

**Year 2 Public Description of Work for
Action Collaborative on Preventing Sexual Harassment in Higher Education**

Los Angeles Community College District

**Initiative 1: Building Further Accountability for Gender-Based
Misconduct Outside Formal Non-Discrimination Policies**

Relevant Rubric Area(s):

Addressing Gender Harassment and Other Harmful Behaviors; Increased Communication & Transparency

Description of Work:

The District is currently undergoing a broad scale review of existing policies and procedures, including those which relate to the code of conduct for all LACCD community members, as well as relevant investigation procedures, as part of preparation for upcoming accreditation review and to respond to recent changes in legal requirements. In order to capitalize on this significant undertaking and to respond to NASEM's recommendation to ensure institutions are positioned to address the broadest spectrum of gender-based misconduct feasible, the District will scrutinize all available channels under existing procedure and policy, including those contained within collective bargaining agreements, to better address behavior that may be characterized as misconduct that is gender or sex-motivated or otherwise biased, regardless of whether it may constitute a possible violation of the District's nondiscrimination policy.

In an innovative effort for the District, it will then identify for the community clearer options and protocols to address alleged behavior that remains ineligible for formal investigation as a complaint of sexual harassment, either as a result of imposed local or federal standards, i.e. those based on Title VII or Title IX. In accordance with Title 5 regulations governing California Community College policy and procedure, LACCD's policy prohibits unlawful discrimination and harassment based on protected class, including sex and gender, as well as associated retaliation. Therefore, the conduct must be considered illegal in order to violate the policy per Title 5.

This initiative will be a collaborative effort between the Office of Employee and Labor Relations and the Office for Diversity, Equity and Inclusion to streamline and increase efficiency in addressing conduct that may in the past, after being determined not to rise to a complaint of sexual or gender-based harassment, have been addressed informally at best, and sometimes strictly educationally, in response. The offices will comprehensively research and compile a list of all conduct provisions or professional standards currently available in the District to address offensive or harmful behaviors which, as described, do not meet the formal definition of

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harassment or discrimination based on sex. This will be accomplished by October 2021, in conjunction with efforts to review and revise student and personnel policies at large, as previously described.

After the list has been compiled, the relevant offices will create a draft user guide, available to all students and employees, but principally written for the audience of supervisors or administrators responsible for implementing corrective action for the garden variety of student or employee misconduct that may be reported to them, in order to effectively illustrate how allegations of bias-based conduct or microaggressions can and should still be addressed in the discipline or performance management process.

This contemplated guide will be drafted by Spring 2022 and will include highlighted channels of accountability that identify appropriate ways to incorporate addressing concerns about observed behaviors in investigations that are not conducted under the auspices of the Office for Diversity, Equity and Inclusion, options for redress specifically under collegiality provisions of relevant collective bargaining agreements, how to approach including concerns raised in the performance evaluation process, addressing behaviors in the student conduct process, and more.

Prior to submitting the document for final legal review, the Division of Human Resources and the Office for Diversity, Equity and Inclusion will convene relevant union leadership and other interested shared governance committees, including the Chancellor's Advisory Committees supporting the interests of community affinity groups, to informally collect feedback before making final edits for publication.

A final draft of this guide should be finalized, and incorporated by reference into all relevant policies and procedures by Summer 2022.

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