

# PERALTA COMMUNITY COLLEGE DISTRICT

## Board of Trustees Agenda Report

For the Trustee Meeting Date of: February 26, 2008

ITEM TITLE: Request Board Approval of Board Policy 3.11 – Equal Employment Opportunity

BOARD ACTION REQUESTED: District Employee Relations Department request Board approval of a new Policy 3.11 / Equal Employment Opportunity.

**ITEM SUMMARY:** The attached policy was reviewed and recommended by the Board Policy Review Committee and by the Strategic Planning and Policy Advisory Committee. This revision accomplishes two important steps in bringing the District into compliance with current Title V and California Education Code Regulations:

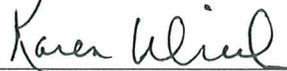
1. The policy combines into one policy statement the principles of both of our current District nondiscrimination and Equal Employment Opportunity policy. Pursuant to Section 53002 of Title V, each California Community College governing board is required to adopt a policy statement that sets forth the District's commitment to an equal employment opportunity program. Title V allows the incorporation of the nondiscrimination policy statement that is required by Section 59300 and other non-discrimination provisions in Federal and State law.
2. The policy statement expands the Board's commitment to include equal opportunity throughout the Peralta Community College District educational programs in addition to equal employment opportunity in its work environment. The specific protected groups included in this draft reflect the categories for nondiscrimination that are safeguarded under Title V regulations and Government Code in regards to appeal and/or review by the State Chancellor's Office.

FISCAL IMPACT: N/A

CONTRIBUTION TO PERALTA MISSION AND/OR BOARD GOALS: Approval of this policy will assist the District in remaining committed to affirmative action and maintain employment practices that assure a superior workforce and faculty.

GENERAL COUNSEL REVIEW: No legal review is required.

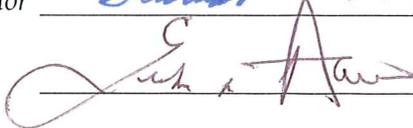
Prepared by: Karen Ulrich, Director of Employee Relations



Chief Financial Office: Thomas L. Smith, Vice Chancellor



Chancellor: Elihu Harris, Chancellor



### **EQUAL EMPLOYMENT OPPORTUNITY POLICY 3.11**

Peralta Community College District is committed to the principles and spirit of equal opportunity in all of its employment, educational and outreach activities, programs and services. The District will promote an employment and educational environment that is welcoming, unbiased and supportive to all in order to foster cooperation, acceptance, democracy and the free expression of ideas. Through a comprehensive program of Equal Opportunity and nondiscrimination, the District will implement full and equal access to employment and educational opportunity for all persons, regardless of ethnic group identification, race, color, national origin, religion, age, sex, physical or mental disability, ancestry, sexual orientation, medical condition, marital status, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

An Equal Employment Opportunity Plan will be maintained to ensure the implementation of equal employment opportunity principles, pursuant to Federal and State laws.

**Policy 3.12 Civility and Mutual Respect**

It is the policy of the Peralta Community College District to foster an environment which maximizes student learning and employee performance, and a climate of civility among faculty, staff, students, and members of the Board of Trustees of the District.

As members of the Peralta Community College District community, we are expected to treat other community members with civility and respect, recognizing that disagreement and informed debate are valued in an academic community. Harassment by any student, employee, or Trustee, of any other student, employee, or Trustee for whatever motive is harmful to the environment desired by the District and therefore will not be permitted by the District.

Individuals covered by these policies include faculty, staff, managers, supervisors, students, and members of the Board of Trustees.

*Unacceptable behaviors.* Demeaning, intimidating, threatening, or physically or emotionally violent behaviors that affect the ability to learn or work in the college environment depart from the standard for civility and respect and are unacceptable. Unacceptable behaviors also include Trustee's release of confidential information obtained in closed session that violates both trust by other Trustees and California Government Code Section 54963 which deems such behavior as punishable.

*Retaliation.* Retaliation for reporting violations of this policy, for seeking to have prohibited conduct corrected, or for participating in an investigation is prohibited.

*Violation.* A District community member who has violated this policy is subject to disciplinary action in accordance with established disciplinary procedures. A member of the Board of Trustees who has violated this policy is subject to public censure by the Board.

*Restraining Order.* Any District community member who has obtained a restraining order against another District community member is encouraged to provide a copy of the order to Campus Police for enforcement on campus.

*Visitors.* Visitors, other people, vendors and the families of students, staff, and faculty are expected to comply with the provisions of this policy. Noncompliant behavior may lead to removal from the campus.

**Source of Law:**

California Education Code § 70902

Approved by Board of Trustees: July 13, 2004