The policy teases out all the steps and what the role of that investigator is. Then after the investigation is complete they do not determine the decision afterward, they bring that to a hearing officer or a decision maker and then it goes through what is called a “live hearing”. This is not new to student conduct, nor is it new to Title IX when there are appeals that are court-like in nature, but this is substantially changed when that happens in the process. It is now done after an investigation versus during an appeal. Then they have an appeal process.

- **Liz Parker:** What role, if any, are classified staff required to be part of? Are we now part of what I would consider the “mandatory reporting” and is that changed at all with this policy?
 - **Shannon Quihuiz:** That was something that was in the prior policy. If employees become aware of this type of behavior they should consult or report to the Title IX coordinator. Normally that manifests by just reporting to a supervisor. Then that supervisor will direct that information to the Title IX coordinator. The Title IX team has expanded. Now there is a District-appointed advisor, if the student does not bring an advisor for the live hearing portion of our process. In addition, there has to be a decision maker, which was not there before and after the investigation. Title IX coordinators, the colleges, HR, and the bargaining agreements, among others are working together to determine who can volunteer to serve on those various committees. Right now, the plan is to merge the appeal process with the student conduct process or have a representative from classified management and faculty serve on that Appeal Board for these instances. However, the revision to the policy is being drafted because of the nature of how fast it had to be done. This current policy just shows the appeal as the VP or designee reviewing that appeal, but that is not ideal. It would be important to have it mirror what there already is in conduct.
- **Andre Rangno:** How do the Title IX federal and state policies merge?
 - **Shannon Quihuiz:** The federal guidance did not specify what type of standard of evidence needs to be used, but the state bills do. What is being used is preponderance of the evidence and that aligns with the Senate bill. Both the state and federal policies are being looked at. Shannon Quihuiz has a separate document where it houses all the citations of where the information was pulled from and if there is a conflict that is when general counsel is engaged. There have not been many conflicts. The biggest one is with Title V, but that just underwent a revision, as well. The preponderance standard is also being aligned. If there is ever a question or a conflict that is when general counsel is consulted and then they make the final call.
- **Quintin Powell:** Will classified employees have some liability or discipline action if they become aware of a situation but do not report it?
 - **Shannon Quihuiz:** The mandatory reporting has not changed from the prior policy which stated that employees should report to their direct supervisor or the Title IX coordinator directly. The current policy and the way in which it was written mirrors the federal guidance and the language is the Title IX coordinator or any person who has authority to institute corrective measures. Now there are some conflating policy guidance. In particular the Department of ED’s guidance is being looked at, but there is also the Cleary law, which states that any employees, a faculty, a classified or a manager, who is an advisor student to a student club or organization also has a duty to report. The understanding is that there has been no discipline rendered

from human resources for any accident that was not reported up or oversight that it was not reported up. This will have to be confirmed with the HR Director to see if there is a plan to engage the bargaining units to change that language and any contracts. The understanding right now is that the mandatory and required language is solely for the purpose of making sure that that student has access to their support services and that formal complaint process.

- **Quintin Powell:** Can you elaborate on preponderance of evidence, the standard of proof? It is the understanding that it was categorized as the lowest standard that can be applied, that there are three standards of evidence or in law and that the preponderance of evidence is considered 50% plus a feather.
 - **Shannon Quihuiz:** Preponderance is more likely than not. After all the relevant evidence has been analyzed, it is then it is determined that one side preponders over than the other side. Some training do use that 50% and then that feather, that weights over to that one side is not language that is used in Title IX use to describe a determining violation of policy because it can seem like individuals are found responsible based on a feather. This was a question, Professor Kennedy mentioned. After reviewing her reference document, Shannon Quihuiz notified her that the preponderance of the evidence standard is a requirement of that senate bill. At a later point Crystal McCutcheon who is in District HR notified that Title V was just approved and its changes were going into effect mid-September, which also ratified that preponderance of the evidence. When they undergo training with professional organizations, the preponderance of the evidence standard is not classified or discussed as 50% and a feather. It is more of the analysis of all that information and where one side leads more than another.
- **Quintin Powell:** It sounds like that is going to be set in stone that there is not going to be discussions around changing that at all?
 - **Shannon Quihuiz:** It is not foreseen that the District will want to take on that battle. It is in the Senate bill and Title V.

b. Classified Coffee Breaks – President Nguyen:

- The Executive Board had a lot of conversations about what the classified senate looks like in a virtual setting. The things that most people say they miss are: they miss seeing people, they miss the camaraderie, and they miss being able to hop over someone's desk and do and ask them how their weekend was and learning from each other. The Executive Board thought it would be a good idea to host a Virtual Coffee Break once a month. The purpose is to provide professional development sessions, for example inviting speakers, asking someone to come out and talk about ergonomics, how to improve your home workspace, or how to make a healthy meal. Self-care and well-being are important. In addition to the coffee breaks and building that connection and rapport with each other through small Zoom interactions, E-board is looking at classified staff to consider donating what they would have spent on coffee towards the Sprinting to Success Scholarship. Being in a virtual setting makes the annual fundraisers very difficult. E-board is thinking about how to build connections and pivot the fundraising plans and networking events in a virtual setting. Coffee Break donations can be done through the Foundation website.
 - **Andrea Rangno:** Loves the idea of donating whatever people would have spent on coffee to support the Success Scholarship Fund because that scholarship makes a big difference. A past recipient sends her letter every semester updating her on her life and her plans and reiterating how much it meant to her to receive a scholarship. It is going to be hard to fundraise this year, so \$5 is not a lot.
- **President Nguyen:** Encouraged classified staff to submit topics that they would like to discuss or address at Coffee Break. The Executive Board has an idea of what they want to talk about, but that might not be what Classified wants to hear or learn about. It is important to hear suggestions and ideas of topics that are of interest to everyone. For

example, topics like how to navigate Zoom. Feel free to email your ideas to E-board, Beatriz Rodriguez or another senator.

- **Quintin Powell:** Coffee Breaks could be used to talk about classified interactions with the students and how administration might be overlooking some opportunities to make a better experience for the students. In many of their functions classified staff see the students in ways that faculty and administration may not. If classified staff sees students struggling with online registration, enrollment, technology, assignments, etc., they are able to help because they have the knowledge, tools and resources to assist them. At the same time that would be good for the senate to be able to have a cup of coffee and say, “what kind of experiences can we talk about that the administration might not be aware of?” President Nguyen can then bring that information to College Council and say “hey, here is where we can make a better experience for the students”.

5. Open Forum:

a. Employee questions and comments covered the following topics:

- OCC has a new website.
- There is a form on the foundation website. Employees are able to make monthly donations deducted from their payroll. They can designate where they want the money to go, whether it is a scholarship or another program. It is very easy to donate to the classified senate scholarship fund. At the end of the year, a form is given to the employee that says how much money they donated for taxes purposes. The hope for spring Flex Day is to talk about ways employees can invest in their own community through payroll deductions. None of these payroll deductions get matched on giving Tuesday. People have to give on the actual day of Giving Tuesday. Donations will not be matched dollar by dollar this year during giving Tuesday.
- Senator Audrey Crouse is working on a newsletter for the Classified Senate. There will be some information about professional development, equity and inclusion conversations, and other things of interest to classified staff. If there is a topic that classified staff would like to learn about, that can be included on the classified senate newsletter. The hope is to put out the newsletter at least once a month.
- The food pantry reopened. It is a different distribution. There is no opening where they can go shopping. There is a pallet distribution in place. If staff hears about students who are hungry, they have to go into student services and sign up. Unfortunately, the way that it is working right now, students have to sign up a week ahead of time. Tomorrow there is going to be 112 students getting food but the food pantry Pirate’s Cove was feeding 500 students a day. There is a concern. There has been a huge drop off because there was a large window where students were looking to OCC to provide their food insecurity. If they do have food insecurities or they are really concerned about meeting their food nutritional value, that is with Second Harvest. They can have a protein box, a dairy box and produce. They have to sign up ahead of time. The goal is to try to keep it to about 150 but it is a fact that there are more than 150 students that were coming in.
- Classified staff are encouraged to look into students’ mental wellness comments on the app. Students are talking through codes. Classified staff are able to refer students to the right department to seek help.

Motion 2: Senator Kris Cutting moved to adjourn the meeting; motion seconded; motion approved unanimously.

6. Adjournment of the Regular Meeting:

Meeting was adjourned at 11:53 a.m.