



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Office of the Chancellor

CITY COLLEGE – MESA COLLEGE – MIRAMAR COLLEGE – CONTINUING EDUCATION

DISTRICT GOVERNANCE COUNCIL

December 2, 2015

3:00 p.m. – Room 245

AGENDA

- *1.0 Review Minutes of October 21, 2015
- 2.0 Additional Agenda Items
- *3.0 Review of Board Agenda for December 10, 2015
- *4.0 Review of Revised Board Policies and Administrative Procedures: Surbrook
 - BP 3410, AP 3410
 - BP 3430, AP 3430
 - AP 3435
- 5.0 Draft Student Services Policy Neault
 - BP 3105
- 6.0 State Budget Update Carroll, Dowd
- *7.0 College Promise Planning Carroll, Neault
- 8.0 Threat Assessment Task Force Update Neault
 - College Police Follow-Up
- *9.0 Basic Skills Initiative Task Force List Bulger
- *10.0 Districtwide Employee Counts Surbrook
- 11.0 PeopleSoft Update Fremland, Dowd
- 12.0 Safety Issues Update Fremland, Hubbard, Manis
 - Door Locks
 - Name Badges for Visitors/Contractors
- 13.0 Proposed Parking Fee Increase Manis
- *14.0 DGC Meeting Schedule: January – June 2016
- 15.0 Roundtable
- *Attachments

Visitors and observers are welcome. The District Governance Council (DGC) follows an open process and conducts open meetings. However, because of limited space, we ask that visitors sit in the extra chairs provided against the walls to leave room available at the table for voting DGC members. Your help is appreciated.



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE – MESA COLLEGE – MIRAMAR COLLEGE – CONTINUING EDUCATION

DISTRICT GOVERNANCE COUNCIL MINUTES

October 21, 2015

Present: Akers, Beresford, Bocaya, Bulger, Cortez, Fremland, Harris, Hsieh, Hubbard, Kovrig, Liewen, Luster, Manis, Maron, McMahon, Milligan-Hill (for Surbrook), Neault, Schmeltz, Watkins, Weinroth, Whisenhunt (for Beebe), and Chairperson Executive Vice Chancellor Dowd

Absent: Beebe, Surbrook

1. APPROVAL OF MINUTES

The minutes of October 7, 2015, were approved.

2. COLLEGE & CAREER PATHWAYS (AB 288)

Dr. Dowd referred to the press release sent out to members indicating that the governor has signed landmark legislation to increase college opportunity for California high school students. Assembly Bill 288, co-authored by Assembly Majority Leader Chris Holden and Assembly Republican Leader Kristin Olsen, will allow high school students greater access to college and career tech classes at high school and college campuses. The bill goes into effect January 1, 2016.

3. CLASSIFIED HIRING

Classified Senate Presidents shared data from Fact Books dating back to 2001, indicating that staffing levels are not back up to what they once were and asked for statistics on classified hiring districtwide. Dr. Dowd indicated that a report would be coming soon from Human Resources. Discussion continued regarding replacing vacancies while staying in compliance with the 50% law. Presidents also said that they are working with HR to develop administrative procedures for classified hiring.

3. SAFETY & SECURITY CONCERNS

Vice Chancellor Manis updated the council on new security efforts going into effect districtwide. Key areas will experience increased police surveillance and officers will spend more time walking the campuses rather than driving. City College has received two new officers for better coverage at its expanding campus. Callboxes districtwide have recently been tested for functionality and will continue to be tested on a monthly basis. Mr. Manis said that they are looking into the capability to provide districtwide announcements through callboxes on campuses and also into two-way systems for future use. Mesa College Academic Senate President Rob Fremland opened discussion about having doors that lock from the inside but Vice Chancellor Manis stated that they would prevent egress of adult students which is not the recommended course of action for higher education facilities. Mr. Manis added that College Police has offered specialized training in how to respond to an active shooter situation and is planning to hold sessions at each campus each semester.

4. STUDENT DISCIPLINARY PROCEDURES (AP 3100.2)

Vice Chancellor Neault handed out copies of disciplinary procedures explaining proposed changes to be in compliance with Title IX regulations. Revisions were made to address differences between cases that involve sexual and non-sexual assaults. A panel will be trained to hear cases with sexual assault as is required by Title IX. There were no concerns raised regarding the revisions to procedures.

5. ONLINE EDUCATION INITIATIVE

Vice Chancellor Bulger asked members for support for the online education initiative, which seeks to increase completion levels, by encouraging faculty to join conversations and read FAQs regarding online education. Dr. Bulger said that she would communicate news and updates as she receives them.

6. NATIONAL UNIVERSITY MOA

Vice Chancellor Bulger supplied copies of a draft MOA proposing a reverse transfer agreement between National University and San Diego City College. This would be a more affordable opportunity for SDCCD students and the agreement is to send completion numbers back to the District. Dr. Bulger answered questions regarding articulation agreements saying that the MOA would go through each campus's vetting process and then come back to the DGC with any concerns or revisions for further discussion.

Adjourned 4:17 p.m.

Chancellor's Office & Board of Trustees

BOARD MEETING

Thursday, December 10, 2015

2:30 p.m. Call to Order – Room 235/245

Followed by Closed Session – Room 300

4:00 p.m. Regular Business Meeting – Room 235/245

9 BOARD POLICIES

9.01 Consideration and adoption of the following revisions to Chapter 3 – General Institution, Board Policy (First Reading):

BP 3410 Nondiscrimination (Attachment A); and
BP 3430 Prohibition of Harassment (Attachment B).

10 NEW BUSINESS

10.01 Annual Organizational Meeting of the Board of Trustees, pursuant to Education Code Section 72000 (c) and Board of Trustees Policy BP 2305 – ANNUAL ORGANIZATIONAL MEETING.

1. Election of Officers: President, Executive Vice President, and Vice Presidents;
2. Approve appointment of Chancellor as Secretary to the Board; and
3. Discussion of matters of policy or function as determined by the Board.

10.02 Report on the San Diego Workforce Conference: Identifying, Tackling and Closing the Skills Gap, held on November 5, 2015.

11 INSTRUCTIONAL SERVICES

11.01 Consideration and approval of new or revised courses and programs.

11.02 In the matter of the District's Allied Health Occupations programs, authority is requested to enter into agreements with health care agencies for use of clinical facilities by students enrolled in District's Allied Health Occupations programs during the 2015-2016 fiscal year.

11.03 In the matter of the San Diego Adult Education Regional Consortia (SDAERC) representative appointments, it is requested that Dean Lorie Crosby-Howell replace Vice President Brian Ellison as a representative and represent the San Diego Community College District on SDAERC.

12 STUDENT SERVICES

12.01 Review and approval of Student Success and Equity Plans for City, Mesa, Miramar Colleges and Continuing Education.

13 BUDGET AND FINANCE

13.01 In the matter of the Federal Work-Study (FWS) program award, authority is requested to accept, budget and spend \$520 from the U.S. Department of Education in the 2015-2016 General Fund Restricted Budget for Mesa College.

13.02 In the matter of a contract with the California Energy Commission to the San Diego Community College District, authority is requested to accept, budget and spend \$2,000,000 in the 2015-2016 General Fund/Restricted budget to support specialized training at the Advanced Transportation Technology and Energy Center at San Diego Miramar College.

13 BUDGET AND FINANCE (Continued)

- 13.03** In the matter of the Workforce Innovation and Opportunity Act, Title II, Section 231, Adult Education and Family Literacy Act, English Literacy and Civics Education (EL Civics) at Continuing Education, authority is requested to accept, budget and spend an additional \$329,072 in the 2015-2016 General Fund/Restricted budget, increasing the budget from \$1,846,202 to \$2,175,274.
- 13.04** In the matter of Adult Education Block Grant at Continuing Education, authority is requested to accept, budget and spend \$2,752,360 in the 2015-2016 General Fund/Restricted budget.
- 13.05** In the matter of the Instructional Equipment and Library Materials (IELM) (Districtwide) from the California Community Colleges Chancellor's Office (CCCCO), authority is requested to accept, budget and spend an additional \$718,082, increasing the budget from \$1,496,006 to \$2,214,088 in the 2015-2016 General Fund/Restricted budget.
- 13.06** Authority is requested to establish a Board Designated Project Fund Reserve within the General Fund Unrestricted for the CalSTRS and CalPERS rate increase expenses approved by the legislators through 2021.
- 13.07** In the matter of the District's 2014-2015 Annual audits, authority is requested to review and approve the receipt of the following audit reports:
1. Receipt of the District's 2014-2015 "Basic Financial Statements and Independent Auditors' Report" (Attachment A*) issued by Christy White Associates.
 2. Receipt of the District's 2014-2015 Proposition S Building Fund "Financial Statements, Supplemental Information and Independent Auditors' Report" (Attachment B*) issued by Christy White Associates.
 3. Receipt of the District's 2014-2015 Proposition N Building Fund "Financial Statements, Supplemental Information and Independent Auditors' Report" (Attachment C*) issued by Christy White Associates.
 4. Receipt of the District's 2014-2015 Social Security Alternative Plan "Basic Financial Statements and Independent Auditors' Report" (Attachment D*) issued by Christy White Associates.
 5. Receipt of the San Diego Community College Auxiliary Organization's 2014-2015 "Basic Financial Statements and Independent Auditors' Report" (Attachment E*) issued by Christy White Associates.
- 13.08** Authority to award based upon published Request for Bid (RFB) #15-09 SN Fitness Equipment for the Mesa College Fitness Program at Mesa College to the lowest responsive and responsible bidder.
- 13.09** Approval of purchase orders prepared during the period of October 1, 2015, through October 31, 2015.
- 13.10** Authorize the extension and additional funding for the Ciber, Inc. contract approved by the Board on August 28, 2014, for PeopleSoft ERP implementation with regard to completion of the Human Capital Management (HCM) pillar and additional funding requirements through January 31, 2016, for Campus Solutions.

14 HUMAN RESOURCES

- 14.01** Certification of short-term personnel service effective on or after December 11, 2015, per California Education Code Section 88003.
- 14.02** Approval of academic, classified, substitute and student personnel actions relating to appointments, assignment changes, salary changes, status changes, leaves of absence, separations and volunteerism during the period May 1, 2015, through November 30, 2015.
- 14.03** In the matter of a restricted position at San Diego Military Education, City College, effective February 1, 2016, authority is requested to establish 3.0 Student Services Technician positions (#011989, 011990, 011991) Range 23 (\$3,390.10-\$5,081.23) AFT Classified Staff, Office/Technical Unit.
- 14.04** In the matter of reorganization of District Fiscal Services Office (Accounts Payable Department), effective February 1, 2016, (contingent upon review by Human Resources) authority is requested to:
1. Delete 2.0 vacant Acquisition Accounting Technician positions (#000650 and #001788), and 1.0 Acquisition Accounting Technician (with incumbent, #007694), Range 20 (\$3,104.64-\$4,653.24) AFT Classified Staff Office/Technical Unit in Accounts Payable;
 2. Delete 1.0 vacant Senior Acquisition Accounting Technician position (#002952), Range 23 (\$3,390.19- \$5,081.23) AFT Classified Staff Office/Technical Unit in Accounts Payable;
 3. Establish 3.0 Accounting Technician positions (#_____, _____, _____), Range 21 (\$3,192.84-\$4,785.44) AFT Classified Staff Office/Technical Unit; and
 4. Establish 1.0 District Office Accounting Specialist position (#_____), Range 27 (\$3,856.55-\$5,780.20) AFT Classified Staff Office/Technical Unit in the Fiscal Services Office.
- 14.05** In the matter regarding reorganization of the San Diego Community College District College Police Department, effective December 10, 2015, (contingent upon review by Human Resources) authority is requested to establish 2.0 Community College Police Officer positions (#011993, 011992) Range 33, (\$4,516.44-\$6,355.39) Police Officers Association Unit.
- 14.06** In the matter regarding reorganization of the San Diego Community College District College Police Department, effective December 11, 2015, authority is requested to increase 0.5 FTE Clerical Assistant position (#011403) and Incumbent, Range 13 (\$2,630.57-\$3,942.70) AFT Classified Staff Office/Technical Unit to 1.0 FTE.
- 14.07** In the matter regarding contract positions districtwide, as a result of the recent position classification and organizational reviews, effective July 1, 2015, authority is requested to:
1. Establish the classification of Business Office Support Supervisor, Range 9, Supervisory & Professional Administrators Association;

Continued on next page...

14 HUMAN RESOURCES (Continued)

14.07 In the matter regarding contract positions districtwide, as a result of the recent position classification and organizational reviews, effective July 1, 2015, authority is requested to: (Continued)

2. Change the classification, range, and/or title:
 - a. Reclassify 1.0 Senior Office Manager position (#010701) and incumbent, Range 7, Supervisor & Professional Administrators Association to Business Office Support Supervisor (position #011995), Range 9 at Mesa College Administrative Services;
 - b. Reclassify 1.0 Senior Office Manager position (#010740) and incumbent, Range 7, Supervisory & Professional Administrators Association to Business Office Support Supervisor (position #011994), Range 9 at Miramar College Administrative Services;
3. Establish the following positions previously identified as defunded:
 - a. 1.0 Food Service Supervisor position (#011998) to replace deleted position (#000337) previously identified as defunded; and
 - b. 2.0 Senior Clerical Assistant positions (#011997, 011996) to replace deleted positions (#002259, 011205) previously identified as defunded.

14.08 In the matter regarding reorganization in the District Communications and Public Relations Office, effective December 10, 2015, authority is requested to (contingent upon review by Human Resources) establish a 1.0 FTE Multimedia Specialist position (#_____), Range 25 (\$3,608.48-\$5,408.41) in the AFT/Office Technical Unit.

14.09 Consideration and adoption of a Resolution in the matter of the compensation of members of the Board of Trustees effective January 1, 2016.

15 FACILITIES, BUILDINGS AND REAL ESTATE

15.01 In the matter of surplus property contiguous to the West City Campus, authority is requested to adopt a long-term ground lease with Veritas Urban Properties, LLC.

15.02 Authority to declare an emergency pursuant to Public Contract Code 20654 for expenditures to complete remediation of mold/mildew in rooms I-101A & I-101B at Miramar College. (Note: Approval of this action requires a unanimous vote of the Board. Approval by the County Superintendent of Schools is also required.)

15.03 In the matter of SDStature at Mesa College, Math and Science Building, Security Stair Enhancements, authority to terminate the contract with SDStature for convenience.

15.04 In connection with Propositions S and N, authority to award a contract to J.E. Moore Consulting, Inc., for additional services.

15.05 Ratification of change orders at Continuing Education César Chávez Building and City College C Building which exceed a cumulative of ten percent (10%) of the original contract price.

15.06 In connection with the membership of the Proposition S and Proposition N Citizens' Oversight Committee, authority to appoint Linda Zintz to serve a two-year term from July 1, 2015, to June 30, 2017.



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Board of Trustees Policy

Chapter 3 - GENERAL INSTITUTION

BP 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 ~~No person shall be unlawfully subjected to discrimination or denied full and equal access to, or the benefits of, district programs or activities on the basis of~~ ethnicity, national origin, religion, age, gender, sex, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because ~~he or she is~~ they are 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 Chancellor shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

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 ethnicity, national origin, religion, age, gender, sex, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because ~~he or she is~~ they are perceived to have one or more of the foregoing characteristics, or because of ~~his or her~~ their association with a person or group with one or more of these actual or perceived characteristics.

Complaints of Discrimination

Any student or employee, who believes that they have been discriminated against or who believes another has been discriminated against in violation of Board Policy 3410 Nondiscrimination, should immediately report the incidents by following the procedures in AP 3435 Discrimination and Harassment Investigations.

The Equal Opportunity and Diversity Officer is the "responsible District officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

Equal Opportunity and Diversity Officer
3375 Camino Del Rio South, Room 385
San Diego, CA 92108
Phone: (619) 388-6591
Fax: (619) 388-6898
Email: sdccdlegalservices-eeo@sdccd.edu

A copy of the complaint form can be located at the following URL:

<http://hr.sdccd.edu/docs/eeo/forms/Unlawful%20Discrimination%20Complaint%20-%20Form.pdf>

References:

Education Code Sections 200; 66250, et seq., 72010, et seq., 87100 et seq.; Title 5, Sections 53000, et seq., 59300 et seq; Penal Code Section 422.55; Government Code Sections 11135 et seq., 12926.1, 12940, et seq.; ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard Catalog Requirements (formerly Accreditation Standard II.B.2.c); Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e); Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12100 et seq.); Americans with Disabilities Act Amendments Act of 2008 [42 U.S.C. § 12101]; the Age Discrimination Act (42 U.S.C. § 6101 et seq.; 34 C.F.R. 110.1 et seq.); and the Age Discrimination in Employment Act (29 U.S.C. §621 et seq.).

See Administrative Procedures AP 3410 and AP 3435

~~Supersedes Policy BP 3410 dated 2/12/2009~~

Adopted:—6/10/2010 mm/dd/yyyy

Supersedes Policy BP 3410 dated 2/12/2009



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Administrative Procedure

Chapter 3 - GENERAL INSTITUTION

AP 3410 NONDISCRIMINATION

Education Programs

The District shall provide access to its services, classes and programs without regard to, ~~ethnicity~~, national origin, religion, age, ~~sex~~ ~~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~~ ~~they are~~ perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

All courses, including noncredit classes, shall be conducted without regard to the gender of the student enrolled in the classes. As defined in the Penal Code, "gender" means sex, and includes a person's gender identity and ~~gender expression~~. "~~Gender expression~~" means a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.

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

Academic staff, including, but not limited to, counselors, instructors and administrators shall not offer program guidance to students which differs on the basis of gender.

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

Employment

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

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.

All District employees are encouraged to be involved in the active promotion of diversity in employment, including recruitment.

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

Complaints of Discrimination

Any student, ~~or~~ employee or third party who believes that ~~he or she has~~ they have been discriminated against or who believes another has been discriminated against in violation of Board Policy 3410 Nondiscrimination, should immediately report the incidents by following the procedures in [AP 3435 Discrimination and Harassment Investigations](#).

The Equal Opportunity and Diversity Officer is the "responsible District officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

Equal Opportunity and Diversity Officer
3375 Camino Del Rio South, Room 385
San Diego, CA 92108
Phone: (619) 388-6591
Fax: (619) 388-6898
Email: sdccdlegalservices-eeo@sdccd.edu

A copy of the complaint form can be located at the following URL:

<http://hr.sdccd.edu/docs/eeo/forms/Unlawful%20Discrimination%20Complaint%20-%20Form.pdf> rename to name of form

References:

Education Code Sections 200 et seq.; 66250 et seq.; 72010 et seq.; 87100 et seq.; Penal Code Section 422.55 et seq.; Title 5 Sections 53000 et seq.; 59300 et seq.; ~~Accreditation Standard 1-6~~; Government Code Sections 11135 et seq.; ~~12926.1~~; 12940 et seq.; ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard Catalog Requirements (formerly I.I.B.2.c); Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e); Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12100 et seq.); Americans with Disabilities Act Amendments Act of 2008 [42 U.S.C. § 12101]; the Age Discrimination Act (42 U.S.C. § 6101 et seq.; 34 C.F.R. 110.1 et seq.); and the Age Discrimination in Employment Act (29 U.S.C. § 621 et seq.).

Adopted: ~~2/12/2009~~ mm/dd/yyyy

Supersedes: AP 3410 2/12/2009



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Board of Trustees Policy

Chapter 3 - GENERAL INSTITUTION

BP 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, religion, color, ethnicity, national origin, religion, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, age, sex, gender, gender identity, gender expression, age, race, color, medical condition, ancestry, sexual orientation of any person, or military and veteran status marital status, physical disability or mental disability of any person, or because he or she is they are perceived to have one or more of the foregoing characteristics.

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

Any student, or employee, unpaid intern, or volunteer who believes that he or she has they have been harassed or retaliated against or who believes that another has been the victim of harassment or retaliation in violation of this policy should immediately report such incidents by following the procedures described in [AP 3435 Discrimination and Harassment Investigations](#). 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 Chancellor shall ensure that the institution undertakes education and training activities to counter discrimination and to prevent, minimize and/or eliminate any hostile-environment harassment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

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

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

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

References:

Education Code Section 212.5; 44100; 66252; 66281.5; Government Code Sections 12940 and 12950.1; Title IX, Education Amendments of 1972; Title 5, Sections 59320 et seq.; Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. § 2000e

Adopted; ~~2/12/2009~~ mm/dd/yyyy

Supersedes: BP 3430 2/12/2009



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Administrative Procedure

Chapter 3 - GENERAL INSTITUTION

AP 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~~ ~~identifies the~~ procedure for the investigation and resolution of complaints of harassment by or against any staff, faculty member or student within the District.

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

Definitions

General Harassment: Harassment based on ~~ethnicity, national origin, religion, age, sex, gender, race, religion, color, national origin, medical condition, ancestry, sexual orientation, marital status, physical disability, or mental disability, medical condition, genetic information, marital status, 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. ~~Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment. 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 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 their ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource.~~

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it meets the definition above. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment.

Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:

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

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

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

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

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

- submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress, internship or volunteer activity;
- submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
- the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment (as more fully described below); or
- submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the District-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 sex 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 sex-genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

Examples of Harassment: Harassment comes in many forms including, but not limited to, the following misconduct:

- **Verbal:** Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's protected status including, but not limited to, sex. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation of a sexual nature; or sexist, patronizing or ridiculing statements that convey derogatory attitudes about a particular gender.
- **Physical:** Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures.
- **Visual or Written:** The display or circulation of offensive sexually oriented or other discriminatory visual or written material. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or

- electronic-media-transmissions.
- ~~Environmental: An academic or work environment that is permeated with racially or sexually-oriented talk, innuendo, insults or abuse 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. An environment may be hostile if unwelcome sexual behavior or other harassing behavior based on a protected status is directed specifically at an individual or if the individual merely witnesses unlawful harassment in his or her immediate surroundings. 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.~~

Complaints of Harassment

Any student, ~~er-employee, or third party~~ who believes that ~~he or she has~~ they have been discriminated against or harassed by a student, employee, or third party or who believes another has been the victim of discrimination or harassment or ~~retaliated against~~ in violation of the District's policy should immediately report such incidents by following the procedures described in AP 3435 Discrimination and Harassment Investigations. ~~Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention.~~

Consensual Relationships

Romantic or sexual relationships between supervisors and employees, or between administrators, faculty or staff members and students are discouraged. Board Policy 4120, Consensual Relationships, provides that no employee should enter into a consensual relationship with a student actually under that employee's authority and that no employee should participate in the supervision, hiring committee, evaluation or decision pertaining to promotion for someone with whom that person has or has had a consensual relationship. 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.

Academic Freedom

~~If a faculty member wishes to use sexually explicit materials in the classroom for teaching purposes, it is recommended that the faculty member review that use with an administrator to determine whether or not this violates the sexual harassment policy.~~

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.C.A. § 2000e; Government Code Sections
12940 and 12950.1.

~~Supersedes Procedure 4105.2~~

See Administrative Procedure 3435

Adopted: 2/12/2009-mm/dd/yyyy

Supersedes: AP 3430 2/12/2009



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Administrative Procedure

Chapter 3 - GENERAL INSTITUTION

AP 3435 DISCRIMINATION AND HARASSMENT INVESTIGATIONS

Filing a Timely Complaint: Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages ~~employees and students~~ anyone who believes they are being harassed or discriminated against, to file a complaint. The District also strongly encourages the filing of such complaints within thirty (30) days of the alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate.

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

The District will investigate complaints involving acts that occur off campus if they are related to an academic or work activity.

Communicating that the Conduct is Unwelcome: The District further encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste and/or inappropriate.

Oversight of Complaint Procedure: The Equal Opportunity and Diversity Officer is the "responsible District officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

The actual investigation of complaints may be assigned to other staff or to outside persons or organizations under contract with the District. This shall occur whenever the Equal Opportunity and Diversity Officer is named in the complaint or implicated by the allegation in the complaint.

Who May File a Complaint: Any student, employee, or third party or who believes that another has been the victim of harassment or retaliation by a student, employee, or third party in violation of this procedure and the related policy based on 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 military or veteran status, or because they are 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. A person does not have to allege that they have personally suffered unlawful discrimination to file a complaint.

Where to File a Complaint: A student, ~~or~~ employee, or third party who believes ~~he or she has that they or others have~~ been discriminated against or harassed by a student, employee, or third party in violation of these policies and procedures may make a complaint orally or in writing, within one year of the date of the alleged harassment or the date on which the complainant knew or should have known of the facts underlying the complaint.

~~Employment complaints should be filed within 6 months of the date of the alleged discrimination or the date on which the complainant knew or should have known of the facts underlying the complaint.~~

A student or employee can file a complaint with their Site Compliance Officer (SCO). In addition, students may also file a complaint with the Dean responsible for student affairs, who will notify the SCO and work with the SCO to resolve the complaint. The SCO will undertake efforts to informally resolve any charges including, but not limited to, investigating the allegations; resolving the conflict amongst the parties; rearrangement of work/academic schedules; ~~obtaining apologies~~; providing informal counseling and/or training, etc. The SCO will advise the complainant that ~~he or she they~~ need not participate in an informal resolution of the complaint, as described above, and that ~~he or she they~~ may file a formal complaint. In the case of employment cases, the SCO will advise the complainant that they may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

When a complaint is informally resolved using the Informal Resolution Process, the SCO will address every allegation in the complaint and provide written notification to the parties of the outcome of the Informal Resolution Process as to each allegation that is resolved.

Students are not required to file a new formal complaint if the student's previous attempts at informal resolution of the complaint were unsuccessful or if the student failed to pursue any informal resolution at all.

If a complainant decides to file a formal written unlawful discrimination or harassment complaint against the District, ~~he or she must they should~~ file the complaint on a form prescribed by the California Community Colleges State Chancellor's Office. ~~(See copy of complaint form attached as Appendix A.)~~ A complaint that is not on an official complaint form will be treated in the same manner as one on an official complaint form. These approved forms are available from the Equal Opportunity and Diversity Officer, the Site Compliance Officers or the District's Office of Legal Services and EEO. A copy of the complaint form is attached as Appendix A to this procedure and can also be located at the following URL:

<http://hr.sdccd.edu/docs/eoo/forms/Unlawful%20Discrimination%20Complaint%20-%20Form.pdf>

The completed form must be filed with any of the following:

- the Equal Opportunity and Diversity Officer;
- the Vice Chancellor of Human Resources (only if the complaint involves the District's office of Legal Services and EEO Equal Opportunity and Diversity Officer); and/or
- the Chancellor of the California Community Colleges State Chancellor's Office.

Employee complainants shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

Complaints filed with the EEOC and/or the DFEH should be forwarded to the State Chancellor's Office.

Any District employee who receives a harassment or discrimination complaint shall notify the Equal Opportunity and Diversity Officer immediately.

Intake and Processing of the Complaint: Upon receiving notification of a harassment or discrimination complaint, the Equal Opportunity and Diversity Officer shall:

- Undertake efforts to informally resolve the charges, (if that process has not already been completed by one of the District's SCOs) including, but not limited to, mediation, rearrangement of work/academic schedules; obtaining apologies; providing informal counseling and/or training, etc.
- Advise the complainant that ~~he or she~~ they need not participate in an informal resolution of the complaint, as described above, and ~~that he or she may file a formal complaint and/or a complaint with the Office of Civil Rights of the U.S. Department of Education. In the case of employment discrimination, the complainant will be advised that he or she may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH) has the right to end the informal resolution process at any time. Mediation is not appropriate for resolving incidents involving sexual violence.~~
- Advise a student complainant that they may file a complaint with the Office of Civil Rights of the U.S. Department of Education and employee complainants may file a complaint with the Department of Fair Employment and Housing. All complainants should be advised that they have a right to file a complaint with local law enforcement, if the act complained of is a criminal act. The District must investigate even if the complainant files a complaint with local law enforcement. In addition, the District should ensure that complainants are aware of any available resources, such as counseling, health, and mental health services. The Equal Opportunity and Diversity Officer shall also notify the State Chancellor's Office of the complaint.
- Take interim steps to protect a complainant from coming into contact with an accused individual, especially if the complainant is a victim of sexual violence. The Equal Opportunity and Diversity Officer should notify the complainant of their options to avoid contact with the accused individual and allow students to change academic situations, as appropriate. For instance, the District may prohibit the accused individual from having any contact with the complainant pending the results of the investigation. When taking steps to separate the complainant and accused individual, the District shall minimize the burden on the complainant. For example, it is not appropriate to remove complainants from classes or housing while allowing accused individuals to remain.

- ~~Notify the Chancellor of California Community Colleges of any formal written complaint, as well as any complaint filed with EEOC and/or DFEH.~~

Investigation

The Equal Opportunity and Diversity Officer Shall:

- Authorize the investigation of the complaint, and supervise ~~and/or~~ conduct a thorough, prompt and impartial investigation of the complaint, as set forth below. Where complainants opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. In the case of a formal complaint, the investigation will include interviews with the complainant, the accused, and any other persons who may have relevant knowledge concerning the complaint. This may include victims of similar conduct.
- Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, or other unlawful discriminatory conduct, giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.
- Set forth the results of the investigation in a written report. The written report shall include a description of the circumstances giving rise to the complaint, a summary of the testimony of each witness, an analysis of any relevant data or other evidence collected during the investigation, a specific finding as to whether there is probable cause to believe that discrimination did or did not occur with respect to each allegation in the complaint, a description of actions the District will take to prevent similar conduct, the proposed resolution of the complaint, the complainant's right to appeal to the District's governing board, and if the complainant's complaint does not involve employment discrimination, the report shall include the right to file an administrative complaint with the Department of Fair Employment and Housing. The report may contain ~~and~~ any other appropriate information.
- Provide the complainant with a copy or a summary of the investigative report within ninety (90) days from the date the District received the complaint. The complainant shall also be provided with a written notice setting forth the ~~administrative~~ determination of the Equal Opportunity and Diversity Officer as to whether harassment or other discriminatory conduct did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and notice of the parties' rights to appeal to the District's Board of Trustees and the ~~sState~~ Chancellor's Office. If the complaint involves allegations of employment discrimination, the complainant will be notified of their right to file a complaint with the California Department of Fair Employment and Housing or the U.S. Equal Employment Opportunity Commission. The results of the investigation and the determination as to whether harassment or other discriminatory conduct occurred shall also be reported to the accused, and the appropriate academic or administrative official(s). Reports to the complainant shall be prepared so as not to violate any applicable privacy rights of the accused.

Investigation of the Complaint: The District shall promptly investigate every complaint of harassment or discrimination. No claim of workplace or academic harassment or discrimination

shall remain unexamined. This includes complaints involving activities that occur off campus and in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, on a District bus, or at a class or training program sponsored by the District at another location.

As set forth above, where the complainant opts for an informal resolution, the Site Compliance Officer or Equal Opportunity and Diversity Officer may limit the scope of the investigation, as appropriate. The District will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment, the complainant's age, whether there have been other harassment complaints about the same individual, and the accused individual's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the complainant if it cannot maintain confidentiality.

Investigation Steps: The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this policy shall have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the District's grievance procedures operate. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially.

Investigators will use utilizing the following steps: interviewing the complainant(s); interviewing the accused individual(s); identifying and interviewing witnesses, if **any needed**; reminding all individuals interviewed of the District's no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved parties; reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion. When the District evaluates the complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred.

Timeline for Completion: The District will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within ninety (90) days of the District receiving the a formal written complaint.

Cooperation Encouraged: All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed.

Discipline and Corrective Action

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

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

If discipline is imposed the District imposes discipline, the nature of the discipline will not be communicated to the complainant. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in harassment when the sanction directly relates to the complainant; for example, the District may inform the complainant that the harasser must stay away from the complainant.

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

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

Appeals

If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision.

If the complainant is not satisfied with the results of the administrative determination, ~~he or she~~ they may, within fifteen (15) days, submit a written appeal to the Board of Trustees. The Board shall review the original complaint, the investigative report, the administrative decision, and the appeal. The Board shall issue a final District decision in the matter within forty-five (45) days after receiving the appeal. A copy of the decision rendered by the Board shall be forwarded to the complainant and to the ~~s~~State Chancellor's Office. The complainant shall also be notified of ~~his or her~~ their right to appeal this decision.

If the Board does not act within forty-five (45) days, the administrative determination shall be deemed approved and shall become the final decision of the District in the matter.

In any case not involving workplace discrimination, harassment, or retaliation, ~~the~~ the complainant shall have the right to file a written appeal with the ~~s~~State Chancellor's Office within thirty (30) days after the Board issues ~~de~~ the final District decision or permitted the administrative decision to become final. Such appeals shall be processed pursuant to the provision of ~~Title 5 Section 59350, of Title 5 of the California Code of Regulations.~~

In any case involving employment discrimination, including workplace harassment, the complainant may, at any time before or after the issuance of the final decision of the District, file a complaint with the Department of Fair Employment and Housing. In such cases, the complainant may also file a petition for review with the ~~s~~State Chancellor's Office within thirty (30) days after the governing board issues the final decision or permits the administrative decision to become final.

Extension of Time

Within one hundred fifty (150) days of receiving a formal complaint, the District shall forward to the ~~s~~State Chancellor's Office the original complaint, the investigative report, a copy of the written notice to the complainant setting forth the results of the investigation, a copy of the final administrative decision rendered by the Board or indicating the date upon which the decision became final, and a copy of the notification to the complainant of ~~his or her~~ their appeal rights. If, due to circumstances beyond its control, the District is unable to comply with the one hundred fifty (150) day deadline for submission of materials, it may file a written request for an extension of time no later than ten (10) days prior to the expiration of the deadline.

Dissemination of Policy and Procedures

District Policy and Procedures related to harassment will include information that specifically addresses sexual violence. District policy and procedures will be provided to all students, faculty members, members of the administrative staff and members of the support staff, and will be posted throughout the District and on the District's website.

When hired, employees are required to sign that they have received the policy and procedures, ~~pertaining to nondiscrimination and prohibition of harassment~~, and the signed acknowledgment of receipt is placed in each employee's personnel file. In addition, these policies and procedures are incorporated into the District's course catalogs and orientation materials for new students.

Training

By January 1, 2006, the District shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees who are employed as of July 1, 2005. All new supervisory employees must be provided with the training and education within six (6) months of their assumption of a supervisory position. After January 1, 2006, the District shall provide sexual harassment training and education to each supervisory employee once every two (2) years.

The training and education required by this procedure shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

In years in which a substantive policy or procedural change has occurred, all District employees will attend a training update and/or receive a copy of the revised policies and procedures.

~~A training program or informational services regarding nondiscrimination and prohibition of harassment policies will be made available to all students at least once annually. The student training or informational services shall include an explanation of the policy, how it works, and how to file a complaint.~~

Education and Prevention for Students

In order to take proactive measures to prevent sexual harassment and violence toward students, the District will provide preventive education programs and make victim resources, including comprehensive victim services, available. The District will include such programs in their orientation programs for new students, and in training for student athletes and coaches. These programs will include discussion of what constitutes sexual harassment and sexual violence, the District's policies and disciplinary procedures, and the consequences of violating these policies. A training program or informational services will be made available to all students at least once annually.

The education programs will also include information aimed at encouraging students to report incidents of sexual violence to the appropriate District and law enforcement authorities. Since victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of District or campus rules were involved, the District will inform students that the primary concern is for student safety and that use of alcohol or drugs never makes the victim at fault for sexual violence. If other rules are violated, the District will address such violations.

separately from an allegation of sexual violence.

Appendix A - San Diego Community College District Unlawful Discrimination Complaint Form

References:

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

Adopted: ~~2/12/2009~~ mm/dd/yyyy

Supersedes: AP 3435 2/12/2009

College Promise Campaign

1747 Pennsylvania Ave., NW, Suite 230,
Washington, DC, 20006

collegepromise@civication.org
headsupamerica.us
collegepromise.org

College Promise Campaign Overview

In the 21st century, a high school diploma is no longer enough to lead Americans to a good job and decent quality of life. The *College Promise Campaign* (CPC or the *Campaign*) is a national, nonpartisan, local and state-led higher education initiative – beginning in America’s community colleges. The *Campaign* will build widespread support for a free community college education for all responsible students and broad public understanding that a free community college education is an investment in America’s future and a necessary continuation of K-12 education.

The *College Promise Campaign* was inspired by Governor Haslam’s Tennessee Promise proposal and President Obama’s America’s College Promise plan, but the *Campaign* is not designed to promote any single approach. It will focus on building a movement around the broader vision of making the first two years of higher education free for all students who enter community college, work hard, and earn their certificates and degrees.

To accomplish these broad goals, the *Campaign* will launch a national public awareness campaign that promotes access and emphasizes community college completion by encouraging community, regional, and state stakeholders to incorporate proven methods that work. The *Campaign* will leverage the results of evidence-based research to support investing in the *College Promise* as it implements its outreach, field-building, communications, and publication plans.

Over a 3-year period, the *Campaign* will promote public policy development at the local and state levels to increase *College Promise* programs benefitting community college students; implement a national communications and digital media plan to educate students, families and policy leaders; engage in field-building in 11 states to galvanize local and state leaders to take action on these goals; build the campaign to add 20 additional states in the second phase of the *Campaign*, and showcase *College Promise* models and strategies to increase college access and completion. Success will be measured by the effectiveness of the Campaign on student, institutional and state indicators that track *College Promise* support and adoption locally and statewide.

The *College Promise Campaign* is located within *Civic Nation*, a non-profit, non-partisan 501(c)(3) organization focused on implementing sensible solutions to America’s most pressing issues. Below, please find additional details on the *Campaign’s* planned activities, leadership and structure, targeted states, budget, and measurements for success.



SAN DIEGO COMMUNITY COLLEGE DISTRICT

3375 Camino del Rio South
San Diego, California 92108-3883
619-388-6500
CITY COLLEGE | MESA COLLEGE | MIRAMAR COLLEGE | CONTINUING EDUCATION

*Instructional Services &
Planning*
Vice Chancellor 619-388-6965
FAX 619-388-6549

Basic Skills Initiative Task Force

Chair: Dr. Stephanie R. Bulger, Vice Chancellor, Instructional Services

Location	Name	Title
City College	Guillermo Alvarez	Faculty, Math Representative
City College	Jennifer Boots	Faculty, ESOL Representative
City College	Renee Kilmer	Interim Vice President, Instruction
City College	Anna Rogers	Faculty, English Representative
City College	Denise Whisenhunt	Vice President, Student Services
Mesa College	Donna Duchow	Faculty, ESOL Representative
Mesa College	Andrew MacNeill	Dean, School of Humanities
Mesa College	Toni Parsons	Faculty, Math Representative
Mesa College	Chris Sullivan	Faculty, English Representative
Miramar College	Sheryl Gobble	Faculty, English/ESOL Representative
Miramar College	Paulette Hopkins	Interim Vice President, Instruction
Miramar College	Kristin Krogh	Faculty, English/ESOL Representative
Miramar College	Mark Manasse	Coordinator, Basic Skills Initiative
Miramar College	Mara Palma-Sanft	Articulation Officer
Miramar College	Becky Stephens	Faculty, Math Representative
Continuing Ed	Brian Ellison	Vice President, Instruction
Continuing Ed	Leticia Flores	Faculty, Math Representative
Continuing Ed	Cat Prindle	Counselor
Continuing Ed	Holly L. Rodriguez	Faculty, English Representative
Continuing Ed	Maria Allan	Faculty, ESOL Representative
District Office	Gail Conrad	Disability Support Programs and Services
District Office	Shelly Hess	Dean, Instructional Services and Curriculum

**Contract Employees (FTE & Employee Count) with Pay Advice Date
SUMMARY**

UNRESTRICTED - September 30, 2008

	CONTRACT FACULTY		MANAGEMENT		SUPERVISORY & PROFESSIONAL		CLASSIFIED		POA		ACE		TOTAL	
	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count
CITY	188.134	169	11.0000	11	16.0000	16	103.930	110	0.000	0	0.000	0	299.064	306
MESA	242.266	245	13.0000	13	18.0000	18	143.530	150	0.000	0	0.000	0	416.796	426
MIRAMAR	97.670	98	10.0000	10	20.0000	20	68.350	73	0.000	0	0.000	0	196.020	201
CONT ED	85.650	97	13.0000	13	11.0000	11	73.125	78	0.000	0	0.000	0	182.775	199
DISTRICT	0.000	0	35.0000	35	73.0000	73	272.750	274	27.000	27	15.500	16	423.250	425
MILITARY	0.000	0	0.0000	0	0.0000	0	0.000	0	0.000	0	0.000	0	0.000	0
TOTALS	593.720	609	82.0000	82	138.0000	138	661.685	685	27.000	27	15.500	16	1517.905	1557

UNRESTRICTED - September 30, 2015

	CONTRACT FACULTY		MANAGEMENT		SUPERVISORY & PROFESSIONAL		CLASSIFIED		POA		ACE		TOTAL	
	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count
CITY	155.689	156	13.0000	13	18.0000	18	94.438	101	0.000	0	0.000	0	281.127	288
MESA	213.236	216	16.0000	16	17.0000	17	118.800	123	0.000	0	0.000	0	365.036	372
MIRAMAR	101.500	102	10.0000	10	19.0000	19	62.900	67	0.000	0	0.000	0	193.400	198
CONT ED	84.330	93	10.0000	10	9.0000	9	60.100	65	0.000	0	0.000	0	163.430	177
DISTRICT	0.000	0	33.0000	33	91.0000	91	260.200	263	29.000	29	12.000	12	425.200	428
MILITARY	0.000	0	0.0000	0	0.0000	0	0.000	0	0.000	0	0.000	0	0.000	0
TOTALS	554.755	567	82.0000	82	154.0000	154	596.438	619	29.000	29	12.000	12	1428.193	1463

**Contract Employees (FTE & Employee Count) with Pay Advice Date
SUMMARY**

RESTRICTED - September 30, 2008

	CONTRACT FACULTY		MANAGEMENT		SUPERVISORY & PROFESSIONAL		CLASSIFIED		POA		ACE		TOTAL	
	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count
CITY	11.800	12	4.0000	4	1.000	1	20.000	20	0.000	0	0.000	0	36.800	37
MESA	8.000	8	2.0000	2	4.000	4	24.748	25	0.000	0	0.000	0	38.748	39
MIRAMAR	7.000	7	2.0000	2	0.000	0	11.600	12	0.000	0	0.000	0	20.600	21
CONT ED	17.000	18	1.0000	1	0.000	0	27.300	38	0.000	0	0.000	0	45.300	57
DISTRICT	2.000	2	2.0000	2	13.000	13	55.411	64	14.200	16	0.000	0	86.611	97
MILITARY	113.000	113	13.0000	13	1.000	1	4.000	4	0.000	0	0.000	0	131.000	131
TOTALS	158.800	160	24.000	24	19.000	19	143.059	163	14.200	16	0.000	0	359.059	382

RESTRICTED - September 30, 2015

	CONTRACT FACULTY		MANAGEMENT		SUPERVISORY & PROFESSIONAL		CLASSIFIED		POA		ACE		TOTAL	
	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count
CITY	13.000	13	0.0000	0	2.000	2	23.610	26	0.000	0	0.000	0	38.610	41
MESA	11.000	11	2.0000	2	4.000	4	22.000	22	0.000	0	0.000	0	39.000	39
MIRAMAR	8.000	8	3.0000	3	2.000	2	11.875	12	0.000	0	0.000	0	24.875	25
CONT ED	9.700	10	1.0000	1	0.000	0	20.000	27	0.000	0	0.000	0	30.700	38
DISTRICT	5.000	5	1.0000	1	16.000	16	63.484	75	9.500	10	0.000	0	94.984	107
MILITARY	44.850	45	3.0000	3	1.000	1	0.000	0	0.000	0	0.000	0	48.850	49
TOTALS	91.550	92	10.000	10	25.000	25	140.969	162	9.500	10	0.000	0	277.019	299

**Contract Employees (FTE & Employee Count) with Pay Advice Date
SUMMARY**

COMBINED TOTALS - September 30, 2008

	CONTRACT FACULTY		MANAGEMENT		SUPERVISORY & PROFESSIONAL		CLASSIFIED		POA		ACE		TOTAL	
	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count
CITY	179.934	181	15.0000	15	17.500	18	123.930	130	0.000	0	0.000	0	336.364	344
MESA	250.266	253	15.0000	15	22.500	23	168.278	175	0.000	0	0.000	0	456.044	466
MIRAMAR	104.670	105	12.0000	12	20.500	21	79.950	85	0.000	0	0.000	0	217.120	223
CONT ED	102.650	115	14.0000	14	11.000	11	100.425	116	0.000	0	0.000	0	228.075	256
DISTRICT	2.000	2	37.0000	37	86.000	86	328.661	339	41.200	43	15.500	16	510.361	523
MILITARY	113.000	113	13.0000	13	1.000	1	4.000	4	0.000	0	0.000	0	131.000	131
TOTALS	752.520	769	106.000	106	158.500	159	805.244	849	41.200	43	15.500	16	1878.964	1943

COMBINED TOTALS - September 30, 2015

	CONTRACT FACULTY		MANAGEMENT		SUPERVISORY & PROFESSIONAL		CLASSIFIED		POA		ACE		TOTAL	
	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count	FTE	count
CITY	168.689	169	13.0000	13	20.000	20	118.048	127	0.000	0	0.000	0	319.737	329
MESA	224.236	227	18.0000	18	21.000	21	140.800	145	0.000	0	0.000	0	404.036	411
MIRAMAR	109.500	110	13.0000	13	21.000	21	74.775	79	0.000	0	0.000	0	218.275	223
CONT ED	94.030	103	11.0000	11	9.000	9	80.100	92	0.000	0	0.000	0	194.130	215
DISTRICT	5.000	5	34.0000	34	107.000	107	323.664	336	38.500	39	12.000	12	520.184	535
MILITARY	44.850	45	3.0000	3	1.000	1	0.000	0	0.000	0	0.000	0	48.850	49
TOTALS	646.305	659	92.000	92	179.000	179	737.407	781	38.500	39	12.000	12	1705.212	1762

+ or - -14% -13% +13% -8% -7% -23% -9%

These numbers were affected by the onboarding of the Information Technology Dept. from an outside vendor in 2010
At that time the District was able to reduce costs by converting 71 positions to contract
5 Management, 48 SPAA, and 16 Classified



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Office of the Chancellor

CITY COLLEGE | MESA COLLEGE | MIRAMAR COLLEGE | CONTINUING EDUCATION

SCHEDULE OF MEETINGS

DISTRICT GOVERNANCE COUNCIL (DGC)

JANUARY THROUGH JUNE 2016

DGC meetings are scheduled on the
1st and/or 3rd Wednesdays of each month, unless otherwise noted*.

The following are DGC meeting dates to be held at 3:00 p.m.
at the District Office in Room 245:

January 20

February 3
February 17

March 2
March 16

April 6

May 4
May 18

June 1