The Sonoma County Junior College District is committed to an environment in which all employees and students are treated with respect and dignity. Each employee and student has the right to work/learn in a professional atmosphere that promotes equal opportunity and is free from unlawful discriminatory practices.

UNLAWFUL DISCRIMINATION

No person shall be unlawfully subjected to discrimination, in whole or in part, on the basis of disability, gender, gender identity, gender expression, sexual orientation, genetic condition, citizenship, national origin, color, race, ethnicity, religion, or age; or on the basis of these perceived characteristics; or on the basis of association with, advocacy for, or identification with a person or group with one or more of these actual or perceived characteristics.

No discrimination shall occur in any program or activity that is administered by, funded directly by, or that receives any financial assistance from the District, the State Chancellor, or the Board of Governors of the California Community Colleges.

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

Information on specific rules and procedures for reporting unlawful discrimination, including sexual harassment, and information on potentially available remedies is available from the Vice President of Human Resources.

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

SEXUAL HARASSMENT

Sexual Harassment is unlawful discrimination in the form of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the workplace or in the educational setting, Sonoma County Junior College District will provide an educational and employment environment free from sexual harassment, including but is not limited to:
(1) Unwelcome sexual advances or requests for sexual favors.

(2) Unsolicited and unwelcomed written, verbal, physical, and/or visual contacts with sexual overtones. (Examples of possible sexual harassment that appear in a written form may include: sexually suggestive or obscene letters, text messages, notes, or invitations. Examples of possible visual sexual harassment may include: leering, inappropriate gestures, display of sexual objects or pictures, cartoons, or posters. Examples of verbal harassment may include: sexual innuendoes and comments; humor or jokes about sex; pejorative comments about females; comments about one's own or someone else's sex life or body; rating a person's sexuality or attractiveness. Examples of physical harassment may include but are not limited to: unwanted and inappropriate touching, patting, pinching, stroking or brushing against a person; attempted or actual sexual assault.)

(3) Continued expression of sexual interest after being informed that the interest is unwelcome.

(4) Reprisals, threats of reprisal, or implied threats of reprisal following a rebuff of harassing behavior.

(5) Explicit or implicit coercive sexual behavior within the work environment that is used to control, influence, or affect the employee's career, salary, and/or work environment.

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

(7) The offering of favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, reclassifications, favorable assignments, favorable duties or shifts, or favorable recommendations, in exchange for sexual favors.

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

The District will not tolerate sexual harassment in the education and employment environment, especially under any of the following conditions:

(1) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.

(2) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.

(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.

(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 District.

NON-RETALIATION

It is unlawful for anyone to retaliate against someone who files an unlawful discrimination complaint, including a complaint alleging sexual harassment; who refers a matter for investigation or complaint; who participates in an investigation of a complaint; who represents or serves as an advocate for an alleged victim or alleged offender; or who otherwise furthers the principles of this unlawful discrimination policy.
ACADEMIC FREEDOM

The Board of Trustees affirms its commitment to academic freedom as delineated in Article 9 of the Contract between the All Faculty Association and the Sonoma County Junior College District. Academic freedom ensures both the faculty’s right to teach and the student’s right to learn.

Academic freedom does not allow a faculty member to engage in any form of unlawful discrimination, including sexual harassment.

DEFINITIONS

For purposes of this policy, the following definitions apply:

“District” means the Sonoma County Junior College District or any District program or activity that is administered by, funded directly by, or that receives any financial assistance from the Chancellor or Board of Governors of the California Community Colleges. This includes any other organization associated with the District that receives state funding or financial assistance through the District.

“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 (i.e. transgender).

“Sex” includes, but is not limited to, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. ‘Sex’ also includes, but is not limited to, a person’s gender, as defined in section 422.56 of the Penal Code. Discrimination on the basis of sex or gender also includes sexual harassment.

“Sexual orientation” includes heterosexuality, homosexuality, or bisexuality.

“Nationality” includes citizenship, country of origin, and national origin.

“Race or ethnicity” includes ancestry, color, ethnic group identification, and ethnic background.

“Religion” includes all aspects of religious belief, observance, and practice and includes agnosticism and atheism.

“Retaliation” includes an adverse action taken in response to the filing of a charge of unlawful discrimination or sexual harassment.

“Disability” includes but is not limited to mental and physical disability as defined by the Americans with Disabilities Act of 1990.

“Mental disability” includes, but is not limited to, all of the following:

(1) Having any mental or psychological disorder or condition, such as organic brain syndrome, emotional or mental illness, or specific learning disabilities that limits a major life activity.

For purposes of this policy and procedure:

(a) “Limits” shall be determined without regard to mitigating measures, such as medications, assistive devices, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.

(b) A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult.
(c) “Major life activities” shall be broadly construed and shall include physical, mental, and social activities and working.

(2) Having any other mental or psychological disorder or condition not described in (1) that requires special education or related services.

(3) Having a record of a mental or psychological disorder or condition not described in (1) or (2) which is known to the District.

(4) Being regarded or treated by the District as having, or having had, any mental condition that makes achievement of a major life activity difficult.

(5) Being regarded or treated by the District as having, or having had, a mental or psychological disorder or condition that has no present disabling effect, but that may become a mental disability as described in (1) or (2).

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

“Physical disability” includes, but is not limited to, all of the following:

(1) Having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following:

(a) Affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine.

(b) Limits a major life activity. For purposes of this policy and procedures:

(i) “Limits” shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.

(ii) A physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss limits a major life activity if it makes the achievement of the major life activity difficult.

(iii) “Major life activities” shall be broadly construed and includes physical, mental, and social activities and working.

(2) Any other health impairment not described in (1) that requires special education or related services.

(3) Having a record or history of a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment described in (1) or (2) which is known to the District.

(4) Being regarded or treated by the District as having, or having had, any physical condition that makes achievement of a major life activity difficult.

(5) Being regarded or treated by the District as having, or having had, a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment that has no present disabling effect but may become a physical disability as described in (1) or (2).

(6) “Physical disability” does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.
The Sonoma County Junior College District has identified the Vice President of Human Resources to the Chancellor of the California Community Colleges (State Chancellor) and to the public as the single District officer responsible for receiving unlawful discrimination including sexual harassment complaints filed pursuant to this procedure and for 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. Such delegation procedures will be used whenever the Vice President of Human Resources is named in the complaint or is implicated by the allegations in the complaint, or when it is otherwise appropriate to delegate the investigation to a third party.

Administrators, faculty, classified staff, students and members of the public should direct all complaints of alleged unlawful discrimination or sexual harassment to the Vice President of Human Resources.

CONFIDENTIALITY

The District recognizes that confidentiality is important to all parties involved in an alleged unlawful discrimination including sexual harassment complaint investigation. To the extent possible, the confidentiality of the complainant, respondent and witnesses will be protected except as necessary to fulfill legal obligations and protect the rights of all parties involved. Employees and/or students interviewed in accordance with these procedures shall assist in maintaining such confidentiality.

If a complainant insists that his or her name not be revealed, the Vice President of Human Resources shall take all reasonable steps to investigate and respond to the complaint consistent with the complainant’s request as long as doing so does not jeopardize the rights of other students or employees.

Persons who are participating in a District investigative or disciplinary process that is related to a charge of discrimination may be protected from tort claims such as defamation. However, persons
who make allegations outside of these processes or who discuss their claims with persons outside of the process may expose themselves to tort charges.

Disciplinary action taken against employees is considered confidential. In student disciplinary actions for sexual assault/physical abuse charges, the victim shall be informed of the final results of the disciplinary-proceeding, but the victim must keep the information confidential.

FILING A COMPLAINT

A complaint may be filed with the Vice President of Human Resources by an individual, including a student, who believes he/she has been unlawfully discriminated against or sexually harassed in violation of District policy in any program or activity of the District or by an individual who learns of such alleged discrimination or harassment in his or her official capacity as an administrator or faculty member. A complaint may be filed by a third party on behalf of the person discriminated against or harassed so long as the alleged victim consents in writing to having the third party act on his/her behalf (if the alleged victim is a minor, then the parent or guardian must consent).

The Vice President of Human Resources will explain both informal and formal options for addressing the issue and the individual’s rights and responsibilities under both options.

A representative of his/her choice may accompany the complainant and the respondent at any stage of these proceedings. Any expense of such representative is the sole obligation of the individual who requests the participation of a representative.

The District recognizes that it is in the best interest of all parties that persons who allege that improper conduct occurred seek resolution of their concerns as soon as possible to allow necessary reviews to occur expeditiously.

INFORMAL/FORMAL COMPLAINT PROCESS

The purpose of the informal resolution process is to allow an individual who believes he/she has been unlawfully discriminated against including sexually harassed to resolve the issue through a mediation process rather than the formal complaint process. The informal or formal process may be invoked when the complainant, or the third party representative, chooses, for whatever reason, not to communicate directly with the individual whose conduct is offensive, or, if such communication is unsuccessful, and the complainant does not wish to file a formal complaint.

Efforts at informal resolution need not include any investigation unless the Vice President of Human Resources determines that an investigation is warranted by the seriousness of the charges. Efforts at informal resolution may continue after the filing of a formal verbal or written complaint, but informal resolution efforts do not extend the time limitations for filing a formal complaint. To the extent practicable, unlawful discrimination including sexual harassment complaints filed under the informal process shall be investigated, within a maximum of ninety (90) calendar days of receipt.

If a formal complaint is filed, a new investigation must be completed within 90 days unless it is voluntarily rescinded by a complainant as a result of a successful informal resolution. After a formal complaint is filed, a complete investigation is required unless the matter is informally resolved and the complainant dismisses the complaint. If a complainant chooses informal resolution or dismisses a formal complaint prior to completion of the process, the Vice President of Human Resources may require a complete investigation if warranted by the seriousness of the allegations. Any efforts at informal resolution after the filing of a written complaint will not exceed the ninety calendar day period for rendering the administrative determination.

For both formal and informal complaints, the Vice President of Human Resources will:

1) Assure the complainant that he/she will not be required to confront or resolve problems directly with the person accused of unlawful discrimination.
2) Advise the complainant that he/she may file a nonemployment-based complaint or employment-based complaints that are disability related with the Office for Civil Rights (OCR) of the U.S. Department of Education where such complaint is within that agency’s jurisdiction.

3) If the complaint is employment-related, advise the complainant that the complaint may be filed with the Department of Fair Employment and Housing (DFEH) or the U.S. Equal Employment Opportunity Commission (EEOC) where such complaint is within the agency’s jurisdiction.

The Vice President of Human Resources cannot offer advice regarding the processes that will be followed by the OCR, DFEH, or EEOC. Complainants and/or their representatives should contact those agencies directly with any questions about their jurisdiction or their processes.

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

**FILING OF FORMAL WRITTEN COMPLAINT**

If a complainant decides to file a formal unlawful discrimination complaint with the District, he or she may file the complaint verbally, in letter or email format, or on a form prescribed by the State Chancellor’s Office. These approved forms are available from the Human Resources Department and also at the Chancellor’s Office website.

Verbal or written complaints are to be filed with the Vice President of Human Resources or mailed directly to the State Chancellor’s Office, see contact information at the end of this procedure.

If a complaint of unlawful discrimination is presented in another format, such as a verbal complaint, the District may request that the complainant complete a form. If there is a delay in obtaining a completed form, or the complainant refuses to transfer the information or otherwise complete the form but wishes to pursue the formal complaint process, the District may attach a letter to the form and open a formal investigation.

Once a complaint is filed under this process, the individual(s) accused of engaging in prohibited discriminatory conduct shall be advised of the filing and the general nature of the complaint. This will occur in a manner that is appropriate under the circumstances. The District will also advise the accused that the process will remain confidential, that an assessment of the accuracy of the allegations has not yet been made, that the complaint will be investigated, that the accused will be provided an opportunity to present his/her side of the matter, and that any conduct that could be viewed as retaliatory against the complainant or any witnesses must be avoided.

**INVESTIGATION OF A FORMAL COMPLAINT**

Once a formal complaint has been filed, it will be reviewed by the Vice President of Human Resources or designee to determine if the complaint meets the following requirements:

1) If the complaint is not filed in writing, every effort should be made to have the complaint put in writing to obtain the complainant’s signature. However, where a complainant has indicated that he or she wishes to pursue the formal complaint process, a complaint will not be rejected solely based on the failure to file the complaint on the prescribed form.

2) The complaint must allege unlawful discrimination prohibited under Title 5.

3) The complaint shall be filed by one who alleges that he or she has personally suffered unlawful discrimination or by a third party on behalf of the person allegedly discriminated
against so long as the alleged victim of the discrimination consents in writing to having the third party act on his/her behalf (if the alleged victim is a minor, then the parent or guardian must consent) or by one who has learned of such unlawful discrimination in his or her official capacity as a faculty member or administrator.

(4) In any complaint not involving employment, the complaint must be filed within one year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation of unlawful discrimination.

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

(6) The investigator will be impartial and will make reasonable efforts to interview individuals who have relevant knowledge regarding the complaint, including, but not limited to, the complainant, the person who was the subject of the discrimination, if different, the person accused of discrimination, anyone who witnessed the reported discrimination and other individuals identified as having relevant information. The investigator will also review any records, notes, memoranda, correspondence or statements relevant to the discrimination. The investigator will be trained regarding how to appropriately conduct investigations of unlawful discrimination or sexual harassment.

If a complaint is determined to not meet the requirements of Title V, it will be immediately returned to the complainant with a written explanation of why an investigation will not be initiated under the California Code of Regulations. The notice shall specify why the complaint is defective. A copy of the notice to the complainant will also be sent to the State Chancellor’s Office.

RETAIATION

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

If an individual believes he/she has been subject to such retaliation, the individual may file an additional complaint with the Vice President of Human Resources. The Vice President of Human Resources shall investigate the claim of retaliation in accordance with these procedures.

If the Vice President of Human Resources determines that the complaint of retaliation is valid, in addition to any other remedies which may be appropriate (such as disciplinary action), the Vice President of Human Resources shall take all necessary steps to end the retaliatory behavior as quickly as possible including providing counseling to the person engaging in the retaliatory conduct.

INVESTIGATIVE REPORT AND ADMINISTRATIVE DETERMINATION

The Vice President of Human Resources reviews the formal complaint, conducts an impartial fact finding investigation of the complaint, and recommends corrective action on behalf of the District. Corrective action involving a recommendation for staff or student disciplinary action shall be referred to the appropriate vice president(s) for further action. To the extent possible, all unlawful discrimination or sexual harassment complaints filed under this process shall be investigated within a maximum of ninety (90) calendar days of receipt. If circumstances beyond the control of the District prevent the completion of an investigation within 90 calendar days, the Vice President of Human Resources will notify the State Chancellor’s Office and the complainant (see “Extensions” below). Upon completion of the investigation, the Vice President of Human Resources will forward a copy of the investigative report to the State Chancellor’s Office.
Upon completion of the investigation (not to exceed 90 days) a written notification shall be provided to the complainant and/or target of the alleged unlawful discrimination, including sexual harassment, explaining the District’s investigative process, a summary of the factual information gathered, its determination as to whether unlawful discrimination, including sexual harassment, occurred, the reasons for its decisions, and any appeal procedures. If unlawful discrimination, including sexual harassment, is found to have occurred, the written notification will also include any remedial and corrective actions that have been or will be taken to address the unlawful discrimination or sexual harassment and prevent any retaliation or recurrence.

The investigative report shall include at least all of the following:

1. A description of the circumstances giving rise to the complaint.
2. A summary and analysis of the relevant evidence (documents, data, or witness testimony) on which the determination rests.
3. A finding as to whether probable cause exists to believe that discrimination in violation of District policy occurred with respect to each complaint allegation.
4. Any other information deemed appropriate by the District.

Upon completion of the investigation, a summary of the investigative report shall be forwarded to the complainant within the allowable 90-day timeframe for investigating the complaint.

The District’s administrative determination shall also be sent to the State Chancellor’s Office and the complainant, and shall set forth all of the following:

1. The determination of the Vice President of Human Resources or his/her designee as to whether there is probable cause to believe that discrimination in violation of District policy occurred with respect to each complaint allegation.
2. A description of actions taken, if any, to prevent similar problems from occurring in the future.
3. The proposed resolution to the complaint.
4. The complainant’s right to appeal to the District’s Board of Trustees and to the State Chancellor.

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

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

**COMPLAINANT’S APPEAL RIGHTS**

Complainants have appeal rights that they may exercise if they are not satisfied with the results of the District’s administrative determination. All appeals must be written and signed. At the time the administrative determination and the summary of the investigative report is mailed to the complainant, the District will notify the complainant of his/her appeal rights as follows:

1. First level of appeal: the complainant has the right to file a written and signed appeal to the District’s Board of Trustees within 15 calendar days from the date of the administrative determination. The Board of Trustees will review the original complaint, the investigative report, the administrative determination, and the appeal.

   The District’s Board of Trustees will issue a final District decision on the matter within 45 calendar days after receiving the written and signed appeal. Should the Board of Trustees
elect to take no action within 45 calendar days, the original decision in the administrative determination will be deemed to be affirmed and shall become the final District decision in the matter. A copy of the final decision rendered by the Board will be forwarded to the complainant and to the State Chancellor’s Office.

(2) Second level of appeal: the complainant has the right to file a written and signed appeal with the California Community College Chancellor’s Office in any case not involving employment related discrimination within 30 calendar days from the date that the Board of Trustees issues the final District decision or permits the administrative determination to become final by taking no action within 45 calendar days.

The complainant’s appeal to the State Chancellor’s Office must be accompanied either by a copy of the Board of Trustees' decision or by evidence showing the date the complainant filed a written appeal with the Board of Trustees and a statement signed under penalty of perjury that the complainant received no response from the Board of Trustees within 45 calendar days from that date. In any case involving employment discrimination, the complainant has the right to file a complaint with the Department of Fair Employment and Housing (DFEH) where the case is within the jurisdiction of that agency.

The Title 5 process provides no corresponding appeal rights to any other parties aside from the complainants.

If a person chooses to pursue a complaint under this policy, he/she has not waived the right to file a complaint with the Equal Employment Opportunity Commission, Department of Fair Employment and Housing, the Office for Civil Rights or the appropriate bargaining agent, and has not waived the right to pursue the matter in a court of law.

FORWARD TO STATE CHANCELLOR

Within 150 calendar days of receiving a complaint that does not involve employment discrimination, the District will either:

1) Forward the following to the State Chancellor’s Office:
   a) A copy of the final District decision rendered by the Board of Trustees or a statement indicating the date on which the administrative determination became final as a result of taking no action on the appeal within 45 calendar days
   b) A copy of the notice of appeal rights the District sent the complainant
   c) Any other information the State Chancellor’s Office may require, or

2) Notify the State Chancellor’s Office that the complainant has not filed a written and signed appeal with the Board of Trustees and that the District has closed its file.

The District will keep these documents on file for a period of at least three years after closing the case, and in any case involving employment discrimination, make them available to the State Chancellor’s Office upon request.

EXTENSIONS

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

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

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

NOTICE, TRAINING AND EDUCATION FOR STUDENTS AND EMPLOYEES

The Vice President of Human Resources or designee is responsible for providing information and/or training to employees and students on the District’s unlawful discrimination and sexual harassment policy and procedures.

Every nonsupervisory District employee will receive information related to nondiscrimination and a copy of the unlawful discrimination and sexual harassment policies and procedures during the first year of their employment. New supervisory employees shall receive training regarding the District’s nondiscrimination policy, including training in sexual harassment prevention within six months of assuming their supervisory positions. All supervisory employees will receive such training at least once every two years. 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 copy of the District’s written policy on unlawful discrimination and sexual harassment, as it pertains to students, will be provided as part of any orientation program conducted for new students at the beginning of each semester or summer session. A training program will be made available to continuing students as often as practical. Such informational services shall ensure that students have information on where to obtain rules and procedures for reporting allegations of discrimination and sexual harassment and how to file a District complaint or pursue available remedies.

A copy of the District’s written policies on unlawful discrimination and sexual harassment will be displayed in a prominent place in the main administration building, Bailey Hall, and other areas where notices regarding the District’s rules, regulations, procedures, and standards of conduct are posted, and shall appear in any District publications that set forth the comprehensive rules, regulations, procedures, and standards of conduct for the District. This includes the District website.

DOCUMENT RETENTION

Unlawful discrimination records that are part of an employee’s employment records may be classified as Class-1 Permanent records and retained indefinitely or microfilmed in accordance with Title 5. Unlawful discrimination records of a student that are deemed worthy of preservation but not classified as Class-1 Permanent may be classified as Class-2 Optional records or as Class-3 Disposable records. Class-2 Optional records shall be retained until reclassified as Class-3 Disposable Records. Class-3 Disposable Records shall be retained for a period of three years after being classified as Class-3 Disposable records.

Records related to a student discrimination complaint will be deemed worthy of preservation if, at the end of three years after the case is closed, a complaint on similar grounds has been filed against the same employee. In such cases, the records shall continue to be classified as Class 2 records and shall not be reclassified as Class-3 Disposable Records until complaints against that particular employee have been resolved.

ACADEMIC FREEDOM

When investigating unlawful discrimination complaints containing issues of academic freedom, the District will consult with a faculty member appointed by the Academic Senate with respect to contemporary practices and standards for course content and delivery. The Board recognizes that the
probing of opinions and an exploration of ideas may cause some students discomfort but does not necessarily constitute unlawful discrimination, including sexual harassment.

AGENCY CONTACT INFORMATION

Vice President of Human Resources
SANTA ROSA JUNIOR COLLEGE
Mailing Address:
1501 Mendocino Avenue
Santa Rosa, CA 95401
Physical Address:
1988 Armory Drive
Santa Rosa, CA 95401
Phone Number:
(707) 527-4954

STATE CHANCELLOR’S OFFICE
Legal Affairs Division
Chancellor’s Office
California Community Colleges
1102 Q Street
Sacramento, CA 95811
(916) 445-8752

OFFICE FOR CIVIL RIGHTS
U.S. Department of Education
50 Beale Street, Suite 7200
San Francisco, CA 94105-1813
(415) 486-5555

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)
350 The Embarcadero, Suite 500
San Francisco, CA 94105-1260
(415) 625-5600

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING (DFEH)
San Francisco District Office
1515 Clay Street, Suite 701
Oakland, CA 94612
(800) 884-1684