



Rancho Santiago Community College District
District Council Meeting

March 3, 2025

1:30 p.m.

Via Zoom

<https://rsccd-edu.zoom.us/j/87187107254>

669-444-9171 / 871 8710 7254

Agenda

1. Call to Order/Update Martinez

2. Approval of February 3, 2025 District Council Meeting Minutes - **ACTION** Martinez

3. Approval of 2025-2026 Tentative Budget Assumptions – **ACTION** Ingram

4. Review of Revisions to Board Policies – **INFORMATION** Olson
 - a. BP 3410 Nondiscrimination
 - b. BP 3420 Equal Employment Opportunity
 - c. BP 3430 Prohibition of Harassment

5. Approval of Administrative Regulations – **ACTION** Olson
 - a. AR 3410 Nondiscrimination
 - b. AR 3420 Equal Employment Opportunity
 - c. AR 3430 Prohibition of Harassment
 - d. AR 3440 Service Animals

6. Committee Reports – **INFORMATION**
 - a. Planning & Organizational Effectiveness Committee Perez
 - b. Human Resources Committee Olson
 - c. Fiscal Resources Committee Ingram
 - d. Physical Resources Committee Ingram
 - e. Technology Advisory Group Gonzalez

7. Constituent Representative Reports - **INFORMATION**

- a. Academic Senate - SAC
- b. Academic Senate - SCC
- c. Classified Staff
- d. Student Government - SAC
- e. Student Government – SCC

Coyne
Kubicka-Miller
Johnson
Velez
Cudal

Next Meeting:
April 21, 2025



Rancho Santiago Community College District District Council Meeting

MINUTES February 3, 2025

Members:	Marvin Martinez	Present
	Enrique Perez	Present
	Iris Ingram	Present
	Kristin Olson	Present
	Jim Kennedy for Annebelle Nery	Present
	Jason Parks for Jeannie Kim	Present
	Jesse Gonzalez	Present
	Claire Coyne	Present
	Tara Kubicka-Miller	Present
	Monica Zarske	Present
	Corinna Evett	Present
	Jason Sim	Present
	Tyler Johnson	Present
	Omelina Garcia	Absent
	Bridgette Hernandez	Present
	Jessica Velez	Absent
	Flo Cudal	Present
Guests:	Sarah Santoyo	Chi Chung Keung

1. Call to Order/Update
 - a. Chancellor Martinez convened the meeting via Zoom Conference at 1:33 p.m.
2. Approval of Minutes
 - a. It was moved by Ms. Ingram, seconded by Ms. Coyne and carried with abstentions by Dr. Kennedy and Mr. Johnson to approve the minutes of the November 4, 2024 meeting. Dr. Parks was not present for the vote.

3. Approval of Administrative Regulations

- a. AR 3720 Information Resources Acceptable Use – it was moved by Ms. Ingram and seconded by Ms. Kubicka-Miller to approve the AR. Discussion ensued. The motion passed with an abstention by Dr. Parks.
- b. AR 2100 Vacancies on the Board – it was moved by Ms. Coyne and seconded by Ms. Ingram to approve the AR. Discussion ensued and typographical errors were noted on the AR. The motion passed unanimously to approve the AR with the typographical errors corrected as discussed.
- c. AR 2325 Teleconferenced Meetings – it was moved by Mr. Perez and seconded by Ms. Kubicka-Miller to approve the AR. Discussion ensued. The motion passed unanimously.
- d. AR 2710 Conflict of Interest – it was moved by Ms. Coyne and seconded by Ms. Evett to approve the AR. Discussion ensued. The motion passed unanimously.

4. Approval of Human Resource Items

- a. Job Description – Regional Director, OC Center of Excellence – it was moved by Ms. Ingram and seconded by Ms. Coyne to approve the job description. Discussion ensued. The motion passed unanimously.
- b. Reorg #1447 – DO/Purchasing Services/Business Services – it was moved by Ms. Ingram and seconded by Mr. Gonzalez to approve the reorg. Discussion ensued. The motion passed unanimously to approve the AR with the direction to deposit excess funds from savings related to the reorg (approximately \$1,781.85) into the general fund.

5. Committee Reports

- a. Planning and Organizational Effectiveness Committee (POEC)
Mr. Perez reported on the January 22, 2025 meeting.
- b. Human Resources Committee (HRC)
Ms. Olson reported on the December 11, 2024 meeting.
- c. Fiscal Resources Committee (FRC)
Ms. Ingram reported on the January 15, 2025 meeting.
- d. Physical Resources Committee (PRC)
Ms. Ingram reported on the January 7, 2025 meeting.
- e. Technology Advisory Group (TAG)
Mr. Gonzalez reported on the December 5, 2024 meeting. The next meeting will be held on February 13, 2025.

6. Constituent Representative Reports

- a. Academic Senate/SAC: Ms. Coyne reported on the SAC Academic Senate activities.
- b. Academic Senate/SCC: Ms. Kubicka-Miller reported on the SCC Academic Senate activities.
- c. CSEA: Mr. Johnson provided a report on CSEA activities.
- d. Student Government/SAC: No report.
- e. Student Government/SCC: Ms. Flo Cudal reported on SCC ASG activities.

Next Meeting:	The next meeting will be held on Monday, February 3, 2025
Meeting Adjourned:	2:21 p.m.
Approved:	March 3, 2025

RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT
UNRESTRICTED GENERAL FUND
2025/26 Tentative Budget Assumptions
February 25, 2025

I. State Revenue

A. The District's earned revenue is projected to be greater than hold harmless in 2023/24. Budgeting for 2025/26 will use the Student Centered Funding Formula (SCFF) at the full calculated revenue less estimated deficit factor.

B. FTES Workload Measure Assumptions:

Year	Base	Actual	Funded		Actual Growth	Funded Growth
2016/17	28,901.64	27,517.31	28,901.64	a	-4.79%	0.00%
2017/18	28,901.64	29,378.53	29,375.93	b	1.65%	1.64%
2018/19	Recal	25,925.52	28,068.86	c	-11.75%	-4.45%
2019/20	Recal	27,028.98	26,889.30		4.26%	-4.20%
2020/21	Recal	25,333.74	26,993.32		-6.27%	0.39%
2021/22	Recal	26,202.98	27,208.25		3.43%	0.80%
2022/23	Recal	27,294.07	26,783.85		4.16%	-1.56%
2023/24	Recal	29,002.84	28,827.28		6.26%	7.63%
2024/25	P1	31,113.45	28,952.44	P1	7.28%	0.43%

a - based on submitted P3, District went into Stabilization in FY 2016/17

b - based on submitted P3, the district shifted 1,392.91 FTES from summer 2018

c - To maintain the 2015/16 funding level and produce growth FTES in 2017/18, the district borrowed from summer 2018 which reduced FTES in 2018/19.

The governor's state budget proposal includes .5% systemwide growth funding and 2.43% COLA. The components remain at 70/20/10 split with funded COLA added to all metrics each year. Any changes to our funding related to the SCFF will be incorporated when known.

Projected COLA of 2.43%	\$5,751,031
Projected SCFF Base Increase	\$0
Projected Growth/Restoration	\$0
Deficit Factor (from 3.55% to 2%)	\$3,528,916

2025/26 Potential Growth at 0.5%

31,269 FTES

C. Education Protection Account (EPA) funding estimated at \$31,787,984 based on 2024/25 @ Advance. These are not additional funds. The EPA is only a portion of general purpose funds that offsets what would otherwise be state aid in the apportionments. We intend to charge a portion of faculty salaries to this funding source in compliance with EPA requirements.

D. Unrestricted lottery is projected at \$191 per FTES (\$6,077,568). Restricted lottery at \$82 per FTES (\$2,609,218). (2024/25 @ P1 of resident & nonresident factored FTES, 31,819.73 x \$191 = \$6,077,568 unrestricted lottery; 31,819.73 x \$82 = \$2,609,218 restricted lottery)

E. Estimated reimbursement for part-time faculty compensation is estimated at \$707,056 (2024/25 @ Advance).

F. Categorical programs will continue to be budgeted separately; self-supporting, matching revenues and expenditures. COLA is being proposed on certain categorical programs. Without COLA, other categorical reductions would be required to remain in balance if settlements are reached with bargaining groups. The colleges will need to budget for any program match requirements using unrestricted funds.

G. College Promise Grants (BOG fee waivers 2% administration) funding estimated at 2024/25 @ Advance of \$219,878.

H. Mandates Block Grant estimated at a total budget of \$1,046,832 (\$35.64 x 29,372.40 FTES @ P2). No additional one-time allocation proposed.

II. Other Revenue

I. Non-Resident Tuition budgeted at \$4,000,000. (SAC \$2,500,000, SCC \$1,500,000). Increase of \$300,000.

J. Interest earnings estimated at \$3,000,000.

K. Other miscellaneous income (includes fines, fees, rents, etc.) is estimated at approximately \$404,737.

L. Apprenticeship revenue estimated at \$5,227,354. (Corresponding expenses are also budgeted for apprenticeship course offerings.)

M. Scheduled Maintenance/Instructional Equipment allocation - no new allocation is proposed at this time.

N. Full-time Faculty Hiring Allocation - no new allocation is proposed at this time.

RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT
UNRESTRICTED GENERAL FUND
2025/26 Tentative Budget Assumptions
February 25, 2025

III. Appropriations and Expenditures

- A. As the District's budget model is a revenue allocation model, revenues flow through the model to the colleges as earned. The colleges have the responsibility, within their earned revenue, to budget for ALL necessary expenditures including but not limited to all full time and part time employees, utilities, instructional services agreements, multi-year maintenance and other contracts, supplies, equipment and other operating costs.
- B. Salary Schedule Adjustments - estimated at 2.43% for unrestricted general fund = \$4,526,846 (FARSCCD approximate cost \$2,143,327, CSEA approximate cost \$1,251,432, Management/Other approximate cost \$1,132,087) The colleges will need to budget for bargained increased costs in Salaries and Benefits for part-time employees. The estimated cost of a 1% salary increase is \$2.49 million for all funds. The estimated cost of a 1% salary increase is \$1.86 million for the unrestricted general fund.
- C. Step and column movement is budgeted at an additional cost of approximately \$2.35 million including benefits for FD 11 (FARSCCD approximate cost \$758,246 CSEA approximate cost \$658,140, Management/Other approximate cost \$935,559) For all funds, it is estimated to = \$3.74 million (FARSCCD = \$863,599, CSEA = \$1,516,603, Management/Others = \$1,355,858) In addition, the colleges would need to budget for step/column increases for P/T faculty.
- D. Health and Welfare benefit premium cost increase as of 1/1/2026 is estimated at 3.0% for an additional cost of approximately \$613,747 for active employees. For retirees estimated to be \$184,273. PT Health continue budget of \$1M.
 State Unemployment Insurance (.05%)
 CalSTRS employer contribution rate will stay the same in 2025/26 at 19.10% for no increase.
 (Note: The cost of each 1% increase in the STRS rate is approximately \$760,000.)
 CalPERS employer contribution rate will increase in 2025/26 from 27.05% to 27.40% for a increase of \$162,566
 (Note: The cost of each 1% increase in the PERS rate is approximately \$464,000.)
- E. The full-time faculty obligation (FON) for Fall 2025 is estimated to be 354. The Fall 2024 report indicated the District was 66.6 faculty over its FON and will meet its Fall 2025 obligation without the need to hire additional faculty. The current cost for a new position is budgeted at Class VI, Step 11 at approximately \$178,566. Penalties for not meeting the obligation amount to approximately \$97,855 per FTE not filled. Each faculty hired over the FON adds cost of (\$182,677- \$63,944) = \$118,733 if deduct hourly cost.
- F. The current rate per Lecture Hour Equivalent (LHE) effective 7/1/25 for hourly faculty is \$96.39 x 18 hrs/LHE= \$1,735 (FY 2025/26) (Total cost of salary and benefits of part-time faculty to teach 30 LHE = \$63,944)
- G. Retiree Health Benefit Fund (OPEB/GASB 75 Obligation) - The calculated Employer Contribution Target is estimated to be less than our current pay as you go therefore the district employer payroll contribution remains at 0% of total salaries.
- H. Capital Outlay Fund - The District will continue to budget \$1.5 million for capital outlay needs as a transfer from General Fund to Capital Outlay Fund (no change).
- I. Utilities cost increases of 15%, estimated at \$100,000.
- J. Information Technology licensing contract escalation cost of 5%, estimated at \$240,000.
- K. Property and Liability Insurance transfer estimated at \$3,900,000 adding \$1M for expected annual cost of AB218 assessments.
- L. Other additional DSO/Institutional Cost expenses: approved on 11/4/24 at DC

	Ongoing Cost	One-time Cost
Business Services		
(Reorg 1436 - Senior Communications Dispatcher Clerk) (Reorg 1437 - Senior District Safety Officer)	\$ 233,294	
ITS Positions		
(Reorg 1429 -Networks Specialist III)	\$ 198,387	
(Reorg 1430 - Information Security Specialist)		
ITS - Distance Education Technology	\$ 492,432	
- M. Ninth contribution of Santiago Canyon College ADA Settlement expenses of \$2 million from available one-time funds.
- N. SRP 1 Expense Reduction

Rancho Santiago Community College District Unrestricted General Fund Summary 2025/26 Tentative Budget Assumptions February 25, 2025
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*	<u>New Revenues</u>	Ongoing Only	One-Time
A	Student Centered Funding Formula		
B	Projected COLA of 2.43%	\$5,751,031	
B	Projected SCFF Base Increase	\$0	
B	Projected Growth/Restoration	\$0	
B	Deficit Factor (2%)	\$3,528,916	
D	Unrestricted Lottery	\$406,203	
H	Mandates Block Grant	\$0	
I	Non-Resident Tuition	\$300,000	
J	Interest Earnings	\$0	
L	Apprenticeship - SCC	\$0	
EGK	Misc Income	\$83,750	
N	Full-time Faculty Allocation	\$0	
	Total	\$10,069,900	
	 <u>New Expenditures</u>		
B	Salary Schedule Increases/Collective Bargaining - 2.43%	\$4,526,846	
C	Step/Column	\$2,351,945	
D	Health and Welfare/Benefits Est. Increase 3.0% - Active	\$613,747	
D	Health and Welfare/Benefits - Retirees	\$184,273	
D	Health and Welfare - Part-time Faculty (placeholder)	\$0	
D	CalSTRS Increase	\$0	
D	CalPERS Increase	\$162,566	
D	State Unemployment	\$0	
E	Full Time Faculty Obligation Hires	\$0	
E	Non-Credit Faculty (Non FON)	\$0	
E/F	Hourly Faculty Budgets (Match Budget to Actual Expense)	\$0	
G	Cost of Retiree Health Benefit (OPEB Cost)	\$0	
H	Capital Outlay/Scheduled Maintenance Contribution	\$0	
I	Utilities Increase	\$100,000	
J	ITS Licensing/Contract Escalation Cost	\$240,000	
K	Property, Liability and All Risks Insurance	\$1,000,000	
II.L	Apprenticeship - SCC	\$0	
L	Other Additional DSO/Institutional Costs	\$924,113	
M	SCC ADA Settlement Costs	\$0	\$2,000,000
N	SRP 1 Expense Reduction	(\$1,214,561)	
	Total	\$8,888,929	\$2,000,000
	2025/26 Budget Year Unallocated (Deficit)	\$1,180,971	
	2024/25 Structural Unallocated (Deficit)	\$1,943,969	
	Additional College added ongoing cost during FY 24/25	(1,007,627)	
	Employee Changes in H/W Plan Savings	776,624	
	Total Est. Unallocated (Deficit)	\$2,893,937	

* Reference to budget assumption number

Rancho Santiago Community College District
BOARD POLICY
Chapter 3
General Institution

BP 3410 Nondiscrimination

References:

Education Code Sections 66250 et seq., 72010 et seq., and 87100 et seq.
Title 5 Sections 53000 et seq. and 59300 et seq.
Penal Code Section 422.55
Government Code Sections 12926.1, ~~and~~ 12940 et seq. and 12954
Title 2 Sections 10500 et seq.
Labor Code Section 1197.5
ACCJC Accreditation Eligibility Requirement 20 ~~and ACCJC Accreditation Standard Catalog Requirements (formerly Accreditation Standard II.B.2.c)~~

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 national origin, immigration status, 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 and veteran status, or because ~~he or she~~ he/she/they is 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 District shall not discriminate against a person in hiring, termination, or any term or condition of employment or otherwise penalize a person based upon the person's use of cannabis off the job and away from the workplace unless permitted by California law.

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 the 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 national origin, immigration status, religion, age, gender, gender identity, gender expression, race, 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~~ he/she/they is perceived to have one or more of the foregoing characteristics, or because of ~~his~~

~~or her~~ his/her/their association with a person or group with one or more of these actual or perceived characteristics.

Revised: July 21, 2014 (Previously BP4119 and BP7300)
References Updated: March 16, 2015, November 7, 2016, June 4, 2018
Revised: xxxxxxxx, 2025

Rancho Santiago Community College District
BOARD POLICY
Chapter 3
General Institution

BP 3420 Equal Employment Opportunity

Reference(s):

~~Title VII of the Civil Rights Act of 1964~~

~~Article 1, Section 31 of the California Constitution~~

Title 5 of the California Code of Regulations, Section 53000 et seq.

Education Code Section 87100 et seq.

ACCJC Accreditation Standard ~~III.A.14~~ 3

~~The Board supports efforts to ensure equal opportunity and sees the value of having a diverse workforce. Diversity in the academic environment fosters cultural, social and civic awareness as well as mutual understanding and respect. The Board commits itself to the principle of equal employment through a continuing equal opportunity employment program.~~

The Board supports the intent set forth by the California Legislature to assure that effort is made to build a community in which opportunity is equalized, and community colleges foster a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding and respect, harmony and respect, and suitable role models for students. An equitable and inclusive hiring process is essential to improve diversity, reduce barriers to employment, and allow potential applicants the opportunity to demonstrate that they meet or exceed the minimum qualifications for employment. The Board therefore commits itself to promote the total realization of equal employment through a continuing equal employment opportunity program. Equal employment opportunity includes not only a process for equal opportunity in hiring, but also practices and processes that create inclusive, respectful work environments.

The District prohibits discrimination and harassment based on all protected classifications under the law, which includes, ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, physical or mental disability, gender identity, medical condition (cancer-related or genetic characteristics), marital status, citizenship, or service in the uniformed services, 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. This Board policy applies to all employment practices, including recruitment, selection, promotion, transfer, salary, training and development, discipline and dismissal.

This Board policy prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. This Board policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in an investigation or resolution of a complaint of discrimination or harassment.

The Chancellor shall develop, for review and adoption by the Board, a plan for equal employment opportunity that complies with ~~California law~~ the Education Code and Title 5 requirements as from time to time modified or clarified by judicial interpretation. The Chancellor shall develop hiring procedures driven by diversity, equity, and inclusion and consistent with the Board's intent described above.

Nothing in this Board policy shall authorize in any plan for equal employment opportunity the setting of numerical goals or quotas, or preferences, in conflict with state law.

Revised: August 19, 2013 (Previously BP4104)

References Updated: May 18, 2015

Revised: xxxxxxx, 2025

Rancho Santiago Community College District
BOARD POLICY
Chapter 3
General Institution

BP 3430 Prohibition of Harassment

References:

Education Code Sections 212.5, 44100, 66252, and 66281.5

Government Code Sections 12923, 12940 and 12950.1

Civil Code Section 51.9

Title 2 Sections 10500 et seq.

Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e

[Age Discrimination in Employment Act of 1967 \(ADEA\)](#)

[Americans with Disabilities Act of 1990 \(ADA\)](#)

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

The District seeks to foster an environment in which all employees, 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, employee, unpaid intern, or volunteer who believes that ~~he or she~~ he/she/they has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AR 3435. 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~~ harassment and to prevent, minimize and/or eliminate any hostile environment 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.~~ State and federal law and this policy prohibit 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, students, unpaid interns, and volunteers particularly when they are new to the institution. They shall be available for students, employees, unpaid interns and volunteers in all administrative offices and shall be posted on the District's website.

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 measures up to and including termination from the internship or other unpaid work experience program.

Adopted: August 19, 2013
Revised: June 15, 2015
References Updated: November 7, 2016
Revised: July 17, 2017
References Updated: April 22, 2019
Revised: xxxxxxxx, 2025

Rancho Santiago Community College District
ADMINISTRATIVE REGULATION
Chapter 3
General Institution

AR 3410 Nondiscrimination

References for Education Programs

Education Code Sections 66250 et seq., 72010 et seq., and ~~200 87100~~ et seq.

Title 5 Sections ~~53000 et seq. and~~ 59300 et seq.

Penal Code Sections 422.55 et Seq.

~~Government Code Sections 12926.1 and 12940 et seq.~~

~~Title 2 Sections 10500 et seq.~~

~~Labor Code Section 1197.5~~

AACJC Accreditation Eligibility Requirement 20 ~~and AACJC Accreditation Standard Catalog Requirements (formerly II.B.2.c)~~

References for Employment

Education Code Sections 87100 et seq.

Government Code Sections 11135 et seq. and 12940 et seq.

Labor Code Section 1197.5

Title 2 Sections 10500 et seq.

Title 5 Sections 53000 et seq.

Education Programs

The District shall provide access to its services, classes and programs without regard to 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 because he/she/they is 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” mean’s 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 race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. The District shall not discriminate against a person in hiring, termination, or any term or condition of employment or otherwise penalize a person based upon the person's use of cannabis off the job and away from the workplace unless permitted under Government Code Section 12954.

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.

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

It is unlawful to discriminate against a person who serves in an unpaid internship or any other limited-duration program to provide unpaid work experience in the selection, termination, training, or other terms and treatment of that person on the basis of their race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

Approved: September 15, 2014
References Updated: March 16, 2015; November 7, 2016; June 4, 2018
Revised: xxxxxxxxxx, 2025

Rancho Santiago Community College District
ADMINISTRATIVE REGULATION
Chapter 3
General Institution

AR 3420 Equal Employment Opportunity

Reference(s):

Education Code Sections 87100 et seq.
Government Code Sections 7400 et seq. and 12940 et seq.
Title 5 Sections 53000 et seq. and 59300 et seq.;
ACCJC Accreditation Standard ~~III.A.14~~ 3

~~Board Policy 3420 reflects the District's commitment to ensure equal opportunity and promote the value of having a diverse workforce. Diversity in the academic environment fosters cultural, social and civic awareness as well as mutual understanding and respect. The District is committed to the principle of equal employment through a continuing equal opportunity employment program.~~

~~The District's policies, regulations, and practices are fully described in the RSCCD Equal Employment Opportunity and Human Resources Plan, which is incorporated into this administrative regulation by reference. This plan is maintained on the RSCCD website and may be viewed through the following link:~~

~~<https://www.rsccd.edu/Departments/Human-Resources/Documents/HRC/RSCCD%20EEO%20Plan%20approved%201.12.15.pdf>~~

~~The EEO Plan should be a District-wide, written plan that implements the District's EEO Program, includes the definitions contained in Title 5 Section 53001 and must:~~

- ~~• Be developed in collaboration with the District's Equal Employment Opportunity Advisory Committee.~~
- ~~• Be reviewed and adopted at a regular meeting of the governing board where it is agendized as a separate action item and not part of the consent agenda.~~
- ~~• Cover a period of three years, after which a new or revised plan shall be adopted; and~~
- ~~• Be submitted to the California Community Colleges Chancellor's Office at least 90 days prior to its adoption. Comments received from the California Community Colleges Chancellor's Office on the proposed plan must be presented to the governing board prior to adoption.~~

The EEO plan must include all the following:

- Specific pre-hiring, hiring, and post-hiring EEO strategies the District intends to implement each year over the life of the plan.
- A schedule identifying the timetables for implementation of the identified EEO strategies.
- Identification of the District EEO officer with delegated responsibility and authority for implementing the EEO Plan and assuring compliance with Title 5 regulations.
- The procedure for filing complaints and the person with whom such complaints are to be filed.
- A process for notifying all District employees of the provisions of the plan and the policy statement required;
- A process for ensuring that individuals directly participating in the screening or selection process receive, prior to their participation, training on the requirements of the applicable Title 5 regulations and of state and federal nondiscrimination laws, the educational benefits of workforce diversity, the elimination of bias in hiring decisions, and best practices in serving on a screening or selection committee;
- A process for providing annual written notice to appropriate community-based and professional organizations concerning the District's plan and the need for assistance from such organizations in identifying qualified, diverse pools of applicants for openings within the District;
- A process for gathering information and periodic, longitudinal analysis of the District's employees and applicants, broken down by number of persons from monitored groups, as defined by Title 5 Section 53001, in each job category to determine whether additional diversification measures are required and to implement and evaluate the effectiveness of those measures. The District shall conduct a data review as part of its plan renewal, and may conduct periodic data reviews more frequently; and
- A process for utilizing data available from reliable public and private sources to determine whether monitored groups are underrepresented within District job categories and strategies for addressing any underrepresentation.

The District will post a copy of the EEO plan on the District's website. The current EEO plan can be located at the following link:

The District shall make a continuous good faith effort to comply with the requirements of the Plan.

Annual Evaluation

- The District shall collect and continually monitor its employee and applicant demographic data to evaluate the implementation of the EEO Plan and to conduct the analyses required by Title 5. The District shall report its employment-related data to the California Community Colleges Chancellor's Office annually in a manner prescribed by the Chancellor. To facilitate analysis, all applicants and employees must be assigned a job category.
- The District data collection will allow applicants and employees to identify their gender (including non-binary options), ethnic group identification and, if applicable, disability in a manner prescribed by the California Community Colleges Chancellor's Office consistent with state and federal law.

EEO Advisory Committee

- That the District shall establish an EEO Advisory Committee; and
- That the advisory committee shall include a diverse membership and include members from District stakeholder groups, including but not limited to, students, faculty, and classified staff.
- Members of the advisory committee as well as members of the District governing board shall receive training in all of the following:
 - applicable Title 5 regulations and of state and federal nondiscrimination laws.
 - the educational benefits of workforce diversity.
 - the identification and elimination of bias in hiring decisions.
 - and the role of the advisory committee in drafting and implementing the District's EEO Plan.

The responsibilities of the Committee shall include but not be limited to the following:

- review recruitment efforts; job announcements, interview protocols, retention efforts and other aspects of the hiring, retention, and promotion processes that impact the District's ability to attract and retain a diverse faculty and staff;
- advise on implementing the District's obligation to hire faculty and administrators with a demonstrated sensitivity to, and understanding of, the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of community college students;
- promote communication with community groups and organizations for people with disabilities;
- promote hiring of faculty who have, themselves, graduated from a community college;
- develop communications among departments to foster understanding of the Plan;
- to advise the Chancellor regarding special training or staff development needs;
- review the Plan and monitor its progress;
- recommend changes needed in the Plan; and
- review and approve the annual written report to the Chancellor, the District's governing board, and the California Community Colleges Chancellor's Office.

Employment Procedures

An equitable and inclusive employment process is essential to improve diversity, reduce barriers to employment, and allow potential applicants the opportunity to demonstrate that they meet or exceed the minimum qualifications for employment. The District's employment procedures are driven by diversity, equity, and inclusion.

Job Analysis and Validation: The Assistant Vice Chancellor, Human Resources shall assure that a proper job analysis is performed for every job filled by the District to determine and validate the knowledge, skills, abilities and characteristics an employee must possess to perform the job satisfactorily.

A statement of bona fide essential functions and minimum qualifications shall be developed for all positions.

Job Description: Every job description shall provide a general statement of job duties and responsibilities.

Job specifications shall include functions and tasks; knowledge; skills; ability; and job-related personal characteristics, including but not limited to sensitivity to and understanding of the diverse academic, socioeconomic, cultural, linguistic, disability, and ethnic backgrounds of community college students.

Recruitment: Recruitment must be conducted actively within and outside of the District workforce.

Open recruitment is mandated for all new full-time and part-time positions, except under limited circumstances involving interim hires.

Recruitment must utilize outreach strategies designed to ensure that all qualified individuals are provided the opportunity to seek employment with the District.

Recruitment for administrative and faculty positions (full and part-time) may include advertisement in appropriate professional journals, job registries and newspapers of general circulation; distribution of job announcements to the EEO Registry, K-12 districts, two- and four-year colleges, and graduate schools where appropriate candidates might be enrolled; recruitment at conferences, fairs, and professional meetings; notices to institutions and professional organizations.

Recruitment for classified positions shall include notice to all District personnel; notice to Employment Development Department; and advertising in area newspapers of general circulation.

Applicant Pools: The application for employment shall afford each applicant an opportunity to identify himself/herself/themself voluntarily as to gender, ethnicity and, if applicable, his/her/their disability. This information shall be maintained in confidence and shall be used only for research, validation, monitoring, evaluation of the effectiveness of the Plan, or as authorized by law.

After the application deadline has passed, the initial applicant pool shall be recorded and reviewed by the Chief Human Resources Officer or designee. All initial applications shall be screened to determine which candidates satisfy job specifications set forth in the job announcement. The group of candidates who meet the job specifications shall constitute the “qualified applicant pool.”

Once the qualified applicant pool is formed, the pool must again be analyzed. If the Chief Human Resources Officer or designee finds that the composition of the qualified applicant pool may have been influenced by factors which are not job related, the District may immediately, and before the selection process continues, consult with legal counsel to determine what, if any, corrective action is required by law.

Screening and Selection: Screening, selecting and interviewing candidates for all positions shall include thorough and fair procedures that are sensitive to issues of diversity.

- Hiring procedures will be provided to the California Community Colleges Chancellor’s Office on request.
- All tests conform to generally applicable legal standards for uniformity.
- A reasonable number of candidates are identified for interview.

- Screening and selection committees are developed that are representative of the District community and campus; include administrators, faculty, and classified staff members; include a diverse membership when possible; do not include applicants or persons who have written letters of recommendation.
- Every screening and selection committee includes an individual trained to monitor conformance with EEO requirements. The EEO Monitor assures that the screening and selection process conforms to accepted principles and practices, including preparation of job related questions in advance; that records of screening checklists and rating scales are maintained, which shall be signed and kept on file; notes for all interviews and record relevant factual reasons stating why a candidate was not hired or was not invited to interview are maintained; and monitors the hiring process for adverse impact.
- Selection shall be based solely on the stated job criteria.
- For faculty and administrative positions, candidates shall be required to demonstrate sensitivity to diversity in ways relevant to the specific position.

If the District determines that a particular monitored group is significantly underrepresented with respect to one or more job categories, the District shall take the following additional steps:

- review its recruitment procedures.
- consult with counsel to determine whether there are other, additional measures that may be undertaken that are required or permitted by law.
- consider various other means of reducing the underrepresentation which do not involve taking monitored group status into account and implement any such techniques that are feasible.
- If significant underrepresentation persists:
 - review each locally established job qualification to determine if it is job related and consistent with business necessity.
 - discontinue the use of any non-job-related local qualification; and
 - continue using job-related local qualifications only if no alternative standard is reasonably available; and
 - consider the implementation of additional measures designed to promote diversity.

Delegation of Authority

- Rancho Santiago Community College District has designated Assistant Vice Chancellor, Human Resources, Investigations and Equity as the Equal Employment Opportunity (EEO) Officer for the day-to-day implementation of the Plan. The EEO Officer is responsible for administering, implementing, and monitoring the Plan and for assuring compliance with the requirements of Title 5, Sections 53000 et seq., which includes ensuring that applicant pools and selection procedures are properly monitored. The EEO Officer or designee is also responsible for training all hiring committees on the elements of this Plan.
- The District has established the Human Resources Committee (HRC). This committee acts as an advisory body to the Vice Chancellor of Human Resources, EEO Officer and the District to promote understanding and support of equal employment opportunity policies and procedures. The HRC and the EEO Officer assist in the development and implementation of the Plan in compliance with state and federal regulations and guidelines, monitors equal employment opportunity progress, and provides suggestions for Plan revisions as appropriate.

- If the EEO Officer is named in a complaint or implicated by the allegations in a complaint, the complaint process will be overseen by the Vice Chancellor, Human Resources.

Complaint Procedure

Any person may file a complaint alleging the District violated this policy and procedures. An individual should file a written complaint with the Assistant Vice Chancellor, Human Resources Investigations and Equity. The District shall process complaints that allege violations according to the procedures set forth in AR 3430 Prohibition of Harassment and AR 3435 Discrimination and Harassment Complaints and Investigations.

Job Announcements

All job announcements shall contain a statement in substantially the following form: The District is an equal opportunity employer. The policy of the District is to encourage applications from persons who are economically disadvantaged and individuals belonging to significantly underrepresented groups within the District's workforce, including ethnic and racial minorities, women, and persons with disabilities. No person shall be denied employment because of ethnicity or race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, marital status, sexual orientation, veteran or military status, or political or organizational affiliation.

Dissemination and Revision of the Plan

All managers and supervisors shall be given copies of the plan as revised from time to time and any guidelines for implementing the plan, as or if needed. Copies of the plan shall be provided to the Academic Senate and the exclusive representatives of any units of employees, upon request.

Statements of nondiscrimination shall be posted at locations where applications for employment are distributed.

Such plans shall be reviewed at least every three years and, if necessary, revised and submitted to the California Community Colleges Chancellor's Office within 90 days of the effective date of the revision or amendment(s). If the California Community Colleges Chancellor's Office determines that the District's policies do not comply with Title 5 Sections 59300 et seq., the California Community Colleges Chancellor's Office may require the District to modify its policies.

Accountability and Corrective Action

The District shall certify annually to the Chancellor of the California Community Colleges that they have timely:

- Recorded, reviewed and reported the data required regarding qualified applicant pools;
- Reviewed and updated, as needed, the Strategies Component of the district's EEO Plan; and
- Investigated and appropriately responded to formal harassment or discrimination complaints filed pursuant to subchapter 5 (commencing with Section 59300) of chapter 10 of this division.

Adopted: September 21, 2015
Revised: xxxxxxxxxxxx, 2025

Rancho Santiago Community College District
ADMINISTRATIVE REGULATION
Chapter 3
General Institution

AR 3430 Prohibition of Harassment

Reference(s):

Education Code Sections 212.5; ~~44100~~; 66281.5, and 66281.8
Government Code Section 12940 and 12923
Civil Code Section 51.9
Title 2 Sections 10500 et seq.
~~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. Section 2000e

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~~ AR 3435 Discrimination and Harassment sets forth a procedure for the investigation and resolution of complaints of harassment by or against any ~~staff or faculty member or student~~ students, employees, unpaid interns, or volunteers 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 vehicle, or at a class or training program sponsored by the District at another location.

For information on the District's prohibition of sex discrimination including sex-based harassment under Title IX, see AR 3425, Title IX Sexual Harassment. For other forms of harassment, Complainants should use this procedure.

Definitions

General Harassment: Harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or 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. ~~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 his or her ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource.~~ Harassment shall be found where a reasonable person with the same characteristics as the victim of the harassing conduct would be adversely affected to a degree that interferes with his/her/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 his/her 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 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 voluntary 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 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 gender 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.~~ sexual harassment occurs when unwelcome conduct based on a person's gender alters the conditions of an individual's learning or work environment, unreasonably interferes with an individual's academic or work performance, or creates 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. A single or isolated incident of sexual harassment may be sufficient to create a hostile environment if it unreasonably interfered with the person's academic or work performance, ore created an intimidating, hostile, or offensive learning or working environment.~~

Sexually harassing conduct can occur between people of the same or different 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.

Consensual Relationships

Romantic or sexual relationships between supervisors and employees, or between administrators, faculty, or staff members and students are discouraged. 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

No provision of this Administrative Regulation 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 regulation will not protect speech or expressive conduct that violates federal or California anti-discrimination laws.

Revised: September 21, 2015

References Updated: November 7, 2016

Revised: xxxxxxxxxxxx, 2025

Rancho Santiago Community College District ADMINISTRATIVE REGULATION

Chapter 3 General Institution

AR 3440 Service Animals

References

Civil Code Sections 54 et seq.

Penal Code Section 365.5

The Americans with Disabilities Act of 1990 -- 42 United States Code Sections 12101 et seq.;

28 Code of Federal Regulations Part 35

28 Code of Federal Regulations Part 36

34 Code of Federal Regulations Part 104.44(b)

~~The District will allow an individual with a disability to use a service animal in District facilities and on District campuses in compliance with state and federal law.~~

The District will allow an individual with a disability to use a ~~miniature horse as a~~ service animal in District facilities and on District ~~campuses~~ property, in compliance with state and federal law. This regulation is also applicable to individuals who are training a service animal. In general, animals other than service animals are restricted on District property and are not permitted within District owned buildings, if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability and the District has determined, based on the assessment factors provided in this procedure, that a reasonable accommodation can be made.

~~The District will allow an individual with a disability to be accompanied by his/her service animal in all areas of the District's facilities where members of the public, invitees, clients, customers, patrons, or participants in services, programs or activities, as relevant, are allowed to go.~~

~~These procedures shall also be applicable to an individual who is training a service animal.~~

Individuals who bring their service animal on District property are required to exercise control over their service animal, to avoid risk to others and property. The service animal handler is responsible and liable for their service animal, at all times, while the service animal is on District property. Any injury to a person while on District property or damage to District property, by a service animal, will be the responsibility of the service animal handler. The District does not provide for the care or supervision or clean-up of any animals, including service animals, as this is the sole responsibility of the service animal handler.

Service Animal Defined

A "service animal" ~~for purposes of this procedure means~~ is defined as: any dog (or in some circumstances a miniature horse, ~~as provided herein~~) that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory,

psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition and regulation.

The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Assistance animals, sometimes called therapy, support, emotional support, or comfort animals, are not, in most cases, recognized by the American with Disabilities Act (ADA) as Service Animals. Such animals must follow the general policies regarding animals on campus unless they have been deemed service animals by the Disabled Student Programs and Services center or by Human Resources.

Under California law, it is a misdemeanor to knowingly and fraudulently represent oneself as the owner or trainer of a dog licensed as a guide, signal or service dog.

Individual with a Disability Defined

An individual with a disability is a person who 1) has a physical or mental impairment that limits one or more of a person's major life activities or 2) has a record of having, or being perceived as having, a physical or mental impairment.

Control of Service Animal

Service animals on District premises must:

- Be secured with a harness, leash, or similar tether with direct physical connection to the handler, and at of a maximum length of six (6) feet, the other end of which is restrained by a person, unless a disability provides for otherwise. If this constraint interferes with a service animal's work or if the individual's disability prevents using these devices the individual must maintain effective control of the animal through voice, signal, or other effective controls.
- Animals, service or otherwise, must not be tethered to a stationary fixture, including a tree or otherwise, or left unattended on District premises.
- Any animal, service or otherwise, shall not be confined in any unattended motor vehicle, or left under conditions that endanger the health or well-being of a service animal due to heat, cold, lack of adequate ventilation, or lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal.
- Be vaccinated and licensed in accordance with state and county laws.

Service Animals Access

The District allows individuals with disabilities to be accompanied by their service animal on all District premises where members of the public or participants in services, programs or activities are allowed to go.

Exceptions to Access

~~The District may ask an individual with a disability to remove a service animal from the premises if:~~

- ~~• The animal is out of control and the animal's handler does not take effective action to control it; or~~
- ~~• The animal is not housebroken.~~

Service animals may be removed and/or excluded from District premises, at any time, when one of the following conditions exists:

- The service animal is not effectively controlled, by exhibiting behavior that is unreasonably disruptive or exhibits an unreasonable or direct threat to property and/or the health or safety of others, and the handler does not take effective action to control the service animal;
- The service animal is not housebroken.

The District retains the right to take action to remove any animal from District premises if the safety of others, destruction of property, or disturbance warrants such removal. The removal of any animal and any necessary cleaning, repairs, and/or pest control will be done at the expense of the handler.

If a service animal is excluded under one of these exceptions, the District will give the individual with a disability the opportunity to obtain goods, services, and accommodations or to participate in the service, program, or activity without having the service animal on the premises.

Assessment Factors for Miniature Horses

The District will allow an individual with a disability to use a miniature horse as a service animal in District facilities and on District campuses if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability and the District has determined, based on the assessment factors provided in this regulation, that a reasonable accommodation can be made.

The District shall consider the following factors:

- The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- Whether the handler has sufficient control of the miniature horse;
- Whether the miniature horse is housebroken; and
- Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

Control

~~The service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks,~~

~~in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).~~

Care or Supervision

~~The District is not responsible for the care or supervision of the animal.~~

Employees Questioning Whether an Animal Qualifies as a Service Animal

Any District employee questioning the appropriateness of a service animal in or on a District facility should report their concern to an immediate supervisor. Supervisors can contact the ADA Coordinator at the District office for guidance for employee issues with animals and the administrator over the Disabled Student Programs and Services center for guidance on student issues with animals.

Human Resources will assist departments with determining, on a case-by-case basis, and in accordance with applicable laws and regulations, whether an animal other than a service animal is a reasonable accommodation in an employee worksite.

Inquiries by the District and Other Guidance

The District may make two inquiries to determine whether an animal qualifies as a service animal:

- Whether the animal is required because of a disability; and
- What work or task the animal has been trained to perform.

Admission of a service animal may be denied if the handler answers “No” to the question: “Is the animal required because of a disability?” Additionally, admission may be denied if the handler is unable to describe any work or task that the dog has been trained to perform.

The District will not make either of these inquiries when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability). Employees may discuss issues surrounding the use of the animal, such as seating of or breaks for the animal.

Federal law does not require the handler to provide documentation that an animal has been trained as a service animal. Employees cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the service animal, or ask that the service animal demonstrate its ability to perform the work or task. However, the handler ~~An individual~~ may choose to produce a county service dog license or identification tag as proof that the animal is a service animal. Licensure or certification is not required in order to meet the definition of service animal under this ~~procedure~~ regulation. There are no licensing or certification requirements for miniature horses.

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom, they both should be accommodated. An example of an accommodation may be assigning them to different locations within the room or different rooms in the facility.

The Department of Justice explicitly rejects the idea that service dogs can be restricted by state and local governments based on breed. No county or city ordinance on breed restrictions supersedes the ADA.

Establishments that sell or prepare food must allow service dogs in public areas even if state or local health codes prohibit animals on the premises.

State and federal laws require that licensed service animal trainers shall be afforded the same rights and access as those provided to persons who use service animals. It is allowable for a person with a disability to train his/her/their own dog, but this allowance does not extend to professionals who are training dogs with respect to gaining access to public places.

No Surcharge

The District will not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. ~~If the District normally charges individuals for damage caused by pets, an individual with a disability may be charged for damage caused by his or her service animal.~~

Adopted: April 21, 2014
Revised: xxxxxxxx, 2025