



RIVERSIDE COMMUNITY COLLEGE DISTRICT
Discrimination/Sexual Harassment Complaint Procedure
You Have the Right to File a Complaint

El Proceso de Queja del Colegio RCCD por Discriminación/Acoso Sexual está disponible en Español en el sitio de internet www.rcc.edu/discrimination y en la oficina de RCCD de Diversidad, Equidad y Conformidad. El proceso completo y las políticas de la Directiva Escolar se pueden encontrar en el sitio de internet www.rcc.edu/board.

This is a summary of your right to file an informal or formal complaint of discrimination or sexual harassment. This is only a summary. Please see Board Policies and Administrative procedures BP/AP3410 and BP/AP3430, and AP3435 for the complete District procedure.

INFORMAL/FORMAL COMPLAINT PROCEDURE:

- You have the right to request that the charges be resolved informally, at which time the District will undertake efforts to informally resolve the charges.
- You do not need to participate in informal resolution.
- You have the right to file a formal complaint, even if you have previously requested informal resolution (see below for the procedure for doing so).
- You will not be required to confront or work out problems with the person accused of unlawful discrimination.
- You may file a non-employment-based complaint with the U.S. Department of Education Office for Civil Rights (OCR) where such a complaint is within that agency's jurisdiction.
- If your complaint is employment-related, you may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH) where such a complaint is within that agency's jurisdiction.
- Retaliation is unlawful. If you feel you are being retaliated against as a result of filing a complaint, please contact the RCCD Diversity and Human Resources Department immediately.

PURPOSE OF THE INFORMAL RESOLUTION PROCESS:

The purpose of the informal resolution process is to allow an individual who believes she/he has been unlawfully discriminated against to resolve the issue through a mediation process rather than the formal complaint process. Typically, the informal process will be invoked when there is a simple misunderstanding or you do not wish to file a formal complaint. Resolution of an informal complaint may require nothing more than a clarification of the misunderstanding or an apology from the alleged offender and an assurance that the offending behavior will cease. You will be notified of the outcome of the investigation in the informal process, and will also be notified of the resolution proposed by the District.

If you pursue the informal process, you should note the following important points:

- You will need to sign a document which indicates that you have selected the informal resolution process.
- The District will complete its investigation within the time period required by Board Policy unless you voluntarily rescind your complaint prior to completion.

Selecting the informal resolution process does not prevent you from later deciding to file a formal complaint (subject to all of the rules for filing a formal complaint). You can do this while the informal process is still underway, or if the informal process has been completed and you are not satisfied with the outcome of the District's proposed resolution, provided that the time period for filing a formal complaint has not passed.

HOW TO FILE A FORMAL COMPLAINT:

- The complaint must be filed on a form prescribed by the State Chancellor's Office. That form is available on the District Web site, from the Diversity and Human Resources Department, or on the State Chancellor's Web page at www.cccco.edu.
- The complaint must allege unlawful discrimination prohibited under Title 5, Section 59300.
- The complaint must be filed by one who alleges that she/he has personally suffered unlawful discrimination or by one who has learned of such unlawful discrimination in her/his official capacity as a faculty member or administrator.
- 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 you knew or should have known of the facts underlying the specific incident or incidents of alleged unlawful discrimination.
- In any complaint alleging discrimination in employment, the complaint shall be filed within 180 days of the date the alleged unlawful discrimination occurred, except that this period will be extended by no more than 90 days following the expiration of that 180 days if you first obtained knowledge of the facts of the alleged violation after the expiration of 180 days.
- You can file a complaint with the:

District Director
Diversity, Equity and Compliance
Riverside Community College District
3845 Market Street
Riverside, CA 92501-3244
(951) 222-8039

or with the:

Legal Affairs Division
Office of the Chancellor
California Community Colleges
1102 Q Street
Sacramento, CA 95811-6549

*Discrimination/Sexual Harassment
Complaint Procedure
continued on the reverse side*



WHAT HAPPENS WHEN A FORMAL COMPLAINT IS FILED?

The District will then conduct an investigation. Within 90 days of receiving an unlawful discrimination complaint filed under Title 5, Sections 59300 et seq., the District will complete the investigation and forward a copy of the investigative report, or a summary, to you along with a notice of your right to appeal to the District Board of Trustees and the State Chancellor's Office. The investigative report, or summary, is the District's Administrative Determination.

COMPLAINANT'S APPEAL RIGHTS

You, as the complainant, have appeal rights that you may exercise if you are not satisfied with the results of the District's Administrative Determination. At the time the investigative report and/or summary is mailed to you, the responsible District officer or her/his designee will notify you of your appeal rights as follows:

ALL APPEALS MUST BE IN WRITING

(E-mail is not a satisfactory method.)

First Level of Appeal: You have the right to file an appeal with the District's Board of Trustees within fifteen (15) calendar days from the date of the Administrative Determination. The District's Board of Trustees will review the original complaint, the Administrative Determination, and the appeal.

In order to appeal to the District's Board of Trustees, please send a written request within the required time period to the attention of:

District Board of Trustees
c/o Diversity, Equity and Compliance
Riverside Community College District
3845 Market Street
Riverside, CA 92501-3244

The District's Board of Trustees will issue a final District decision in the matter within forty-five (45) calendar days after receiving the appeal. Alternatively, the District's Board of Trustees may elect to take no action within forty-five (45) calendar days, in which case 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 District's Board of Trustees will be forwarded to you and to the State Chancellor's Office.

Second Level of Appeal: You have the right to file an appeal with the California Community Colleges Chancellor's Office in any case not involving employment-related discrimination within thirty (30) calendar days from the date that the District's Board of Trustees issues the final District decision or permits the Administration Determination to become final by taking no action within forty-five (45) calendar days. The appeal must be accompanied by a copy of the decision of the District Board of Trustees or evidence showing the date on which complainant filed an appeal with the District Board of Trustees within forty-five (45) calendar days from that date.

In any case involving employment-related discrimination, you have the right to file an appeal with the Department of Fair Employment and Housing (DFEH) or the U.S. Equal Employment Opportunity Commission (OCR).

CONTACT INFORMATION

District Director
Diversity, Equity and Compliance
Riverside Community College District
3845 Market Street
Riverside, CA 92501-3244
(951) 222-8039
www.rcc.edu

Department of Fair Employment and Housing (DFEH)
Santa Ana District Office
2101 East 4th Street, Suite 255-B
Santa Ana, CA 92705
(800) 884-1684
TTY (800) 700-2320
www.dfeh.ca.gov

Equal Employment Opportunity Commission (EEOC)
Wells Fargo Bank Building
401 B Street, Suite 510
San Diego, CA 92101
(800) 669-4000
www.eeoc.gov

U.S. Department of Education Office for Civil Rights (OCR)
50 Beale Street, Suite 7200
San Francisco, CA 94105
(415) 486-5555
www.ed.gov

State Chancellor's Office
California Community Colleges (CCCCO)
1102 Q Street
Sacramento, CA 95811-6549
(916) 445-4826
www.cccco.edu