



RIVERSIDE COMMUNITY COLLEGE DISTRICT Discrimination/Harassment Complaint Procedure Summary **Your Right to File a Complaint**

This is a summary of your right to file an informal or formal complaint of discrimination or harassment. Please see Board Policies and Administrative procedures BP/AP3410 and BP/AP3430, and AP3435 for the complete District procedure at <http://rccd.edu/administration/humanresources/DEC/Pages/Complaint.aspx>
Available in alternate formats.

INFORMAL/FORMAL COMPLAINT PROCEDURE:

- You have the right to request that the charges be resolved informally, at which time the District will undertake efforts to informally resolve the charges.
- You are not required to participate in the informal resolution process.
- You have the right to file a formal complaint, even if you have previously requested informal resolution (see below for the procedure for doing so).
- You will not be required to confront or work out problems with the person accused of unlawful discrimination.
- You may file a non-employment-based complaint with the U.S. Department of Education Office for Civil Rights (OCR) where such a complaint is within that agency's jurisdiction.
- If your complaint is employment-related, you may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH) where such a complaint is within that agency's jurisdiction.
- Retaliation is unlawful. If you feel you are being retaliated against as a result of filing a complaint, please contact the RCCD Human Resources & Employee Relations Department immediately (951) 222-8595.

PURPOSE OF THE INFORMAL RESOLUTION PROCESS:

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

and will also be notified of the resolution proposed by the District.

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

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

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

HOW TO FILE A FORMAL COMPLAINT:

- The complaint must be filed on a form prescribed by the State Chancellor's Office. That form is available on the District Web site, from the Human Resources & Employee Relations Department at <http://rccd.edu/administration/humanresources/DEC/Pages/Complaint>, or on the State Chancellor's Web page at www.cccco.edu.
- The complaint must allege unlawful discrimination prohibited under Title 5, Section 59300.
- The complaint must be filed by one who alleges that she/he has personally suffered unlawful discrimination or by one who has learned of such unlawful discrimination in her/his official capacity as a faculty member or administrator.
- In any complaint not involving employment, the complaint must be filed within one year of the date of the alleged unlawful discrimination or within one year of the date on which you knew or should have known of the facts underlying the specific incident or incidents of alleged unlawful discrimination.



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- In any complaint alleging discrimination in employment, the complaint shall be filed within 180 days of the date the alleged unlawful discrimination occurred, except that this period will be extended by no more than 90 days following the expiration of that 180 days if you first obtained knowledge of the facts of the alleged violation after the expiration of 180 days.
- You can file a complaint with the:

District Compliance Officer
Riverside Community College District
3801 Market St.
Riverside, CA 92501
(951) 222-8039

or:

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

WHAT HAPPENS WHEN A FORMAL COMPLAINT IS FILED?

The District will assess your complaint and determine whether it meets the minimum threshold to initiate an investigation. Should an investigation be initiated, within 90 days of receiving an unlawful discrimination complaint filed under Title 5, Sections 59300 et seq., the District will complete the investigation and forward a copy of the investigative summary report to you along with a notice of your right to appeal to the District Board of Trustees and the State Chancellor's Office. The investigative summary report is the District's Administrative Determination.

COMPLAINANT'S APPEAL RIGHTS

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

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

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

District Board of Trustees
c/o Human Resources & Employee Relations
Riverside Community College District
3801 Market St.
Riverside, CA 92501

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

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

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



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CONTACT INFORMATION

Riverside Community College District
Human Resources & Employee Relations
3801 Market St.
Riverside, CA 92501
(951) 222-8039
www.rccd.edu

Department of Fair Employment and Housing (DFEH)
Los Angeles District Office
320 West 4th Street, 10th Floor
Los Angeles, CA 90013
(800) 884-1684 / TTY (800) 700-2320
www.dfeh.ca.gov

Equal Employment Opportunity Commission (EEOC)
Los Angeles District Office
Roybal Federal Building
255 East Temple Street, 4th Floor
Los Angeles, CA 90012
(800) 669-4000
TTY (800) 669-6820
www.eeoc.gov

U.S. Department of Education Office for Civil Rights (OCR)
50 Beale Street, Suite 7200
San Francisco, CA 94105
(415) 486-5555
TDD (877) 521-2172
www.ed.gov

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