



**Equal
Employment
Opportunity** *Plan*

2018 - 2021

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I. Introduction

The Rio Hondo Community College District Equal Employment Opportunity Plan (*Plan*) was adopted by the governing board on May 9, 2018. The *Plan* reflects the District's commitment to equal employment opportunity. It is the District's belief that taking active and vigorous steps to ensure equal employment opportunity and creating a working and academic environment, which is welcoming to all, will foster diversity and promote excellence.

Through an educational experience in an inclusive environment, our students will be better prepared to work and live in an increasingly global society. The *Plan's* immediate focus is equal employment opportunity in its recruitment and hiring policies and practices pursuant to the applicable Title 5 regulations (section 53000 et seq.) and the steps the District shall take in the event of underrepresentation of monitored groups. The *Plan* contains an analysis of the demographic makeup of the District's workforce population and an analysis of whether underrepresentation of monitored groups exists in our applicant pools. The *Plan* also includes the requirements for a complaint procedure for noncompliance with the Title 5 provisions relating to equal employment opportunity programs; complaint procedures in instances of unlawful discrimination; establishment of an Equal Employment Opportunity Advisory Committee; methods to support equal employment opportunity and an environment which is welcoming to all¹; and procedures for dissemination of the *Plan*. To properly serve a growing diverse population, the District will endeavor to hire and retain faculty and staff who are sensitive to, and knowledgeable of, the needs of the continually changing student body it serves.



Teresa Dreyfuss
Superintendent / President

¹Diversity and equal employment opportunity are related but separate concepts. An environment that promotes principles of diversity simultaneously promotes an accepting environment for implementation of equal employment opportunity. Because of the interrelationship of diversity and EEO, Plan Component 14 is dedicated to diversity programs and projects as a way to further EEO efforts.

II. Definitions

The following terms are defined under Title 5, section 53001:

- a) **Adverse Impact:** a statistical measure (such as those outlined in the Equal Employment Opportunity Commission's "*Uniform Guidelines on Employee Selection Procedures*") is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group protected from discrimination, pursuant to Government Code section 12940, defined in terms of ethnic group identification, gender, or disability. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.
- b) **Diversity:** means a condition of broad inclusion in an employment environment that offers equal employment opportunity for all persons. It requires both the presence, and the respectful treatment, of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, sexual orientation, disability and socio-economic backgrounds.
- c) **Equal Employment Opportunity:** means that all qualified individuals have a full and fair opportunity to compete for hiring, promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels in the seven job categories which include executive/administrative/managerial, faculty and other instructional staff, professional non-faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Equal employment opportunity also involves: (1) identifying and eliminating barriers to employment that are not job related; and (2) creating an environment which fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code section 12940.
- d) **Equal Employment Opportunity Plan:** a written document in which a District's workforce is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.
- e) **Equal Employment Opportunity Programs:** means all the various methods by which equal employment opportunity is ensured. Such methods include, but are not limited to, using nondiscriminatory employment practices, actively recruiting, monitoring and taking additional steps consistent with the requirements of section 53006.
- f) **Ethnic Group Identification:** means an individual's identification in one or more of the ethnic groups reported to the Chancellor pursuant to section 53004. These groups shall be more specifically defined by the Chancellor consistent with state and federal law.
- g) **In-house or Promotional Only Hiring:** means that only existing District employees are allowed to apply for a position.

- h) **Monitored Group:** means those groups identified in section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a).
- i) **Person with a Disability:** means any person who: (1) has a physical or mental impairment as defined in Government Code section 12926 which limits one or more of such person's major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment. A person with a disability is "limited" if the condition makes the achievement of the major life activity difficult.
- j) **Reasonable Accommodation:** the efforts made on the part of the District in compliance with Government Code 12926.
- k) **Screening or Selection Procedures:** means any measure, combination of measures, or procedure used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including but not limited to traditional paper and pencil tests, performance tests, and physical, educational, and work experience requirements, interviews, and review of application forms.
- l) **Significantly Underrepresented Group:** means any monitored group for which the percentage of persons from that group employed by the District in any job category listed in section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.

III. Policy Statement

The Rio Hondo Community College District is committed to the principles of equal employment opportunity and will implement a comprehensive program to put those principles into practice. It is the District's current Board Policy (BP) 3410 (Appendix A) that is used to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunity, and are not subjected to discrimination in any program or activity of the District on the basis of ethnic group identification, race, color, national origin, religion, age, gender, disability, ancestry, sexual orientation, language, accent, citizenship status, transgender, parental status, marital status, economic status, veteran status, medical condition, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. The District will strive to achieve a workforce that is welcoming to men, women, persons with disabilities and individuals from all ethnic and other groups to ensure the District provides an inclusive educational and employment environment. Such an environment fosters cooperation, acceptance, democracy and free expression of ideas. An Equal Employment Opportunity *Plan* will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

An annual e-mail to all employees of BP 3410 and BP 7100 (Appendix A) will be provided emphasizing the District's commitment to diversity and equal opportunity in employment and promotional opportunities.

IV. Delegation of Responsibility, Authority and Compliance

It is the goal of the Rio Hondo Community College District that all employees promote and support equal employment opportunity because equal employment opportunity requires a commitment and a contribution from every segment of the District. The general responsibilities for the prompt and effective implementation of this *Plan* are set forth below.

1. *Board of Trustees*

The governing board is ultimately responsible for proper implementation of the District's *Plan* at all levels of the District and College operation, and for ensuring equal employment opportunity as described in the *Plan*.

2. *Superintendent/President*

The Board of Trustees delegates to the Superintendent/President the responsibility for ongoing implementation of the *Plan* and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The Superintendent/President shall advise the Board of Trustees concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual analysis on *Plan* implementation. The Superintendent/President shall evaluate the performance of all administrative staff who report directly to him/her on their ability to follow and implement the *Plan*.

3. *Equal Employment Opportunity Officer*

The District has designated the Human Resources Executive Director as its equal employment opportunity officer who is responsible for the day-to-day implementation of the *Plan*. If the designation of the equal employment opportunity officer changes before this *Plan* is next revised, the District will notify employees and applicants for employment of the new designee. The equal employment opportunity officer is responsible for administering, implementing and monitoring the *Plan* and for assuring compliance with the requirements of Title 5, sections 53000 et seq as well as ensuring that applicant pools and screening procedures are properly monitored.

4. *Equal Employment Opportunity Advisory Committee*

The District has established an Equal Employment Opportunity Advisory Committee to act as an advisory body to the equal employment opportunity officer and the District as a whole to promote understanding and support of equal employment opportunity policies and procedures. The Equal Employment Opportunity Advisory Committee shall assist in the implementation of the *Plan* in conformance with state and federal regulations and guidelines, monitor equal employment opportunity progress, and provide suggestions for *Plan* revisions as appropriate.

5. *Agents of the District*

Any organization or individual, whether or not an employee of the District, who acts on behalf of the governing board with regard to the recruitment and screening of personnel, is an agent of the District and is subject to all the requirements of this Plan.

6. *Good Faith Effort*

The District shall make a continuous good faith effort to comply with all the requirements of its *Plan*.

7. *Compliance*

The District's Compliance Officer is responsible for receiving complaints described in Plan Component four (4).

V. **Advisory Committee**

Rio Hondo Community College has established an Equal Employment Opportunity Advisory Committee to assist the District in implementing its *Plan*. The committee may also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The committee may sponsor events, training, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The equal employment opportunity officer shall train the advisory committee on equal employment compliance and the *Plan* itself. The committee shall include a diverse membership whenever possible. A substantial good faith effort to maintain a diverse membership is expected. If the District has been unable to meet this requirement, it will document that efforts were made to recruit advisory committee members who are members of monitored groups.

The committee will be composed of:

- two faculty members appointed by the Academic Senate President
- two classified members appointed by California School Employees Association President
- the District's Compliance Officer/Equal Opportunity Officer (Human Resources Executive Director)
- one confidential employee and
- one student appointed by the Associated Students of Rio Hondo College

The committee shall receive training in all of the following:

- the requirements of this subchapter and of state and federal nondiscrimination laws
- identification and elimination of bias in hiring
- the educational benefits of workforce diversity and
- the role of the advisory committee in carrying out the District's EEO plan

The Equal Employment Opportunity Advisory Committee shall hold a minimum of two (2) meetings per fiscal year, with additional meetings if needed to review EEO and diversity efforts, programs, policies, and progress. When appropriate, the advisory committee shall make recommendations to the Superintendent/ President.

Reference: Title 5, Section 53005

VI. Complaints

- 1) *Complaints Alleging Violation of the Equal Employment Opportunity Regulations (Section 53026)* The District has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations² have been violated. Any person who believes that the equal employment opportunity regulations have been violated may file a written complaint describing in detail the alleged violation. All complaints shall be signed and dated by the complainant and shall contain, to the best of the complainant's ability, the names of the individuals involved, the date(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged violation. Complaints involving current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than sixty (60) days after such occurrence unless the complainant can verify a compelling reason for the District to waive the sixty (60) day limitation. Complaints alleging violations of the *Plan* that do not involve current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than ninety (90) days after such occurrence unless the violation is ongoing. A complainant may not appeal the District's determination pursuant to section 53026 to the Chancellor's Office, but under some circumstances, violations of the equal opportunity regulations in Title 5 may constitute a violation of a minimum condition for receipt of state aid. In such a case, a complaint can be filed with the Chancellor's Office, but the complainant will be required to demonstrate that he/she made previous reasonable, but unsuccessful, efforts to resolve the alleged violation at the District level using the process provided by section 53026. See *California Community Colleges Chancellor's Office Guidelines for Minimum Conditions Complaints* at:

<http://extranet.cccco.edu/Divisions/Legal/Discrimination.aspx#HowFile>

The District may return without action any complaints that are inadequate because they do not state a clear violation of the EEO regulations. All returned complaints must include a District statement of the reason for returning the complaint without action.

The complaint shall be filed with the District's Compliance Officer. To the extent practicable, a written determination on all accepted written complaints will be issued to the complainant within ninety (90) days of the filing of the complaint. The District's Compliance Officer will forward copies of all written complaints to the Chancellor's Office upon receipt.

In the event that a complaint filed under section 53026 alleges unlawful discrimination, it will be processed according to the requirements of section 59300 et seq.

- 2) *Complaints Alleging Unlawful Discrimination or Harassment (Section 59300 et seq.)* The District has adopted BP 3410 and Administrative Procedures (AP) 3410 and 3435 (Appendix A) for complaints alleging unlawful discrimination and/or harassment. The Compliance Officer is responsible for receiving such complaints and for coordinating an investigation.

² The equal employment opportunity regulations are found in California Code of Regulations, Title 5, section 53000 et seq.

VII. Notification to District Employees

The commitment of the Board of Trustees and the Superintendent/President to equal employment opportunity is emphasized through the broad dissemination of its Equal Employment Opportunity Policy Statement and the *Plan*. The *Plan* and subsequent revisions will be distributed to the District's Board of Trustees, the Superintendent/President, administrators, the academic senate leadership, union representatives and members of the District Equal Employment Opportunity Advisory Committee. The *Plan* will be available on the District's website, and when appropriate, may be distributed by e-mail. Each year, the Compliance Officer will inform all employees of the *Plan's* availability.

VIII. Annual Written Notice to Community Organizations

The equal employment opportunity officer will provide annual written notice to appropriate community-based and professional organizations concerning the *Plan*. The notice will inform these organizations that they may obtain an updated copy of the *Plan* online and shall solicit their assistance in identifying diverse qualified candidates. In addition, the notice is to include the Internet address to the location where the District advertises job openings and provides employment information. The District will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources. A list of organizations, which will receive this notice, is located in the Office of Human Resources. This list may be revised from time to time as necessary. Written notice may include mailings and electronic communications.

Reference: Title 5, section 53003(c)(5)

IX. Recruitment

The District's Office of Human Resources actively recruit from both within and outside the district work force to attract qualified applicants for all new openings vacancies. This includes outreach designed to ensure that all persons, including persons from monitored groups, are provided the opportunity to seek employment with the District. The requirement of open recruitment applies to all new full-time and part-time vacancies in all job categories and classifications, including, but not limited to, faculty, classified employees, categorically funded positions, the chief executive officer, and all other executive/administrative/managerial positions. Recruitment for full-time faculty and educational administrator positions shall be at least statewide and, at a minimum, shall include seeking qualified applicants listed in the California Community Colleges Equal Employment Opportunity Registry and posting job announcements with the Registry. Recruitment for part-time faculty positions may be conducted separately for each new opening vacancy or by annually establishing a pool of eligible candidates, but in either case full and open recruitment is required.

The District's Office of Human Resources follows board policies, administrative procedures, and a planning process which clearly outlines and ensures that recruitment and hiring processes result in employing diverse personnel who possess the appropriate education, training, and experience to successfully meet job expectations and requirements. The Office of Human Resources publishes job opportunities in employment announcements, which are widely distributed and posted in several formats, including all staff emails. Job announcements are published on the Rio Hondo College website, the California Community College Registry, as well as other special electronic publications as a method of outreaching to minorities and targeting under-represented applicant groups. In addition, all applicants must demonstrate knowledge and understanding of diversity and equity in their employment interview and/or in a supplemental questionnaire completed as part of the application process.

Reference: Title 5, Section 53021

X. Training for Screening/Selection Committees

Any organization or individual, whether or not an employee of the District, who is involved in the recruitment and screening/interview of personnel shall receive appropriate training, prior to their participation. Training includes, but is not limited to:

- The requirements of Title 5 regulations on equal employment opportunity (section 53000 et. seq.) and of federal and state nondiscrimination laws;
- The educational benefits of a diverse workforce;
- The elimination of bias in hiring and employment;
- Best practices in serving on a selection or screening committee;
- The requirements of the District's Equal Employment Opportunity Plan;
- The District's policies on nondiscrimination, recruitment, and hiring; and
- Principles of diversity and cultural proficiency.

This training is mandatory; individuals who have not received this training will not be allowed to serve on screening/interview committees. The Equal Employment Opportunity Officer is responsible for providing the required training on a regular basis.

The Office of Human Resources ensures the selection committee is comprised of members from different constituent groups and utilizes an EEO monitor to observe employment interviews. The Office of Human Resources works closely with Academic Senate, Classified Union and the Associated Students of Rio Hondo College to recruit objective members to serve on the selection committee. For Presidential/Superintendent searches, members of the community are invited to participate on the selection committee.

Any individual, whether or not an employee of the District, acting on behalf of the District with regard to recruitment and screening of applicants is subject to the equal employment opportunity requirements of Title 5³ and the District's Equal Employment Opportunity Plan.

³ See Title 5, § 53020(c).

XI. Faculty and Administrator Selection Process

- I. Employment of faculty shall be in compliance with Board of Trustees policies relating to Title V, Title IX, AB 1725, and other legal requirements. All applicants shall be treated identically whether they are current employees or off-campus applicants.
- II. The following procedure shall be followed:
 - a. Open faculty positions shall be reviewed and approved for announcement of the vacancy after budget verification from the Vice President of Finance and Business.
 - b. Recruitment shall be in accord with applicable state laws. Applications shall be screened for qualifications by the Office of Human Resources. The Executive Director of Human Resources shall be responsible for analysis of job applicants to determine whether the group is significantly underrepresented. If the applicant pool demonstrates significant underrepresentation of monitored groups, the District shall implement additional measures as described in Title V, § 53006.
 - c. The Division Dean, together with a minimum of three Rio Hondo faculty members selected by the Division faculty, shall constitute the Division Selection Committee. Two of the three faculty members should teach in the discipline, assuming there are two or more. The Division Selection Committee, may, at its discretion, add additional committee members, such as external experts or classified staff. The Committee shall elect a chair, evaluate the applications, identify those to be interviewed, interview candidates, and provide a written recommendation. The Committee shall make a reasonable effort to forward at least three candidates but no more than five that, in its judgment, are qualified for the position and worthy of recommendations.
 - d. The Division Dean shall provide the written recommendation(s) of the Division Selection Committee to the Vice President of the applicable area.
 - e. The Vice President of the applicable area, along with the Division Dean and the Committee Chair (if applicable), shall interview the recommended applicants and forward the best qualified candidate(s) from the name(s) recommended by the Committee to the Superintendent/President for interview.
 - f. The final evaluation and recommendation to employ shall rest with the Superintendent/President of the College. Should none of the candidates forwarded by the Division Selection Committee be recommended for employment, the Superintendent/President will communicate to the Division Selection Committee Chair his/her justification.
 - g. Notification of selection shall be from the Office of Human Resources.
- III. Criteria for selecting personnel for certificated positions shall include the following:

- a. Possession of the appropriate California community college instructor credential prior to employment by Rio Hondo Community College District, or
- b. Academic background: A Master's degree or its equivalent in the subject to be taught, or, vocational background including professional preparation and demonstrated appropriate experience as may be applicable, as specified below:
 - i. Possession of a Master's degree from an accredited institution in the discipline of assignment, or
 - ii. Possession of a Master's degree from an accredited institution in a discipline reasonably related to assignment and possession of a Bachelor's degree from an accredited institution in the discipline of assignment.
 - iii. For faculty in disciplines where a Master's degree is not generally expected or available, either of the following:
 - 1. Possession of a Bachelor's degree from an accredited institution in a discipline reasonably related to assignment, plus two years of professional experience, plus appropriate certification to practice or licensure if available; or,
 - 2. Possession of an Associate degree from an accredited institution in a discipline reasonably related to the faculty member's assignment, plus six years of professional experience, plus appropriate certification to practice or licensure if available.
- c. "Equivalency" to either academic or vocational requirements shall be determined in accordance with BP 7211 (replaces CP 5165 BP 7210).
- d. Individual departments may add information on educational requirements placing emphasis on a specific area.
- e. Other departmental interests may be shown under "Desirable Qualifications." These are limited to job-related factors.
- f. All applicants selected for hire must show a sensitivity to an understanding of the national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and veterans status of community college students.

Reference: Title 5, Section 53022, Board Policy 7120

XII. Classified Employee Hiring

Employment of classified employees shall be in compliance with Board Policies relating to Title V, and other legal requirements and sound personnel practices. All applicants shall be treated identically whether they are current employees or off-campus applicants. The District is in the process of updating Board Policy 7216: Employment of Classified and Confidential Employee to review and ensure hiring procedures will attract a diverse group of highly qualified classified personnel, who will serve the needs of a varied student population, who will foster overall District effectiveness, and who will be sensitive to racial and cultural diversity, and to changes in the community demographics.

The Office of Human Resources reviews and approves all supplemental questions and interview questions for recruitments to ensure all screening processes are job-related, based on professional qualifications and do not contain elements considered to be biased or in violation of the District's EEO Plan and corresponding policies and regulations.

XIII. Analysis of District Workforce and Applicant Pool

The Human Resources Department will annually collect the District's employee demographic data and shall monitor applicants for employment on an ongoing basis to evaluate the District's progress in implementing the Plan, to provide data needed for the analyses required by this Plan and to determine whether any monitored group is underrepresented. (Section 53004(b))

For reporting purposes and data collection, applicants and employees are afforded the opportunity to voluntarily identify their gender, ethnic group identification and, if applicable, their disability. The composition of the applicant pool is recorded and reviewed by the equal employment officer or designee. Persons may designate as many ethnicities as they identify with, but shall be counted in only one ethnic group for reporting purposes. This information will be kept confidential and will be separated from the applications that are forwarded to the screening committee and hiring administrator(s).

The District shall annually report to the Chancellor this data for employees at the District. Each employee shall be reported so that he or she may be identified as belonging to one of the following seven job categories:

- 1) Executive/Administrative/Managerial
- 2) Faculty and Other Instructional Staff
- 3) Professional Nonfaculty
- 4) Secretarial/Clerical
- 5) Technical and Paraprofessional
- 6) Skilled Crafts
- 7) Service and Maintenance

Reference: Title 5, Section 53004

The District's longitudinal analysis for applicant pools and workforce for fiscal years 2014 – 2015, 2015 – 2016, and 2016 – 2017 are as follows:

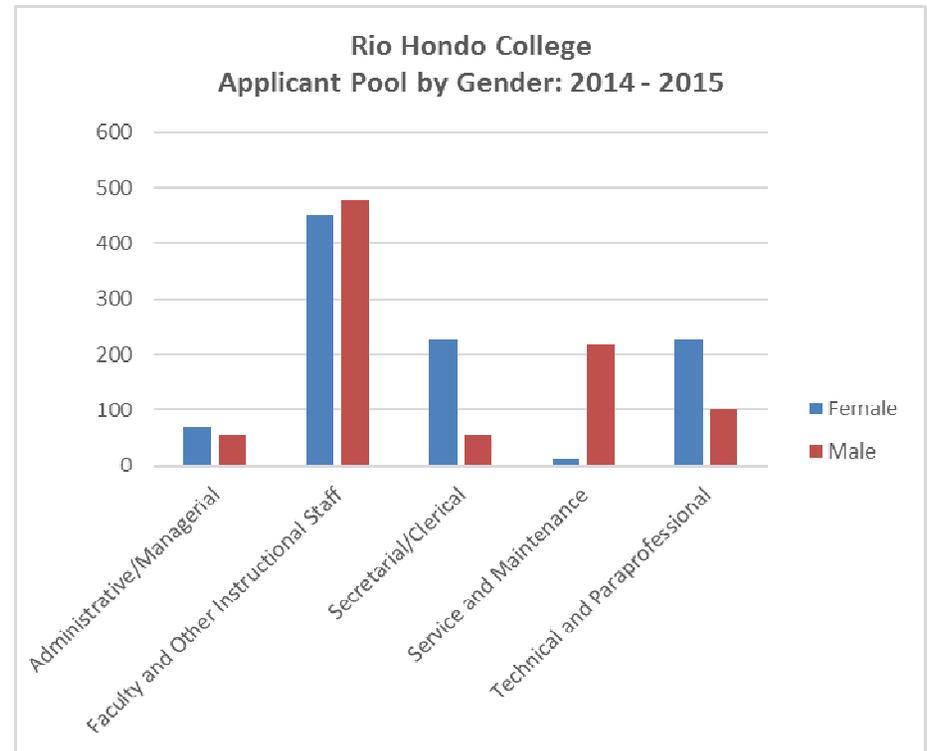
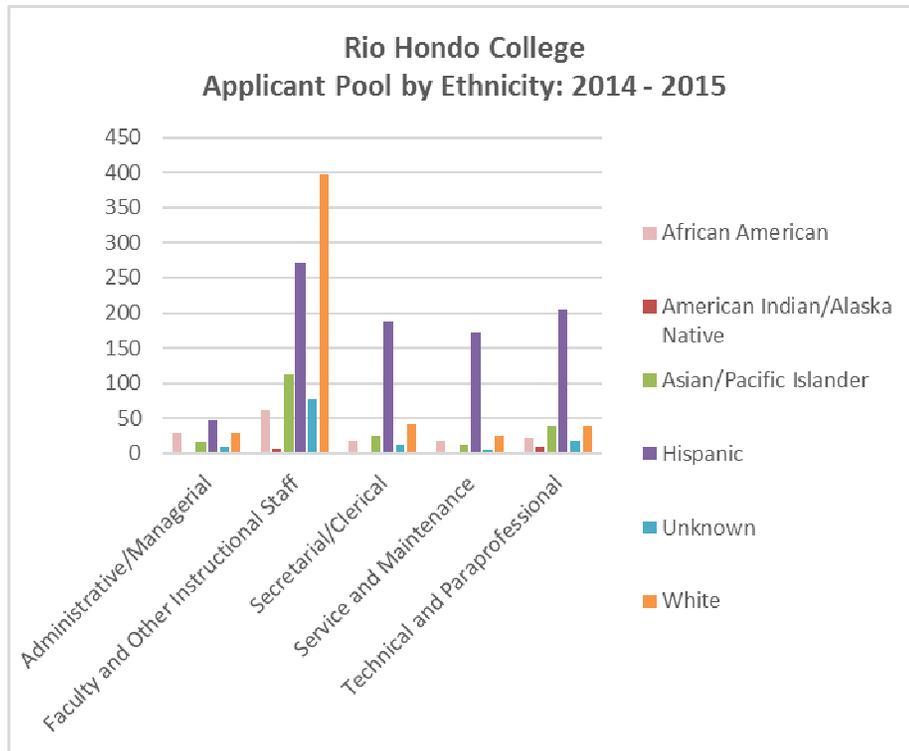
Rio Hondo College Applicant Pool Analysis: *2014 – 2015

EEO Job Class	American Indian/ Alaska Native	%	Asian/ Pacific Islander	%	Black/ African American	%	Hispanic	%	White	%	Unknown	%	Total Applicant Count
Administrative/ Managerial	2	1.56%	15	11.72%	28	21.88%	47	36.72%	28	21.88%	8	6.25%	128
Faculty and Other Instructional Staff	7	0.76%	112	12.10%	62	6.70%	271	29.27%	396	42.76%	78	8.42%	926
Secretarial/Clerical	0	0.00%	25	8.77%	17	5.96%	189	66.32%	42	14.74%	12	4.21%	285
Service and Maintenance	1	0.43%	12	5.19%	17	7.36%	171	74.03%	25	10.82%	5	2.16%	231
Technical and Paraprofessional	8	2.42%	39	11.78%	22	6.65%	205	61.93%	40	12.08%	17	5.14%	331
Total Applicant Count	18	0.95%	203	10.68%	146	7.68%	883	46.45%	531	27.93%	120	6.31%	1901

*PeopleAdmin software went live towards the end of the 2014 – 2015 fiscal year, on June 8, 2015, to accept online employment applications. Consequently, there is a significant increase in the number of applicants for the 2015 – 2016 and 2016 – 2017 fiscal years.

EEO Job Class	Female	%	Male	%	Total Applicant Count
Administrative/ Managerial	71	55.47%	57	44.53%	128
Faculty and Other Instructional Staff	449	48.49%	477	51.51%	926
Secretarial/Clerical	229	80.35%	56	19.65%	285
Service and Maintenance	13	5.63%	218	94.37%	231
Technical and Paraprofessional	229	69.18%	102	30.82%	331
Total Applicant Count	991	52.13%	910	47.87%	1901

Rio Hondo College Applicant Pool Analysis: 2014 – 2015 (continued)

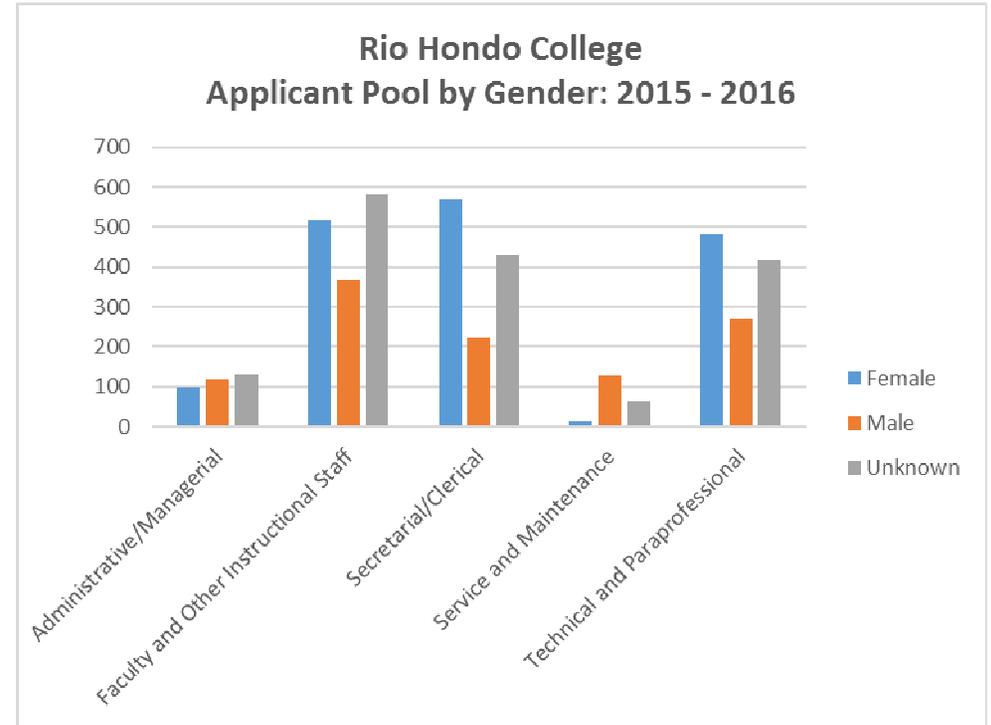
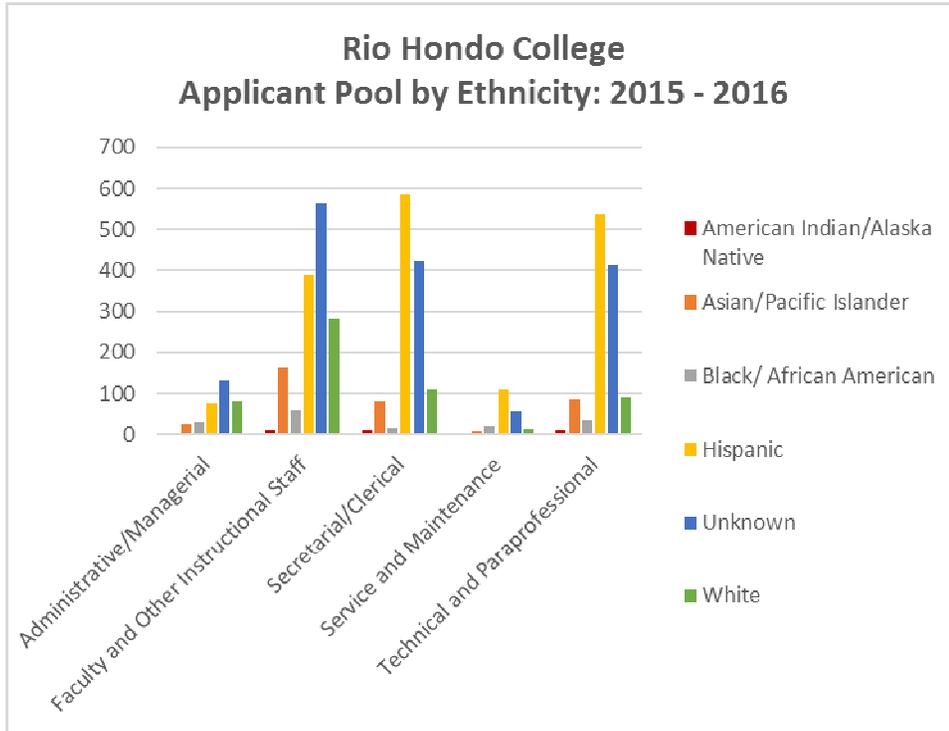


Rio Hondo College Applicant Pool Analysis: 2015 – 2016

Rio Hondo College Applicant Pool by Ethnicity: 2015 - 2016													
EEO Job Class	American Indian/ Alaska Native	%	Asian/ Pacific Islander	%	Black/ African American	%	Hispanic	%	White	%	Unknown	%	Total Applicants
Administrative/ Managerial	1	0.29%	27	7.80%	28	8.09%	76	21.97%	82	23.70%	132	38.15%	346
Faculty and Other Instructional Staff	11	0.75%	163	11.11%	59	4.02%	388	26.45%	282	19.22%	564	38.45%	1467
Secretarial/Clerical	9	0.74%	80	6.54%	17	1.39%	586	47.88%	109	8.91%	423	34.56%	1224
Service and Maintenance	3	1.45%	7	3.38%	19	9.18%	108	52.17%	13	6.28%	57	27.54%	207
Technical and Paraprofessional	10	0.85%	84	7.17%	34	2.90%	538	45.90%	91	7.76%	415	35.41%	1172
Total Applicants	34	0.77%	361	8.17%	157	3.56%	1696	38.41%	577	13.07%	1591	36.03%	4416

Rio Hondo College Applicant Count by Gender: 2015 - 2016							
EEO Job Class	Female	%	Male	%	Unknown	%	Total Applicants
Administrative/ Managerial	98	28.32%	117	33.82%	131	37.86%	346
Faculty and Other Instructional Staff	519	35.38%	367	25.02%	581	39.60%	1467
Secretarial/Clerical	569	46.49%	223	18.22%	432	35.29%	1224
Service and Maintenance	13	6.28%	129	62.32%	65	31.40%	207
Technical and Paraprofessional	483	41.21%	270	23.04%	419	35.75%	1172
Total Applicants	1682	38.09%	1106	25.05%	1628	36.87%	4416

Rio Hondo College Applicant Pool Analysis: 2015 – 2016 (continued)

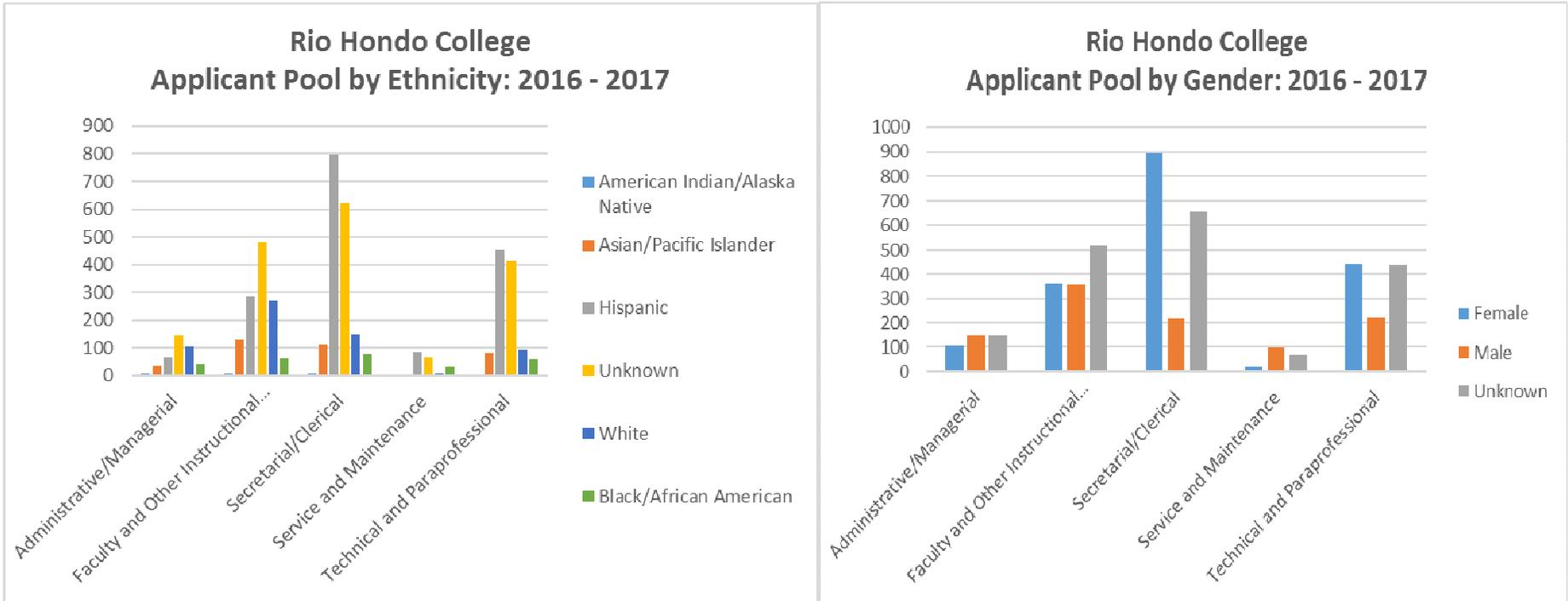


Rio Hondo College Applicant Pool Analysis: 2016 – 2017

Rio Hondo College Applicant Pool by Ethnicity: 2016 - 2017													
EEO Job Class	American Indian/ Alaska Native	%	Asian/ Pacific Islander	%	Black/ African American	%	Hispanic	%	White	%	Unknown	%	Total Applicants
Administrative/ Managerial	7	1.74%	36	8.96%	44	10.95%	66	16.42%	105	26.12%	144	35.82%	402
Faculty and Other Instructional Staff	7	0.57%	127	10.29%	62	5.02%	286	23.18%	271	21.96%	481	38.98%	1234
Secretarial/ Clerical	8	0.45%	114	6.45%	79	4.47%	798	45.14%	148	8.37%	621	35.12%	1768
Service and Maintenance	0	0.00%	3	1.60%	29	15.43%	86	45.74%	5	2.66%	65	34.57%	188
Technical and Paraprofessional	4	0.36%	81	7.34%	56	5.08%	455	41.25%	93	8.43%	414	37.53%	1103
Total Applicants	26	0.55%	361	7.69%	270	5.75%	1691	36.02%	622	13.25%	1725	36.74%	4695

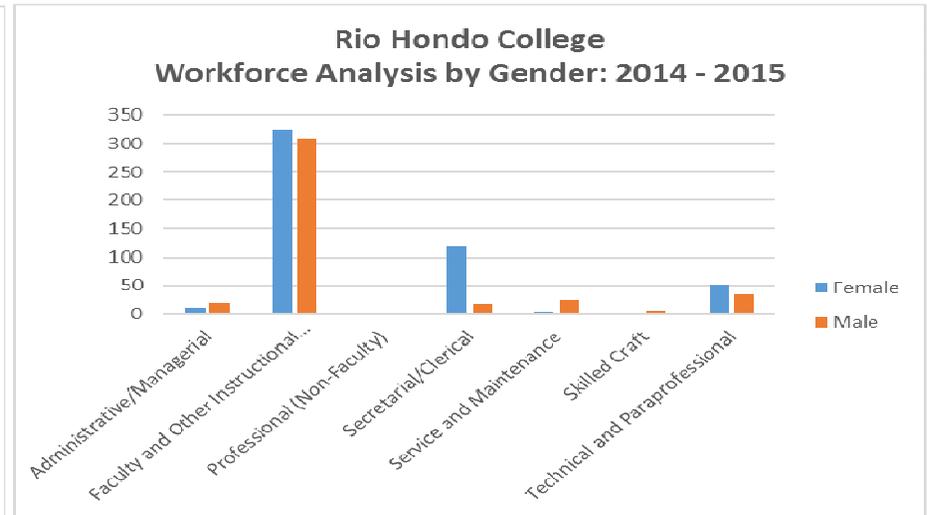
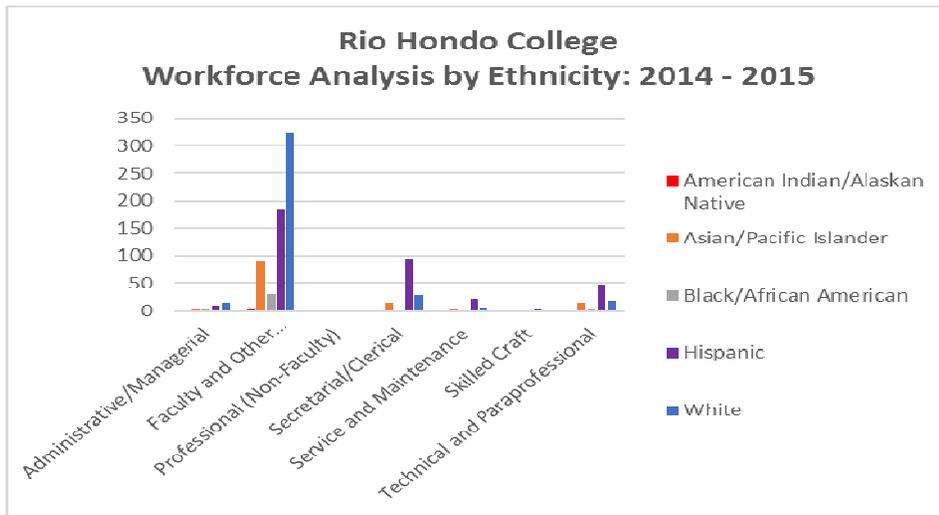
Rio Hondo College Applicant Pool By Gender: 2016 - 2017							
EEO Job Class	Female	%	Male	%	Unknown	%	Total Applicants
Administrative/ Managerial	107	26.62%	146	36.32%	149	37.06%	402
Faculty and Other Instructional Staff	359	29.09%	357	28.93%	518	41.98%	1234
Secretarial/ Clerical	894	50.57%	221	12.50%	653	36.93%	1768
Service and Maintenance	19	10.11%	97	51.60%	72	38.30%	188
Technical and Paraprofessional	442	40.07%	224	20.31%	437	39.62%	1103
Total Applicants	1821	38.79%	1045	22.26%	1829	38.96%	4695

Rio Hondo Applicant Pool Analysis: 2016 – 2017 (continued)



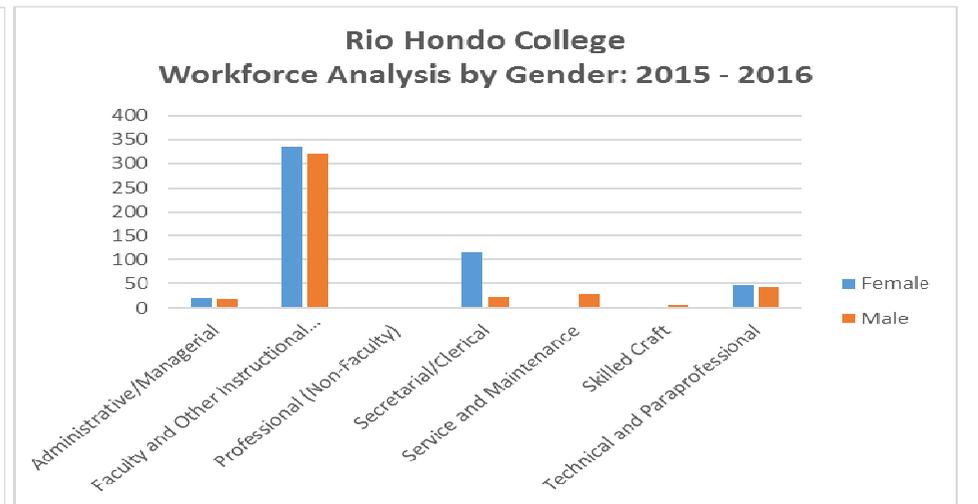
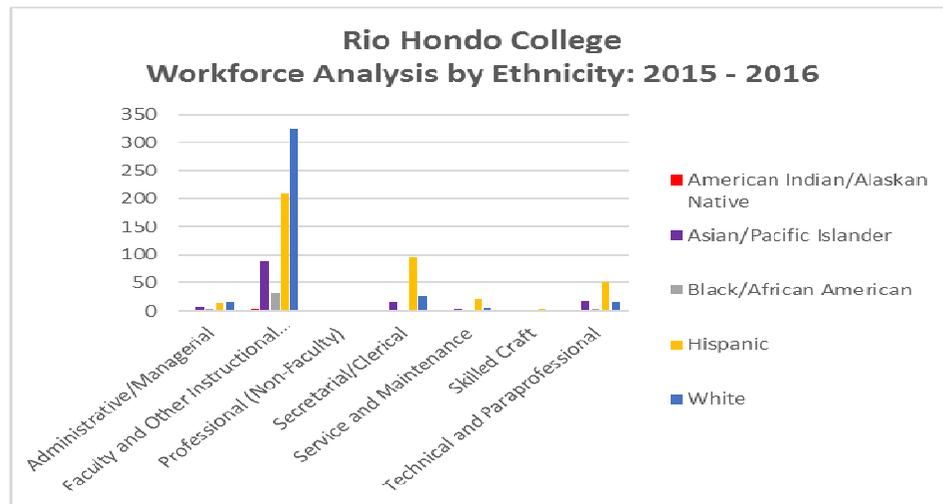
Rio Hondo College Workforce Analysis: 2014 – 2015

Rio Hondo College Workforce Analysis: 2014 - 2015															
EEO Job Class	Female	%	Male	%	American Indian/Alaskan Native	%	Asian/Pacific Islander	%	Black/African American	%	Hispanic	%	White	%	Total Employees
Administrative/Managerial	12	37.50%	20	62.50%	0	0.00%	4	12.50%	3	9.38%	10	31.25%	15	46.88%	32
Faculty and Other Instructional Staff	324	51.18%	309	48.82%	4	0.63%	90	14.22%	29	4.58%	185	29.23%	325	51.34%	633
Professional (Non-Faculty)	2	66.67%	1	33.33%	0	0.00%	2	66.67%	0	0.00%	0	0.00%	1	33.33%	3
Secretarial/ Clerical	118	86.76%	18	13.24%	0	0.00%	14	10.29%	0	0.00%	95	69.85%	27	19.85%	136
Service and Maintenance	3	10.34%	26	89.66%	0	0.00%	3	10.34%	1	3.45%	20	68.97%	5	17.24%	29
Skilled Craft	0	0.00%	6	100.00%	0	0.00%	0	0.00%	0	0.00%	4	66.67%	2	33.33%	6
Technical and Paraprofessional	52	60.47%	34	39.53%	1	1.16%	15	17.44%	4	4.65%	48	55.81%	18	20.93%	86
Total Employees	511	55.24%	414	44.76%	5	0.54%	128	13.84%	37	4.00%	362	39.14%	393	42.49%	925



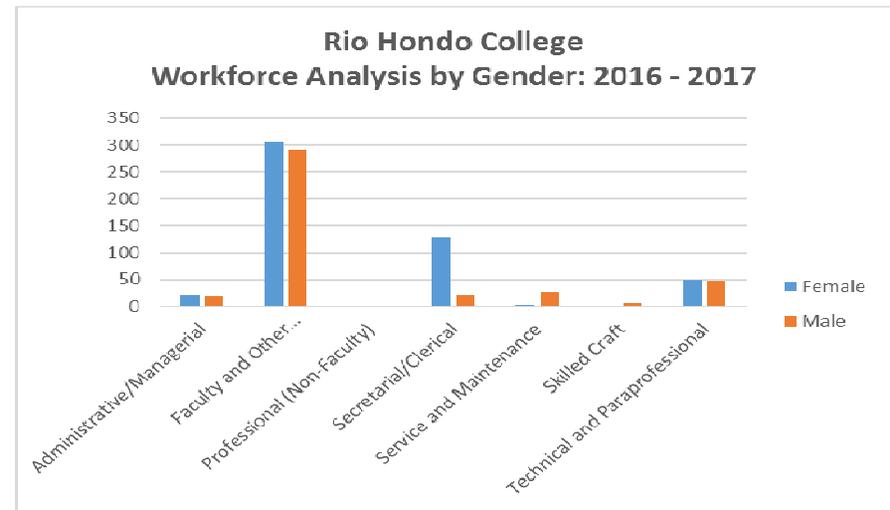
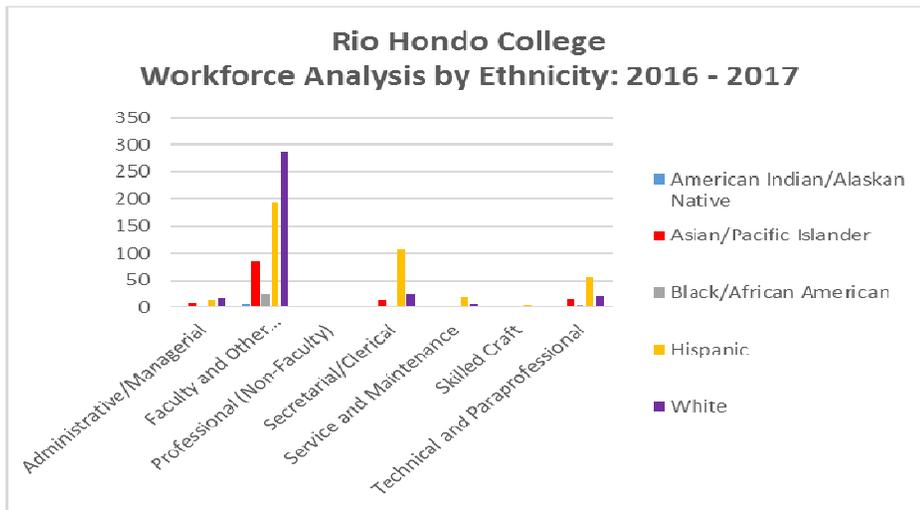
Rio Hondo College Workforce Analysis: 2015 – 2016

Rio Hondo College Workforce Analysis: 2015 - 2016															
EEO Job Class	Female	%	Male	%	American Indian/Alaskan Native	%	Asian/Pacific Islander	%	Black/African American	%	Hispanic	%	White	%	Total Employees
Administrative/Managerial	21	53.85%	18	46.15%	0	0.00%	7	17.95%	3	7.69%	13	33.33%	16	41.03%	39
Faculty and Other Instructional Staff	336	51.30%	319	48.70%	3	0.46%	88	13.44%	31	4.73%	209	31.91%	324	49.47%	655
Professional (Non-Faculty)	2	66.67%	1	33.33%	0	0.00%	2	66.67%	0	0.00%		0.00%	1	33.33%	3
Secretarial/ Clerical	115	83.33%	23	16.67%	1	0.72%	15	10.87%	1	0.72%	96	69.57%	25	18.12%	138
Service and Maintenance	3	10.00%	27	90.00%	0	0.00%	3	10.00%	1	3.33%	21	70.00%	5	16.67%	30
Skilled Craft	0	0.00%	6	100.00%	0	0.00%	0	0.00%	0	0.00%	4	66.67%	2	33.33%	6
Technical and Paraprofessional	46	52.27%	42	47.73%	1	1.14%	17	19.32%	4	4.55%	50	56.82%	16	18.18%	88
Total Employees	523	54.54%	436	45.46%	5	0.52%	132	13.76%	40	4.17%	393	40.98%	389	40.56%	959



Rio Hondo College Workforce Analysis: 2016 – 2017

Rio Hondo College Workforce Analysis: 2016 - 2017															
EEO Job Class	Female	%	Male	%	American Indian/Alaskan Native	%	Asian/Pacific Islander	%	Black/African American	%	Hispanic	%	White	%	Total Employees
Administrative/Managerial	20	51.28%	19	48.72%	0	0.00%	8	20.51%	1	2.56%	13	33.33%	17	43.59%	39
Faculty and Other Instructional Staff	305	51.17%	291	48.83%	6	1.01%	85	14.26%	24	4.03%	193	32.38%	288	48.32%	596
Professional (Non-Faculty)	2	66.67%	1	33.33%	0	0.00%	2	66.67%	0	0.00%	0	0.00%	1	33.33%	3
Secretarial/Clerical	127	86.39%	20	13.61%	0	0.00%	14	9.52%	1	0.68%	107	72.79%	25	17.01%	147
Service and Maintenance	3	10.34%	26	89.66%	0	0.00%	3	10.34%	1	3.45%	19	65.52%	6	20.69%	29
Skilled Craft	0	0.00%	6	100.00%	0	0.00%	0	0.00%	0	0.00%	4	66.67%	2	33.33%	6
Technical and Paraprofessional	50	51.55%	47	48.45%	1	1.03%	15	15.46%	4	4.12%	56	57.73%	21	21.65%	97
Total Employees	507	55.29%	410	44.71%	7	0.76%	127	13.85%	31	3.38%	392	42.75%	360	39.26%	917



XIV. Additional Measures to Support Diversity and Ensure Equal Employment Opportunity

- A. The District shall review the information gathered pursuant to section 53003, subdivision(c)(6) to determine if significant underrepresentation of a monitored group may be the result of non-job-related factors in the employment process. For the purposes of this subdivision, the phases of the employment process include but are not limited to recruitment, hiring, retention and promotion. The information to be reviewed shall include, but need not be limited to:
1. Longitudinal analysis of data regarding job applicants, gathered pursuant to section 53003(c)(6), to identify whether over multiple job searches, a monitored group is disproportionately failing to move from the initial applicant pool, to the qualified applicant pool;
 2. Analysis of data regarding potential job applicants, to the extent provided by the State Chancellor, which may indicate significant underrepresentation of a monitored group; and
 3. Analysis pursuant to section 53003(c)(7) to determine whether the group is significantly underrepresented.
- B. Where the review described in subdivision (a) identifies that significant underrepresentation of a monitored group may be the result of non-job related factors in the employment process, districts shall implement additional measures designed to address the specific area of concern. These additional measures shall include the following:
1. Review its recruitment procedures and identify and implement any additional measures which might reasonably be expected to attract candidates from the significantly underrepresented group;
 2. Consider various other means of reducing the significant underrepresentation which do not involve taking monitored group status into account, and implement any such techniques which are determined to be feasible and potentially effective;
 3. Determine whether the group is still significantly underrepresented in the category or categories in question after the measures described in (1) and (2) have been in place a reasonable period of time; and

4. Review each locally established "required," "desired" or "preferred" qualification being used to screen applicants for positions in the job category to determine if it is job-related and consistent with:
 - a. any requirements of federal law; and
 - b. qualifications which the Board of Governors has found to be job-related throughout the community college system, including the requirement that applicants for academic and administrative positions demonstrate sensitivity to the diversity of community college students; or
 5. Discontinue the use of any locally established qualification that has not been found to satisfy the requirements set forth in paragraph (4) of this subdivision;
 6. Continue using qualification standards meeting the requirements of paragraph (4) of this subdivision only where no alternative qualification standard is reasonably available which would select for the same characteristics, meet the requirements of paragraph (4) and be expected to have a less exclusionary effect; and
 7. Consider the implementation of additional measures designed to promote diversity that are reasonably calculated to address the area of specific need.
- C. For purposes of this section, "a reasonable period of time" means three years, or such longer period as the Chancellor may approve, upon the request of the equal employment opportunity advisory committee and the chief executive officer, where the district has not filled enough positions to appreciably affect its work force in the job category in question.
- D. Nothing in this subchapter shall be construed to prohibit a district from taking any other steps it concludes are necessary to ensure equal employment opportunity, provided that such actions are consistent with the requirements of federal and state constitutional and statutory nondiscrimination law.

Reference: Title 5, Section 53006

XV. Maintaining Institutional Commitment to Diversity

The District recognizes that multiple approaches are appropriate to fulfill its mission of ensuring equal employment opportunity, the development of a diverse workforce, and the creation of a diverse workforce. Equal employment opportunity means that all qualified individuals have a full and fair opportunity to compete for hiring, promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels and in all job categories. Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, and free expression of ideas and is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination.

The District will take significant steps to promote equal employment opportunity, workplace diversity and an inclusive work environment. The District shall also take concrete steps to monitor its progress in these areas. These steps may be the following options, among others, to further equal employment opportunities.

- 1) Conduct campus climate studies to identify hidden barriers.
- 2) Distribute recruitment announcements in publications targeting underrepresentative populations.
- 3) Highlight the District's equal employment opportunity and diversity policies in job announcements and in its recruitment, marketing, and other publications. Include in job announcements language indicating that candidates are required to demonstrate that they can infuse diversity into their major job duties.
- 4) Conduct diversity dialogues, forums, and cross-cultural workshops; Include guest speakers from underrepresented groups who are in leadership positions and who may inspire students and employees alike.
- 5) Review and revise College/District publications and other marketing tools to reflect diversity in pictures, graphics, and text to project an inclusive image.
- 6) Promote a series of EEO/diversity workshops at FLEX day.
- 7) Evaluate administrators on their ability and efforts to meet the District's equal employment opportunity and diversity efforts.
- 8) Establish an "Equal Employment Opportunity and Diversity" online presence by highlighting the District's diversity and equal employment opportunity, Americans with Disability Act, sexual harassment and nondiscrimination policies, procedures and programs on the District's website. The website will also list contact persons for further information on all of these topics.

- 9) Promote sabbaticals that will assist the District in achieving its equal employment opportunity and diversity objectives.
- 10) Promote various cultural celebrations on campus.
- 11) Recognize multilingualism and knowledge of multiculturalism as a desired, and when appropriate, required skill and qualification for community college employees.
- 12) Develop leadership opportunities with current staff focusing on diversity.
- 13) Ensure that top administrative staff support diversity objectives and that the diversity and/or equal employment opportunity officer position is maintained as a cabinet or other high-level administrative position.
- 14) Seek direct contact with students, professionals, community and other organizations that represent the diverse community we serve. These organizations can serve as resources for referring potential candidates.
- 15) Conduct exit interviews with employees who voluntarily leave the District. This data will be reviewed to see if a pattern impacting monitored groups exist, and implement measures to minimize turnover.

XVI: Persons with Disabilities: Accommodations

The District's Office of Human Resources shall ensure that applicants and employees with disabilities receive reasonable accommodations consistent with the requirements of Government Code sections 11135 et seq. and 12940(m), section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. Such accommodations may include, but are not limited to, job site modifications, job restructuring, part-time work schedules, flexible scheduling, reassignment to a reasonably equivalent vacant position, adaptive equipment, and auxiliary aids such as readers, interpreters, and notetakers.

Rio Hondo is committed in providing all applicants and employees with disabilities reasonable accommodations.

Reference: Title 5, section 53025

NONDISCRIMINATION

BP No. 3410

Board Adopted: Revised 9/02, 02/03, 08/03, 02/06, 8/06; 2/18/09; 7/11/12;
5/14/14; 5/11/16

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This Board Policy is legally required.

- I. The District is committed to equal opportunity in educational programs, employment, and access to all institutional programs and activities.
- II. The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and veteran status, 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 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 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, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and veteran status, 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.
- V. The District officers are responsible for ensuring District compliance with rules and regulations adopted by the Board of Governors of the California Community Colleges regarding unlawful discrimination shall be the Equal Employment Opportunity Officer (Director of Human Resources), and District's Title IX Officer/Section 504/ADA Coordinator, (Dean of Student Affairs).
- VI. The District will provide annual notice of its policy against unlawful discrimination to students, new employees when they commence working, and all current employees.
- VII. Sources/References:
ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard Catalog Requirements (formerly Accreditation Standard II.B.2.c)
Education Code Sections 66250, et seq., 72010, et seq., 87100 et seq.; Title 5, Sections 53000, et seq., 59300 et seq.,;
Penal Code Section 422.55;
Government Code 12926.1, 12940, et seq.;
Assembly Bill 556 (AB 556)
See Administration Procedure 3410.

COMMITMENT TO DIVERSITY

BP No. 7100

Board Adopted: 1/11/12

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- I. The District is committed to employing qualified administrators, faculty and staff members who are dedicated to student success. The Board recognizes that diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students. The Board is committed to hiring and staff development processes that support the goals of equal opportunity and diversity, and provide equal consideration for all qualified candidates.

- II. Source/Reference
Education Code Sections 87100 et seq.; Title 5 Sections 53000 et seq.;
Board resolution on equity of 14 September, 1994

NONDISCRIMINATION

**AP No.
3410**

Board Reviewed: 9-14-09; 6/13/12; 6/11/14; 12/9/15

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I. Education Programs

- A. The District shall provide access to its services, classes and programs without regard to national origin, religion, age, gender identity, gender expression, race, ethnicity, color, medical condition, genetic information ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and/or veteran status, 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.
- B. All courses, including noncredit classes, shall be conducted without regard to the gender of the student enrolled in the classes. As defined in the Penal Code, "gender" means sex, and includes a person's gender identity and gender expression. "Gender expression" mean's a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.
- C. The District shall not prohibit any student from enrolling in any class or course on the basis of gender.
- D. Academic staff, including but not limited to counselors, instructors and administrators shall not offer program guidance to students which differs on the basis of gender.
- E. Insofar as practicable, the District shall offer opportunities for participation in athletics equally to male and female students.

Nondiscrimination References for Education Programs:

Education Code Sections 66250 et seq., 200 et seq., and 72010 et seq.; Penal Code Sections 422.55 et seq.; Title 5 Sections 59300 et seq.; ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Catalog Requirements (formerly II.B.2.c)

II. Employment

- A. The District shall provide equal employment opportunities to all applicants and employees regardless of national origin, religion, age, gender identity, gender expression, race, ethnicity, color, medical condition, genetic information ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and/or veteran status, 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.
- B. All employment decisions, including but not limited to, hiring, retention, assignment, transfer, evaluation, dismissal, compensation, and advancement

NONDISCRIMINATION

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Board Reviewed: 9-14-09; 6/13/12; 6/11/14; 12/9/15

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for all position classifications shall be based on job-related criteria, as well as be responsive to the District's needs.

- C. The District shall, from time to time as necessary, provide professional and staff development activities and training to promote understanding of diversity.

Nondiscrimination References for Employment:

Education Code Sections 87100 et seq.

Title 5 Sections 5300 et seq.

Government Code Sections 11135 et seq. and 12940 et seq.

DISCRIMINATION AND HARASSMENT

AP No. 3435

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15

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I. Purpose

Rio Hondo Community College District is to provide an educational and employment environment in which no person shall be unlawfully denied full and equal access to, the benefits of, or be unlawfully subjected to discrimination, in whole or in part, on the basis of national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and veterans status, or because he/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, in any program or activity. Such discrimination is prohibited by California Government Code sections 11135 through 11139.5, the Sex Equity in Education Act (Ed. Code, § 66250 et seq.), Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794d), the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12100 et seq.) and/or the Age Discrimination Act (42 U.S.C. § 6101).

Rio Hondo Community College District is to provide an educational and employment environment free from unwelcome sexual advances, requests for sexual favors, sexual favoritism, or other verbal or physical conduct or communications constituting sexual harassment.

Rio Hondo Community College District is to comply with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973 in the development, procurement, maintenance, or use of electronic or information technology and respond to and resolve unlawful discrimination complaints regarding accessibility. Such complaints will be treated as complaints of discrimination on the basis of disability.

II. District Compliance Officer

The District Compliance Officer serves as the Title IX, ADA, and Section 504 Coordinator. The Compliance Officer is the "responsible District officer" charged with receiving all unlawful discrimination complaints filed pursuant to Title 5, section 59328, and coordinating their investigation. The actual investigation of complaints may be assigned to a third party investigator (outside persons or organizations). Such delegation procedures will be used whenever the District Compliance Officer is named in the complaint or is implicated by the allegations in the complaint. The District Compliance Officer (or third party investigator) shall disclose any real or perceived conflicts of interest and may be required to delegate the responsibility to investigate to another impartial investigator.

III. Filing a Timely Complaint

Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages anyone who believes he/she is being harassed or discriminated against to file a complaint. The District also strongly

DISCRIMINATION AND HARASSMENT

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encourages the filing of such complaints as soon as possible following an alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate.

All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination, the existence of a hostile, offensive or intimidating work environment, and acts of retaliation.

IV. Communicating Unwelcome Conduct

The District encourages anyone to the extent they are comfortable doing so, to inform the offending person immediately and firmly when conduct or behavior is unwelcome, offensive, in poor taste and/or inappropriate.

V. Who May File a Complaint

A complaint may be filed by anyone who believes he/she has been discriminated against or harassed by a student, employee, or third party in violation of Board Policy 3410, Board Policy 3430, or this procedure. In addition, under federal civil rights laws referenced in Section I. (Purpose) complaints of unlawful discrimination or harassment may be filed by parties who have not personally suffered unlawful discrimination or harassment.

VI. Where to File a Complaint

Anyone who believes he/she has been discriminated against or harassed in violation of Board Policy 3410, Board Policy 3430, or this procedure may make a complaint orally or in writing within one year of the date of the alleged discrimination or harassment, or the date on which the complainant knew or should have known of the facts underlying the complaint. The District Compliance Officer is located in the Student Services Building, Room SS-204, and can be reached at (562) 908-3498.

VII. Informal/Formal Complaint Procedure

When a person brings a charge(s) of unlawful discrimination or harassment to the attention of the District's Compliance Officer, that officer will:

- (1) Undertake efforts to informally resolve the charges;
- (2) Advise the complainant that he/she need not participate in informal resolution;
- (3) Notify the person of his or her right to file a formal complaint and explain the procedure for doing so;
- (4) Assure the complainant that he/she will not be required to confront, or work out problems with the person accused of unlawful discrimination or harassment;
- (5) Advise the complainant that he/she may file a non-employment based complaint with the Office for Civil Rights of the U.S. Department of Education (OCR) where such a complaint is within that agency's jurisdiction.

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(6) If the complaint is employment-related, the complainant should also be advised that he or she may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the Department of Fair Employment and Housing (DFEH) where such a complaint is within that agency's jurisdiction.

Efforts at informal resolution need not include any investigation unless the District Compliance Officer determines that an investigation is warranted by the seriousness of the charges. Selecting an informal resolution does not extend the time limitations for filing a formal complaint. Efforts at informal resolution may continue after the filing of a formal written complaint, but after a complaint is filed an investigation is required to be conducted pursuant to Title 5, section 59334, and will be completed unless the matter is informally resolved and the complainant dismisses the complaint in writing. Even if the complainant does dismiss the complaint, the District Compliance Officer may require the investigation to continue if he/she determines that the allegations are serious enough to warrant an investigation. Any efforts at informal resolution after the filing of a written complaint will not exceed the 90-day period for rendering the administrative determination pursuant to Title 5, section 59336.

In employment-related cases, if the complainant also files with the Department of Fair Employment and Housing or with the U.S. Equal Employment Opportunity Commission, a copy of that filing will be sent to the State Chancellor's Office requesting a determination of whether further investigation under Title 5 is required. Unless the State Chancellor's Office determines that a separate investigation is required, the District will discontinue its investigation under Title 5 and the matter will be resolved through the Department of Fair Employment and Housing or the U.S. Equal Employment Opportunity Commission.

The District will allow for representation where required by law or collective bargaining agreement and may allow for representation in other circumstances on a case-by-case basis.

VIII. Filing a Formal Written Complaint

If a complainant decides to file a formal written unlawful discrimination or harassment complaint against the District, he or she should be advised, but not required, to file the complaint on a form prescribed by the Chancellor's Office. The approved form is available from the District Compliance Officer, at the Rio Hondo College Website, and also at the State Chancellor's Office website.

The completed form must be filed with the District Compliance Officer or mailed directly to the State Chancellor's Office of the California Community Colleges.

If a complaint of unlawful discrimination or harassment is presented in another written format, such as a letter, the District may request that the complainant complete the form. Every effort should be made to have the complaint filed on this form and to obtain the complainant's signature. However, where a complainant has indicated that he or she wishes to pursue the formal complaint process, a complaint should not be rejected solely based on the failure to file the complaint on this form. If

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there is a delay in obtaining a completed form, or the complainant refuses to transfer the information or otherwise complete the form but wishes to pursue the formal complaint process, the District will attach the letter to the form and open a formal investigation. While a complaint filed in an improper form is still procedurally defective under Title 5 standards, the merits of the complaint itself may still be valid and must be addressed.

Once a complaint is filed, the individual(s) accused of engaging in unlawful discriminatory or harassing conduct should be advised of that filing and the general nature of the complaint. The District will take appropriate and reasonable action to ensure that the alleged behavior does not continue while the investigation is being conducted. This should occur as soon as possible and in a manner that is appropriate under the circumstances. The District will also advise the accused that an assessment of the accuracy of the allegations has not yet been made, that the complaint will be investigated, that the accused will be provided an opportunity to present his/her side of the matter, and that any conduct that could be viewed as retaliatory against the complainant or any witnesses must be avoided.

IX. Threshold Requirements Prior to Investigation of a Formal Complaint

When a formal written complaint is filed it will be reviewed by the District Compliance Officer to determine if the complaint meets the following requirements:

- The complaint must allege unlawful discrimination or harassment prohibited under Title 5, section 59300.
- A complaint under Title 5¹ must be filed by one who alleges that he or she has personally suffered unlawful discrimination or harassment or by one who has learned of such unlawful discrimination or harassment in his or her official capacity as a College employee.
 - In addition, under the federal civil rights laws referenced in Section I (Purpose), this procedure also covers complaints of discrimination or harassment filed by someone, such as a representative, a family member, or other third party, on behalf of an individual or group of individuals alleged to have suffered unlawful discrimination or harassment.
- In any complaint not involving employment, the complaint must be filed within one year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the specific incident or incidents of alleged unlawful discrimination or

¹ The portions of this procedure that pertain to communication with the State Chancellor's Office, and the appeal to that Office, do not apply unless the complainant meets the definition of complainant contained in Title 5, section 59328(a).

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harassment.

- In any complaint alleging unlawful discrimination or harassment in employment, the complaint shall be filed within 180 days of the date the alleged unlawful discrimination or harassment occurred, except that this period will be extended by no more than 90 days following the expiration of that 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of 180 days.

X. Defective Complaint

If a complaint is found to be defective, it will be immediately returned to the complainant with a complete explanation of why an investigation will not be initiated under California Code of Regulations, Title 5, section 59300, et seq. The notice will inform the complainant that the complaint does not meet the requirements of section 59328 of Title 5, and shall specify in what requirement the complaint is defective. A copy of the notice to the complainant will also be sent to the State Chancellor's Office.

XI. Notice to State Chancellor or District

A copy of all formal complaints filed in accordance with the Title 5 regulations will be forwarded to the State Chancellor's Office immediately upon receipt, regardless of whether the complaint is brought by a student or by an employee. Similarly, when the State Chancellor's Office receives a complaint, a copy will be forwarded to the District immediately.

XII. Investigation of the Complaint

Rio Hondo Community College District recognizes the importance of, and is therefore committed to, completing investigations and resolving complaints as quickly as possible, consistent with the requirements for a thorough investigation.

The District shall promptly investigate every complaint of discrimination or harassment. No claim of unlawful discrimination or harassment shall remain unexamined. The District shall investigate complaints involving acts that occur off campus if they are related to an academic or work activity. This includes complaints involving activities 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, on a District bus, or at a class or training program sponsored by the District at another location. As set forth above, where the complainant opts for an informal resolution, the Compliance officer may limit the scope of the investigation, as appropriate.

- Investigation Steps. The District will fairly and objectively investigate unlawful discrimination and harassment complaints utilizing the following steps, but not limited to: interviewing the complainant(s); interviewing the accused individual(s); identifying and interviewing witnesses and evidence identified by each party, if any; identifying and interviewing any other witnesses, if necessary; reminding all

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individuals interviewed of the District's no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved parties; reach a conclusion as to the allegations and take appropriate disciplinary and remedial action, if necessary; and see that all recommended action(s) are carried out in a timely fashion.

- **Timeline for Completion.** The District will undertake its investigation promptly and as swiftly as possible. To that end, the District Compliance Officer (or third party investigator) shall complete the above steps and prepare a written report within 90 calendar days of the District receiving the complaint.
- **Cooperation Encouraged.** All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment or discrimination is, or may be, occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed.

XIII. Administrative Determination

When the District evaluates the complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred.

In any case not involving employment discrimination or harassment, within 90 days of receiving an unlawful discrimination or harassment complaint filed under Title 5, sections 59300, et seq., the District Compliance Officer (or third party investigator) will complete the investigation and forward a copy of the investigative report to the State Chancellor, a copy of the summary of the report to the complainant, and written notice setting forth all the following to both the complainant and the State Chancellor²:

- (a) the determination of the District Compliance Officer (or third party investigator) as to whether there is probable cause to believe unlawful discrimination or harassment occurred with respect to each allegation in the complaint;
- (b) a description of actions taken, if any, to prevent similar problems from occurring in the future;
- (c) the proposed resolution of the complaint; and
- (d) the complainant's right to appeal to the District's Board of Trustees and, for Title 5 complaints, to the State Chancellor.

² For non-employment complaints filed under the federal civil rights statutes referenced in Section I, a copy of the summary report and written notice shall be forwarded only to the complainant.

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In any case involving employment discrimination, within 90 days of receiving an unlawful discrimination or harassment complaint filed under Title 5, sections 59300, et seq., the District Compliance Officer (or third party investigator) will complete the investigation and forward a copy of the summary of the report to the complainant, and written notice setting forth all the following to the complainant:

- (a) the determination of the District Compliance Officer (or third party investigator) as to whether there is probable cause to believe discrimination or harassment occurred with respect to each allegation in the complaint;
- (b) a description of actions taken, if any, to prevent similar problems from occurring in the future;
- (c) the proposed resolution of the complaint; and
- (d) the complainant's right to appeal to the District's Board of Trustees and to file a complaint with the Department of Fair Employment and Housing or the U.S. Equal Employment Commission.

The District will keep these documents on file for a period of at least three (3) years after closing the case, and make them available to the State Chancellor upon request.

XIV. Discipline and Corrective Action

If harassment, discrimination, and/or retaliation occurred in violation of Board Policy 3410, Board Policy 3430, or this procedure, the District shall take disciplinary action against the accused and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense. Remedies for the complainant might include, but are not limited to:

- ensuring that the complainant and alleged perpetrator do not attend the same classes or work in the same work area;
- providing counseling services;
- arranging for a student-complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record;
- reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the discrimination or harassment and the misconduct that may have resulted in the complainant being disciplined; and
- preventing offending third parties from entering campus.

If discipline is imposed, the nature of the discipline will generally not be communicated to the complainant. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in discrimination or harassment when the sanction directly relates to the complainant; for example, the

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District may inform the complainant that the harasser must stay away from the complainant. A victim of discrimination or harassment who is informed of disciplinary action must keep that information confidential.

Employees, students, or other persons acting on behalf of the District who engage in unlawful discrimination or harassment as defined in this policy or by state or federal law may be subject to discipline, up to and including discharge, expulsion, or termination of contract.

Disciplinary actions against faculty, staff, and students will conform to all relevant statutes, regulations, and personnel policies and procedures, including the provisions of any applicable collective bargaining agreement.

The District shall also take reasonable steps to protect the complainant from further unlawful harassment, and/or discrimination, and to protect the complainant and witnesses from retaliation as a result of communicating the complaint and/or assisting in the investigation. The District will ensure that complainants and witnesses know how to report any subsequent problems, or any retaliation, or new incidents of discrimination or harassment. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all parties to the extent possible without impeding the District's ability to investigate and respond effectively to the complaint.

XV. Complainant's Appeal Rights

Complainants have appeal rights they may exercise if they are not satisfied with the results of the District's administrative determination. At the time the administrative determination and summary is mailed to the complainant, the District Compliance Officer or his/her designee shall notify the complainant of his or her appeal rights as follows:

- First level of appeal: The complainant has the right to file an appeal to the District's Board of Trustees within 15 days from the date of the administrative determination. The Board will review the original complaint, the investigative report, the administrative determination, and the appeal.
- The Board will issue a final District decision in the matter within 45 days after receiving the appeal. Alternatively, the Board may elect to take no action within 45 days, in which case the original decision in the administrative determination will be deemed to be affirmed and shall become the final District decision in the matter. A copy of the final decision rendered by the Board will be forwarded to the complainant and for Title 5 complaints, to the State Chancellor's Office.
- Second level of appeal: The complainant has the right to file an appeal with the California Community College Chancellor's Office in any Title 5 case not involving employment-related unlawful discrimination or harassment

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within 30 days from the date that the Board issues the final District decision or permits the administrative determination to become final by taking no action within 45 days. The appeal must be accompanied by a copy of the decision by the Board or evidence showing the date on which the complainant filed an appeal with the Board, and a statement under penalty of perjury that no response was received from the Board within 45 days from that date. In any case involving employment discrimination or harassment, the complainant has the right to file a complaint with the Department of Fair Employment and Housing (DFEH) where the case is within the jurisdiction of that agency.

Complainants must submit all appeals in writing. The Title 5 process provides no corresponding appeal rights to any other parties aside from the complainants. If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the disciplinary decision using the procedure for appealing a disciplinary decision. The complainant will be notified if such an appeal is filed and will be given an opportunity to respond.

XVI. Extensions

If, for reasons beyond its control, the District is unable to comply with the 90-day or 150-day deadlines specified above for submission of materials to the complainant and the State Chancellor's Office, the District Compliance Officer will file a written request that the State Chancellor grant an extension of the deadline. Where an extension is deemed necessary by the District, it must be requested from the State Chancellor regardless of whether or not the case involves employment discrimination. The request will be submitted no later than 10 days prior to the expiration of the deadlines established by Title 5 in sections 59336 and/or 59340 and will set forth the reasons for the request and the date by which the District expects to be able to submit the required materials.

A copy of the request for an extension will be sent to the complainant, who will be advised that he or she may file written objections with the State Chancellor within five (5) days of receipt.

The State Chancellor may grant the request unless delay would be prejudicial to the investigation. If an extension of the 90-day deadline is granted by the State Chancellor, the 150-day deadline is automatically extended by an equal amount.

XVII. Confidentiality of the Process

The District will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged discrimination or harassment; the complainant's age; whether there have been other discrimination or harassment complaints about the same individual; and the accused individual's rights to receive

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information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the complainant if it cannot maintain confidentiality.

If a complainant insists that his or her name not be revealed, the District Compliance Officer (or third party investigator) should take all reasonable steps to investigate and respond to the complaint consistent with the complainant's request, as long as doing so does not jeopardize the rights of other students or employees.

Complainants, witnesses, and those accused of discrimination or harassment shall be informed of the possibility that they may be charged with allegations of defamation if they circulate the charges outside of the District's process. Persons who discuss their claims with persons outside of the process may expose themselves to tort charges. Complainants, witnesses, and those accused of discrimination or harassment will be asked to sign a confidentiality acknowledgement statement.

XVIII. Retaliation

It is unlawful for anyone to retaliate against someone who files an unlawful discrimination or harassment complaint, who refers a matter for investigation or complaint, who participates in an investigation of a complaint, who represents or serves as an advocate for an alleged victim or alleged offender, or who otherwise furthers the principles of the District's unlawful discrimination and harassment policy.

If an individual believes she/he has been subject to retaliation, the individual may file an additional or amended complaint with the District Compliance Officer. The District Compliance Officer (or third party investigator) shall investigate the claim of retaliation in accordance with these procedures.

If the District Compliance Officer (or third party investigator) determines that the complaint of retaliation is valid, in addition to any other remedies which may be appropriate (such as disciplinary action), the appropriate District administrator/manager shall take all necessary steps to end the retaliatory behavior as quickly as possible and shall provide counseling to the person performing the retaliation in regard to the rights of complainants to be free from retaliation.

XIX. Academic Freedom

Rio Hondo Community College District Board of Trustees reaffirms its commitment to academic freedom, as defined in BP 4030, but recognizes that academic freedom does not allow any form of unlawful discrimination. Nothing in these policies and procedures shall be interpreted to prohibit bona fide academic requirements for any specific community college program, course, or activity, including participatory/shared governance and representation of constituents.

When investigating unlawful discrimination or harassment complaints containing issues of academic freedom, the District will consult with a faculty member appointed

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by the Academic Senate with respect to contemporary practices and standards for course content and delivery.

Reference: Cohen v. San Bernardino Valley College (1995) 883 F.Supp. 1407, 1412-1414, *affd.* in part and *revd.* in part on other grounds, (1996) 92 F.3d 968; Cal. Code Regs., tit. 5, § 59302

XX. Dissemination of Policy and Procedures

All College employees will be provided with a copy of the District's written policy on unlawful discrimination and harassment at the beginning of the fall semester of each new academic year.

District policy and procedures related to harassment will include information that specifically addresses sexual violence. District Policy and Procedures related to harassment will be made available in the college catalog, emailed to all students and College employees, and will be posted on the District's Website.

When hired, employees are required to sign that they have received the policy and procedures, and the signed acknowledgment of receipt is placed in each employee's personnel file.

XXI. Notice, Training, and Education for Students and Employees

Rio Hondo Community College District's Compliance Officer, or designee, shall make arrangements for, or provide training to, employees and students on the District's unlawful discrimination and harassment policy and procedures.

A workshop or informational session will be made available to all District employees at least once annually. Because of their special responsibilities under the law, supervisors will undergo mandatory training within six (6) months of assuming a supervisory position and every two (2) years thereafter. In years in which a substantive policy or procedural change has occurred, all District employees will attend a training update and/or receive a copy of the revised policies and procedures.

A workshop or informational session will be made available to all students at least once annually. The student workshop or informational session will include an explanation of the policy, how it works, and how to file a complaint. The session will also include information aimed at encouraging students to report incidents of sexual violence to the appropriate District and law enforcement authorities. In addition, a copy of the District's written policy on unlawful discrimination and harassment, as it pertains to students, will be distributed to all students through the student portal at the beginning of each fall semester.

The training and education required by this procedure shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of discrimination and harassment

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on all bases covered by this procedure, and the remedies available to victims of discrimination and harassment.

XXII. Definitions

Definitions applicable to nondiscrimination policies are as follows:

- "Accused" means the individual who allegedly unlawfully discriminated against or harassed the complainant
- "Appeal" means a request by a complainant made in writing to the Rio Hondo Community College District Board of Trustees pursuant to Title 5, section 59338, and/or to the State Chancellor's Office pursuant to Title 5, section 59339, to review the administrative determination of the District regarding a complaint of discrimination.
- "Association with a person or group with these actual or perceived characteristics" includes advocacy for or identification with people who have one or more characteristics of a protected category listed under "Unlawful Discrimination Policy" and Title 5, section 59300, participation in a group associated with persons having such characteristics, or use of a facility associated with use by such persons.
- "Complaint" means a written and signed statement meeting the requirements of Title 5, section 59328³ that alleges unlawful discrimination in violation of the nondiscrimination regulations adopted by the Board of Governors of the California Community Colleges, as set forth at Title 5, sections 59300, et seq.
- "Complainant" means anyone who alleges that he or she has personally suffered unlawful discrimination in violation of these policies and procedures, or a person who has learned of such unlawful discrimination, including a faculty member, administrator, student, family member, or other third party who files on behalf of an individual or group alleged to have suffered discrimination or harassment.
- "Days" means calendar days.
- "Gender" means sex, and includes a person's gender identity and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.
- "Mental disability" includes, but is not limited to, all of the following:
 - (1) Having any mental or psychological disorder or condition, such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disability, that limits a major life activity. For purposes of this section:
 - (A) "Limits" shall be determined without regard to mitigating measures, such as medications, assistive devices, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.

³ See section VIII., Filing a Formal Written Complaint.

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- (B) A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult.
- (C) "Major life activities" shall be broadly construed and shall include physical, mental, and social activities, as well as working.
- (2) Any other mental or psychological disorder or condition not described in paragraph (1) that requires specialized supportive services.
- (3) Having a record or history of a mental or psychological disorder or condition described in paragraph (1) or (2), which is known to the District.
- (4) Being regarded or treated by the District as having, or having had, any mental condition that makes achievement of a major life activity difficult.
- (5) Being regarded or treated by the District as having, or having had, a mental or psychological disorder or condition that has no present disabling effect, but that may become a mental disability as described in paragraph (1) or (2). "Mental disability" does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.
- "Physical disability" includes, but is not limited to, all of the following:
 - (1) Having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following:
 - (A) Affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.
 - (B) Limits a major life activity. For purposes of this section:
 - (i) "Limits" shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
 - (ii) A physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss limits a major life activity if it makes the achievement of the major life activity difficult.
 - (iii) "Major life activities" shall be broadly construed and include physical, mental, and social activities and working.
 - (2) Any other health impairment not described in paragraph (1) that requires specialized supportive services.
 - (3) Having a record or history of a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment described in paragraph (1) or (2), which is known to the District.
 - (4) Being regarded or treated by the District as having, or having had, any physical condition that makes achievement of a major life activity difficult.
 - (5) Being regarded or treated by the District as having, or having had, a

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disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment that has no present disabling effect but may become a physical disability as described in paragraph (1) or (2).

(6) "Physical disability" does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

- "District" means Rio Hondo Community College District or any District program or activity that is funded directly by the state or receives financial assistance from the state. This includes the District Personnel Commission and any other organization associated with the District or its College that receives state funding or financial assistance through the District.
- "Respondent" means the individual who allegedly unlawfully discriminated or sexually harassed the complainant.
- "Responsible District Officer" means the officer identified by the District to the State Chancellor's Office as the person responsible for receiving complaints filed pursuant to Title 5, section 59328, and coordinating their investigation.
- "Sex" includes, but is not limited to, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. "Sex" also includes, but is not limited to, a person's gender, as defined in section 422.56 of the Penal Code. Discrimination on the basis of sex or gender also includes sexual harassment.
- "Sexual harassment" is unlawful discrimination in the form 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 workplace or in the educational setting, and includes but is not limited to:

(1) Making unsolicited written, verbal, physical, and/or visual contacts with sexual overtones. (Examples of possible sexual harassment that appear in a written form include, but are not limited to: suggestive or obscene letters, notes, or invitations. Examples of possible visual sexual harassment include, but are not limited to: leering, gestures, display of sexually aggressive objects or pictures, cartoons, or posters.)

(2) Continuing to express sexual interest after being informed that the interest is unwelcomed.

(3) Making reprisals, threats of reprisal, or implied threats of reprisal following a rebuff of harassing behavior. The following are examples of conduct in an academic environment that might be found to be sexual harassment: threatening to withhold, or actually withholding, grades earned or deserved; suggesting a poor performance evaluation will be prepared; or suggesting a scholarship recommendation or college application will be denied.

(4) Engaging in explicit or implicit coercive sexual behavior within the work environment which is used to control, influence, or affect the employee's career, salary, and/or work environment.

(5) Engaging in explicit or implicit coercive sexual behavior within the educational environment that is used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.

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(6) Offering favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

(7) Awarding educational or employment benefits, such as grades or duties or shifts, recommendations, reclassifications, etc., to any student or employee with whom the decision maker has a sexual relationship and denying such benefits to other students or employees.

- "Sexual orientation" means heterosexuality, homosexuality, or bisexuality.
- "Unlawful discrimination" means discrimination based on a category protected under Title 5, section 59300, including retaliation and sexual harassment.

XXIII. Record Retention

Unlawful discrimination and harassment records that are part of an employee's employment records may be classified as permanent records and retained indefinitely in accordance with Title 5, California Code of Regulations, section 59022.

XXIV. Source /Reference:

In so providing, Rio Hondo Community College District hereby implements the provisions of California Government Code sections 11135 through 11139.5, the Sex Equity in Education Act (Ed. Code, § 66250 et seq.), Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794d), the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12100, et seq.), and the Age Discrimination Act (42 U.S.C. § 6101).

Education Code Section 66281.5; Government Code 12950.1; Title 5, Sections 59320, 59324, 59326, 59328, and 59300 et seq.; 34 C.F.R. Section 106.8(b).