

Equal Employment Opportunity Plan



COLLEGE OF THE REDWOODS

Revised March 7, 2017

Mission: College of the Redwoods puts student success first by providing accessible and relevant developmental, career technical, and transfer education. The College partners with the community to contribute to the economic vitality and lifelong learning needs of its service area. The College continually assesses student learning and institutional performance and practice to embrace diversity, to encourage a healthy community environment and to improve upon the programs and services we offer, all to promote student learning.

Vision: College of the Redwoods is a learning community where lives are transformed.

Strategic Plan Linkage:

Objective: 1.4 Enhance student support and student engagement.

Desired Outcome: The College embraces equity and diversity with effective policies and practices.

Potential Action Plans & Initiatives:

- Strengthen and augment services to enhance access and success for underrepresented populations.
- Update Board Policies (Chapter 5, Students and Chapter 7, Human Resources).

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the Board of Trustees**

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I. Introduction

The Redwoods Community College District Equal Employment Opportunity Plan (*Plan*) was originally adopted by the governing board on September 10, 2012. 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 equity and 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. 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; 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.

Keith Snow-Flamer, Ph.D.
President/Superintendent

II. Definitions¹

Adverse Impact: a statistical measure (such as those outlined in the EEO Commission's *Uniform Guidelines on Employee Selection Procedures*) that is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group 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.

Diversity: means a condition of broad inclusion in an employment environment that offers equal employment opportunity for all persons. It requires both the presence, and the respectful treatment, of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, sexual orientation, disability and socio-economic backgrounds.

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). Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and that is welcoming to those of any or all gender identities, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination by title 5, section 53000 et seq.

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.

Equal Employment Opportunity Programs: 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.

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.

In-house Only Hiring: means that only existing District employees are allowed to apply for a position.

Monitored Group: means those groups identified in section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a).

Person with a Disability: 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

¹ Title 5 references may be found in the California Code of Regulations

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.

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.

Screening or Selection Procedures: any measure, combination of measures, or procedures 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.

Significantly Underrepresented Group: 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 District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The District, and each individual who represents the District, will provide an inclusive employment environment that has the goal of increasing and maintaining diversity and equal employment opportunities and conditions. Access to its services, classes, and programs is provided without regard to national origin, religion, age, sex, gender, gender identity, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The President/Superintendent and/or his/her designee 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.

No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of national origin, religion, age, sex, gender, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or because of his or her association with a person or group with one or more of these actual or perceived characteristics.

Approved by the Board of Trustees 03/07/2017

IV. Delegation of Responsibility, Authority and Compliance

It is the goal of the Redwoods 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 District and College operation, and for ensuring equal employment opportunity as described in the *Plan*.

2. President/Superintendent

The governing board delegates to the President/Superintendent the responsibility for ongoing implementation of the *Plan* and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The President/Superintendent shall advise the governing board concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual report on *Plan* implementation. The President/Superintendent 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 Director and Chief Human Resources Officer 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. The Equal Employment Opportunity Officer is also responsible for receiving complaints described in Plan Component 6 and for ensuring that applicant pools and selection procedures are properly monitored.

4. Equal Employment Opportunity Advisory Committee

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

5. *Agents of the District*

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

6. *Good Faith Effort*

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

V. Advisory Committee

The District's Equal Employment Opportunity Advisory Committee assists in implementing the *Plan*. The Equal Employment Opportunity Advisory Committee shall be trained on the *Plan* itself and trained on equal employment compliance similar to training provided for hiring committees.

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 committee² will be composed of:

- one faculty member appointed by the Academic Senate Co-Presidents,
- one faculty member appointed by the CRFO President,
- one classified staff member appointed by the CSEA President,
- one manager appointed by the Manager's Council,
- one representative from the Del Norte Education Center,
- the standing chair or designee from the Multicultural and Diversity Committee,
- one member of administration appointed by the President/Superintendent,
- one student recommended by the ASCR President, and
- the Director and Chief Human Resources Officer/Equal Employment Opportunity Officer, who also serves as the ADA compliance officer, serving as an ex-officio member.
- the Director, Student Equity and Success

The Equal Employment Opportunity Advisory Committee shall hold a minimum of two (2) meetings per fiscal year, with additional meetings if needed. The advisory committee shall review the annual diversity analysis and current EEO and diversity efforts, programs, policies, and progress. Due to the geographic size of the District, committee members may actively participate in meetings via telephone or web conferencing. When appropriate, the advisory committee shall make recommendations to the governing board, the President/Superintendent, and the Equal Employment Opportunity Officer.

² Title 5 does not require any specific composition for the advisory committee.

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 regulations³ 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 College and/or 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.aspx>.)

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 Equal Employment Opportunity Officer. If the complaint involves the Equal Employment Opportunity Officer, the complaint may be filed with the President/Superintendent. A written determination on all accepted written complaints will be issued to the complainant within ninety (90) days of the filing of the complaint. If this is not practical, a written notification will be provided to the complainant as to the reasons for the extension and estimated date of completion. The Equal Employment Opportunity 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.

³ 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 procedures for complaints alleging unlawful discrimination or harassment. The Director and Chief Human Resources Officer/Equal Employment Opportunity Officer is responsible for receiving such complaints and for coordinating their investigation. Campus complaint officers may be assigned investigation responsibilities. The District's discrimination and sexual harassment complaint procedures are attached to this *Plan*.

VII: Notification to District Employees

The commitment of the District's Board of Trustees and the President/Superintendent to equal employment opportunity is emphasized through the broad dissemination of its Board Policies and Administrative Procedures, Equal Employment Opportunity Policy Statement, and the *Plan*. The policy statement will be printed in the College catalog and class schedules. The *Plan* and subsequent revisions will be distributed to the District's governing board, the President/Superintendent, 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 District will provide all employees with a copy of the Board's Equal Employment Opportunity Policy Statement (located in Plan Component 3 of this *Plan*) and written notice summarizing the provisions of the District's Equal Employment Opportunity Plan. The Human Resources Department will provide all new employees with a copy of the written notice described above when they commence their employment with the District. The annual notice provided to all employees will contain the following provisions:

- 1) The importance of the employee's participation and responsibility in ensuring the *Plan*'s implementation.
- 2) Where complete copies of the *Plan* are available, including in every campus library, in the District's public folders, on the campus and District internet site, the Office of the President/Superintendent, the Office of Human Resources, and both the Del Norte and Klamath-Trinity administrative offices.

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/selection of personnel shall receive appropriate training on the requirements of the 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; principles of diversity and cultural proficiency; the value of a diverse workforce; and recognizing bias.

The office of Human Resources is responsible for providing and tracking the required training, which is effective for a -one year period. Any individual acting on behalf of the District with regard to recruitment and screening of employees is subject to the equal employment opportunity requirements of Title 5 and the District's Equal Employment Opportunity Plan. This provision includes any individuals who are not employees of the District but are acting on behalf of the District.

The training presentation and compliance quiz are available online and available electronically upon request. A tracking report has been established to track and monitor individuals who have been trained on equity, diversity, and legal compliance with recruitment. Human Resources staff responsible for coordinating employment searches will verify appointed committee members are current on their recruitment and equity training.

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 a copy of the *Plan*, and shall solicit their assistance in identifying diverse qualified candidates. The notice will include a summary of the *Plan*. The notice will also include the internet address where the District advertises its job openings and the names, departments and phone numbers of individuals to call in order to obtain employment information. The District will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources. A list of organizations, which may receive this notice, is attached to this *Plan*. This list may be revised from time to time as necessary.

X: Analysis of District Workforce and Applicant Pool

The Institutional Research and Planning office in conjunction with 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/Alaskan Natives, Asians or Pacific Islanders¹, Blacks/African-Americans, Hispanics/Latinos, Caucasians, and persons with disabilities.

For purposes of the survey and report each applicant or employee will be afforded the opportunity to voluntarily identify her or his gender, ethnic group identification and, if applicable, her or his disability. 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/selection committee and hiring administrator(s). The District will annually report to the Chancellor's Office the results of its annual survey.

At least every three 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) Faculty and other Instructional Staff:

Adult Education	Instructional and Support Services
Career Education	Mathematics
English	Natural Sciences
Health and Physical Education	Social Sciences
Humanities	Part-Time
- 3) Professional Nonfaculty
- 4) Secretarial/Clerical
- 5) Technical and Paraprofessional
- 6) Skilled Crafts
- 7) Service and Maintenance

The analysis of the District's current workforce and most recent applicant pools are reported in the following tables and charts.

¹ The Asian or Pacific Islander subgroup is not necessary when addressing the issue of under representation in the Plan, but the breakdown is required in annual reports.

Fall 2012	Full-Time Faculty*		Classified		Management		Total	
	#	%	#	%	#	%	#	%
Asian or Pacific Islander**	3	3.8%	6	2.9%	2	11.8%	11	3.6%
Black or African American	0	0.0%	2	1.0%	0	0.0%	2	0.7%
Filipino	0	0.0%	2	0.9%	0	0.0%	2	0.6%
Hispanic/Latino	3	3.8%	14	6.7%	0	0.0%	17	5.6%
American Indian or Alaska Native	0	0.0%	3	1.4%	1	5.9%	4	1.3%
Caucasians	62	79.5%	158	75.6%	7	41.2%	227	74.7%
Declined to State	10	12.8%	26	12.4%	7	41.2%	43	14.1%
Two or More Races	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Female	32	41.0%	124	59.3%	9	52.9%	165	54.3%
Male	46	59.0%	85	40.7%	8	47.1%	139	45.7%
Total	78	100.0%	209	100.0%	17	100.0%	304	100.0%

* Full-Time Faculty includes Categorically-Funded, and Long-Term Temporary.

**Includes Filipino

Data Source: CCCCO MIS Database for reporting periods Fall 2012, Fall 2013, Fall 2014.

Annual Comparison of Under-Represented Permanent Employees

Under-represented	Full-Time Faculty		Classified		Management		Total	
	#	%	#	%	#	%	#	%
Fall 2014	8	12.1%	33	20.1%	2	22.2%	43	18.0%
Fall 2013	8	10.8%	27	14.6%	4	36.4%	39	14.4%
Fall 2012	6	8.8%	25	13.4%	3	30.0%	34	13.2%
Fall 2011	10	12.5%	33	15.9%	4	25.0%	47	15.5%
Fall 2010	9	10.5%	36	17.1%	3	15.8%	48	15.2%
Fall 2009	9	11.7%	36	17.1%	3	17.6%	48	15.8%

Percentages (%) represent the number of under-represented employees in a given category divided by the total number of employees in that category less those who declined to state ethnicity.

Data Source: CCCCO MIS Database for reporting period Fall 2009 through Fall 2014

Employee Comparison to Potential Workforce: 2010, 2014

	College of the Redwoods Employees*		All California Community Colleges (Statewide)		Population in Humboldt & Del Norte Counties 2014		Population in Service Area 2010 Census	
	#	%	#	%	#	%	#	%
Asian or Pacific Islander	14	3.2%	9376	10.8%	5730	3.5%	4446	2.3%
Black or African American	7	1.6%	5423	6.2%	2840	1.8%	2559	1.3%
Hispanic/Latino	25	5.6%	14969	17.2%	19730	12.2%	20814	10.7%
American Indian or Alaska Native	18	4.1%	634	0.7%	10807	6.7%	10147	5.2%
Caucasians	352	79.5%	49680	57.2%	119006	73.4%	138692	71.6%
Declined to State, Unknown, Other	27	6.1%	6024	6.9%				
Two or More Races	0	0.0%	763	0.9%	8640	5.3%	8886	4.6%
Female	242	54.6%	47699	54.9%	73234	45.2%	84693	49.0%
Male	201	45.4%	39170	45.10%	88788	54.8%	88278	52.1%
Total	443	100.0%	86869	100.0%	162021	100.0%	172974	100.0%

*Includes Part Time Faculty

Data Sources: CCCO MIS Database for reporting period Fall 2014,

2010 U.S. Census Bureau, State & County QuickFacts: <http://quickfacts.census.gov/qfd/states/06/06023.html>

2014 U.S. Census Bureau, State & County QuickFacts: <http://quickfacts.census.gov/qfd/states/06/06015.html>

College of the Redwoods
Workforce Analysis
Fall 2014

	Total	Male	Female		American Indian/ Alaskan Native		Black/African American		Asian/Pacific Islander		Hispanic/ Latino		White		Other/Unknown	
	#	#	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Exec/Admin	34	12	22	64.7%	1	2.9%	1	2.9%	1	2.9%	0	0.0%	29	85.3%	2	5.9%
Professional/Nonfaculty	51	17	34	66.7%	4	7.8%	2	3.9%	2	3.9%	4	7.8%	36	70.6%	3	5.9%
Secretarial/Clerical	28	2	26	92.9%	4	14.3%	1	3.6%	1	3.6%	1	3.6%	21	75.0%	0	0.0%
Technical and Paraprofessional	32	15	17	53.1%	0	0.0%	0	0.0%	2	6.3%	4	12.5%	26	81.3%	0	0.0%
Skilled Craft	6	5	1	16.7%	0	0.0%	0	0.0%	0	0%	1	16.7%	5	83.3%	0	0.0%
Service and Maintenance	28	25	3	10.7%	0	0.0%	1	3.6%	1	3.6%	4	14.3%	21	75.0%	1	3.6%
Faculty–Full-Time	71	43	28	39.4%	0	0.0%	0	0.0%	4	5.6%	4	5.6%	58	81.7%	5	7.0%
Faculty–Part-Time	193	82	111	57.5%	9	4.7%	2	1.0%	3	1.6%	7	3.6%	156	80.8%	16	8.3%

District Workforce Data Analysis:

Summary of Permanent Employees

Permanent Staff at College of the Redwoods (CR) are predominantly Caucasian. In fall 2014, 78 percent of all full-time employees identified themselves as Caucasian. The annual comparison of permanent employees shows that this percentage is fairly stable from year to year. Full-time faculty have the smallest percentage of under-represented employees. The percentage has remained around 12 percent since fall 2009. The percentage of underrepresented classified staff raised dramatically to 20 percent in fall 2014 from 14.6 percent in fall 2013. Fall 2014 had the largest percentage of underrepresented classified staff in the last five years.

Management remains the group with the largest number of underrepresented employees, although it is the smallest group of employees. The percentage of under-represented Management fell in fall 2014 to 22 percent. In fall 2013, under-represented Management accounted for over a third of Management who reported their ethnicity, which was an increase of 9.2 percent from fall 2010. These percentages fluctuate greatly because changes in just a few employees greatly influence the numbers because of the group size.

In fall 2011, more permanent employees were female (52 percent) than male (48 percent). The proportion of female employees has declined in the past few years. Full-time faculty are the only group to have consistently more men than women. In fall 2014, 60.6 percent of full-time faculty were male.

Comparison to Available Workforce

In the absence of availability data from the state Chancellor's Office for statewide comparisons, ethnicity and gender of employees statewide (provided by the Chancellor's Office for employees at all California Community Colleges) and ethnicity and gender of the population in the region served by College of the Redwoods (from the 2010 Census) are used. These comparisons are not ideal given that each California Community College has demographic differences in the local population it serves, and not all members in the service region are eligible for employment, but College of the Redwoods has chosen to use these two general comparisons in the absence of more relevant availability data.

More employees at CR identified themselves as Caucasian (79.5%) vs. employees in California Community Colleges Statewide (57.2%). The population in the region served by CR, however, is 71.6% Caucasian, and more closely resembles employees at CR – the service area demographics are considerably different than statewide demographics. The following is an analysis of the demographic breakdown for each employment group in fall 2014.

Executive/Administrators: This group has the highest percentage of White employees. Despite the unknown ethnicities, CR was higher than the service area population demographics for Asians/Pacific Islanders, and Black/African American employees. CR has no Hispanic/Latino Executive/Administrators, and is lower than the service area population for Asian/Pacific Islanders. As noted above, the institutionalization of an EEO Advisory Committee will ensure the District regularly assesses diversity outreach efforts in an attempt to increase equal employment opportunity and diversity in the workforce.

Professional/Nonfaculty: CR employees were within one percentage point of the service area population demographics for Asian/Pacific Islanders and Blacks/African Americans, and within three percentage points for American Indians/Alaska Natives and Hispanics/Latinos.

Secretarial/Clerical: Black/African American, Asian/Pacific Islanders, and American Indian employees are represented to a larger extent at CR than in the service area population. Hispanic/Latino are not represented at CR as in the service area population.

Technical and Paraprofessional: All underrepresented groups are more represented in the technical and paraprofessional group at CR employees than in the service area population, except for Hispanic/Latinos.

Skilled Craft: Only six employees fall into this employment group. Therefore, this group will not be interpreted.

Faculty – Full-Time: Full-time faculty at CR are less diverse than the service area population. All under-represented ethnicities except Asians/Pacific Islanders have a smaller proportion of full-time faculty than exists in the service area population, with the smallest difference for African Americans/Blacks (note that although the percentage of African American/Blacks is very low in the service area population, CR has no African American/Black full-time faculty, and CR has no American Indian faculty). The largest difference is for Hispanics/Latinos and American Indians. Hispanics/Latinos at CR were 5.1 percentage points below the average Hispanic/Latino service area population demographics, and American Indians were 5.2 percentage points below. The EEO Advisory Committee will review the data and recommend actions toward improving diversity.

Faculty – Part-Time: Similar to full-time faculty, part-time faculty at CR are less diverse than the service area population. All under-represented ethnicities have a smaller proportion of part-time faculty than exists in the service area population, with the smallest difference for African Americans/Blacks (note again that although the percentage of African American/Blacks is very low in the service area population, CR has no African American/Black full-time faculty). The largest difference is for Hispanics/Latinos.

Gender analysis: A large majority of males are employed at CR in skilled craft and service and maintenance jobs (16.7% and 10.7% respectively), whereas a large majority of females are employed at CR in secretarial/clerical (92.9% female) and professional/nonfaculty (66.7%) jobs.

Analysis of Applicant Pools:

Ethnicity and gender of applicants applying for each general job category are provided below, followed by a summary of under-represented applicants in each category.

Ethnicity & Gender: Annual Comparison of Permanent Employees

2014-15	Management		Classified		Full-Time Faculty		Associate Faculty	
	#	%	#	%	#	%	#	%
Total	260	100%	428	100%	519	100%	470	100%
Male	113	45%	123	30%	268	55%	174	39%
Female	136	55%	284	70%	221	45%	269	61%
American Indian/ Alaskan Native	3	1%	11	3%	10	2%	27	6%
Black/African American	24	9%	9	2%	10	2%	26	6%
Asian/Pacific Islander	10	4%	15	4%	26	5%	15	3%
Hispanic/ Latino	18	7%	52	12%	28	5%	37	8%
White	179	69%	291	68%	377	73%	316	67%
Other/Unknown	26	10%	50	12%	68	13%	49	10%

2013-14	Management		Classified		Full-Time Faculty		Associate Faculty	
	#	%	#	%	#	%	#	%
Total	49	100%	480	100%	619	100%	475	100%
Male	24	51%	162	36%	297	51%	162	36%
Female	23	49%	308	66%	285	49%	282	66%
American Indian/ Alaskan Native	0	0%	17	4%	6	1%	15	3%
Black/African American	9	18%	7	1%	23	4%	14	3%
Asian/Pacific Islander	2	4%	28	6%	41	7%	15	3%
Hispanic/ Latino	3	6%	39	8%	121	20%	37	8%
White	31	63%	351	73%	337	54%	331	70%
Other/Unknown	4	8%	38	8%	91	15%	63	13%

2012-13	Management		Classified		Full-Time Faculty		Associate Faculty	
	#	%	#	%	#	%	#	%
Total	36	100%	331	100%	445	100%	124	100%
Male	23	66%	72	35%	229	55%	57	48%
Female	12	34%	127	65%	191	45%	62	52%
American Indian/ Alaskan Native	2	6%	11	5%	4	1%	4	3%
Black/African American	0	0%	2	1%	14	3%	2	2%
Asian/Pacific Islander	0	0%	7	2%	23	5%	1	1%
Hispanic/ Latino	2	6%	20	10%	101	23%	11	9%
White	27	75%	144	73%	232	52%	91	73%
Other/Unknown	5	14%	25	9%	71	16%	15	12%

Annual Comparison of Under-Represented Applicants

Under-represented	Management		Classified		Full-Time Faculty		Part-Time Faculty	
	#	%	#	%	#	%	#	%
2014-2015	55	23.5%	87	23.0%	74	16.4%	105	24.9%
2013-2014	14	31.1%	91	20.6%	191	36.2%	81	19.7%
2012-2013	4	12.9%	40	21.7%	142	38.0%	18	16.5%
2011-2012	7	31.8%	36	21.3%			26	19.7%
2010-2011	21	21.4%	60	17.6%	2	8.7%	22	25.6%
2009-2010	64	23.4%	91	17.2%	34	31.5%	25	20.8%

Percentages (%) represent the number of under-represented applicants in a given category divided by the total number of applicants in that category less those who declined to state ethnicity.

College of the Redwoods
Applicant Analysis
2014-2015

	Total	Male	Female		American Indian/ Alaskan Native		Black/African American Male/Female		Asian/Pacific Islander Male/Female		Hispanic/Latino Male/Female		White Male/Female		Other/Unknown Race/Sex	
	#	#	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Exec/Admin	260	113	136	52%	3	1%	24	9%	10	4%	18	7%	179	69%	26	10%
Professional/Nonfaculty	69	33	33	48%	1	1%	1	1%	3	4%	11	16%	48	70%	5	7%
Secretarial/Clerical	91	7	79	87%	2	2%	1	1%	3	3%	8	9%	66	73%	11	12%
Technical and Paraprofessional	210	53	147	70%	6	3%	5	2%	9	4%	27	13%	134	64%	29	14%
Skilled Craft	9	8	0	0%	0	0%	0	0%	0	0%	0	0%	8	89%	1	11%
Service and Maintenance	49	22	25	51%	2	4%	2	4%	0	0%	6	12%	35	71%	4	8%
Faculty-Full-Time*	519	268	221	43%	10	2%	10	2%	26	5%	28	5%	377	73%	68	13%
Faculty-Part-Time	470	174	269	37%	27	6%	26	6%	15	3%	37	8%	316	67%	49	10%

Applicant Analysis

The annual comparison of applicants shows that a larger percentage of applicants for management positions were of under-represented ethnicity in fall 2012 than in fall 2011 or fall 2010. Management positions consistently attract the most diverse applicant pool, with over a quarter of applicants from under-represented groups in 2011-2012, and close to a quarter in the two prior years. A larger percentage of ethnically under-represented classified staff also applied in 2011-2012 compared to 2010-11 or 2009-10. Under-represented part-time applicants grew in 2010-2011, but declined in 2011-2012. No trend is detected for full-time faculty given that there were no full-time faculty applicants in 2011-2012, and a small number of applicants in 2010-2011.

Comparison to Available Workforce

The applicant pool was also compared to the available workforce by comparing ethnicity and gender of employees statewide (provided by the Chancellor's Office for employees at all California Community Colleges) and ethnicity and gender of the population in the region served by College of the Redwoods (CR) (from the 2010 Census). American Indian/Alaskan Native applicants at CR ranged by job category from approximately one to five percentage points below the average American Indian/Alaskan Native service area population demographics, and several job categories did not receive American Indian/Alaskan Native applicants. Black/African American applicants for Executive/Admin (9%), Professional/Nonfaculty (9%), and part-time faculty (3%) jobs represented a slightly larger proportion than the average population in the service area (1.3%). No applications were received from Black/African American applicants for the other remaining job categories, but this is expected given the low percentage represented in the service area. Asian/Pacific Islander applicants were somewhat more represented compared to the service area population. They represented a larger proportion of applicants for Professional/Nonfaculty, Technical and Paraprofessional, Part-time faculty, and especially Executive/Admin jobs (13%) compared to the service area average (2.3%). No applications were received from Asian/Pacific Islanders in the remaining categories.

Hispanic/Latino applicants were the least represented compared to the service area population. Only applicants for service and maintenance jobs (13%) represented more than the average percentage of Hispanic/Latino in the service area (10.7%). Applicants for Executive/Admin, Professional/Nonfaculty, Secretarial/Clerical and Part-time faculty had a percentage of Hispanic/Latino applicants that was below the service area average, and the remaining job categories had no applicants. Advertising efforts reaching out directly to publications, services, and programs who serve larger numbers of underrepresented individuals will be sought and annual evaluation of diversity data will provide valuable feedback for continuous improvement.

Gender analysis: More applicants for Management positions were male until 2011-2012, when females accounted for 61% of applicants. Applicants for classified staff positions have consistently had a greater proportion of females, although the percentage of females has dropped from 74% in 2009-2010 to just over 60% in 2010-2011 and 2011-2012. In the most recent years with applicants for full-time faculty positions, only about a quarter of applicants have been female. The EEO Advisory Committee will regularly evaluate recruitment brochures to ensure recruitment language does not have an adverse impact on applications. Part-time faculty applicants have consistently been about half female.

XI: Analysis of Degree of Underrepresentation and Significant Underrepresentation

Per the latest guidance from the State Chancellor's Office, memo from Steve Bruckman, Executive Vice Chancellor of Operations and General Counsel, dated April 25, 2012, Districts are advised that due to lack of demographic availability data, EEO plan components 11-13 and 15 are not required to be worked on until such information is provided.

XII: Methods to Address Underrepresentation

The data and annual analysis described herein indicate that in general the employee population and applicant pools at College of the Redwoods are less diverse than the community it serves, with the exception of the Asian/Pacific Islander employees and applicants who were somewhat more represented compared to the service area population.

In response to these findings of underrepresentation in one or more job categories (as mandated by Title V), the College of the Redwoods District has developed the following strategic initiatives for the 2016-2017 academic year, and has made a commitment to explore initiatives for further actions to be implemented in future annual cycles.

Strategic Initiatives for 2016-2017

- Update all Board Policies and Administrative Procedures related to employment diversity to reflect the goals of the Strategic Plan and to be compliant with current California Education Code and Title V requirements and limitations. **Responsible: Director & Chief Human Resources Officer (or designee)**
- Employment goals will be reported to the Board of Trustees as part of the annual reporting of the Strategic Equity in Hiring Plan (on Board Calendar for a meeting in spring 2017). **Responsible: Director and Chief Human Resources Officer (or designee)**
- Expand recruitment advertising to a broad range of relevant websites and publications oriented toward reaching a diverse range of applicants. Websites and publication resource links will also be listed on the Human Resources webpage beginning fall 2018. **Responsible: Director and Chief Human Resources Officer (or designee)**
- Create and maintain a diversity/equity related web-page that demonstrates that CR is an institution that welcomes diversity and works to assure equity. The site will include statements underscoring the institution's commitment to diversity. A statement provided by the President/Superintendent will be highlighted. This site will include links to relevant position openings, the Multicultural and Diversity Committee (MDC) web page, the Student Equity Plan, the EEO Plan and the Strategic Equity in Hiring Plan. Additionally, this site will include links to websites which announce local cultural activities and resources and other promotional materials. The Multicultural and Diversity web page will be updated by the MDC annually. **Responsible: Director and Chief Human Resources Officer; President/Superintendent, Chair of the MDC**
- Require that all selection committees question applicants in the interview process about their personal knowledge and understanding of issues regarding diversity, using a standardized question(s). **Responsible: Director and Chief Human Resources Officer (or designee)**

- Implement web-based training on diversity in hiring for all persons who may be involved at any level of the hiring process. **Responsible: Director and Chief Human Resources Officer (or designee); Director, Distance Education**
- Improve the College's relationship with diverse groups within our communities, and to serve as a model for community agencies in promoting respect and appreciation for diversity. The Director and Chief Human Resources Officer (or designee) and the President/Superintendent will continue to meet with diverse groups within the District. Specifically, a copy of the Equal Employment Opportunity Plan and its commitment to diversity will be sent to the County and local state offices of Employment and Training, as well as the respective County Workforce Investment Boards. **Responsible: Director and Chief Human Resources Officer (or designee)**
- Application materials and announcements will include key diversity related components of the institutions values statement **Responsible: Director and Chief Human Resources Officer (or designee)**
- Include cultural proficiency as a preferred qualification for employment. **Responsible: Director and Chief Human Resources Officer (or designee)**
- The Multicultural and Diversity Committee will review curriculum offerings to determine courses (or additional courses) that would serve our underrepresented students and attract a diverse pool of instructors. The resulting list of courses will be sent to appropriate discipline experts, division deans, and directors to consider in course scheduling and course initialization. The list will also be sent to the Enrollment Management Committee for consideration. **Responsible: Chair of MDC and Senate Co-Presidents**
- Professional Development Committee investigates funding for employee professional development in the area of diversity. **Responsible: Chair of Professional Development Committee; President/Superintendent**
- The Human Resources Department will continue to provide new employees with appropriate collective bargaining agreements and other information of rights established under District contracts. In addition, new employees will be directed to appropriate collective bargaining units for further information regarding conditions of employment and employee representation related to the bargaining unit. **Responsible: Director and Chief Human Resources Officer (or designee)**
- Within the first year of employment all personnel will be provided EEO and diversity training. **Responsible: Director and Chief Human Resources Officer**

- Standardize on-site/in-person interview process to provide uniformity of experience to provide equitable consideration for all employment candidates. This includes uniformity of all interview related activities and accommodations. ***Responsible: Director and Chief Human Resources Officer***
- Ensure standardization of selection process for part-time faculty that requires equitable recruiting and employment practices. ***Responsible: Director and Chief Human Resources Officer***

XIII: Additional Steps to Remedy Significant Underrepresentation

These initiatives require research to evaluate responsible parties, timelines, and budget implications. Some of these initiatives will take time to implement if changes to policies and procedures and personnel duties are required. The Director and Chief Human Resources Officer and appropriate Human Resources staff will evaluate these actions in consultation with appropriate college entities to determine how each can be implemented. The resulting analysis will be used to propose the following year's list of initiatives.

- Analyze underrepresented employee retention data to determine if actions are required to increase retention of underrepresented groups.
- Explore actions to improve campus climate to provide an inviting work place for a diverse work force. These actions might include augmenting or initiating training in multicultural awareness, campus climate measures, exit interviews, and EEO self-audits.
- Include a statement on evaluation forms that ensures that all employees are held to the same expectations regardless of membership of gender, age, race, ability, ethnicity, cultural background, national origin and age.
- When feasible, make recruiting visits to job fairs using a team approach to recruit underrepresented faculty, staff and administrative applicants.
- Partner with community agencies to promote job opportunities in the present and future.
- Scholarship Office to explore the diversity scholarship resources CR district employees with the objective of assisting employees to earn teaching credentials or administrative degrees to advance positions in critical areas of need.
- Explore options to develop a long-term plan to support underrepresented population employment advancement within the institution. Such a plan would be parallel to plans to support all District personnel in advancement opportunities.

Annual Analysis, Actions, Update, and Responsible Parties

In order to maintain adherence to this EEO Plan, the following actions will be conducted by the identified parties on an ongoing basis:

- Each Fall Semester the Director and Chief Human Resources Officer (or designee) will work with the Director of Institutional Research (or designee) to provide a survey of the demographic data for the previous academic year. The data will be aggregated into the same categories as the previous year in order to provide comparisons and analyses of the effectiveness of the strategic initiatives. An exception will be made in cases where the categories and/or format of data is found to be inadequate for making informed analysis or where the categories and/or format is out of compliance with existing policies and

standards (at District, State, and/or Federal level). In these cases a new format and categories will be established.

- Upon receipt of the institutional research data, the Director and Chief Human Resources Officer (or designee) will consult with the President/Superintendent and Cabinet about the annual Strategic Equity in Hiring Plan initiatives for the following year. A proposal of actions will be presented to the EEO Advisory Committee for comment and input, and final approval for Board of Trustees. This proposal will be completed by the end of the fall term each year.
- The Director and Chief Human Resources Officer will track the annual initiatives and report to the Board of Trustees about the effectiveness of the initiatives and any required changes. This annual reporting will incorporate an assessment of the three-year period as the reasonable period of time required to affect change (as defined in Title V). Annual reporting on the Strategic Equity in Hiring Plan initiatives as well as demographic data will be included on the Board of Trustees Calendar for a spring meeting.
- The effectiveness of the Strategic Equity in Hiring Plan processes will be evaluated by the Director and Chief Human Resources Officer and reported at the Annual Planning Summit. The Institutional Effectiveness Committee will evaluate the report on the Strategic Equity in Hiring Plan processes, and any recommended changes to the processes will be reported in the year-end institutional effectiveness report. The Director and Chief Human Resources Officer may incorporate these recommendations into an update of the Strategic Equity in Hiring Plan initiatives and the updated Strategic Equity in Hiring Plan will then be submitted to the EEO Advisory Committee and Cabinet for approval.

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 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, 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. The District may consider the following options, among others, to further equal employment opportunity:

- a) Invite and encourage presentations from and about underrepresented groups who may inspire students and employees alike.
- b) 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 support diversity in their major job duties.
- c) Conduct diversity dialogues, forums, and cross-cultural workshops.
- d) Establish an "Equal Employment Opportunity and Diversity" online presence by highlighting the District's diversity and equal employment opportunity, ADA, 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.
- e) Encourage sabbatical topics to include a focus on diversity and multicultural issues.
- f) Encourage various cultural events on campus.
- g) Review and revise College/District publications and other marketing tools to reflect diversity in pictures, graphics, and text to project an inclusive image.
- h) Recognize and value staff and faculty who have promoted diversity and equal employment opportunity principles by continuing to award a yearly diversity recognition award.
- i) Develop leadership opportunities with current staff focusing on diversity.
- j) 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.

- k) Seek direct contact with student, professional, community and other organizations that represent the diverse community we serve. These organizations can serve as resources for referring potential candidates. Suggestions listed below:
- Masters and PhD programs at HSU
 - Masters and PhD programs at University of Oregon
 - Latino, Native-American, and African-American Student Resource Programs at HSU
 - LatinoNet
 - Humboldt County Promotores
 - Humboldt County Chapter of the NAACP
 - Tribal Councils of the Wiyot, Yurok, Karuk, & Hoopa Tribes
- l) Distribute recruitment announcements in publications targeting underrepresented populations.
- m) Representatives from Human Resources, The Equal Employment Opportunity Advisory Committee, and The Multi-Cultural & Diversity Committee, will consult biannually regarding training of employment screening committees to assure that practices in hiring are standardized and bias free.
- n) Increase the diversity of applicant pools through targeted community or individual outreach.
- o) Ensure that all funding procedures and criterion for diversity related activities and events are transparent and accessible.

XV: Persons with Disabilities: Accommodations and Goals for Hiring

Per the latest guidance from the State Chancellor's Office memo from Steve Bruckman, Executive Vice Chancellor of Operations and General Counsel, dated April 25, 2012, Districts are advised that due to lack of demographic availability data, EEO plan components 11-13 and 15 are not required to be worked on until such information is provided.

College of the Redwoods is committed to providing reasonable accommodations to qualified individuals with disabilities, in accordance with applicable laws and statutes, including the ADA Amendment Act of 2008.

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. The District shall research and inform students about programs that may assist them to complete their graduate studies and become community College employees. The District will post informational flyers on the campuses concerning such programs, and make information available in student newspapers, the course catalog, and in locations accessible to students. Efforts will be made to inform graduate students in local Colleges and universities about the benefits of employment at a community College.

Appendix A (1-8)

Appendix A – The District’s Policies and Procedures which outline the prohibition of unlawful discrimination, harassment, and retaliation.

- BP 3410 (Appendix A-1)
- BP 3420 (Appendix A-2)
- BP 3430 (Appendix A-3)
- BP 3540 (Appendix A-4)
- BP 7100 (Appendix A-5)
- AP 3410 (Appendix A-6)
- AP 3430 (Appendix A-7)
- AP 3540 (Appendix A-8)

Appendix A-1
Board Policy 3410 Nondiscrimination

The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

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, 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.

The President/Superintendent 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.

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, or because he/she is perceived to have one or more of the foregoing characteristics, or because of his/her association with a person or group with one or more of these actual or perceived characteristics.

Reference:

Education Code Sections 66250 et seq., 72010 et seq., and 87100 et seq.;

Title 5 Sections 53000 et seq. and 59300 et seq.;

Penal Code Section 422.55;

Government Code Sections 12926.1 and 12940 et seq.;

Appendix A-2
Board Policy 3420 Equal Employment Opportunity

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

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

Reference: Education Code Sections 87100, et seq.; Title 5, Section 53000, et seq.

Appendix A-3

Board Policy 3430 Prohibition of Harassment

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

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

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

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end the President/Superintendent shall ensure that the institution undertakes education and training activities to counter discrimination and to prevent, minimize and/or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The President/Superintendent shall establish procedures that define harassment on campus. The President/Superintendent shall further establish procedures for employees, students, interns, volunteers, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures for students to

resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

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

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

References:

Education Code Sections 212.5, 44100, 66252, and 66281.5;

Government Code Sections 12940 and 12950.1;

Title VII of the Civil Rights Act of 1964, 42

U.S. Code Annotated Section 2000e

Title 2 Sections 10500 et seq.

Appendix A-4

Board Policy 3540 Sexual Assault and Sexual Misconduct

The Redwoods Community College District is committed to maintaining an educational community where all individuals who participate in District programs and activities can work and learn together in an atmosphere free of unlawful gender discrimination, including sexual misconduct in any of its forms.

Unlawful gender discrimination, including sexual misconduct, whether committed by an employee, student or member of the public that occurs on District property or in connection with a District program or activity, is a violation of District policies and procedures. The District will respond promptly and effectively to reports of unlawful gender discrimination including sexual misconduct. A person who engages in such conduct is subject to all applicable punishment within the jurisdiction of the District, including employee or student discipline procedures. Employees may be disciplined up to and including termination from District employment and students may be disciplined up to and including expulsion from the District. Such conduct may also lead to civil and/or criminal prosecution.

Students and employees who may be victims of gender discrimination, including sexual misconduct, shall be treated with dignity and provided support and assistance.

The President/Superintendent shall establish administrative procedures that ensure that students and employees who are victims of sexual misconduct receive appropriate information and assistance. The administrative procedures shall ensure that educational information about preventing sexual misconduct is provided and publicized as required by law. The goal of such procedures shall include the elimination of barriers for victims to report sexual misconduct.

The procedures shall address sexual misconduct, including sexual assault, domestic violence, dating violence, and stalking as those terms are described herein and in federal and state law, and the procedures shall meet the criteria contained in Education Code Sections 67385, 67385.7, and 67386, and 34 Code of Federal Regulations Section 668.46.

The procedures shall be reviewed on a regular basis to ensure that they appropriately address the goals of the District regarding sexual misconduct issues.

References:

Education Code Sections 67382, 67385, and 67386;

Title 20 U.S. Code Section 1092(f);

Title 34 Code of Federal Regulations Section 668.46(b)(11)

Appendix A-5
Board Policy 7100 Commitment to Diversity

The District is committed to equal employment opportunity.

The District, and each individual who represents the District, shall consider all qualified applicants for employment without regard to national origin, religion, age, sex, gender, gender identity, gender expression, race, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The President/Superintendent and/or his/her designee 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.

No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of national origin, religion, age, sex, gender, gender identity, gender expression, race, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or because of his or her association with a person or group with one or more of these actual or perceived characteristics.

Reference: Education Code Section 87100 et seq.; Title 5, Section 53000, et seq.

Appendix A-6

Administrative Policy 3410 Nondiscrimination

1.0 Education Programs

1.1 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, 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.

1.2 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: means a person’s gender-related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.

1.3 The District shall not prohibit any student from enrolling in any class or course on the basis of gender.

1.4 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.

1.5 Insofar as practicable, the District shall offer opportunities for participation in athletics equally to male and female students.

2.0 Employment

2.1 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 identify, gender expression, age, sexual orientation, or military and veteran status.

2.2 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.

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

References:

Education Code Sections 66250 et seq., 200 et seq., and 72010 et seq.;

Penal Code Sections 422.55 et seq.;

Title 5 Sections 59300 et seq.;

ACCJC Accreditation Eligibility Requirement 20 and ACCJA Accreditation Standard Catalog Requirements (formerly II.B.2.c)

Education Code Sections 87100 et seq.;

Title 5 Sections 53000 et seq.;

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

Appendix A-7

Administrative Policy 3430 Prohibition of Harassment

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

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

The District shall provide, as part of each campus' established on-campus orientation program, education and prevention information about harassment. The information shall include the District's harassment policy and prevention strategies including empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction. The District shall also post harassment prevention and education information on the campus internet website.

1.0 Definitions

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

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

1.1.1 Verbal: Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's race gender, gender identity, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation; or sexist, patronizing or ridiculing statements

that convey derogatory attitudes based on gender, race nationality, sexual orientation or other protected status.

1.1.2 Physical: Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation or other protected status. Physical sexual harassment includes acts of sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.

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

1.1.4 Environmental: A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, gender identity, race, nationality, sexual orientation or other protected status; or gratuitous comments regarding gender, gender identity, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his/her immediate surroundings, although the conduct is directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

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

1.2.1 Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress;

1.2.2 Submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;

1.2.3 The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment (as more fully described below); or

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

This definition encompasses two kinds of sexual harassment:

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

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

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

1.3 Consensual Relationships: Romantic or sexual relationships between supervisors and employees, or between administrators, faculty, or staff members and students are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty or staff member must evaluate the student's or employee's work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the District has the authority to transfer any involved employee to eliminate or attenuate the supervisory authority of one over the other, or of a teacher over a student. Such action by the District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

1.4 Academic Freedom: No provision of this Administrative Procedure shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the

educational, political, artistic, or literary expression of students in classrooms and public forums. Freedom of speech and academic freedom are, however, not limitless and this procedure will not protect speech or expressive conduct that violates federal or California anti-discrimination laws.

References:

Education Code Sections 212.5; 44100; 66281.5;

Title IX, Education Amendments of 1972;

Title 5 Sections 59320 et seq.;

Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e

Appendix A-8
Administrative Policy 3540 Sexual and Other Assaults on Campus

Any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault, or stalking, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, 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 or at another location, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (See also AP 5500 Standards of Student Conduct.)

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3435, regardless of whether a complaint is filed with local law enforcement.

1.0 Title IX Coordinator

Title IX of the Education Amendments of 1972 prohibits gender discrimination, including sexual violence. The District's Title IX Coordinator is its Director of Human Resources, who is responsible for managing the District's Title IX compliance program, including coordinating the investigation of allegations of gender discrimination and addressing problems revealed by such allegations or investigations.

Allegations of gender discrimination or sexual misconduct may be filed with the District's Title IX Coordinator. The Title IX Coordinator can be contacted by telephone at (707) 476-4140, or by mail at:

Attn: Director of Human Resources/Title IX Coordinator
Office of Human Resources
College of the Redwoods
7351 Tompkins Hill Rd
Eureka, CA 95501-9300

Student allegations of gender discrimination may also be filed with:

The U.S. Department of Education, Office for Civil Rights (OCR), www2.ed.gov/ocr, or

The Chancellor of the California Community Colleges, www.cccco.edu

Attention: Legal Affairs Division
California Community Colleges,
1102 Q Street,

Sacramento, CA 95811-6549,

Employee allegations of gender discrimination may also be filed with the Equal Employment Opportunities Commission (www.eeoc.gov) or with the California Department of Fair Employment and Housing (www.dfeh.ca.gov).

The Director of Human Resources is also the District officer responsible for receiving discrimination complaints filed pursuant to Title 5 of the California Code of Regulations, sections 59300 et seq.

2.0 Educational Programs to Promote the Awareness of Sexual Misconduct, Including Dating Violence, Domestic Violence, Sexual Assaults and Stalking

The Title IX Coordinator shall:

2.1 Provide, as part of each campus' established on-campus orientation program, education and prevention information about domestic violence, dating violence, sexual assault, and stalking. The information shall include the District's sexual assault policy and prevention strategies including empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction.

2.2 Post sexual violence prevention and education information on the campus internet website regarding domestic violence, dating violence, sexual assault and stalking.

Reference: 34 CFR 668.46(a), 34 CFR 668.46(b)(11)(i), 34 CFR 668.46(j); Education Code section 67386.7(a)(2)

3.0 Information Regarding Crimes of Sexual Assault

All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through the Office of Human Resources, of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal. Alleged victims of domestic violence, dating violence, sexual assault, or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.

Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sex offenses and procedures that should be followed after a sex offense occurs. The statement shall include the following:

3.1 A description of educational programs to promote the awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;

3.2 Procedures to follow if a domestic violence, dating violence, sex offense, or stalking occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;

3.3 Information on a student's right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests;

3.4 Information for students about existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses;

3.5 Notice to students that the campus will change a victim's academic situation after an alleged domestic violence, dating violence, sex offense, or stalking and of the options for those changes, if those changes are requested by the victim and are reasonably available;

3.6 Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sex offense, or stalking including a clear statement that:

3.6.1 The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and

3.6.2 Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged sex offense.

Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged domestic violence, dating violence, sex offense, or stalking and any sanction that is imposed against the accused.

3.7 A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses, domestic violence, dating violence, or stalking.

Reference: 34 CFR 668.46(b)(11)(ii)

4.0 Confidentiality

In an effort to encourage access to support services after an unwanted sexual experience, the District shall maintain the identity of any alleged victim, witness, or third-party reporter of domestic violence, dating violence, sexual assault, or stalking on District property, in confidence unless the alleged victim, witness, or third-party reporter specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged domestic violence, dating violence, sexual assaults, or stalking on District property shall be referred to the District's Office of the President, which shall work with the Office of Human Resources to assure that all confidentiality rights are maintained.

Reference: 34 CFR 668.46(b)(11)(iii); Education Code section 67386(b)(1)

5.0 Crisis Resources

All students, faculty members or staff members who allege they are the victims of domestic violence, dating violence, sexual assault or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the Office of Human Resources, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the Title IX Coordinator is authorized to release such information.

Reference: 34 CFR 668.46(b)(11)(iv) and Education Code 67386(c)

6.0 Victim Assistance

If reasonably available, the District may change a victim's academic, learning, or employment situation in response to sexual misconduct.

Reference: 34 CFR 668.46(b)(11)(v)

7.0 Disciplinary Options

7.1 A complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic honesty.

In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

7.1.1 The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.

7.1.2 The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.

7.2 In the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

7.2.1 The complainant was asleep or unconscious.

7.2.2 The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.

7.2.3 The complainant was unable to communicate due to a mental or physical condition.

The standard used to determine whether the elements of a complaint against an accused have been demonstrated is the preponderance of the evidence.

Reference: 34 CFR 668.46(b)(11)(vi)

8.0 Rights and Options for Victims

The Title IX Coordinator shall provide all alleged victims of domestic violence, dating violence, sexual assault or stalking with the following:

8.1 A copy of the District's policy and procedure regarding domestic violence, dating violence, sexual assault or stalking;

8.2 A list of personnel on campus who should be notified and procedures for such notification, if the alleged victim consents, including but not limited to:

8.2.1 The Title IX Coordinator or designee,

8.2.2 Personnel designated as confidential employees in the Office of Human Resources,

8.2.3 The President/Superintendent or personnel designated as confidential employees in the Office of the President,

8.2.4 Security personnel,

8.2.5 District-designated medical providers, and

8.2.6 The Vice President of Instruction & Student Development; 8.3 Information about the importance of preserving evidence and the identification and location of witnesses;

8.3 A description of available services, and the persons on campus available to provide those services if requested. Services and those responsible for provided or arranging them include:

8.3.1 Transportation to a hospital, if necessary; (Security Office)

8.3.2 Referral to a counseling center; (Office of Human Resources)

8.3.3 Notice to the police, if desired; (Security Office)

8.3.4 A list of other available campus resources or appropriate off-campus resources.
(Office of Human Resources)

8.4 A description of each of the following procedures:

8.4.1 Criminal prosecution;

8.4.2 Civil prosecution (i.e., lawsuit);

8.4.3 District disciplinary procedures, both student and employee;

8.4.4 Modification of class schedules; and

8.4.5 Tutoring, if necessary.

The Title IX Coordinator or designee may provide assistance to District personnel regarding how to respond appropriately to reports of sexual violence.

Reference: 34 CFR 668.46(b)(11)(vii), 34 CFR 668.46(b)(v)

9.0 Affirmative Consent

Consent is an affirmative, unambiguous, conscious and voluntary decision by each participant to engage in mutually agreed-upon sexual activity. Consent is voluntary. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will. Consent is revocable. Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutual consent to engage in sexual activity. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately. Consent cannot be given when a person is incapacitated. A person cannot consent if he or she is unconscious or coming in and out of consciousness. A person cannot consent if he or she is under the threat of violence, bodily injury or other forms of coercion. A person cannot consent if his/her understanding of the act is affected by a physical or mental impairment. In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent by a complainant that the accused believed that the complainant consented to sexual activity under either of the following circumstances: (1) the accused's belief in affirmative consent arose from the intoxication or recklessness of the complainant or (2) the accused did not take reasonable steps, in the circumstances known to the accused at the time of the alleged incident, to ascertain whether the complainant affirmatively consented.

Similarly, it shall not be a valid excuse that the accused believed the complainant affirmatively consented to sexual activity if the accused knew or should have known that the complainant could not give affirmative consent because the complainant was (1) asleep or unconscious, (2) was incapacitated due to the influence of drugs, alcohol, or medication or that the complainant could not understand the fact, nature, or extent of the sexual activity, or (3) was unable to communicate due to a mental or physical condition.

Reference: Education Code section 67386

10.0 Definitions

10.1 Dating violence: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Reference: 34 CFR 668.46(a)

10.2 Domestic violence: a felony or misdemeanor crime of violence committed by a spouse or former spouse or intimate or domestic partner, cohabitant or former cohabitant of the victim, or someone with whom the accused shares a child, has an existing dating or engagement relationship, or has had a former dating or engagement relationship, or abuse perpetrated against any persons described in Family Code, section 6211.

Reference: 34 CFR 668.46(a); Family Code, section 6211

10.3 Sexual assault: sexual activity without the consent of the other person or when the other person is unable to consent to the activity. The activity may include physical force, violence, threats, intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication). Sexual assault includes, but is not limited to fondling, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, incest, statutory rape, or threat of sexual assault. Sexual assault includes any of the crimes set forth in Penal Code sections 261, 261.5, 262, 265, 266, 266a, 266b, 266c, 266g, 266j, 267, 269, 273.4, 285, 286, 288, 288a, 288.5, 289, or 311.4.

Reference: 34 CFR 668.46(a); Education Code section 67385(d); Labor Code section 230.1

10.4 Sexual misconduct: Sexual misconduct includes discrimination based on gender, sexual harassment, dating violence, domestic violence, sexual assault, stalking, sexual violence, sexual coercion, and hate crimes based on gender.

10.5 Stalking: a course of conduct in which a person repeatedly engages in actions directed at a specific person that places that person in reasonable fear of his or her safety or the safety of others or causes substantial emotional distress. A course of conduct

means two or more acts, including, but not limited to acts in which the stalker directly, indirectly, or through third parties by any method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a victim, or interferes with the property of the victim. Stalking includes the conduct described in Penal Code, section 646.9.

Reference: 34 CFR 668.46(a); Penal Code section 646.9

References:

Education Code Sections 67382, 67385, and 67386;

20 U.S. Code Section 1092(f);

34 Code of Federal Regulations Section 668.46(b)(11)

Appendix B

List of Organizations and Professional Groups for Annual Written Notice of District's EEO Plan

Organizations listed below are not exhaustive. Job announcements will be sent to all employees in the district asking for their assistance in disseminating information to professional organization with which they have membership, or have knowledge of, to assist in reaching a broader audience, especially for underrepresented populations.

Publications and Websites:

Academic Diversity Search, Inc. (ADS): A national employment resource specializing in connecting women and minorities with academic institutions that truly value diversity.
American Indian Higher Education Consortium: A national organization that serves as the collective spirit and unifying voice of our nation's 37 Tribal Colleges and Universities. Issues a quarterly publication that provides journalistic and scholarly articles that highlight issues critical to American and Alaska Native communities. The publication has job posting opportunities.

The Chronicle of Higher Education: The No. 1 source of news, information, and jobs for college and university faculty members and administrators.

California Community Colleges Registry: A large scale database containing the names, qualifications and desired position(s) of potential California Community College faculty, support staff and management job applicants.

disABLEDperson: A public charity organization focused on increasing employment opportunities for individuals with disabilities. The organization hosts a job fair for people with disabilities and provides a resume databank for employers to identify candidates. For a small fee, employers can post job advertisements.

Diverse Issues in Higher Education: This publication, previously known as Black Issues in Higher Education, considers itself the portal for diversity information in higher education. Annually, the magazine provides a listing of top degree producers which shows which institutions are producing the most diverse undergraduate and graduates. The publication has a job posting service in print and on its website.

Diversity Web: An interactive resource hub for higher education sponsored by the Association of American Colleges and Universities (AAC&U). In addition to serving as a clearinghouse for diversity innovations and research, they maintain a job posting site to advertise executive, faculty or postdoctoral positions that have a diversity focus.

Edjoin: A national public education job search website.

Faculty for the Future: A nationwide resource to connect female and underrepresented candidates in science, business, and engineering to faculty and research positions.

Hispanic Outlook in Higher Education: A nationwide resource that publishes a biweekly publication on issues pertaining to Hispanics in higher education. The publication has job posting services in print and on its website.

Inside Higher Ed: The online source for news, opinion and jobs for all of higher education.

Women in Higher Education: A national monthly publication that focuses on issues specific to women in higher education. The publication reaches thousands of women in higher education. Job posting services are available in print or website.

Professional Groups

American Association of Community Colleges: Nonprofit association that is a primary advocacy organization for community colleges at the national level and works closely with directors of state offices to inform and affect state policy.

American Association of University Women: Nonprofit association that advances equity for women and girls through advocacy, education, and research. The organization has over 1,000 branches and 500 college/university partners across the U.S. Their online career center reaches 100,000 members.

The Association of Black Psychologists: The Association has over 1,400 members. They publish a news journal, Psych Discourse, which is the primary source for communication among the membership. The publication allows for online posting of job advertisements.

Association of Latino Professionals in Finance and Accounting: With 37 chapters and 9,000 members, ALPFA is one of the leading professional organizations for Latinos in accounting and finance related professions. The organization's website had a career center where employers can post positions.

Association for Women in Science: A nationwide advocacy organization dedicated to achieving equity and full participation for women in science, mathematics, engineering and technology. Their website allows organizations to post job advertisements.

Minorities in Agriculture and Natural Resources and Related Sciences: Promotes academic and professional advancement by empowering minorities in agriculture, natural resources, and related sciences. Their website included contact information for student chapter advisors and lists job opportunities.

National Association for Equal Opportunity in Higher Education: Professional association to further the causes of Historically Black Colleges and Universities and predominately Black Institutions.

National Indian Education Association: Focused on improving educational equity and access for American Indian, Alaska Native, and Native Hawaiian populations. It is the largest and oldest Indian educational organization.

National Society of Hispanic MBAs: NSHMBA serves 32 chapters and 8,000 members. The organization works to prepare Hispanics for leadership positions throughout the U.S., so that they can provide the cultural awareness and sensitivity vital in the management of the nation's diverse workforce. Organizations can post position advertisements and search the resume database for potential candidates.

National Society for Hispanic Professionals: With over 10,000 members this organization is one of the primary resources to reach Hispanic professionals. Their website allows employers to post jobs and search a resume database for candidates.

Society for the Advancement of Hispanics/Chicanos and Native Americans in Science: The mission of SACNAS is to encourage Chicano/Latino and Native American students to pursue graduate education and obtain the advanced degrees necessary for science research, leadership, and teaching careers at all levels. Their website allows employers to post jobs.

American Civil Liberties Union California Alliance of African American Educators
16 Drumm St, San Francisco, CA 94111 San Jose www.caaae.org
www.aclunc.org

Asian Pacific Islander American Public Affairs Baymec Moving Equity Forward
www.apapa.org <http://www.baymec.org/>

Deaf Women United Deaf Lesbian Organization
www.dwu.org www.deaflesbianfestival.org/about.html

Federation of Indo Americans Association (FIAA) of Northern California
www.fianc.net

Indo American Community Federation Citizens for a Better Community (CBC)
www.indocommunity.us ww.cbcsfbay.org

Hispanic Community Affairs Council Indo Americans for Better Community
P. O. Box 3151, Hayward, CA 94540 www.indoabc.com
HCAC@hcac-ac.org

Japanese Cultural Center Latina Leadership Network of the CCCC
334 Moorpark Ave, San Jose, CA 95129 latina-leadership-network.org/wp/
www.jpnants.org

National Association of the Deaf

8630 Fenton Street, Suite 820
Silver Spring, MD 20910

National Council of La Raza

8630 Fenton Street, Suite 820, Silver Spring, MD 20910 www.nclr.org
www.nad.org

National Association for the Advancement of Colored People

304N 6th Street, San Jose, CA 95112
www.naacp.org

National Coalition of 100 Black Women, Silicon Valley,

ncbwsvc@yahoo.com

National Association of Multi-Cultural Education,

http://www.nameorg.org/region_6.php

National Federation of Filipino American Associations

www.ncaawa.org

**Puente Project | Center for Educational Partnerships Santa Clara Valley National
Panhellenic Council University of California, Berkeley San Jose,**

<http://www.nextstop.com/scvphc/>

ebron@berkeley.edu