

**RIO HONDO COMMUNITY COLLEGE DISTRICT  
PLANNING FISCAL COUNCIL MINUTES  
Tuesday, February 24, 2015, 2:30 p.m., S121**

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**Members Present:** Dr. Kenn Pierson (Co-Chair and VPAA), Dr. Vann Priest (Co-Chair and President, AS), Henry Gee (VPSS), Myeshia Armstrong (VPFB), Robert Bethel (1<sup>st</sup> VP, AS), Katie O'Brien (2<sup>nd</sup> VP, AS), Dr. Kevin Smith (Secretary, AS), Sheila Lynch (Parliamentarian, AS), John Frala (ASCCC Rep, AS), Dr. Adam Wetsman (Past President, AS), Kathy Pudelko (President RHCFA), Julius B. Thomas (Faculty), Jeannie Liu (Faculty), Sandra Rivera (President, CSEA), Suzanne Frederickson (CSEA), René Tai (CSEA), Janira Colmenares (ASRHC), Don Mason (Mgmt., AA)

**Members Absent:** Dr. Gisela Spieler (Faculty), Alex Ramirez (ASRHC), Heba Griffiths (Mgmt. SS), Reneé Gallegos (Recorder), vacant position for ASRHC

**Staff Members:** Howard Kummerman (Dean, IRP), Michelle Yriarte (Recorder)

- I. **Call to Order** – Vann called the meeting to order at 2:36 p.m.
- II. **Acceptance of Minutes** – February 10, 2015 – After hearing no comments or corrections, [consensus to accept](#) as presented.
- III. **Co-Chair's Report** – Vann had no report. Kenn announced Reneé will be out for a while. Michelle will be backfilling so he would appreciate that everyone continue to cc: Reneé on all emails and Michelle will intercept.

Howard reported that there were errors on the initial ACCJC notification letter. A revised letter will be coming this week. The college has five delinquencies that have to be addresses in the follow up report. The majority involved SLO's and we will have to respond in order to satisfy ACCJC and to meet institutional effectiveness. Howard reported that the follow up team usually consists of one person who visits the campus during the follow up visit.

**IV. New Business**

- Program Review Summaries – Marie Eckstrom

Marie summarized the process in the past two years we have done program reviews on Fridays because it is hard to gather a group of people for one hour because we want to have some continuity We had three separate program review, peer review committees on three separate Fridays and divided the program reviews and went through them. Howard and I sat on all of them and some others sat on one or two. We talked to the program review writers and participants in the work review. We went through the documents, section by section starting with the mission statement and going through the goals and objectives. We dealt with them holistically. Over the years, Howard and I have been doing this we have evolved. We use to do it differently and it is better that we have a holistic approach throughout the entire process. Some program reviews are good and some are bad. Some programs take this seriously and other not so. As the Planning and Fiscal Council, the planning part of this council - the program review committee, we are a group of peers, and we are not judges or administrators. It is timely since we got a recommendation from WASC for us to look at this process and decide

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what we are going to do with programs that do not take this as seriously as they should. Howard added that there is a sub-committee Vann, Kevin, Howard, Lydia and Gina Bove who will be looking at upgrading the institutional planning process overall and as part of that we will have this component of discussion to.

Marie asked if there were any questions. Adam suggested rather than having program review on a six year cycle. In some instances programs should come back in shorter periods of time. One year or two years, based upon the recommendations of either IEC or the Program Review Committee. As faculty members, we do not need to do all that much in planning because this is done once every six years. You start with what you've done before and tweak it. The first time he did the Anthropology program it was a lot of work. Fast forward twelve years later and it's not as bad as before because the basics are there. This is my recommendation to Program Review and IEC.

Kevin shared that he read and looked through a lot of the programs for evidence for Accreditation and they were horrid. Marie shared that Program Plans are getting better. In the beginning six years or seven years ago, we started from scratch. As the years go by, most programs do get better and reports get longer. There are those stragglers that just roll over plans from year to year and don't change the content. We reply to them to refer to the help desk and revise the content. We cannot be mean or insulting. We have to do this in a diplomatic way.

Howard suggested that we have more specific expectations and that we ask people to report in more details. If they don't provide us with some of the specific data and other outcomes, including goals and objectives then we need to ask them to come back and write a summary and make corrections. Sometimes, they do and sometimes they don't. We have no way to have an additional review after they have gone back into the plan.

Robert asked what would be needed to give PFC, IEC or the Program Review Committee some enforcement power so staff can actually give specific recommendations at the end of Program Review. To say, you must do this by this date? If we are saying that, Program Review is a process for planning and it is important for accreditation. If we are saying there is a significant number of these that fall short of expectations, it seems logical that this committee should have the power to enforce a rewrite and in a timely manner.

Kathy does not disagree with this but suggested that we take a different approach. We need to be a little more creative because what she is hearing is that a person may think they have done a really great report. In reality it may not be and now you are going to start penalizing or something along those lines. We have to be very careful because she does not wish to see this become a negotiations issue or a problem in the contract.

Sandra suggested that members of the Program Review Committee can team up with those needing some assistance. Sandra asked how do you forward a program review that does not have measurable goals and objectives? It is almost irresponsible on our part to allow a plan to go forward. Couldn't we help see them through the process?

Marie agreed and also let the group know that she and Howard offer orientation sessions. Howard has a dedicated help line during the planning season. Marie is available to sit down one on one to go through the documents. The last person who did this with Marie was Steve Hebert in his new role as Dean of KDA and that was a few years ago.

Shelia suggested the deficient Program Reviews are probably going to come from people who are not engaged or interested to seek assistance. As Adam suggested, they should be reviewed more often. It is enough to say you need to do this portion. If the committee can identify the areas that need improvement and these should be done next year or next semester. It will be a rewrite.

Kathy asked what if we have reports that are not stellar and they've asked for certain items and they do not receive that information. If this is what Program Review is supposed to be, you line up your items and as the gatekeeper this would be a motivating factor. Therefore, that would be your leverage.

Katie suggested that perhaps in addition to the Program Level recommendations, commendations and institutional level recommendations a general check off list of outstanding, sufficient, follow-up needed and then instructions as to when the follow-up will take place should be included.

Howard stated if we were clearer about our expectations people would understand upfront or if they received notice of deficiencies. Then we can ask them to come back and work on it not because it is punitive but more importantly because they will understand the process better and what is expected. No one wants to let their division/department down.

Robert asked if at the beginning of the planning season, could the Program Review Committee make available or highlight an exemplary example to follow. Marie stated that they already do this and Physics is one that is used.

Adam suggested that the deans could play a role in this too. There was faculty that did not show up for their Program Review day. The one day in six years that faculty had to be present. The deans also need to be involved in the process and if they see that there is something that is not good enough, then the dean should enforce the contract and say this is a professional obligation once every six years. It doesn't take that long to get it up to par. It may take several times before it is good enough.

Vann expressed when talking about Program Plans, we talk about faculty not rising to the occasion. There is a flip side to that and sometimes it's the deans and directors not rising to the occasion as well. Let's realize this is a campus wide effort and although most program plans are fielded out by faculty, it is not universal.

Howard shared it is not just the Academic Programs we are talking about here. Student Services and all the administrative units are included in this topic. Some of these are the ones that have not made the effort to do a good Program Review. Some of that may be because they are not used to writing a document. We need to find ways to assist them in doing a better job. It's not what they do because they are in the Accounting Department or Research and Planning for example.

Jeannie shared that she wrote her Program Review on her own because she had no other faculty in her department. She suggested highlighting the benefits of doing this because faculty need to see themselves and be familiar with their own Program.

Kenn asked to go back to the idea that Katie proposed regarding a check off list with some specific guidelines. Marie explained that a rubric and criteria for each of the boxes

would be needed for something like this for purposes of explanation. Kenn stated this would take the context of feedback given. If there is something that is less than satisfactory then there should be something additional.

No additional comments were made.

Marie reviewed the Program Review summaries listed below.

**Administration of Justice** - No Institutional Level Recommendations

**Auto Collision** - Institutional Level Recommendations

- The College need to consider efficacy of continuing the Auto Collision program in light of the expense needed to revive it and the limited opportunities for its completers.

**Career Center** – Institutional Level Recommendations

- Hire a classified job developer for the Career Center in order to identify job and internship opportunities, coordinate internships and service learning projects and programs, as well as track students who gain employment in their chosen fields of study in order to compile institutional data to support the College Scorecard.
- Include career exploration as component of the orientation experience, so students can make informed decisions regarding majors.
- Create a document/webpage that explains the function of each student services office, so that students and staff may refer to it for information about each service.

**College Cashier & A/R** – Institutional Level Recommendations

- The College should develop a process whereby personnel knowledgeable of the various student services functions could strategically circulate the campus and assist students during registration periods, first weeks of school, etc. in order to direct them to the correct offices (cashier, financial aid, counseling, etc.). This would help alleviate student frustrations and possibly increase retention.
- Create a document/webpage that explains the function of each student services office, so that students and staff may refer to it for information about each service.

**Contract Education** – Institutional Level Recommendations

- The College should seriously consider the future of the Contract Education program, and should it continue, the College should invest considerable energy and funds to bring the program into the competitive market with other community colleges.
- Clarify the role/placement of Contract Education throughout the campus.

**Dance** – Institutional Level Recommendations

- Tie program's needs to Student Learning Outcomes and Mission Statement so rationale to hire additional personnel is substantiated.
- Include data and rationale to substantiate assertions throughout the document.
- Annotate the accomplishments.

### **Desktop Services - Institutional Level Recommendations**

- Tie the Strategic Direction back to the Technology Plan.
- Include Service Area Outcome assessment results.
- Revise Accomplishments section; move appropriate sections to Characteristics, Performances and Trends section.
- Categorize Help Desk calls/requests, which can yield useful information.
- Revise Goals and Objectives to ensure they are measurable and time-bound.

### **Environmental Technology – Institutional Level Recommendations**

- Hire a classified job developer for the Career Center in order to identify job and internship opportunities, coordinate internships and service learning projects and programs, as well as track students who gain employment in their chosen fields of study in order to compile institutional data to support the College Scorecard.
- Consider focusing the theme of the upcoming staff development year on intensive professional in-service toward the inculcation of methods, materials, approaches, and techniques that are specific to teaching in the various academic disciplines.

### **Equal Employment Opportunity – Institutional Level Recommendations**

- Reduce Mission Statement to a single paragraph; move other information to Performances and Trends.
- Revise Program Review Goals and Objectives so they are specific, measurable, and time-bound.
- Ensure that Service Area Outcomes (SAOs) are succinct and measurable.
- Revise Characteristic, Performances, and Trends to reflect external trends.
- The Recommendations for Improvement should be rewritten into goals, objectives and requests for resources.

### **Geography – Institutional Level Recommendations**

- Augment existing science labs (biology, chemistry, geography, geology, astronomy, and anthropology) with updated equipment, materials, software, and computers.
- Secure a dedicated lab space for the physical sciences.
- Maintain existing science labs by hiring an instructional assistant.

### **Grant Development & Management – Institutional Level Recommendations**

- Work with administration and marketing to create a grant-seeking culture on campus.

### **Music – Institutional Level Recommendations**

- Provide the funds need to upgrade and repair musical instruments.
- Provide funds to establish an applied music program and confer with neighboring colleges about the possibility of establishment of an applied music consortium.
- The College needs to consider the space requirements of the music program: more space for storage of instruments, more space for practicing, and more space for instruction.
- The College needs to provide more custodial services to improve the appearance of learning spaces.



#### **Political Science – Institutional Level Recommendations**

- Hire a classified job developer for the Career Center in order to identify job and internship opportunities, coordinate internships and service learning projects and programs, as well as track students who gain employment in their chosen fields of study in order to compile institutional data to support the College Scorecard.
- Consider focusing the theme of the upcoming staff development year on intensive professional in-service toward the inculcation of methods, materials, approaches, and techniques that are specific to the various academic disciplines.

#### **Safety and Security – Institutional Level Recommendations**

- Consider establishing a “blended” security program, wherein a permanent armed security officer organizes and oversees college security implementation.

#### **Speech - No Institutional Level Recommendations**

#### **Student Life & Leadership – Institutional Level Recommendations**

- Provide additional clerical assistance to the program.

#### **Warehouse – Institutional Level Recommendations**

- Either increase storage capacity or decrease paper usage and storage of facilities surplus.
- Encourage efforts to reduce paper through electronic means: increased use of scanners, learning management systems, and other appropriate software.
- Replace pallet jack and delivery van.

### **V. Unfinished Business**

- Update on PFC Sub-Committee on Instructional Equipment

Kenn reported the Sub-committee is scheduled to meet on Thursday, February 26<sup>th</sup> in B118. During the month of January, Gary Van Voorhis, Carlos Monteros and others were working on getting vendor quotes for rooms. Gary will not be at the meeting. Carlos will attend in Gary's place since he has been involved in the process of getting quotes. Carlos will be there to review compiled list and answer any questions. Kenn encouraged members of PFC who are involved in this committee to attend because there will be fundamental questions to discuss. Jeannie and Suzanne requested a copy of the compiled list that Kenn received from Vann today. Michelle will email the document to the PFC Sub-Committee today.

### **VI. Information Items**

- Budget Calendar

Myeshia reviewed the Budget Calendar and explained some changes that have been made. This calendar will be submitted to the Board of Trustees as an informational item. Development of the budget will take place in the next quarter. The dates on here correspond to the dates that have been developed by the Institutional Research and Planning Office. Some of those activities will correspond with this calendar. This is her first year with the budget development process at Rio Hondo. This is something that she has participated in and led in her previous experience. She will be working closely with President Dreyfuss as we undergo this process. Any additional updates will be provided to PFC. In May, there may be areas to highlight in once the Governor's budget is released.

Katie asked if the April 14<sup>th</sup> meeting of PFC will be when we review the prioritized resource requests related to staffing, etc. Myeshia was not sure of the entire process. Once the list is developed it should come forward to the PFC. The Budget Calendar was developed from the previous year.

Howard explained this in regards to the results from the classified and faculty staffing committees, along with facilities and technology requests as well as the other budget augmentations as we've done in the past so the committees prioritize requests. They will score the information and the IRP Office will put together the recommendations. This is the same thing that goes to PFC and President's Council before it goes to the retreat.

Myeshia asked if this was acted upon before it comes to PFC in any kind of way. Howard clarified unless there was question, discussion or clarification about it. There is no action taken at PFC. The purpose is to inform PFC and to follow the process.

Robert asked what happens if there are significant differences between the January budget and the May revision?

Myeshia explained what typically happens is that we look at the January budget and try to develop a skeleton budget. If in May the revision throws us a curve then we will have to make adjustments before we present our final budget. Typically, there are not a lot of changes, but you never know. With SSSP and Student Equity she really looks at information from the Chancellor's Office as well as the past history of the institution for some of the programs. Some things have not decreased as far as funding goes. Right now, funding is on the rise for a lot of the categorical programs. That is to be anticipated that it may continue at the same level with the possibility of an increase. There are other things that we will be considering especially this next year as rates for CalSTRS is going up and some other traditional things that we have not thought about in the past will increase. Our revenue source will be the biggest concern. We will have to start thinking of other ways to generate revenue because at this point our Prop 30 funds will start fading away.

Katie asked about the \$128 million in the January budget to cover mandates or issues that the colleges have to address including professional development. What is our campus process going to be to look in terms of how to spend the money the college receives?

Myeshia explained that Rio Hondo has asked for the block grant and this is calculated on the FTEs. She did not want to misspeak but she believed that it goes to our general fund.

Katie stated there are particular areas under that such as retirement, facilities, professional development and suggested this topic be brought up at President's Cabinet. What will the process be on how the money is allocated? Is it necessary to report to anyone else how the money is spent?

Myeshia clarified that because it is a block of funds it is going to be one lump sum versus if you were going to submit your claim based on an entirely different category.

Katie asked if it is necessary to report to anyone else how it is being distributed. Myeshia shared in her past experience they continued to prepare these reports because at some point, if the block grant is no longer needed and these are mandated activities, there is still some record as to the collection and level of service, hours, requirements for board meetings, Health Center fees, etc. that need to be provided. Again, she stated that she did

not want to speak out of context and how we are using it. She will have to consult with President Dreyfuss and report back at a later time.

Howard shared there was a possibility that the prioritized requests for classified and faculty may be available before the break because they are getting scored a week before. It's just how quickly IRP can put the information together. His goal is for PFC to see it earlier not just the week of retreat. He is aiming for that.

- **Title V Grant**

Kenn reported that in the fall we had in had various people including Deans, Administration and faculty brain storming for the next proposed Title V grant application that we would like to submit. Staring us in the face is the fact that this September our current Title V grant is expiring. We need to get our idea formulated, written and submitted by May. Kenn has asked Maria Elena, Barbara to take leadership roles in organizing the focus for the grant.

We held another campus wide discussion last Thursday and then added other members to the work group deciding the focus for the grant based on input received thus far. If you recall, we had folks from PCC come to campus and explain their model of the 1st Year Experience. Various components of that seemed attractive to us and we may be using portions of that model. He could not recall from memory exactly all the people who are involved. He recalls Katie, Song, Marie, Sharon, Raquel. Kenn has asked Mike to identify a faculty member from CTE. Especially, if there is any chance of pursuing the idea of putting the 4-year degree in the pathway and tie it to something else.

Shelia stated that there is no one from the Math department.

Both these discussions are close at hand and over the next month or so Maria will look into area plans. Part of what we have to do for the grant is come up with proof that we have SWOT analysis from the three different areas. One is the area plan for the SWOT analysis and also the Accreditation Report for materials that can also be used for the grant. This is the concept team and from that will grow the writing team. We hope to be as successful as we were the first time.

Sandra asked if we are not successful, how much money would be lost.

Kenn reported that there would be a \$5 million for the five years of the grant.

## VII. Committee Reports

### PFC Sub-Committees

- Safety
- Staffing
- IEC
- Program Review
- Facilities
- Equipment & Technology

### Other Committees

- Staff Development
- Basic Skills
- SLO
- Program Review
- Distance Education (DEC)

- **IEC** – Howard reported they IEC is working on updating the Institution Set Standards which is what ACCJC looks at as our student achievement data for measuring a lot of different programs and other ways to monitor the campus.



- **Staff Development** – Katie reported that last Thursday Adam, Vann and Kathy hosted a New Faculty Orientation. This will be the first of four sessions. It was gratifying to see about 99% attendance. To have good dialogue with that many people is a challenge. It was a very positive start seeing that we have three more sessions to go. The next one is on March 12<sup>th</sup>. Kenn is scheduled to speak at 4:30pm.
- **SLOs** – Adam reported the SLO committee met a couple of days ago to address the recommendations coming from the ACCJC letter. We are working on the all of the areas. We will have some recommendations that will go to IEC and PFC. We will know more in the next meeting to move forward with meeting all of the recommendations from the accreditation commission.

VIII. **Announcements** – Janira announced that students have noticed the class schedule is up in AccessRio through Spring 2016. They are happy about that! She thanked the group for following through and the division secretaries who helped make this happen.

IX. **Public Comment** – No public comments were made.

X. **Adjournment** – Kenn adjourned the meeting at 3:56 p.m. The next PFC meeting will be held on March 10, 2015, 2:30 – 4:00 p.m., Board Room



## Budget Development Calendar FY2015-16

January 9, 2015	Governor released FY2015-16 Budget Proposal
January 23, 2015	Final submission of Area Plans
February 11, 2015	President's Cabinet reviews resource allocation requests
February 24, 2015	Budget Development Calendar presented as information item to PFC
March 9 & 11, 2015	Resource Allocation Committee score/prioritize resource requests
March 11, 2015	Budget Development Calendar presented as information item to Board of Trustees
March 20, 2015	President and VP Finance & Business reviews prioritized resource requests
April 1, 2015	President's Council reviews prioritized resource requests
April 14, 2015	PFC reviews prioritized resource requests
April 17, 2015	Institutional Planning Retreat
May 15, 2015	Governor's May Revise State Budget update to Board of Trustees
June 10, 2015	Tentative Budget FY2015-16 approved by Board of Trustees
July 1, 2015	State of California budget enacted
July 1 – August 31	Finalize closing of FY2014-15
September 9, 2015	Adopted Budget FY2015-16 for approval by Board of Trustees

## RIO HONDO COMMUNITY COLLEGE DISTRICT PLANNING FISCAL COUNCIL MINUTES Tuesday, March 10, 2015, 2:30 p.m., Board Room

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**Members Present:** Dr. Kenn Pierson (Co-Chair and VPAA), Dr. Vann Priest (Co-Chair and President, AS), Henry Gee (VPSS), Myeshia Armstrong (VPFB), Robert Bethel (1<sup>st</sup> VP, AS), Katie O'Brien (2<sup>nd</sup> VP, AS), Dr. Kevin Smith (Secretary, AS), Sheila Lynch (Parliamentarian, AS), Dr. Adam Wetsman (Past President, AS), Kathy Pudelko (President, RHCFA), Dr. Gisela Spieler-Persad (Faculty), Julius B. Thomas (Faculty), Jeannie Liu (Faculty), Sandra Rivera (President, CSEA), Suzanne Frederickson (CSEA), René Tai (CSEA), Janira Colmenares (ASRHC), Juan Castellanos (ASRHC), Don Mason (Mgmt., AA), Heba Griffiths (Mgmt., SS)

**Members Absent:** John Frala (ASCCC Rep., AS), Alex Ramirez (ASRHC), Reneé Gallegos (Recorder)

**Staff Members:** Howard Kummerman (Dean, IRP), Yolanda Emerson (Director, Human Resources), Michelle Yriarte (Recorder)

- I. Call to Order – Vann called the meeting to order at 2:32 p.m.
  - II. Acceptance of Minutes – February 24, 2015 – Kenn reported that the minutes will be carried over to the March 24<sup>th</sup> PFC meeting.
  - III. Co-Chair's Report – No items.
  - IV. New Business
    - Equal Employment Opportunity Plan – Yolanda Emerson presented the EEO Plan (Attached to the minutes).

No further comments were made.
    - Priority Registration – Henry presented on the recommendations from the Enrollment Priority Taskforce.

The Enrollment Priority Task Force has the following recommendations:

      - In efforts to achieve enrollment growth for the college and to support the implementation of the Student Success and Support Program mandates and incentivize students from local, non-service area high schools to enroll at Rio Hondo College, it is recommended that we expand the one-time priority registration in fall semester for local high schools beyond El Monte Union, Whittier Union, and El Rancho Unified. Students will be required to complete an application, assessment, orientation and an educational plan to secure their registration priority. The Step 4-Ward program will not exceed 1,500 students. The recommendation is to have this group be Tier 3, day 2, with everyone else in Tier 3 register on day 1. The 1500 students will include all service area high school students that register on day 1. (Continues on next page).
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- In an effort to ensure that Pathway to Law Students are successful in transferring to a four year university in a timely manner, it is recommended that we provide Tier 3 priority registration status to all Pathway to Law students. Pathway students must have completed at least 2 required courses, met with the Pathway to Law Counselor, have an active comprehensive educational plan and have a 3.0 GPA in all required courses in the pathway. (Tier 3, day 1)

No comments were made.

V. Unfinished Business

- 4-Year Degree Update – Kenn reported that Rio Hondo’s for year degree will be on the Board of Governor’s May agenda. Pam Walker, the Vice Chancellor of Academic Affairs suggested that we reach out to Santa Monica College as well. More to come as things develop.
- Update on PFC Sub-Committee Recommendations – Kenn reported that the recommendations were forwarded to President Dreyfuss. We anticipate the selected items will go forward to the Board for approval at the April 15 meeting. Finance and Business will oversee the processing of required requisitions under the direction of Myeshia and President Dreyfuss.

VI. Information Items

- Accreditation Follow-up – Kenn reported that Team Members from ACCJC will revisit our campus this fall. It has not yet been determined who will write the follow up report.

VII. Committee Reports

PFC Sub-Committees

Safety – Kenn reported that cameras will be installed in parking lots and open access areas in the near future.  
 Staffing – No report.  
 IEC – Howard reported that the Planning Retreat will be held on April 17, 2015. Howard will provide the location as it will not be held at Swiss Park this year.  
 Program Review – No report.  
 Facilities – No report.  
 Equipment & Technology – No report.

Other Committees

Staff Development – No report.  
 Basic Skills – Julius reported that he will be visiting classroom this semester to educate our students on Basic Skills offerings.  
 SLO – Adam reported that RHC hosted the 2<sup>nd</sup> Annual SLO Symposium. Over 60 faculty, staff and Administrators from RHC and other college attended.  
 Program Review – No report.  
 Distance Education (DEC) – No report.

VIII. Announcements – No announcements were made.

IX. Public Comment – No public comments were made.

- X. Adjournment – Vann adjourned the meeting at 3:45 pm. The next meeting of PFC will be held on March 24, 2015, 2:30 – 4:00 p.m., Board Room.

DRAFT



# Equal Employment Opportunity Plan

**RIO  
HONDO  
COLLEGE**



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## I. Introduction

The Rio Hondo Community College District Equal Employment Opportunity Plan (*Plan*) was adopted by the governing board on April 15, 2015. 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 all<sup>1</sup>; 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

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<sup>1</sup>Diversity 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

Most of the following definitions are taken from Title 5, section 53001. The definition of “diversity” is not in Title 5, but it encompasses important considerations of inclusion that appear throughout the *Model Plan*.

- 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) ***Business Necessity:*** circumstances which justify an exception to the requirements of section 53021(b) (1) because compliance with that section would result in substantial additional financial cost to the District or pose a significant threat to human life or safety. Business necessity requires greater financial cost than mere business convenience. Business necessity does not exist where there is an alternative that will serve business needs equally well.
- c) ***Diversity:*** means a condition of broad inclusion in an employment environment that offers equal employment opportunity for all persons. A diverse educational community recognizes the educational benefits that flow from employee populations that are varied by race gender. Disability status, belief, age, national origin, cultural background, life experience and other enriching characteristics.
- d) ***Equal Employment Opportunity:*** means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels and in all job categories listed in section 53004(a) 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. Ensuring 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.
- e) ***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.
- g) (1) ***Ethnic Minorities***: American Indians or Alaskan Natives, Asians or Pacific Islanders, Blacks/African Americans, and Hispanics/Latinos.
- (2) ***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.
- h) ***In-house or Promotional Only Hiring***: means that only existing District employees are allowed to apply for a position.
- i) ***Monitored Group***: means those groups identified in section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a).
- j) ***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.
- k) ***Projected Representation***: the percentage of persons from a monitored group determined by the Chancellor to be available and qualified to perform the work in question.
- l) ***Reasonable Accommodation***: the efforts made on the part of the District to remove artificial or real barriers, which prevent or limit the employment and upward mobility of persons with disabilities. "Reasonable accommodations" may include the items designated in section 53025.
- m) ***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.
- n) ***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 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 Committees 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 six (6).

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## 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 Office
- the Equal Opportunity Officer (Human Resources 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 Board of Trustees and the Superintendent / President.

## 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 regulations<sup>2</sup> 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.

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<sup>2</sup> The equal employment opportunity regulations are found in California Code of Regulations, Title 5, section 53000 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.

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## **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 Committees. 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.

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## **VIII. 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 on the requirements of Title 5 regulations on equal employment opportunity (section 53000 et. seq.); the requirements of federal and state nondiscrimination laws; the requirements of the District's Equal Employment Opportunity Plan; the District's policies on nondiscrimination, recruitment, and hiring; training on elimination of bias in hiring and employment; principles of diversity and cultural proficiency; the value of a diverse workforce; and recognizing bias. 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 Office is responsible for providing the required training on a regular basis.

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 5<sup>3</sup> and the District's Equal Employment Opportunity Plan.

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<sup>3</sup> See Title 5, § 53020(c).

## **IX. 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.

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## X. Analysis of District Workforce and Applicant Pool

The Human Resources Department will annually survey the District's workforce composition 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 reports required by this Plan and to determine whether any monitored group is underrepresented. Monitored groups are men, women, American Indians or Alaskan natives, Asians or Pacific Islanders, Blacks/African-Americans, Hispanics/Latinos, Caucasians, and persons with disabilities.

For purposes of the survey, 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). At least every three (3) years the *Plan* will be reviewed and, if necessary, revised based on an analysis of the ethnic group identification, gender, and disability composition of existing staff and of those who have applied for employment in each of the following identified job categories:

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

Title 5 section 53004(a) does not require the *Plan* to break down the "Faculty and other Instructional Staff" categories into disciplines and part-time subcategories. However, since these are the job categories the Chancellor's Office uses, it makes sense for the District to use the same categories.

The District's workforce for fiscal year Fall 2014 is as follows:

**Rio Hondo College  
Workforce Analysis  
Fall 2014**

<u>Job Category</u>	<u>Total</u>	<u>Male</u>	<u>Female</u>	<u>American Indian/Alaskan Native Male/Female</u>	<u>Black/African American Male/Female</u>	<u>Asian Pacific Islander Male/Female</u>	<u>Hispanic/Latino Male/Female</u>	<u>White Male/Female</u>	<u>Other/Unknown Race/Sex</u>	<u>Persons with Disabilities</u>
Exec/Admin	34	21	13	0	2 / 1	3 / 2	5 / 5	10 / 5	0	0
Faculty & Other Instructional Staff	546	273	273	4 / 2	9 / 12	26 / 41	78 / 84	156 / 134	0	9 / 3
Professional Nonfaculty	3	1	2	0	0	0 / 2	0	1 / 0	0	0
Secretarial/ Clerical	154	25	129	0	1 / 0	2 / 12	16 / 96	6 / 21	0	1 / 0
Technical Paraprofessional	70	30	40	0 / 1	1 / 2	8 / 4	13 / 25	8 / 8	0	0
Skilled Craft	5	5	0	0	0	0	4 / 0	1 / 0	0	0
Service and Maintenance	29	26	3	0	0	3 / 0	18 / 1	5 / 2	0	0

**Rio Hondo Community College**  
**Analysis of Applicant Pool**  
*Fall 2014*

<u>Job Category</u>	<u>Total</u>	<u>Male</u>	<u>Female</u>	<u>American Indian/Alaskan Native Male/Female</u>	<u>Black/African American Male/Female</u>	<u>Asian Pacific Islander Male/Female</u>	<u>Hispanic/Latino Male/Female</u>	<u>White Male/Female</u>	<u>Other/Unknown Race/Sex</u>	<u>Persons with Disabilities</u>
Exec/Admin	147	78	69	3 / 0	18 / 16	10 / 5	21 / 22	19 / 20	7 / 6	2 / 4
Faculty & Other Instructional Staff	773	342	431	5 / 5	26 / 43	38 / 53	104 / 165	143 / 127	26 / 33	13/8
Professional Nonfaculty	41	22	19	0 / 1	3 / 3	3 / 7	6 / 5	9 / 2	1 / 1	0 / 2
Secretarial/ Clerical	639	149	490	2 / 3	13 / 25	16 / 45	88 / 344	18 / 57	12 / 16	4 / 4
Technical Paraprofessional	33	19	14	0 / 1	2 / 1	0 / 0	8 / 10	7 / 0	2 / 2	1 / 0
Skilled Craft	22	13	9	0 / 0	0 / 1	1 / 0	6 / 3	4 / 3	2 / 2	0 / 0
Service and Maintenance	202	183	19	0 / 1	26 / 5	6 / 1	10 / 6	20 / 2	4 / 0	1 / 2

## **XI. Analysis of Underrepresentation and Significant Underrepresentation**

Per the latest guidelines from the State Chancellor's Office, Districts are advised that EEO plan components 11-13 and 15 are not required to be worked on until such information is provided. (Appendix B)

## **XII. Methods to Address Underrepresentation**

Per the latest guidelines from the State Chancellor's Office, Districts are advised that EEO plan components 11-13 and 15 are not required to be worked on until such information is provided. (Appendix B)

## **XIII. Additional Steps to Remedy Significant Underrepresentation**

Per the latest guidelines from the State Chancellor's Office, Districts are advised that EEO plan components 11-13 and 15 are not required to be worked on until such information is provided. (Appendix B)



## **XIV. Other Measures Necessary to Further Equal Employment Opportunity**

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 and 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.

## **XV: Persons with Disabilities: Accommodations and Goals for Hiring**

Per the latest guidelines from the State Chancellor's Office, Districts are advised that EEO plan components 11-13 and 15 are not required to be worked on until such information is provided. (Appendix B)

In the absence of necessary comparison data and until such information is provided, Rio Hondo is committed in providing all applicants and employees with disabilities 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, as amended. The District welcomes applicants and employees with disabilities.

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## **XVI: Graduate Assumption Program of Loans for Education**

The District will encourage community college students to become qualified for, and seek employment as, community college employees by announcing employment vacancies in the District's Career Center. The District will consider strategies to inform students about the opportunity to participate in the Graduation Assumption of Loans Programs for Education when the program is funded and available.

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# APPENDIX A

**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

Page 1 of 1

- 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 the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.
- IV. No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of national origin, religion, age, gender, gender identity, gender expression, race, 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 because of his or her association with a person or group with one or more of these actual or perceived characteristics.
- V. The District officer 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 Affirmative Action 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. Reference:  
  
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**

<b>BP No. 7100</b>
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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**

<b>AP No. 3410</b>
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Board Reviewed: 9/14/09; 6/13/12; 6/11/14

Page 1 of 2

**I. Education Programs**

- 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.
- 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.
- The District shall not prohibit any student from enrolling in any class or course on the basis of gender.
- 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.
- 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.;  
Accreditation Standard 1.6.

**II. Employment**

- The District shall provide equal employment opportunities to all applicants and employees regardless of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.



**NONDISCRIMINATION**

<b>AP No. 3410</b>
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Board Reviewed: 9/14/09; 6/13/12; 6/11/14

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- All employment decisions, including but not limited to hiring, retention, assignment, transfer, evaluation, dismissal, compensation, and advancement for all position classifications, shall be based on job-related criteria as well as be responsive to the District's needs.
- 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 66250 at seq., 200 at seq. and 72010 et seq.;  
Title 5 Sections 59300 et seq.; Penal Code section 422.55 et seq.;  
Accreditation Standard 1.6.

**DISCRIMINATION AND HARASSMENT**

<b>AP No.</b> <b>3435</b>
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Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15

Page 1 of 15

**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**

<b>AP No. 3435</b>
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Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15

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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 5<sup>1</sup> 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

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<sup>1</sup> 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 Chancellor<sup>2</sup>:

- (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.

<sup>2</sup> 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 59328<sup>3</sup> 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.

<sup>3</sup> 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).



# APPENDIX B

**CALIFORNIA COMMUNITY COLLEGES  
CHANCELLOR'S OFFICE**

1102 Q STREET, SUITE 4554  
SACRAMENTO, CA 95811-6549  
(916) 445-8752  
<http://www.cccco.edu>



Date: September 23, 2013

To: Chief Executive Officers, Chief Human Resources Officers

From: Steve Bruckman  
Executive Vice Chancellor and General Counsel

Re: Revision of Equal Employment Opportunity Program Regulations

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**Summary**

In 2011, the Board of Governors approved a substantial revision of the title 5 regulations pertaining to equal employment opportunity (EEO) in recruiting and hiring. Since that time, the regulations have been under review by the Department of Finance (DOF). DOF was concerned that the regulations could result in claims for reimbursement from districts. On September 10, 2013, DOF signed off on the regulations. The regulations have been filed with the Secretary of State and will become effective on October 19, 2013. The revised regulations can be found on our website at:

[http://extranet.cccco.edu/Portals/1/Legal/Regs/FINAL\\_AS\\_FILED\\_EEO\\_regs.pdf](http://extranet.cccco.edu/Portals/1/Legal/Regs/FINAL_AS_FILED_EEO_regs.pdf).

While still encouraging diversity in hiring, the revised regulations are less prescriptive in the means of accomplishing this goal. The revised regulations also change what is required for a district equal employment opportunity plan. Although the revised regulations provide that the Chancellor's Office is no longer required to approve district EEO plans, districts are still required to submit their plans to the Chancellor's Office. The adoption of these regulations provides a great opportunity for districts to take a fresh look at the processes for ensuring diversity in employment.

**Background**

In 2008, community college HR and EEO professionals brought their concerns to the Chancellor's Office about the EEO regulations. The concerns included outdated terminology, methodologies, and potential for legal liability. Most specifically, the regulations required the Chancellor's Office to provide "availability data" for use by districts in determining whether

pools were adequately diverse. Despite multiple efforts, the Chancellor's Office was unable to obtain useful and accurate availability data. This left districts unable to comply with the regulations as written.

Together, the field and Chancellor's Office developed a collaborative effort to share information and gather statewide feedback on the law and current regulations, best practices for promoting, and accurately measuring and assessing employee diversity, and how to design regulations that would best serve California's dynamic and growing community college student population. Under this process, the statewide EEO and Diversity Advisory Committee (led by the Chancellor's Office and comprised of representatives from constituent groups including HR/EEO, faculty and classified staff) formed a task force to draft new regulatory language. The task force, like the Advisory Committee, included the Chancellor's Office and constituent groups. After extensive consultation with professionals in the field, the task force established broad goals and principles for title 5 revisions. Then, a writing team assembled from among its members began its work. The primary goals charged to the writing team were to develop new EEO strategies that would:

- better align with the current legal and social context;
- provide HR and EEO professionals with better tools which are legal and methodologically sound, and practice-oriented; and
- continue to demonstrate and expect meaningful and effective efforts to maximize diversity and identify and eliminate barriers to the employment opportunities for underrepresented groups.

### **Overview of Revisions**

Historically, districts have been held accountable for outcomes, measured by comparisons to external reference groups. Under the revised regulations, districts have both the independence and the responsibility to design and implement strategies that make sense for their particular communities. Districts must conduct systematic self-evaluation of practices that are focused at the district level. Data will still be collected and analyzed, but instead of relying on a single specific test or set of numbers, a more systematic and integrated design allows districts to measure and assess diversity from various angles and through various means relative to known populations. Districts are provided with the flexibility to utilize practices that best meet the needs of their diverse populations, as well as an opportunity to optimize available resources. Chancellor's Office oversight is secondary, in that it is triggered by a district's failure to take responsibility for developing and implementing EEO strategies on its own.

In addition, the rules for interim appointments have been changed. Previously, interim appointments were allowed for one year, and districts could request approval from the Chancellor's Office for an additional year. The revised regulations allow for a two year interim

appointment with no provision for extension. After two years, the interim appointment must be terminated.

Aside from technical and nonsubstantive changes, below is an overview of the substantial changes and associated rationales.

Previous regulations	Revised regulations
<p><b>Remedy for discrimination:</b></p> <p>Pool certifications are based on comparison of diversity of applicants with expected rates in availability data provided by Chancellor's Office and from the qualified applicant pool. Where analysis indicates underrepresentation due to flaws in hiring process, districts are required to re-recruit before hiring.</p>	<p><b>Remedy for discrimination:</b></p> <p>Modernization of methodology to include multiple strategies for optimal flexibility for local solutions and preventative practices. <i>Which</i> strategies to use are optional. However, implementing diversity/EEO plans and meaningful strategies is required.</p> <p><b>Rationale:</b> Avoid overreliance on a single measure; allow for district flexibility and increased validity/reliability. Replaces costly and time consuming certification process with practices aimed at prevention and a broader array of lawful strategies designed to maximize diversity rather than react to underrepresentation.</p>
<p><b>Sources of accountability:</b></p> <p>EEO plans reviewed and approved by Chancellor's Office. Applicant pools are required to be certified.</p>	<p><b>Sources of accountability:</b></p> <p>Chancellor's Office may impose from among the multiple strategies <i>if</i> they find a pattern of discrimination complaints or other indicators that a district is not employing effective practices, and <i>after</i> the district has been given notice and an opportunity to correct.</p> <p><b>Rationale:</b> Recognizes limited resources/staff in the Chancellor's Office, as well as provides for advance disclosure of more specific practices which might be required should problems be identified.</p>
<p><b>EEO for persons with disabilities:</b></p> <p>Goals and timetables allowed because preferential treatment on the basis of disability is not prohibited by Prop 209. Thus, disability treated differently from other monitored groups.</p>	<p><b>EEO for persons with disabilities:</b></p> <p>Disabled applicants are treated consistently with all other applicants, and afforded the benefits and protections of all other protected groups under the law, as well as the proactive practices-based approaches districts are to utilize to maximize diversity. Of course, this is in</p>

	<p>addition to all rights specifically afforded to disabled applicants under the American Disabilities Act and Fair Employment &amp; Housing Act.</p> <p><b>Rationale:</b> By employing a consistent approach for applicants in ALL underrepresented groups, the regulations are more consistent, coherent, practical and cost effective. It also eliminates the tension of requiring different treatment of one group within regulations designed by their very name to ensure equal treatment. Further, because the Task Force sees the revisions as offering more effective and modern approaches to diversity, this revision does not reflect a diminished commitment to expanding opportunities for disabled applicants</p>
<p><b>Allowable interim appointments:</b> One year, with additional year based on “business necessity.”</p>	<p><b>Allowable interim appointments:</b> Two years, without a required showing of business necessity.</p> <p><b>Rationale:</b> One-year limit is not workable because the recruitment process for leadership positions takes so long. Business necessity, as defined in the regulation, is a standard that is virtually impossible to meet rendering the extension possibility extremely unlikely. A cleaner approach is to allow two years with no extensions.</p>

**Next Steps**

The revised regulations and implementation will be discussed at the Chief Human Resources Officers Annual Meeting on October 15-18, 2013. Please contact Ruth Cortez if you are interested in attending. The primary Chancellor’s Office contact person will be Senior Attorney, Julia Blair. Julia can be reached at (916) 445-6212, or [jblair@ccco.edu](mailto:jblair@ccco.edu).



OFFICE OF THE PRESIDENT

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April 9, 2015

**TO:** Administrative Council  
President's Council  
Planning & Fiscal Council

**FROM:** Sandy Sandello

**SUBJECT: ADMINISTRATIVE PROCEDURE**

The following Administrative Procedure has been revised. I have attached a copy of the proposed language along with CCLC's recommended language for your review:

AP 4021      Program Discontinuance

This will begin the review process.

VOCATIONAL PROGRAM DISCONTINUANCEAP No.  
4021

Board Reviewed: 8/15/07

Page 1 of 5

~~I. Vocational Program Review~~ **Initiation of Program Discontinuance**

**Program discontinuance is an academic and professional matter. Considerations that are integral to this procedure include its effects on students, curriculum, budget and planning, and regional labor needs in the case of career and technical disciplines.**

**The procedure for program discontinuance should have no adverse effect on current students, involve the creation of a timeline for review and recommendations for improvement and action, and ensure the responsibility for program discontinuance is the shared function of faculty and administration.**

**The Program Review Committee, the administration, or the faculty, in consultation with the Vice President of Academic Affairs and the Academic Senate, can request an analysis for the discontinuance of a program. This does not need to occur within the planning or program review period, which shall be every two years for vocational programs and every six years for academic programs.**

~~The Vice President of Academic Services shall develop a schedule for the review of all vocational programs every two years. The review will be done using the template developed by the Regional Consortium of Vocational Deans. The review will address at a minimum the following: 1) that the program meets a documented labor market demand, 2) that the program does not represent unnecessary duplication of other manpower training programs in the area, 3) that the program demonstrates effectiveness as measured by the employment and completion of its students.~~

~~All vocational programs shall have active industry advisory committees that meet at least once a year. The committees shall consist of the dean, vocational faculty, and an active working professional in the field. Minutes of advisory committee meetings will be kept by the Dean of Business and Technology and included in program review.~~

~~Any vocational program that does not meet the above criteria can be terminated by the Board within a year. In addition, vocational programs that are accredited by external agencies and who lose that accreditation may be referred to the process described below.~~

~~II. Program Discontinuance~~ **Initial Analysis**



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**Elements in the program discontinuance analysis may include, but are not limited to:**

Qualitative data

1. **Effects on students**
2. **Balancing the college curriculum**
3. **Education and budget planning**
4. **Issues of regional coordination for occupational programs**
5. **Quality of the breadth and depth of the curriculum**
6. **The teaching and learning process**
7. **Student satisfaction**
8. **Perception of the program at articulating universities, local businesses and/or industry, and the community**
9. **Factors of employment in business and industry**
10. **Goals and objectives in the Educational Master Plan**

Quantitative Data

1. **Enrollment trends (e.g., lack of demand) over a sustained period of time**
2. **Frequency of course section offerings to assure reasonable availability for students**
3. **Retention rates**
4. **Success rates**
5. **Term-to-term persistence for those in courses in the major**
6. **Student completion rates**
7. **Demand in the local and regional workforce**
8. **Availability of transfer major (CCLC)**
9. **Cost to develop and maintain program.**

~~When it is determined that a program does not meet the above criteria, the Planning/Fiscal Council will convene a review committee consisting of 2 managers, and 2 faculty members. The committee will review the materials related to the program review and determine if there is any way to improve or assist the program to be in compliance with the criteria or to re-establish accreditation. The committee will make a recommendation to the Vice President who will make a recommendation to the Superintendent/President who makes a recommendation to the Board.~~

~~If the Board takes action to discontinue the program, the Vice President of Academic Services will work with the Dean of the program to ensure that any students in the program have alternative choices to finish their education either at Rio Hondo College or another community college. In the case of faculty lay-offs, the District will follow the procedures set out in the collective bargaining agreement.~~



VOCATIONAL PROGRAM DISCONTINUANCE

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### III. Source/ Reference **Program Discontinuance Task Force**

The Vice-President of Academic Affairs, in consultation with the Academic Senate, will form the Program Discontinuance Task Force. The task force will be co-chaired by the Vice President and the Academic Senate President or their designees. Members shall include a faculty member in the division containing the program, the Dean of the affected division, one other Dean, and one faculty member who is not in the affected division. Faculty are appointed by the Academic Senate. Where appropriate, program support staff, student services, and the community may be invited to participate. Meetings of the task force shall be public.

The charge to the Program Discontinuance Task Force is:

1. Gather and evaluate all qualitative and quantitative evidence
2. Recommend to the Superintendent/President and the Academic Senate that a program should
  - a. Continue
  - b. Continue with Qualifications
  - c. Discontinue

The committee will review the materials related to the program analysis, as well as data supporting the following criteria:

**Vocational Programs**

• Declining market/industry demand

• Advisory Committee recommendation

• Decreasing numbers of students enrolled

• Low or decreasing WSCH/FTEF

• Poor rate for student achievement of program goals (e.g. completion rate, numbers of degrees and certificates, job placement)

**Academic Programs**

• Declining university transfer trends

• Insufficient frequency of course offerings to assure reasonable opportunity for completion of the program

• Lack of available resources

• Poor retention within courses

• Poor rate for student achievement of program goals (e.g. completion rate, numbers of degrees and certificates)

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• *Unavailability of the transfer major*

• *Decline in importance of service to related disciplines (applies only when discipline does not offer degree or certificate). (CCLC)*

• *Poor term-to-term persistence for students in the major*

Within 90 days of being convened, the task force will determine which recommendation shall be forwarded to the Superintendent/President, the Academic Senate, and the Planning and Fiscal Council.

**A. Recommendation to Continue – A recommendation for a program to continue must contain a documented argument based on the qualitative and quantitative data.**

**B. Recommendation to Continue With Qualifications – A recommendation for a program to continue with qualifications must contain a documented argument based on the qualitative and quantitative data. Qualifications may consist of requirements of an external regulatory, governing, or licensing body to which the program is subject.**

The task force will create a timeline not longer than 18 months that incorporates actions to be undertaken by the program faculty and division dean and the expected outcomes. The Vice President of Academic Affairs will monitor the program's progress. At the end of the specified time, the task force will reevaluate the program.

**C. Recommendation to Discontinue - A recommendation for a program to be discontinued must contain a documented argument based on the qualitative and quantitative data. Should an external regulatory, governing, or licensing body order the discontinuance, the recommendation shall be considered mandated.**

In the event of a recommendation to discontinue, the task force will create a timeline for phasing out the program. The plan must include procedures to allow currently enrolled students to complete their plans of study as outlined below.

#### IV. Completion of Plans of Study

In the event a program is discontinued, the Vice President of Academic



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Affairs and the Dean of the affected program will devise a plan that allows currently enrolled students in the program can complete their plan of study in accordance with the College Catalog. These plans may include selection of alternative courses at Rio Hondo College or allowing students to complete their education at another community college.

**V. Conclusion of the Process**

The Program Discontinuance Task Force will forward its recommendation to the Superintendent/President, the Academic Senate, and the Planning and Fiscal Council. As program discontinuance is an academic and professional matter, mutual agreement is required.

Upon mutual agreement after receiving the recommendation, the Superintendent/President will forward the recommendation to the Board of Trustees. Any program that receives a recommendation to discontinue can be terminated by the Board within a year.

**VI. Collective Bargaining**

As this procedure impacts employment, it is a matter of collective bargaining in all cases. The bargaining unit will be notified and given the necessary time to resolve the issues of collective bargaining.

**VII. Source/ Reference:**

Education Code 78016; Title 5, 51022, 55130

## AP 4021 Program Discontinuance

### References:

Education Code Section 78016;  
Title 5 Sections 51022 and 55130

**Note:** *A procedure for discontinuance of vocational or occupational programs is **legally required**. Procedures for discontinuance of other programs are suggested as good practice. Insert local practice.*

The procedure for discontinuance of vocation or occupational programs should include:

- Process for reviewing such programs every two years to ensure they meet legal standards.
- Process for termination of program by governing board if legal and other district standards are not met.

New 8/04



**INSTITUTIONAL RESEARCH AND PLANNING**  
**2015-2016 PLANNING PROCESS**  
*FACULTY RESOURCE ALLOCATION REQUESTS*



**RANKED POSITIONS**

<b>Rank</b>	<b>Unit</b>	<b>Program</b>	<b>Position Title</b>	<b>Salary</b>
1	Behavioral and Social Sciences	Human Services	Human Services Faculty Member	\$85,000
2	Health Sciences	Nursing	Health Sciences Faculty Member	\$85,000
3	Career Technical Education	ACEDD	Architecture/CAD/Drafting Instructor	\$85,000
4	Arts and Cultural Programs	Theater	Theater (Design/Tech) Faculty Member	\$85,000
5	Counseling and Student Success	Counseling	General Counselor	\$85,000
6	Behavioral and Social Sciences	Political Science	Political Science Faculty Member	\$85,000
7	Communications and Languages	Speech	Speech Faculty Member	\$85,000
8	Kinesiology, Dance and Athletics	Kinesiology	Kinesiology/Head Coach Volleyball	\$85,000
9	Counseling and Student Success	Counseling	Career Counselor	\$85,000
10	Behavioral and Social Sciences	Sociology	Sociology Faculty Member	\$85,000
11	Business	Accounting	Business/Accounting Faculty Member	\$85,000
12	Kinesiology, Dance and Athletics	Dance	KDA Faculty Member/ Dance, Yoga, Pilates	\$85,000
13	Business	Business Management	Business/Marketing Faculty Member	\$85,000
14	Public Safety	Fire Technology	Fire Technology Faculty Member	\$85,000
15	Kinesiology, Dance and Athletics	Kinesiology	Kinesiology/Head Coach Men's Soccer	\$85,000
16	Library and Instructional Support	Library	Librarian	\$85,000
17	Public Safety	Administration of Justice	Administration of Justice Faculty Member 1	\$85,000
18	Public Safety	Administration of Justice	Administration of Justice Faculty Member 2	\$85,000
19	Behavioral and Social Sciences	Humanities	Humanities Faculty Member	\$85,000
20	Kinesiology, Dance and Athletics	Kinesiology	Kinesiology/Head Coach Men's Basketball	\$85,000



**INSTITUTIONAL RESEARCH AND PLANNING  
2015-2016 PLANNING PROCESS**  
*CLASSIFIED RESOURCE ALLOCATION REQUESTS*



**RANKED POSITIONS**

Rank	Unit	Program	Position Title	Salary
1	Student Services	Financial Aid	Financial Aid Assistant	\$45,000
2	Information and Technology Services	Software Support	Senior Systems Analyst	\$72,000
3	Student Affairs	Psychological Services	Student Services Assistant	\$45,000
4	Arts and Cultural Programs	Arts	Lab Technician – Ceramics/Art Gallery	\$38,355
5	Facilities	Custodial	Custodian 1	\$50,000
6	Counseling and Student Success	Career Center	Job Developer	\$40,000
7	Institutional Research and Planning	Research and Planning	Research Data Technician	\$50,000
8	Facilities	Grounds	Grounds Maintenance Worker	\$45,000
9	Government and Community Relations	Government and Community Relations	Community Relations Coordinator	\$60,000
10	Facilities	Custodial	Custodian 2	\$50,000
11	Arts and Cultural Programs	Arts	Lab Technician	\$45,000
12	Health Sciences	Nursing	Clerk Typist III – Health Sciences/Nursing	\$33,000
13	Academic Affairs	Academic Affairs	Clerk Typist III – Academic Affairs	\$33,250
14	Instructional Operations	Instructional Operations	Clerk Typist III – Instructional Operations	\$33,250
15	Communications and Languages	Mass Communications	Technology Assistant – Mass Communications	\$45,000
16	Library and Instructional Support	Library	Library/Media Technician	\$45,000
17	Library and Instructional Support	Library	Library/Online Systems Technician	\$50,000



**INSTITUTIONAL RESEARCH AND PLANNING**  
**2015-2016 PLANNING PROCESS**  
*TECHNOLOGY RESOURCE ALLOCATION REQUESTS*



**STATUS OF REQUESTS**

Status	Program	Type / Requested Item	Amount	Description
Consider	ACEDD	Computer Hardware	\$10,000	An additional server and software is needed as a dedicated unit to support "cloud" activity/services for students in Drafting, GIS, and Architecture.
Consider	Admissions and Records	Heavy duty printer for transcripts	\$5,000	This would allow us to continue to process transcripts in a professional and timely manner. We pride ourselves in assisting students in a smooth transition from RHC to transferring to a university or entering the workforce.
Consider	Arts	Computer Hardware	\$42,900	Replacement of 26 existing Macintosh computers in the Graphic Design classroom (S305) with new computers.
Consider	Arts	Annual budget for cloud-based Visual Arts software	\$26,400	Respondus software subscription (2) Camtasia software subscription (6) VoiceThread subscription (2) Adobe Creative Cloud subscriptions (80)
Consider	Business	Technology Related to Facilities (e.g., Smart Classrooms, etc.)	\$90,000	Conversion of B119 lecture room to a classroom with 45 computer work stations.
Consider	Business	Computer Hardware	\$40,000	Purchase new computers to keep up with current technology.



**INSTITUTIONAL RESEARCH AND PLANNING**  
**2015-2016 PLANNING PROCESS**  
*TECHNOLOGY RESOURCE ALLOCATION REQUESTS*



Status	Program	Type / Requested Item	Amount	Description
Consider	CIT	Computer Hardware	\$47,000	Replacement of 40 Dell Optiplex 745 computers in the Business Computer Lab, B 114.
Consider	Human Resources	Technology Related to Facilities (e.g., Smart Classrooms, etc.)	\$5,000	Computer and Skype equipment
Consider	Human Resources	ACA software for compliance	\$43,000	The software has reporting capabilities to the IRS.
Consider	Library	Non-computer Equipment (e.g., copier, etc.)	\$6,860	Purchase of Color Design Jet.
Consider	Library	Non-computer Equipment (e.g., copier, etc.)	\$3,000	Purchase of Laminator.
Consider	Marketing and Communications	Computer Software	\$1,299	Adobe Creative Suite 6 License Software
Consider	Marketing and Communications	Computer Hardware	\$2,169	21.5 iMac
Consider	Math and Sciences	Computer Hardware	\$1,078	Purchase and installation of an Apple 21.5 inch iMac computer.
Consider	Network/Infrastructure Support	Computer Hardware	\$650,000	Wired network distribution switches and other networking equipment.
Consider	Network/Infrastructure Support	Computer Hardware	\$500,000	Servers and Disk Arrays
Consider	President	Computer Hardware	\$2,000	Two new computers for the President's support staff.





**INSTITUTIONAL RESEARCH AND PLANNING**  
**2015-2016 PLANNING PROCESS**  
*TECHNOLOGY RESOURCE ALLOCATION REQUESTS*



Status	Program	Type / Requested Item	Amount	Description
Consider	Psychology	Subscription to JSTOR	\$8,000	The Philosophy Department (working in tandem with the Library) will secure a subscription to JSTOR, an expansive online collection covering many disciplines.
Consider	Research and Planning	Computer Hardware	\$2,000	Additional license for SPSS.
Consider	Research and Planning	Computer Software	\$40,000	Planning & Resource Allocation Software replacement for Plan Builder
Consider	Research and Planning	Computer Hardware	\$1,000	Lenovo laptop computer, I7 processor, 8GB Ram, 1TB Hard Drive.
Consider	Research and Planning	Computer Software	\$1,170	Drop Box for Teams - 8 licenses
Consider	Research and Planning	Computer Software	\$780	Survey Monkey PLATINUM
Consider	Research and Planning	Computer Software	\$25,000	I-Dashboards - online dashboard for internal and external review of key college indicators
Consider	Security	Disaster Recovery Service Contract	\$65,000	Disaster Recovery Service
Consider	Software Support	Programmer Training on Luminis 5.0	\$6,000	Luminis 5.0 Training
Consider	Software Support	DBA Training	\$6,000	Database Administrator Training



**INSTITUTIONAL RESEARCH AND PLANNING**  
**2015-2016 PLANNING PROCESS**  
*TECHNOLOGY RESOURCE ALLOCATION REQUESTS*



Status	Program	Type / Requested Item	Amount	Description
Consider	Software Support	Banner Consulting Services	\$100,000	Retain Banner consultants to assist with the installation of the Banner products on new hardware.
Funded - Complete	Child Development Center	Full A/V Classroom Installation in CDC 5	\$5,000	CDC 5 needs to be equipped with a data projector, computer, screen, DVD and VHS players, Internet access, College Network access, document camera, and podium.
Funded - ITF	Behavioral and Social Sciences	Computer Hardware	\$300	Purchase of three DVD players for three BSS classrooms.
Funded - ITF	Behavioral and Social Sciences	New instructor computers for 8 BSS classrooms	\$7,360	Purchase and installation of instructor computers for 8 Behavioral and Social Sciences classrooms.
Funded - ITF	English, Speech, Languages, and Reading	Technology Related to Facilities (e.g., Smart Classrooms, etc.)	\$3,300	Purchase of five documents cameras to be shared among Communications and Languages classrooms on the second floor of the Administration Building.
Funded - ITF	Math and Sciences	Technology Related to Facilities (e.g., Smart Classrooms, etc.)	\$15,000	Replacement of rear project system with updated front projector system in S336. (This figure was provided by the Director of IT when in conjunction with the one-time Instructional Technology funds/PFC subcommittee.)



**INSTITUTIONAL RESEARCH AND PLANNING**  
**2015-2016 PLANNING PROCESS**  
*TECHNOLOGY RESOURCE ALLOCATION REQUESTS*



Status	Program	Type / Requested Item	Amount	Description
Funded - ITF	Music, Theater	Technology Related to Facilities (e.g., Smart Classrooms, etc.)	\$33,000	The purchase and installation of new high definition projectors, audio speakers (including sub woofers), computers, Blue Ray/DVD players, CD players, turntables and mixer/amplifiers. All permanently mounted.
Funded - ITF	Nursing	2 laptops - Nursing	\$2,600	Purchase of laptops to be used for Nursing faculty to check out for presentations in the conference rooms and debriefing rooms.
Funded - ITF	Speech	Technology Related to Facilities (e.g., Smart Classrooms, etc.)	\$5,000	Purchase and installation of a full HD 1080 USB recording system, including mounted camera, recording device, and projection screen, in the Forensics squad room, A222.
Funded - ITF, Title V - Partial	Math and Sciences	Computer Hardware	\$188,740	AV upgrade in 5 Math and Sciences classrooms (\$108,000). Purchase and installation of LCD projectors for 9 classrooms (\$35000); 10 laptop computers for use in various classrooms (\$18000); Pasco capstone software for Physics (\$740); 10 additional computers for MSC (\$10000); and 16 new computers for S230 (Astronomy, Geography, Anthropology) (\$17000).
Funded - Title V Grant	Reading	Computer Hardware	\$5,444.66	Purchase and installation of a "SmartBoard" interactive white board.



**INSTITUTIONAL RESEARCH AND PLANNING  
2015-2016 PLANNING PROCESS**  
*TECHNOLOGY RESOURCE ALLOCATION REQUESTS*



Status	Program	Type / Requested Item	Amount	Description
Funded - Title V Grant	Research and Planning	Computer Hardware	\$1,000	Computer and monitor.
	Audio Visual Support	Audio/Visual Technology Refresh	\$150,000	The Audio/Visual Repair Technician needs to be intimately involved in the planning and oversight required to achieve this objective.
	DSPS	HP Network printer, Vendprint management software, card reader and kiosk/dispenser to support Vendprint software	\$5,500	HP Network printer, Vendprint management software, card reader and kiosk/dispenser to support Vendprint software
	Human Resources	Computer Hardware	\$2,500	Computer for new administrator along with Word software.
	Human Resources	Software System/Database Program	\$1,000	A software system and possible additional hardware will be required to replace the aged HP 3000 system that houses all day to day operations information for Human Resources.
	Instructional Operations	Non-computer Equipment (e.g., copier, etc.)	\$1,000	Installation of two phone lines in the relocated Office of Instructional Operations, T 106.
	Research and Planning	Computer Hardware	\$1,000	Computer and monitor.
	Research and Planning	Computer Software	\$2,000	Additional license for SPSS.
	Research and Planning	Computer Hardware	\$1,000	Computer and monitor.



**INSTITUTIONAL RESEARCH AND PLANNING**  
**2015-2016 PLANNING PROCESS**  
*TECHNOLOGY RESOURCE ALLOCATION REQUESTS*



Status	Program	Type / Requested Item	Amount	Description
	Anthropology	Computer Hardware	\$40,000	Purchase and installation of 24 new student computers and anthropology-related educational software to be used for student learning in the Anthropology Lab (S234). At present, each desk in the lab has a computer, but none of them work, so these computers are simply in the way.
	Calculus	Computer Hardware	\$62,600	Purchase and installation of 35 computers and a data projector for one of the math classrooms in the soon-to-be remodeled bookstore space.
	Contract Management	Purchasing and Fixed Asset Management software	\$100,000	Purchase and implementation of Purchasing and Fixed Asset Management Software.
	Math and Sciences	Technology Related to Facilities (e.g., Smart Classrooms, etc.)	\$500	Updated speakers and projector wires and a new ceiling-mounted WiFi projector for S334.
	Network/Infrastructure Support	Computer Software	\$650,000	Wired and wireless network distribution switches and other networking equipment.



**INSTITUTIONAL RESEARCH AND PLANNING**  
**2015-2016 PLANNING PROCESS**  
*FACILITIES RESOURCE ALLOCATION REQUESTS*



**STATUS OF REQUESTS**

Status	Program	Project Description	Cost
Consider	Athletics	Asphalt road way south of the baseball field from the existing asphalt road, down to the bleachers.	\$230,600
Consider	Behavioral and Social Sciences	Installation of a window in Room A205 in the wall along the hallway.	\$5,000 Consider installation of door with window \$300
Consider	Career Technical Education	HVAC modifications to the Technology Building, which may require some re-engineering or correction of the original renovation project designs.	\$40,000.00
Consider	English, Reading, Languages, and Speech	Purchase and installation of 12 dry erase white boards for Communications and Languages classrooms on the second floor of the Administration Building.	\$4,104.00
Consider	Library	Purchase and installation of 30 electrical outlets for student use in the Library, with power run to outlets on existing student study carrels and tables. (Per James Poper, outlets are about \$150 each.)	\$4,500.00
Consider	SWEC	Installation of mini-blinds in the Computer Lab at SWEC on all stationary windows surrounding the door entrance.	\$1,500.00
Consider - Research	Child Development Center	Installation of two-way mirrors in two observation rooms in the Child Development Center for use by students engaged in observational study.	\$5,000.00
Consider - Research	Child Development Center	Installation of sound systems in two observation rooms in the Child Development Center for use by students engaged in observational study.	\$10,000.00
Consider - Research	Instructional Operations	Relocation of the Office of Instructional Operations from its current location in LR 206 to T 106.	\$21,000.00
Consider - Research	Maintenance and Operations	New permanent shade structure over the new pool equipment.	\$65,000.00



**INSTITUTIONAL RESEARCH AND PLANNING**  
**2015-2016 PLANNING PROCESS**  
*FACILITIES RESOURCE ALLOCATION REQUESTS*



Status	Program	Project Description	Cost
Consider - Research	SWEC	Creation of an outdoor lunch/study area for students at SWEC through a series of tasks: redesigning the planter area adjacent to the northwest corner of the office building, 2) removing the vegetation, 3) installing tables, benches, and umbrellas.	\$19,500.00
Consider - Research	SWEC	Projection screens in three SWEC classrooms will be mounted 2-3 feet higher so all students can view projections.	\$2,000.00
Consider - Research	Welding	Relocation of welding and electrical equipment in the Technology Building.	\$15,000.00
Funded - Bond	Biology	Remodeling of the Microbiology and Anatomy prep rooms, including installation of new cabinets and island lab bench (\$20,000); wall cabinets (\$ 10,000); floor mats (\$1000); dishwasher to facilitate the processing of microbiological labware (\$3000.00); sterilizer vents (\$10,000); refrigerator (2000); and incubator (\$4000).	\$50,000.00
Funded - Bond	Calculus	Remodel the current bookstore space into three classrooms, including one computer lab. In addition to the construction costs (including HVAC issues), each room would require furniture, instructor computer station, and AV equipment. One classroom would function as a computer lab (see "Additional Technology" request above).	\$200,000.00
	Psychology, Philosophy	A comprehensive plan for adequate office and conference room space is needed in the Administration Building, or elsewhere, for faculty and staff in the Division of Behavioral and Social Sciences.	\$200,000.00