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# ALLAN HANCOCK JOINT COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

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## MEETING NOTICE

Special Board Meeting  
Tuesday, August 31, 2021

Jeffery C. Hall, President  
Gregory A. Pensa, Vice President  
Suzanne Levy, Ed.D.  
Alejandra Enciso Medina  
Hilda Zacarias

Allan Hancock College  
800 South College Drive, Santa Maria, CA 93454

In response to the Coronavirus crisis, the Governor has issued Executive Order N-25-20, Executive Order N-29-20, and Executive Order N-35-20 modifying the Brown Act in order to facilitate essential public meetings being held through remote methods, such as telephonically or electronically. Trustees and limited staff may attend via video conference or in person. The public is invited to attend the meeting via Zoom links below.

The meeting will be conducted via Zoom: <https://hancockcollege.zoom.us/j/94177169512>

*Please note the meeting may be recorded for future viewing.*

- |                   | PAGE | TIME    |
|-------------------|------|---------|
| 1. Call to Order  |      | 5:00 PM |
| 2. Public Comment |      |         |

Public comment on an agenda item or another topic within the jurisdiction of the board of trustees must be submitted in advance, no later than 4 p.m. one hour before the start of the meeting, on August 31, 2021 via email to: [ccamacho@hancockcollege.edu](mailto:ccamacho@hancockcollege.edu).

#### Procedures

Public comment is limited to three minutes per speaker (calculated at approximately 300 words). Please submit an individual comment for each item.

Please submit the following information:

1. Name
2. Agenda Item Number
3. Comment

- |   |   |  |
|---|---|--|
| 3. Resolution 21-22 Non-Medical Vaccine Exemption | 3 |  |
|---|---|--|

A recommendation that the board of trustees consider vaccine exemption options and direct staff on how to proceed and adopt a resolution regarding non-medical exemptions.

4. Memorandum of Understanding COVID-19 Adjustments to Campus Instruction and Service 5

A recommendation that the board of trustees approve the Memorandum of Understanding COVID-19 Adjustments to Campus Instruction and Service.

5. New Business
6. Adjournment

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the President's Office at (805) 922-6966 ext. 3245. Please make requests 48 hours prior to the meeting in order to make reasonable arrangements to ensure accessibility to this meeting.



Kevin G. Walthers, Ph.D.  
Secretary to the Board of Trustees

**ACTION ITEM**

To: Board of Trustees	Date: August 31, 2021
From: Superintendent/President	Item Number: 3
Subject: Resolution 21-22 Directing the Superintendent/President to Develop and Implement a COVID Vaccine Requirement to Increase Vaccination Rates For Students, Faculty, and Staff	Enclosures: Page 1 of 2

**BACKGROUND**

On August 10, 2021, the board of trustees directed staff to implement a vaccine mandate and provide certain exemptions for medical, religious, and other reasons. Staff have clear direction in establishing the vaccination mandate effective October 1 and already have procedures for medical exemptions. However, in reviewing exception policies throughout the CCC system, there is no consistent standard and there is a range of policies being implemented or considered:

- Vaccination is a condition of employment (Pasadena City College, with bargaining unit agreement);
- Religious belief with description of said belief and signature of clergy (recommended by some law firms);
- Personal attestation of sincerely held religious belief; and,
- Personal attestation of a sincerely held, but not necessarily religious, belief.

Some colleges have implemented less strict exemptions for the fall semester due to timing but will move to more strict rules in the Spring semester.

Given the range of options, staff seek clarification from the board of trustees on how the exemption plan should be implemented. Staff will be prepared to provide feedback from College Council at the board meeting.

**FISCAL IMPACT**

None

**RECOMMENDATION**

Staff recommends that the board of trustees consider vaccine exemption options and direct staff on how to proceed and adopt a resolution regarding non-medical exemptions.

Administrator Initiating Item: Kevin G. Walthers	Final Disposition:
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RESOLUTION NO. 21-22  
 A RESOLUTION OF THE BOARD OF TRUSTEES OF  
 THE ALLAN HANCOCK JOINT COMMUNITY COLLEGE DISTRICT

DIRECTING THE SUPERINTENDENT/PRESIDENT TO DEVELOP AND IMPLEMENT A COVID  
 VACCINE REQUIREMENT TO INCREASE VACCINATION RATES FOR STUDENTS, FACULTY, AND  
 STAFF

WHEREAS, people who have not been vaccinated against COVID-19 are most at risk of infection, adverse health consequences, and further spreading COVID-19, including the highly transmissible Delta Variant, to friends, family, colleagues, and the community at large; and

WHEREAS, the overwhelming majority of serious illness, hospitalizations, and death resulting from COVID-19, including the Delta Variant, are among the unvaccinated; and

WHEREAS, on August 10, 2021, the Allan Hancock Joint Community College District (the "District") Board of Trustees voted to require all faculty, staff, and students to demonstrate they are fully vaccinated by October 1, 2021; and

WHEREAS, the Board of Trustees approved limited exemptions to the vaccination policy; and

WHEREAS, the Board of Trustees seeks to provide clarification as to how exemptions are to be administered;

NOW THEREFORE BE IT RESOLVED, that consistent with recommendations and directives from the State of California and the federal government, the Board of Trustees directs the superintendent/president or designee to take any and all actions necessary to develop and implement a COVID-19 vaccine requirement ("Vaccine Requirement") for District employees, students, and others who access District facilities at any District location; and

BE IT FURTHER RESOLVED, that the Vaccine Requirement will be effective for District employees, students, and others who access District facilities at any District location effective no later than October 1, 2021; and

BE IT FURTHER RESOLVED, that the Vaccine Requirement will be developed consistent with applicable legal requirements, including exceptions for medical conditions and sincerely held [choose one: personal or religious] beliefs; and

BE IT FURTHER RESOLVED, that any District employee, students and others who claim an exemption shall provide confirmation of a negative test on a [weekly] basis to be administered by the District's Human Resources and Student Services departments; and

BE IT FURTHER RESOLVED, that the superintendent/president or Designee shall have the authority to amend the Vaccine Requirement as necessary based on the evolving nature of the COVID-19 pandemic and recommendations from federal, state, and local public health authorities. Such notifications shall be coordinated with the officers of the Board of Trustees and shared with constituency leaders prior to implementation.

Motion to adopt said resolution was made by:

Seconded by:

PASSED and ADOPTED this 31<sup>ST</sup> day of August, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Secretary to the Board of Trustees

**ACTION ITEM**

To: Board of Trustees	Date: August 31, 2021
From: Superintendent/President	Item Number: 4
Subject: Memorandum of Understanding COVID-19 Adjustments to Campus Instruction and Service.	Enclosures: Page 1 of 6

**BACKGROUND**

The District and the Faculty Association have reached an agreement to support alternative modalities of instruction that will assist with managing course modality during the pandemic. The attached MOU follows the same principles as the MOU adopted in the spring semester. The most substantive portion of the MOU is section 5:

**5. Course Modality Selection**

1. Faculty, with input from their dean, will select the modality of their fall 2021 courses and service and complete the course/service modality reporting document. Faculty are requested to choose modality based on pedagogical considerations.
2. Modalities to be offered will include
  - in-person (traditional face to face) simultaneous face to face and live online (synchronous online), also known as “room and Zoom”; this choice comes with an additional stipend of \$500 per unit.
  - live online (synchronous online, previously known as “ERT”)
3. Courses currently scheduled as asynchronous online (traditional DL, or distance learning) will remain as such and are not eligible for modality change.
4. The equipment to support the “room and Zoom” modality will be identified by the faculty.
5. Faculty who choose any modality other than face to face must receive DE training.
6. Service faculty will be able to choose their modality, and faculty with online service assignments may complete them from a location of their choosing.
7. The modality schedule developed according to this MOU will be implemented for fall of 2021 and spring of 2022.
8. Full time faculty will not be penalized or required to replace the lost load for a load of less than .80 created by the rescheduling of the modalities of courses after May 21, 2022.
9. In cases of single faculty disciplines or service assignments, when issues arise, both the District and the Faculty Association agree to negotiate while maintaining the spirit of this MOU.

**FISCAL IMPACT**

Additional costs cannot be calculated, but funding for the additional stipend will be from federal COVID relief funds and are sufficient to cover the expense.

**RECOMMENDATION**

Staff recommends that the board of trustees approve the Memorandum of Understanding COVID-19 Adjustments to Campus Instruction and Service.

Administrator Initiating Item: Kevin G. Walthers	Final Disposition:
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### **MOU COVID-19 Adjustments to Campus Instruction and Service**

WHEREAS the District, Faculty Association, and Academic Senate recognize the concerns expressed by the faculty and have a common interest in providing safe working conditions as well as meeting the needs of students.

THEREFORE, BE IT RESOLVED, that the District and the Faculty Association agree to the following:

This memorandum is agreed between Allan Hancock Joint Community College District (District) and the Faculty Association concerning the impacts and effects of the return to classroom instruction and onsite services under Covid-19.

The District and the Faculty Association recognize the changing nature of the COVID-19 pandemic. As the public health guidance for COVID-19 safety and prevention continue to develop and mature, the District and the Faculty Association recognize the ongoing need to adapt operations and protocols to meet current conditions and reflect the current understanding and will meet through the summer to apprise the situation.

Amidst these changing conditions, the District and the Faculty Association affirm the importance of maintaining safe facilities and operations for the benefit of the students and communities served by the District as well as its faculty and staff. We recognize the importance of prudent measures to prevent District employees, students, their families, or other people using District facilities from being exposed to or infected with coronavirus. Care should be taken to identify potential exposure and prevent the spread of the disease. We agree that continuity of District operations should be maintained, and provisions should be made for District employees who are impacted by the pandemic.

To these ends, the District and Faculty Association agree as follows:

**1. Safety and Training:**

The District shall follow the Allan Hancock College Pandemic Response Plan related to safety and training, with the understanding the plan is a living document subject to change with or without notice as Centers for Disease Control and Prevention (CDC) guidance evolves for the duration of the COVID-19 pandemic. The District will alert the Faculty Association to changes in the Response Plan when they occur. If the changes are within the scope of bargaining as defined by government code 3543.2, contract, or the conditions outlined in this MOU, the District and Faculty Association shall meet to bargain the impact on bargaining unit members. Should the District develop a policy or procedure related to COVID-19 that does not currently exist in the Pandemic Response Plan, the District shall provide that information to the Faculty Association. The plan and all updates will be posted on the District's COVID resources website at <https://www.hancockcollege.edu/covid/>. CDC guidance for Colleges and Universities can be found at <https://www.cdc.gov/coronavirus/2019-ncov/community/colleges-universities/index.html>.

The District will continue to provide training to bargaining-unit employees on COVID-19 information and prevention.

Some specific protocols that relate to faculty and students in the classroom are as follows:

- a) Faculty and students will be required to wear a face covering at all times in the classrooms and will be provided a face covering if they do not have one.
  - i. Faculty with medical exemptions to face coverings must work with the Human Resources Department for accommodations.
  - ii. Student failure to wear a face covering is a disciplinary issue: faculty are responsible to ask student not following this rule to don covering or leave the classroom.
- b) The District will provide a safety and prevention video. The video will be available online for students to view before attending classes. In addition, faculty may show it in class and or provide a link to the video on Canvas and/or in the course syllabus.
- c) Students and faculty are asked to complete a COVID-19 self-screening prior to entering the class site; if they fail the screening, they agree not to attend class in person.
- d) Students and faculty must adhere to the guidelines for social distancing that are active at the time, as approved by the Centers for Disease Control and Prevention (CDC).
- e) All campus personnel will follow the quarantine protocols identified by the Centers for Disease Control and Prevention (CDC) that are active at the time of their exposure to COVID-19<sup>1</sup>.
- f) While faculty are not required to solicit information from students about exposure or infection, faculty should report student-disclosed exposure or infection information to this email address: [covidresponseteam@hancockcollege.onmicrosoft.com](mailto:covidresponseteam@hancockcollege.onmicrosoft.com) or extension 3318.
- g) Faculty are being asked to strongly consider vaccination.

## 2. Facilities

The District agrees to follow the Allan Hancock College Pandemic Response Plan with regard to the use and cleaning of all public spaces.

Some specific facilities protocols that relate to instruction are as follows:

- a) High touch surfaces and shared objects will be cleaned daily<sup>2</sup>. For protocols related to cleaning of classrooms and facilities, see Section 2.K. of the Pandemic Response Plan, Cleaning Disinfecting, and Prevention Protocols.
- b) All classrooms will have safety and prevention signage.
- c) Classroom capacities will reflect the state guidelines that are active at the time.
- d) The District will provide appropriate ventilation in every instructional space, MERV filtration will be upgraded as possible, and each classroom will be assessed to maximize air exchange and ventilation. This may include freestanding HEPA filtration as needed.
- e) Cleaning supplies will be available in each classroom.

## 3. Leaves and Accommodations

The district shall follow state and federal obligations regarding leaves of absence for reasons related to COVID-19, and in accommodating employees with disabilities.

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<sup>1</sup> <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/quarantine.html>

<sup>2</sup> <https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>

The district shall provide access to 80 hours of supplemental paid sick leave in accordance with California State Senate Bill 95 (SB95) for COVID-19 qualifying events through September 30, 2021 unless legislatively extended.

Faculty who are absent from service or instruction for reasons not related to COVID-19 must use their personal leave balances.

#### **Accommodations for Dependent Care**

The District shall follow state and federal obligations regarding dependent care. Employees may use existing forms of leave to address a childcare provider or school emergency affecting their children.

The District shall provide access to 80 hours of supplemental paid sick leave in accordance with California State Senate Bill 95 (SB95) for COVID-19 qualifying events through September 30, 2021 unless legislatively extended.

Faculty that are absent from service or instruction for reasons not related to COVID-19 must use their personal leave balances.

#### **4. Reporting Unsafe Conditions**

In the interest of protecting community and workplace health, any employee shall report, in writing, any unsafe condition in the working environment to their immediate supervisor.

All employees shall have the right, without retaliation, to request reasonable workplace accommodations should working conditions be considered unsafe. Employees shall notify their supervisor in writing of such request, and the basis therefore in accordance with the Collective Bargaining Agreement Article 9. Employees may be assigned to complete alternate work if available, or work under modified conditions as directed until conditions are made safe for the completion of the original assignment, provided modification reasonably addresses safety concern(s).

If a faculty member is told by a student that they have contracted COVID-19 or were in recent close contact with someone who has, the faculty member is asked to report this information to Human Resources using this email contact:

[covidresponseteam@hancockcollege.onmicrosoft.com](mailto:covidresponseteam@hancockcollege.onmicrosoft.com) or extension 3318

#### **5. Course Modality Selection**

1. Faculty, with input from their dean, will select the modality of their fall 2021 courses and service and complete the course/service modality reporting document. Faculty are requested to choose modality based on pedagogical considerations.
2. Modalities to be offered will include
  - in-person (traditional face to face)

- simultaneous face to face and live online (synchronous online), also known as “room and Zoom”; this choice comes with an additional stipend of \$500 per unit.
  - live online (synchronous online, previously known as “ERT)
3. Courses currently scheduled as asynchronous online (traditional DL, or distance learning) will remain as such and are not eligible for modality change.
  4. The equipment to support the “room and Zoom” modality will be identified by the faculty.
  5. Faculty who choose any modality other than face to face must receive DE training.
  6. Service faculty will be able to choose their modality, and faculty with online service assignments may complete them from a location of their choosing.
  7. The modality schedule developed according to this MOU will be implemented for fall of 2021 and spring of 2022.
  8. Full time faculty will not be penalized or required to replace the lost load for a load of less than .80 created by the rescheduling of the modalities of courses after May 21, 2022.
  9. In cases of single faculty disciplines or service assignments, when issues arise, both the District and the Faculty Association agree to negotiate while maintaining the spirit of this MOU.

## 6. Evaluation

Faculty teaching face to face will be evaluated with the contractual instrument.

Faculty teaching DE (including synchronous online/Zoom) will be evaluated with the contractual instrument for DE.

Faculty teaching the “room and Zoom” modality will be evaluated using the attached evaluation instrument for all of their courses.

Recognizing modalities are changing, evaluations and timelines may change.

7. **Information and Further Negotiation:** The parties acknowledge that the guidance from Public Health and other government agencies has been and continues to be fluid. The District will inform the Faculty Association of any changes in operations that reasonably affect terms and conditions of employment, including occupational health and safety.
8. **Compliance with further governmental orders:** The District shall comply with local, state and federal Executive Orders related to COVID-19.

**Duration of Agreement:** This agreement shall remain in effect through commencement spring 2022 and shall become effective upon ratification by the parties.

This agreement establishes no precedent.

**For the Faculty Association**

*Roger Hall*  
Roger Hall (Aug 27, 2021) (05:00 PDF)

Aug 27, 2021

Roger Hall  
President

Date

**For the District**

*K*  
Kevin G. Walthers (Aug 30, 2021) (05:00 PDF)

Aug 30, 2021

Kevin G. Walthers  
Superintendent/President

Date