I. There shall be an annual outside audit of all funds, books, and accounts of the District in accordance with the regulations of Title 5. The Superintendent/President shall assure that an annual outside audit is completed. The Superintendent/President shall recommend a certified public accountancy firm to the Board of Trustees with which to contract for the annual audit. Multi-year contracts for auditors shall not exceed three five years.

II. Source/Reference

Education Code Section 84040(b)
ACCJC Accreditation Standard III.D.7
October 18, 2016

TO:       President’s Council
          Administrative Council
          Planning Fiscal Council

FROM:     Sandy Sandello

SUBJECT:  REVISION OF BOARD POLICIES AND ADMINISTRATIVE PROCEDURES

The following Board Policies have been revised:

BP 3420   Equal Employment Opportunity
BP 3430   Prohibition of Harassment

The following Administrative Procedures have been revised:

AP 3430   Prohibition of Harassment
AP 3501   Campus Security and Access
AP 3560   Alcoholic Beverages
AP 4102   Career and Technical Education Programs
AP 5010   Admissions
AP 5040   Student Records, Directory Information, and Privacy
AP 5130   Financial Aid
AP 5700   Athletics
AP 6100   Delegation of Authority, Finance and Business
AP 7110   Delegation of Authority, Human Resources

Should you have any revisions to the above policies/procedures, please notify your appropriate Vice President.

This will begin the review process.
I. The Board of Trustees of the Rio Hondo Community College District supports the intent set forth by the California Legislature to assure that every effort is made to build a community in which opportunity is equalized, and community colleges foster a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding and respect, harmony, and suitable role models for all students. The Board therefore commits itself to promote the total realization equal opportunity in educational programs, employment, and all access to institutional programs and activities.

II. The District, and each individual who represents the District, shall provide employment and access to its services, classes, and programs without regard to national origin, religion, age, sex or gender, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is 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.

III. The Superintendent / President shall develop, for review and adoption by the Board, a plan for equal employment opportunity that complies with the Education Code and Title 5 requirements as modified or clarified by judicial interpretation. Establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

IV. 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, to any private organization whose membership practices are discriminatory on the basis of national origin, religion, age, sex or gender, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or because of his or her association with a person or group with one or more of these actual or perceived characteristics.

IV. Source/Reference
Education Code Sections 66250, et seq.; 720410, et seq.; 87100 et seq.;
Title 5, Sections 53000, et seq.; Government Code 12940, et seq.; Penal Code Section 422.55; ACCJC Accreditation Standard III.A.12
BP 3420  Equal Employment Opportunity

References:
Education Code Sections 87100, et seq.;
Title 5 Sections 53000 et seq.;
ACCJC Accreditation Standard III.A.12

NOTE: This policy is legally required. BP 3420 and the corresponding procedure comply with Title 5 Section 53000 and Education Code Sections 87100 et seq., as amended in 2002. Because this remains a highly dynamic area of law, consultation with legal counsel in implementing this policy and procedure is advised.

The Board supports the intent set forth by the California Legislature to assure that effort is made to build a community in which opportunity is equalized, and community colleges foster a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding and respect, harmony and respect, and suitable role models for all students. The Board therefore commits itself to promote the total realization of equal employment through a continuing equal employment opportunity program.

The [CEO] shall develop, for review and adoption by the Board, a plan for equal employment opportunity that complies with the Education Code and Title 5 requirements as from time to time modified or clarified by judicial interpretation.

Revised 2/03, 4/15
PROHIBITION OF HARASSMENT

Board Adopted: 12/8/82, 5/13/98, 11/9/05, 2/18/09, 7/11/12, 7/9/14

I. All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence. It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information marital status, sex, gender, gender identity, gender expression, age, sexual orientation of any person, military status and/or veteran status, or because he or she is perceived to have one or more of the foregoing characteristics.

II. The District seeks to foster an environment in which all employees and students, interns, and volunteers feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. All allegations of retaliation will be swiftly and thoroughly investigated. If the District determines that retaliation has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

III. Any student-employee, intern, or volunteer who believes that he or she has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435, Discrimination / Harassment. Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention.

IV. 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.

V. To this end, the Superintendent/President shall ensure that the institution undertakes education and training activities to counter discrimination 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.
VI. The Superintendent/President shall establish procedures that define harassment on campus. The Superintendent shall further establish procedures for employees, students, interns, volunteers and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures for students to resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

VII. This policy and related written procedures including the procedure for making complaints shall be widely published and publicized to administrators, faculty, staff, and students, interns, and volunteers particularly when they are new to the institution. They shall be available for students, employees, interns and volunteers in all administrative offices.

VIII. Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. Interns who violate this policy and related procedures may be subject to disciplinary measures up to and including termination from the internship or other work experience program. Non-employees, such as sales representatives, service vendors, contractors or consultants are also covered by this Policy and will be subject to corrective measures. (language deleted by CCLC)

IX. Source/References:

California Code of Regulations, Title 5, sections 59300 et seq
California Code of Regulations, Title 2, sections 7285.0 et seq (7291.1 & 7287.6)
California Education Code, sections 212.5; 44100; 66252; 66281.5
California Government Code Sections 12940 and 12950.1 42940.1
Title VII of the Civil Rights Act of 1964, 42 U.S. Code annotated Section 2000e
Civil Rights Act of 1964 (Title VII) and amendments thereto
Education Amendments of 1972 (Title IX)
EEOC Policy Guidance on Current Issues of Sexual Harassment Sex Equity in Education Act (Education Code sections 200 et seq)
Title 29 Code of Federal Regulations, section 1604.11
BP 3430 Prohibition of Harassment

References:
   Education Code Sections 212.5, 44100, 66252, and 66281.5;
   Government Code Sections 12940 and 12950.1;
   Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e

NOTE: This policy is legally required.

All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence. It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation of any person, or military and veteran status, or because he/she is perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees, students, unpaid interns, and volunteers feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. All allegations of retaliation will be swiftly and thoroughly investigated. If the District determines that retaliation has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any student, employee, unpaid intern, or volunteer who believes that he/she has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435. Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention.

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 this end the [CEO] shall ensure that the institution undertakes education and training activities to counter discrimination 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.

The [CEO] shall establish procedures that define harassment on campus. The [CEO] shall further establish procedures for employees, students, unpaid interns, volunteers, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures for students to resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

This policy and related written procedures (including the procedure for making complaints) shall be widely published and publicized to administrators, faculty, staff, students, unpaid interns, and volunteers particularly when they are new to the institution. They shall be available for students, employees, unpaid interns, and volunteers in all administrative offices.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. Unpaid interns who violate this policy and related procedures may be subject to disciplinary measure up to and including termination from the internship or other unpaid work experience program.

Revised 7/02, 2/03, 8/03, 2/05, 3/12, 4/14, 4/15
This procedure is legally required

I. The District The Rio Hondo Community College District is committed to providing an academic and work environment free of unlawful harassment. This procedure defines sexual harassment and other forms of harassment on campus, and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the District.

II. This procedure and the related policy protects students and employees in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District’s facilities, a District van, or at a class or training program sponsored by the District at another location.

III. Definitions:

General Harassment. Harassment based on ethnic group identification (Title V, 59300), race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation of any person, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Harassment shall be found where, in aggregate, the incidents are sufficiently pervasive, persistent, or severe that a reasonable person with the same characteristics as the victim of the harassing conduct would be adversely affected to a degree that interferes with his or her ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource. (CCLC)

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it meets the definition above. For example, repeated derogative comments about a person’s competency to do the job, when based on that person’s gender, could constitute gender-based harassment. Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition (CCLC):

Verbal: Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person’s race gender, sexual orientation, 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 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 gender, race nationality, sexual orientation or other protected status.
PROHIBITION OF HARASSMENT

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 sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person’s gender, race, national origin, sexual orientation or other protected status. Physical sexual harassment includes acts of sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. Sexual violence refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.

Visual or Written: The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.

Environmental: A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are 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 or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his or her immediate surroundings, although the conduct is directed at others. 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.

IV. Sexual Harassment. In addition to the above, sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from, or in, the work or educational setting when:

- submission to the conduct is explicitly or implicitly made a term or condition of an individual’s employment, academic status, or progress;
- submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
• the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment or

• submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the community college.

• This definition encompasses two kinds of sexual harassment:

  o "Quid pro quo" sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.

  o "Hostile environment" sexual harassment occurs when unwelcome conduct based on a person's gender is sufficiently severe or pervasive so as to alter the conditions of an individual's learning or work environment, unreasonably interfere with an individual's academic or work performance, or create an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same 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, i.e., a sexual assault.

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

V. 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. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, 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 sexist, patronizing or ridiculing statements that convey derogatory attitudes about a particular gender.

• 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 sexual gestures.

• Visual or Written—The display or circulation of offensive sexually oriented or otherwise discriminatory visual or written material. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.
V. Consensual Relationships:

Romantic or sexual relationships between supervisors and employees, or between administrators, faculty or staff members and 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 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 a teacher 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.

VI. Academic Freedom

No provision of this Administrative Procedure shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. Freedom of speech and academic freedom are, however, not limitless and this procedure will not protect speech or expressive conduct that violates federal or California anti-discrimination laws. (CCLC)

To the extent the harassment policies and procedures are in conflict with the District's policy on academic freedom, the harassment policies and procedures shall prevail. If the faculty member wishes to use sexually explicit materials in the classroom as a teaching technique, the faculty member must review that use with an administrator to determine whether or not this violates the sexual harassment policy.

VII. References:

Education Code Sections 212.5; 44100; 66281.5;
Title IX, Education Amendments of 1972; Title 5, Sections 59320 et seq.;
Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e.
AP 3430 Prohibition of Harassment

References:
- Education Code Sections 212.5, 44100, 66281.5
- Title IX, Education Amendments of 1972, Title 5 Sections 59320 et seq
- Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e

Note: This procedure is legally required

The District is committed to providing an academic and work environment free of unlawful harassment. This procedure defines sexual harassment and other forms of harassment on campus, and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the District.

This procedure and the related policy protects students and employees in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, a District bus, 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, sexual orientation of any person, military and veteran status, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Harassment shall be found where, in aggregate, the incidents are sufficiently pervasive, persistent, or severe that a reasonable person with the same characteristics as the victim of the harassing conduct would be adversely affected to a degree that interferes with his or her ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource.

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it meets the definition above. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment. Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:

Verbal: Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's race gender, sexual orientation, 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 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 gender, race, nationality, sexual orientation or other protected status.

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 sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation or other protected status. Physical sexual harassment includes acts of sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.

Visual or Written: The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.

Environmental: A hostile academic or work environment may exist where it is permeated by sexual innuendo, insults, or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation or other protected status, or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are 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 or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his/her immediate surroundings, although the conduct is directed at others. 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.

Sexual Harassment: In addition to the above, sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature made by someone from or in the work or educational setting when
• Submission to the conduct is 
  explicitly or implicitly made a term or condition of
  an individual's employment, academic status, or progress.
• Submission to, or rejection of, the conduct by the individual is used as a basis
  of employment or academic decisions affecting the individual.
• The conduct has the purpose or effect of having a negative impact upon the
  individual's work or academic performance, or of creating an intimidating,
  hostile or offensive work or educational environment (as more fully described
  below); or
• Submission to, or rejection of, the conduct by the individual is used as the
  basis for any decision affecting the individual regarding benefits and services
  honors, programs, or activities available at or through the community college.

This definition encompasses two kinds of sexual harassment:

"Quid pro quo" sexual harassment occurs when a person in a position of
  authority makes educational or employment benefits conditional upon an
  individual's willingness to engage in or tolerate unwanted sexual conduct.

"Hostile environment" sexual harassment occurs when unwelcome conduct
  based on a person's gender is sufficiently severe or pervasive so as to alter the
  conditions of an individual's learning or work environment, unreasonably interfere
  with an individual's academic or work performance, or create an intimidating,
  hostile, or abusive learning or work environment. The victim must subjectively
  perceive the environment as hostile, and the harassment must be such that a
  reasonable person of the same 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, i.e. a sexual assault.

Sexually harassing conduct can occur between people of the same or different genders.

The standard for determining whether conduct constitutes sexual harassment is
whether a reasonable person of the same gender as the victim would perceive the
conduct as harassment based on sex.

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. This may
    include, but is not limited to, inappropriate comments regarding an individual's
    body, physical appearance, attire, 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 sexist patronizing
    or insulting statements that convey derogatory attitudes about a particular
    gender.
  • Physical: Inappropriate or offensive touching, assault, or physical
    interference with free movement. This may include, but is not limited to,
    kissing, petting, lingering or intimate touches, grabbing, pinching, leering,
Romantic or sexual relationships between supervisors and employees, or between administrators, faculty or staff members and 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 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 a teacher 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.

Note: The following is legally advised.

Academic Freedom

No provision of this Administrative Procedure shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. Freedom of speech
and academic freedom are, however, not limitless and this procedure will not protect speech or expressive conduct that violates federal or California anti-discrimination laws. To the extent the harassment policies and procedures are in conflict with the District’s policy on academic freedom, the harassment policies and procedures shall prevail. If the faculty member wishes to use sexually explicit materials in the classroom as a teaching technique, the faculty member must review that use with an administrator to determine whether or not this violates the sexual harassment policy.

Revised 7/02, 2/03, 2/05, 3/12, 4/14 11/14
Note: This procedure is legally required.

I. Rio Hondo Community College District assures safe and sufficient physical resources at all locations where it offers courses, programs, and learning support services. They are constructed and maintained to assure access, safety, security, and a healthful learning and working environment. (Standard III.B1 language).

During business hours, the District will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to all District facilities is by key, if issued, or by admittance via the Campus Security. In the case of periods of extended closing, the District will admit only those with prior written approval to all the requested facilities.

II. Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic will have regular periodic security surveys. The Director of Facilities and others in concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the Director of Facilities, Campus Security Officer and Maintenance staff shall meet to discuss campus security and access issues of pressing concern.

III. References
34 Code of Federal Regulations Section 668.46(b)(3)
ACCJC Accreditation Standard III.B.1
AP 3501 Campus Security and Access

Reference:
34 Code of Federal Regulations Section 668.46(b)(3)
—ACCJC Accreditation Standard III B.1

NOTE: This procedure is legally required.

During business hours, the District [excluding housing facilities, if applicable] will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to all District facilities is by key, if issued, or by admittance via the [Campus Police or Campus Security] [if District has on-campus housing facilities, add the following: “or housing staff”]. In the case of periods of extended closing, the District will admit only those with prior written approval to all facilities.

NOTE: If the District has on-campus housing, the following paragraph is legally required.
Residence halls are secured 24 hours a day. Over extended breaks, the doors of all halls will be secured around the clock, and will be equipped with a lock separate from the regular key issued to resident students. Some facilities may have individual hours, which may vary at different times of the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic will have regular periodic security surveys. Administrators from the [Chief Student Services Officer], [list other applicable departments], and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the [Campus or District Facilities Maintenance Officer, Campus Security Officer or Chief of Campus Police, and if the District has on-campus housing add: Chief Student Services Officer] and Maintenance staff shall meet to discuss campus security and access issues of pressing concern.

New 7/11; Revised 4/15
I. The possession, sale, or the furnishing of alcohol on campus is governed by California state law and these procedures. The possession, sale, consumption, or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control. However, the enforcement of alcohol laws on-campus is the primary responsibility of Campus Security. The campus has been designated “drug free,” and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by Campus Security. Violators are subject to disciplinary action, criminal prosecution, fine, and imprisonment. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of this procedure for anyone to consume or possess alcohol in any public or private area of campus without permission as defined in one of the following situations listed in paragraph II. Organizations or groups violating alcohol or substance policies or laws may be subject to sanctions by the District.

II. Alcoholic beverages on campus are permitted with approval by the Superintendent/President or designee if:

- The alcoholic beverage is for use during a non-college event at a performing-arts facility built on District property and leased to a nonprofit public benefit corporation.

- The alcoholic beverage is possessed, consumed, or sold pursuant to a license or permit obtained for special events held at District facilities during the special event. “Special event” means events that are held with the permission of the Superintendent/President or designee of the community college district that are festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the College and for which the principal attendees are members of the general public or invited guests and not students of the College.

- The alcoholic beverage is for use during a fundraiser held to benefit a nonprofit corporation that has obtained a license under the Business and Professions Code to do so, provided that no alcoholic beverage can be acquired, possessed, or used at an athletic contest sponsored by the District.

III. References:
Business and Professions Code Sections 24045.4, 24045.6, 25608, and 25658; 34 CFR 668.46(b)
AP 3560 Alcoholic Beverages

References:
Business and Professions Code Sections 24045.4, 24045.6, 25608, and 25658;
34 Code of Federal Regulations Section 668.46(b)

NOTE: The following procedure is legally required

The possession, sale or the furnishing of alcohol on campus is governed by California state law and these procedures. The possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control. However, the enforcement of alcohol laws on-campus is the primary responsibility of the [District Police Department or Responsible Security Official]. The campus has been designated "Drug free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the [District Police Department or Responsible Security Official]. Violators are subject to disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of this policy for anyone to consume or possess alcohol in any public or private area of campus without prior District approval. Organizations or groups violating alcohol or substance policies or laws may be subject to sanctions by the District.

NOTE: The following procedural language is optional and suggested as good practice by districts that permit alcoholic beverages at college events. The District may select those portions of the following procedure that it wishes to use.

Alcoholic beverages on campus are permitted if:

- The alcoholic beverage is beer or wine for use in connection with a course of instruction, sponsored dinner, or meal demonstration given as part of a culinary arts program at a community college campus, and the instructor or individual has been authorized to acquire, possess, use, sell, or consume it by the [designated person].

- A student at least 18 years of age tastes, but does not swallow or consume, beer or wine for educational purposes as part of the instruction in an enology or brewing degree program, and the beer or wine remains in the control of the instructor.

- The alcoholic beverage is for use during a non-college event at a performing arts facility built on District property and leased to a nonprofit public benefit corporation.

- The alcoholic beverage is wine produced by a bonded winery owned or operated as part of an instructional program in viticulture and enology.
The alcoholic beverage is wine that is for use during an event sponsored by the District or [an organization operated for the benefit of the District] in connection with the District's instructional program in viticulture or the District's instructional program in enology.

The alcoholic beverage is for use at a professional minor league baseball game played at a college stadium pursuant to a contract between the District and a professional sports organization. [Note: This provision can only apply to a district located in a county with a population of less than 250,000 inhabitants]

The alcoholic beverage is possessed, consumed, or sold, pursuant to a license or permit obtained for special events held at the facilities of a public community college during the special event. "Special event" means events that are held with the permission of the governing board of the community college district that are festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the public community college and for which the principal attendees are members of the general public or invited guests and not students of the public community college.

The alcoholic beverage is acquired, possessed, or used during an event sponsored by the District or [an organization operated for the benefit of the District] at a community college-owned facility in which any grade from kindergarten to grade 12, inclusive, is taught, if the event is held at a time when students in any grades from kindergarten to grade 12, inclusive, are not present at the facility.

The alcoholic beverage is for use during a fundraiser held to benefit [a nonprofit corporation] that has obtained a license under the Business and Professions Code to do so provided that no alcoholic beverage can be acquired, possessed or used at a football game or other athletic contest sponsored by the District.

The alcoholic beverage is acquired, possessed, or consumed pursuant to a license or permit obtained for special events held at facilities of a community college district at a time when pupils are not on the grounds. "Facilities" includes, but are not limited to, office complexes, conference centers, or retreat facilities.
I. The College's athletics program is operated by the District and governed by the Athletic Code of the Community College League of California (CCLC), the constitution and bylaws of the California Community College Athletic Association (CCCAA), and the Foothill South Coast Conference. The Dean, Kinesiology, Dance, and Athletics has been delegated authority to determine individual eligibility according to CCLC, CCCAA, Foothill Conference and District regulations. The enforcement of rulings is the responsibility of assigned members of Athletics Department staff, the Dean, Kinesiology, Dance, and Athletics, and the head coaches involved. General direction and administration of the program, within the established policies and procedures, is the responsibility of the Dean, Kinesiology, Dance, and Athletics. All head coaches are directly responsible to the Dean, Kinesiology, Dance, and Athletics for governance of their teams and enforcement of established policies and eligibility rulings.

II. Rules Governing Athletic Eligibility

All rules of the CCCAA, and the Foothill South Coast Conference are applicable to the College's athletes. In addition:

1. Each athlete must have completed both the District and conference eligibility procedures before becoming eligible for any contest, game, meet, match, or scrimmage;

2. The College's Athletics Department fully complies with C.C.C.A.A constitution articles 1.5.4 F and G regarding adherence to the Title IX Education Amendments of 1972 and R-4 form compliance;

3. When the Dean, Kinesiology, Dance, and Athletics and team coach are notified that an athlete is ineligible, said athlete may not participate until the Dean, Kinesiology, Dance, and Athletics or their designee certifies that the athlete has become eligible;

4. Each athlete must complete the C.C.C.A.A and District physical paperwork, be enrolled in the specific sport's intercollegiate course, and be approved for competition by a Dean, Kinesiology, Dance, and Athletics before participation in a College practice or official competition.

III. Source/Reference: Title IX, Education Amendments of 1972; Education Code 66271.6, 66271.8, 67360 et seq. ACCJC Accreditation Standard II.C.4
AP 5700 Intercollegiate Athletics

References:
Education Code 66271.6, 66271.8, 67360 et seq.;
Title IX, Education Amendments of 1972.
ACCJC Accreditation Standard II.C.4

NOTE: This procedure is legally advised. Local practice may be inserted here. Rules for participation in intercollegiate athletics should be developed in accordance with Education Code Sections 67360 et seq. and BP 5700, which states that the District shall comply with rules and regulations adopted by voluntary associations, one of whose purposes is to govern intercollegiate athletics (e.g. the California Community College Athletic Association (CCCAA)).

The authority for developing, implementing and monitoring these procedures should be stated, and should reference appropriate assistance required from the Academic Senate.

Athletic Drug Testing

NOTE: Athletic Drug Testing is not mandated. If the District wishes to consider such a procedure, it may contact the League for sample language.

Revised 2/04, 2/07, 6/13, 4/15
I. The Director of Human Resources is delegated responsibility from the Superintendent / President to recommend employment, establish, publish and adhere to written personnel policies and procedures that are available for information and review. Such policies and procedures are fair and equitably and consistently administered. to develop job responsibilities and perform other personnel actions provided that all federal and state law and regulations, Board Policies, and Administrative Procedures are followed.

II. Reference/References:

   Education Code Section 70902(d)
   ACCJC Accreditation Standard III.A.11
AP 7110 Delegation of Authority, Human Resources

Reference:
Education Code Section 70802(d),
ACCJC Accreditation Standard III.A.11

NOTE: This procedure is legally advised. Local practice may be inserted. The following language will satisfy requirements.

The [designate position, such as Chief Human Resources Officer] is delegated responsibility from the [CEO] to [recommend or authorize] employment, develop job responsibilities, and perform other personnel actions provided that all federal and state law and regulations, Board Policies, and Administrative Procedures are followed.

Revised: 4/15
11. The institution establishes, publishes, and adheres to written personnel policies and procedures that are available for information and review. Such policies and procedures are fair and equitably and consistently administered.