

# section six } policies }



## meet **elac** people > AMY HUGHSON

*"I've always lived in Monterey Park and attended Brightwood Elementary School just a block from the college—so I knew about ELAC when I was a kid. I was worried about attending high school, afraid that I wouldn't have any friends. Because one of my Brightwood teachers introduced us to theater and opera, I enrolled in a drama class at Mark Keppel High School as a freshman. That solved my problem. I made instant friends and knew that a career in theater was for me. It was natural to transfer to ELAC and major in drama and take dance classes."*

Amy is about to graduate and is eagerly looking for a summer internship before transferring to a university

with a theater department. She is nostalgic about ELAC's old theater building because it was so intimate. The new facility is larger with many specialized workshops and theaters. This venue provides technology to support sophisticated productions and Amy has enjoyed learning to use the tools found in professional theaters. She feels ready to go into any aspect of theater—from acting to designing sets. ELAC's philosophy is to have students learn every job necessary to stage a play. "Acting is a privilege," Amy says. "We understand that every job connected with mounting a production is important because we have done it all—from sewing costumes to building sets and then acting."

## Theater Arts

**SEPTEMBER 2007****SUMMARY OF THE POLICY—  
PROHIBITED DISCRIMINATION  
AND HARASSMENT**

*Los Angeles Community  
College District*

*770 Wilshire Blvd.  
Los Angeles, CA 90017  
213/891-2000*

Any member of the college community which includes students, faculty and staff who believes, perceives or has actually experienced conduct that may constitute Prohibited Discrimination or Harassment, has the right to seek the help of the college. Every employee has the responsibility obligation to report such conduct to the Compliance Officer (CO).

**WHAT CAN YOU DO ABOUT  
PROHIBITED DISCRIMINATION  
AND HARASSMENT?**

Talk to the Offender

Often problems will stop once the offender realizes the conduct is unacceptable.

**PUT IT IN WRITING**

Let the offender know that you don't like being treated this way and will report him/her unless it stops.

**KEEP A RECORD**

Record the date, time, place and names of witnesses and describe the exact nature of the incident.

**DON'T IGNORE IT**

Ignoring Prohibited Discrimination and hoping it will not be repeated is the most common reaction, yet it is the most ineffective way to deal with such incidents.

**CONTACT THE COMPLIANCE OFFICER**

Prohibited Discrimination should be reported immediately to the Compliance Officer or to another college administrator who will work with the Compliance Officer.

The Compliance Officer is always available to confidentially discuss any possible discrimination or sexual harassment complaint.

**YOU HAVE THE RIGHT!**

- To work and study in an atmosphere free of harassment & discrimination
- To be judged by the same criteria as all others, not by standards that are less demanding, or more rigorous, or different in any way.
- To complain, free of retaliation

Discrimination may include, but is not limited to the following type of behavior:

- exclusion from employment opportunities such as training, transfer or promotion
- allocation of poor grades based on one's protected class
- denial of reasonable accommodation because of a disability
- decisions based on stereotypes or assumptions about ones abilities, traits or performance

Sexual harassment may include, but is not limited to the following type of conduct:

- making unwelcome, unsolicited contact with sexual overtones (written, verbal, physical and/or visual contact)
- unwelcome pressure for dates
- display of sexually suggestive objects, cartoons, posters
- request for sex in exchange for grades, recommendations, job opportunities

**COMPLIANCE OFFICER FOR  
EAST LOS ANGELES COLLEGE**

*Angelica Toledo  
323-267-3746  
Stadium Parking*

This is an excerpt. The specific Rules and Procedures for reporting charges of Prohibited Discrimination and for pursuing available remedies are incorporated in the Board Rules in Chapter 15, Board Rules 1501-1522.

Copies of the policy and procedures may be obtained from the LACCD Office of Diversity Programs and campuses Websites, the Compliance Officer at each location, by calling the Director of Diversity Programs at 213/ 891-2315.

**THE POLICY**

It is the policy of the Los Angeles Community College District to provide an educational, employment and business environment free from Prohibited Discrimination. Employees, students, or other persons acting on behalf of the District who engage in Prohibited Discrimination as defined in this policy or by state or federal law shall be subject to discipline, up to and including discharge, expulsion or termination of contract.

**ACADEMIC FREEDOM**

The Board of Trustees reaffirms its commitment to academic freedom, but recognizes that academic freedom does not allow Prohibited Discrimination. The discussion of ideas, taboos, behavior or language which is

an intrinsic part of the course content shall in no event constitute Prohibited Discrimination, though such ideas may cause some students discomfort. It is recognized that academic freedom insures the faculty's right to teach and the student's right to learn.

**DEFINITION OF PROHIBITED  
DISCRIMINATION**

Prohibited Discrimination is defined as discrimination or harassment in violation of state or federal law on the basis of actual or perceived ethnic group identification, race, color, national origin, ancestry, religion, creed, sex (including gender-based sexual harassment), pregnancy, marital status, cancer-related medical condition of an employee, sexual orientation, age, physical or mental disability, or veteran status.

**DEFINITION OF SEXUAL HARASSMENT**

Sexual harassment is 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.

**RETALIATION**

Retaliation against anyone who makes a complaint, refers a matter for investigation or complaint, participates in investigation of a complaint, represents or serves as an advocate for an alleged victim or alleged offender, or otherwise furthers the principles of this policy.

**FALSE ALLEGATIONS**

Anyone who files a complaint in which he/she knowingly makes false allegations of fact shall also have violated this policy and shall be subject to disciplinary action.

**CONFIDENTIALITY**

All persons involved in investigation of complaints shall have a duty to maintain the confidentiality of the matters discussed, except as may be required or permitted by law, which include the rules and regulations of the District. A complete record of each complaint and investigation shall be kept by the Director of Diversity Programs. The Written Decision or any Settlement Agreement regarding the results of the investigation shall be placed in the personnel file of each employee involved as an alleged offender, alleged victim or complainant.

## COMPLAINT PROCEDURE

### GENERAL PROVISIONS

The Director of Diversity Programs is responsible for receiving complaints and coordinating investigations from within the District, from other governmental agencies, and from outside sources. Each College President shall designate a CO for the campus, not a faculty member, and the Chancellor shall designate the CO for the District Office. Each College President, in consultation with the ASO President, shall designate an employee who shall serve as Advocate for Students (AFS). All Supervisors shall be responsible for maintaining a work environment consistent with this policy. Any supervisor who becomes aware of a situation which could be reasonably perceived to be a violation of this policy must report it to the CO for his or her work site. All employees are responsible for maintaining an educational environment consistent with this policy. Any employee who becomes aware of a situation which could reasonably be perceived as a violation of this policy should refer it to the CO for his or her work site. A summary of the policy shall be published in each college catalogue and class schedule. A copy given to new employees. The entire policy posted prominently. Complaints may be filed by persons other than the person who is the recipient of unwanted conduct. Complaints may also be filed with the State Chancellor's Office. The CO shall receive the complaint, and notify the complainant, alleged offender, the College President or District administrator, and the Director of Diversity Programs, within 5 business days of a potential violation of this policy. During the process of the investigation, the complainant/victim and the alleged offender have the right to be represented.

### INVESTIGATION

The CO shall promptly investigate all potential violations of this policy of which he or she becomes aware. The CO shall notify both the College President or, at the District Office, the Deputy Chancellor, and the Director of Diversity Programs that an investigation is being conducted. Such an investigation may be initiated on the basis of a Complaint, a referral from a Supervisor or employee, or any other information indicating a potential violation of this policy from any other source. In the absence of a complaint form and/or a formal complaint, the CO shall conduct a preliminary investigation, which shall be completed within 30 days after the CO becomes aware of a potential violation. If, as a result of the preliminary investigation, there is a prima facie case of Prohibited Discrimination, the CO shall sign a formal complaint. A

"prima facie" case means that there is evidence which, if unexplained or uncontradicted, would be sufficient to make a finding that discrimination had occurred. The formal investigation and Written Report shall be completed by a CO from another worksite. If there is not a prima facie case of Prohibited Discrimination, the CO shall advise the complainant and alleged offender in writing, with a copy to the College President or Deputy Chancellor, which may be appealed in accordance with these rules.

### INFORMAL PROCEDURE

The CO shall undertake efforts to informally resolve and investigate the charges. This process is limited to 30 days. If a resolution is reached, the CO shall draft a Settlement Agreement to be signed by the alleged victim/complainant and the alleged offender. The CO shall monitor the situation to insure that the resolution is properly implemented and maintain records.

### COMPLAINT PROCEDURE

A written Complaint must be filed on the prescribed Los Angeles Community College Complaint form. The CO will have 60 days to investigate the complaint. Employment based Complaints shall be filed within 180 days. For a Complaint not arising from or related to employment, the Complaint shall be filed no later than one year from the date when the complainant knew or reasonably should have known of the facts underlying the Complaint.

### CO'S REPORT

Within 60 days after becoming aware of a potential violation of this policy, the CO shall complete the investigation and make a Written Report to the College President, or Deputy Chancellor. The College President, or Deputy Chancellor, shall independently assess whether the "preponderance of the evidence" establishes a violation and shall determine what action is to be taken, if any. Prior to making the decision, the alleged offender and alleged victim shall have the opportunity to make an oral statement, within 15 days from the receipt of the CO report. Within 90 days from the start of the investigation a Written Decision shall be mailed to the complainant/victim and the alleged offender.

### DISCIPLINARY ACTION

If appropriate, the College President, Deputy Chancellor, or the Chancellor shall initiate the applicable disciplinary process within 10 business days of receiving the Written Decision. Disciplinary action shall include, without limitation, verbal warning, probation,

suspension, expulsion, letters of reprimand, Notices of Unsatisfactory Service, suspensions, demotions or dismissals.

### APPEALS

If the complainant/victim is not satisfied with the Written Decision, he/she may appeal to the District's Board of Trustees by submitting a written appeal to the Chancellor's Office within fifteen (15) days. The Chancellor shall present the written appeal, the Written Decision and the investigative report to the Board of Trustees in closed session. If the 45 days elapse without further action, the Written Decision shall be the final decision of the District. In non-employment cases the complainant has the right to file an appeal with the State Chancellor's Office within 30 days after the Board decision is issued, or the 45 days have elapsed, whichever comes first.

### ADDITIONAL REMEDIES

The complainant or alleged victim may pursue independently civil law remedies, including but not limited to injunctions, restraining orders, or other orders. An individual who believes that he/she is the victim of Prohibited Discrimination may also file a complaint with the Department of Fair Employment & Housing at (800) 884 1684, the Equal Employment Opportunity Commission at (213) 894.1000, for employment based complaints; and the Department of Education, Office for Civil Rights at (415) 556 4275, for non-employment complaints whether or not the complainant chooses to utilize the District's internal procedure.

### LOS ANGELES COMMUNITY COLLEGE DISTRICT

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### OFFICE OF DIVERSITY PROGRAMS

(213) 891-2315

## ACCURACY STATEMENT

The Los Angeles Community College District and East Los Angeles College have made every effort to make this publication accurate and may, without notice, change general information, courses, or programs offered. The reasons for change may include student enrollment, level of funding, or other issues decided by the district or college. The district and college also reserve the right to add to, change, or cancel any rules, regulations, policies and procedures as provided by law.

## ACCREDITATION

Accredited by the Western Association of Schools and Colleges.

A member of the American Association of Community and Junior Colleges and the California Association of Community Colleges.

## NON-DISCRIMINATION POLICY

All programs and activities of the Los Angeles Community College District shall be operated in a manner which is free of discrimination on the basis of race, color, national origin, ancestry, religion, creed, sex, pregnancy, marital status, sexual orientation, age, handicap or veteran status. (Reference: Board Rule 1202)

## POLÍTICA DE ANTIDISCRIMINACIÓN

Todos los programas y actividades del Distrito de Colegios de la Comunidad de Los Angeles se llevan a cabo sin ninguna clase de discriminación en cuanto a raza, color, nacionalidad, ascendencia, religión, creencia, sexo, embarazo, estado civil, orientación sexual, edad, incapacidad física o estado como veterano militar. (Referencia: Reglamento del Consejo 1202.)

## SEXUAL HARASSMENT POLICY

The policy of the Los Angeles Community College District is to provide an education, employment and business environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment. Employees, students, or other persons acting on behalf of the District who engage in sexual harassment as defined in the policy or by state or federal law shall be subject to discipline, up to and including discharge, expulsion or termination of contract. The specific rules and procedures for reporting charges of sexual harassment and for pursuing available remedies are incorporated in the Board Rules in Chapter 15.

The Los Angeles Community College District has a policy which provides formal and informal procedures for resolving complaints. Copies of the policy and procedures may be obtained from the Sexual Harassment Compliance Officer in E1-136, the Advocate for Students at the South Gate Educational Center, or by calling the Office of the Vice Chancellor of Instructional and Student Support Services at 213-891-2279, or the Office of Diversity Program at 213-891-2315.

Any member of the College Community - student, faculty, or staff - who believes he or she has experienced conduct that may constitute sexual harassment has the right to seek the help of the College. Every employee has the responsibility to report such conduct when it is directed toward students to the Sexual Harassment Compliance Officer.

Potential complainants are advised that administrative and civil law remedies, including but not limited to injunctions, restraining orders or other orders may be made available.

## POLÍTICA SOBRE HOSTIGAMIENTO SEXUAL

Es la política del Distrito de los Colegios de la Comunidad de Los Angeles mantener un ambiente educativo, de trabajo y de negocio sin avances sexuales, de solicitudes de favores sexuales, de cualquier otro comportamiento verbal o físico o de comunicaciones que constituyan hostigamiento sexual según tal se define y prohíbe en reglamentos estatales y federales. Consúltese a la Sr. R.C. Williams III, oficial de conformidad de la Política Sobre Hostigamiento Sexual, 323-265-8779.

## ACCESS TO VOCATIONAL PROGRAMS

The College provides classes for students who are beginning to learn English. Minimal English language skills do not keep students from participation in vocational programs.

El Colegio ofrece clases para estudiantes que están empezando a aprender inglés. Entendimiento mínimo de inglés no impide a nadie la participación en ningún programa vocacional.

學校提供課程予初學英文的人。  
英文能力有限並不妨礙參加  
職業訓練課程。

## SMOKE-FREE ENVIRONMENT POLICY

Smoking is prohibited in all buildings. The designated smoking areas are limited to smoking outside the buildings. Individuals who smoke should make provisions to do so on their breaks in the designated areas.

## DRUG-FREE SCHOOLS AND CAMPUS

East Los Angeles College adheres to, supports, and is in full compliance with requirements that maintain our college as a drug-free institution of higher education.

## STANDARDS OF CONDUCT

On April 20, 1989, the District Board of Trustees adopted Rule 9803.19, which prohibits:

Alcohol and Drugs. Any possession of controlled substances which would constitute a violation of Health and Safety Code section 11350 or Business and Professions Code section 4230, any use of controlled substances, the possession of which are prohibited by the same or any possession or use of alcoholic beverages while on any property owned or used by the District or colleges of the District. "Controlled substances," as used in this section, include, but are not limited to the following drugs and narcotics:

- a. opiate, opium and opium derivatives
- b. mescaline
- c. hallucinogenic substances
- d. peyote
- e. marijuana
- f. stimulants and depressants
- g. cocaine

The Board's policy on the drug-free Workplace, adopted on March 22, 1989 restates these prohibitions.

On September 5, 1990, the Board of Trustees adopted the following standards of conduct:

Students and employees are prohibited from unlawfully possessing, using or distributing illicit drugs and alcohol on district premises, in district vehicles, or as part of any activity of the Los Angeles Community College District.

9803.25-Conduct that may be considered disorderly includes: lewd or indecent attire or indecent attire or behavior that disrupts classes or college activities; breach of the peace of the college; aiding, or inciting another person to breach the peace of college premises or functions.