## Accommodation

The Guild is taking contractual (Article 5) and legal action against a recent district legal office decision, pronounced by one of that office’s representatives in a chancellor’s consultation with the Faculty Guild and instructed as law to the campus compliance officers, that accommodations for disabilities of faculty will be confined to the classroom.

The decision violates the intent of the Americans With Disabilities Act of 1990, and the more recent Public Law 110-325, the ADA Amendments Act of 2008 (ADAAA). It suggestively states that faculty, disabled or not, are not worth that protection of the law.

It also pushes aside the intent of the 1965 Equal Employment Opportunity Act in its overt discrimination against persons with disabilities by confining any disability accommodation to one or two rooms and leaving the rest of the workplace—parking lots, pathways, entrances, hallways, bathrooms, offices—out of the concern.

Not to say what the district legal decision suggests about the lack of common sense, but, specifically, the district’s decision “diminish[es] a person’s right to fully participate in all aspects [of campus life]” and places “institutional barriers” (ADAAA Sec.2 [2]) on that participation.

The nonsensical decision made with such narrow focus could clearly lead to lawsuits concerning any injuries sustained by the disabled.

## Accommodation cont.

Whether the pronouncement of the “classroom only” becomes Board policy or not, which is doubtful, campuses are initiating restrictions on accommodation.

For example, other than at Pierce, cart transportation of the disabled faculty has stopped because of “liability issues,” which justification ignores the liabilities of injuries sustained on campus when, as noted above, the disabled attempt to go from the parking lots to the buildings.

Accommodation is law stated not only in the EEOC policies, the ADA, and in court decisions such as Civil Action 4:09CV-00121-M (US District Court) and a Settlement Decision Between the US Attorney’s Office and Swarthmore College (DJ# 202-62-180), the latter listing, among others, violations of accessibility, the concern most pronounced on our campuses with the prohibiting of disabled to be given rides in the very carts that sheriffs and maintenance crews use; but is also policy stated in the LACCD’s own Administrative Regulations B-31 “Accommodation and Barrier Removal” and B-32 “Reasonable Accommodation for Employees with Disabilities.”

Also, LACCD legal personnel are violating the district’s Administrative Regulation C-14, II.V prohibiting discrimination against the disabled.

ADA compliance does not limit accessibility simply to the classroom.

## Campus Safety

Excluding an active shooter incident, behavioral issues may require a call to the campus sheriff if an incident occurs in the classroom or a faculty office. An incident could be threatening behavior by a student, a faculty, an administrator, or a classified support staff. There might or might not be a report, and there might or might not be a perpetrator banned from campus for a while.

Campus safety has been a major Faculty Guild subject on each campus, at every contract negotiation, at every Sheriff’s Oversight Committee (at which Guild President Joanne Waddell and I are members).

The district and the L.A. County Sheriff created a “Blue Ribbon Panel on Campus Safety and Emergency Preparedness” whose charge was “to review the district’s existing policies and procedures on safety and security to determine the readiness…in cases of natural catastrophes or criminality” and adopted it December 16, 2015.

As of September 1, 2015, however, and following hiring seven additional deputies to the LACCD Sheriffs Division in summer 2015, the district adopted, among other new campus safety programs, the School Threat Assessment Response Team, or START. START is the Los Angeles County Mental Health Division’s collaboration with schools and law enforcement for timely interventions (continued on back page)
of on-campus tragedies with a “comprehensive threat prevention and management program.”

The district START group visited the Guild’s Grievance Review Committee January 25 and was introduced by Sheriffs Lt. Donald Mueller. There were deputies Humberto Barragan and Harry Van, a psychiatrist Dr. Jose Navarro, and a social worker Taia Davis of the County Department of Mental Health. The emphasis of the team is prevention, obviously, rather than confrontation or arrest.

It begins with campus educational and training programs designed to increase awareness of potential negative incidents, such as “behaviors and characteristics typically found among school shooters” and training in “risk/threat management and uniform standards of practice that include multidisciplinary crisis or threat management teams.”

START “provides campuses with case-by-case consultation on students or situations of concern.”

Such situations may require the team to visit the disturbed person’s home to counsel and provide assistance. The campus behavior may reflect living conditions, medical, and other personal issues. Guidance from the team or other action can result, such as “further assessment, ongoing monitoring, arrest or detention, involuntary hospitalization,….”

As of this writing, the team has had 190 referrals and opened 53 cases.

Some campuses have created their own threat assessment and response teams in cooperation with the campus-based sheriffs. For example, Pierce College, on October 16, 2015, in response to a social media posting the night before of a “hand holding an assault style rifle and an assault style rifle lying in view,” both the Pierce-based Sheriffs and the L.A. Police were alerted by current students.

A threat assessment started, and the level of threat was “potentially high risk,” wrote LACCD Sheriff’s Capt. Cheryl Tarwater-Newman. The college president was advised, and she determined the threat to warrant a campus evacuation and closure. Through the combined effort of “college Bureau personnel, various units within the Sheriff’s Department, our law enforcement partners, and … Pierce officials,” wrote Capt. Tarwater-Newman, they identified the suspect, located and arrested him, and confiscated his weapons. The campus reopened that afternoon.

Mission College also has an operative, well-organized Campus Assessment Response Team (CART). It has had several practice runs for campus safety as well as training for staff, faculty, and students. One rather unexpected event that has not yet been addressed on any campus so far was a bear’s visit on April 25 this year. Calls came in, the sheriff contacted the administration who assessed the issues and decided to lock down two buildings on the college’s East campus through an automatic door system. Sheriffs went through the building informing faculty, students, staff, and the community members who use the gym facilities.

LAPD, Sheriff, and the Dept. of Fish and Wildlife personnel tracked the bear; college administration determined the situation was bear-safe and ended the lockdown. Since this was evening and classes were nearly over, they were all cancelled, and Sheriffs saw the people were safe on the parking lots, and a holding station was created for those who walk home or take public transportation. The campus was debriefed the next day.

Thus, “The protocol in place had the main objective of safety, which is an objective that guides decisions made for all emergency situations.”

wrote Louise Barbato, Faculty Guild Chapter President. She pointed that there was one area “that can be improved in the protocol is to have a conference call so that all leadership could be simultaneously involved and informed ….” A mass email was not sent since it was an isolated and contained situation.

And the bear? He or she was never on the main campus, but on that East campus about a half-mile away for an estimated 30 seconds sniffing closed garbage dumpsters, then ran around the neighborhood. Even so, 30 seconds of bear could have become worse, and the safety protocols went immediately into prescribed effect.

Although some campuses have protocols for safety, they fail primarily in implementing a cogent response lacking campus-wide communication and lockdowns. Active shooters off campus and on campus have recently left two campuses reeling amid all the righteous posturing of administration who stood tall with their protocols in hand, asserting all is well even as students, faculty, and staff recall the shock of rifles, guns and shouts and being herded blindly while others on campus heard nothing.