

Title: Resolution on Addressing Sexual Harassment policies and procedures that protect all members of SMCCCD

Whereas, sexual harassment, discrimination, and assault exist on our campuses, compromising safety and impeding teaching, learning, and engagement in professional activities of and by students, faculty, staff, and administrators of our college communities.

Whereas, it is essential to create an institutional environment that consistently fosters awareness of sexual discrimination and harassment; updated policies, procedures, reporting practices; and safety, advocacy, support, and processes for redressing complaints of such

Whereas, the limited transparency, accessibility, and distribution of information regarding Title IX rights and resources on our campuses and websites inhibits the effectiveness of Title IX and the rights, safety, and well-being of all faculty, staff, administrators, and students; Title IX information is not consistently required on course syllabi and is not clearly identifiable on WebSmart and Canvas, and in campus and District policies such as student field trips; and name change which rely exclusively on assigned sex-based categorizations do not give adequate protections to LGBTQ+ students.

Whereas, Title IX of the Education Amendments Act of 1972 is a federal law that prohibits sex discrimination in educational programs and activities receiving federal financial assistance, and supported by various laws that followed to protect all students.¹

Whereas, while the San Mateo Community College District Strategic Plan outlines equity, social justice and completion as one of the prioritized goals of the District, there is no District level committee or council specifically tasked with addressing sex-based discrimination comparable to the Anti-Racism Council;

¹ The U.S. Department of Education office of civil rights clarified that it will enforce Title IX's extensions to prohibit discrimination based on gender and sexual identities, prohibition on discrimination on the basis of sex to include: (1) discrimination based on sexual orientation; and (2) discrimination based on gender identity. In addition, SB493 has passed and been implemented to reinforce the rights of students to educational experiences free from sexual harassment and to advocacy in the case of incidents of sex based discrimination, violence and harassment. Most recently, Assembly Bill 2407 (Hart as of February 5, 2024) "Sexual Harassment Complaints" received a supportive vote from ASCCC plenary in April 2024.

Be it resolved, that San Mateo Community College District faculty, staff, students, and administrators recognize the importance of Title IX compliance and commit to promoting awareness and education about Title IX rights and resources;

Be it further resolved, that the SMCCCD local and District Senates work in conjunction with the District Office to ensure

- The establishment of an Anti-Sexism council, parallel to the Anti-Racism council, tasked with the planning and education around gender-based harassment on campuses;
- All employees and students receive training appropriate to the academic environment, using the most updated higher-education specific Title IX training materials. The training materials should be tailored for each group to highlight the most relevant information, emphasizing what constitutes a Title IX violation, to detail the processes of reporting and investigation, and supportive measures. The training shall address types of harassment involving administrators, classified professionals, faculty, students, and members of the public;
- Each campus has an inclusive Title IX team consisting of people of diverse race, gender, and sexuality, and make the existence of this team visible to all students, such as by publishing the names of the members on their website.
- The student enrollment process and mandatory orientation includes awareness of Title IX policies, procedures and resources as well as education around the District's intolerance of sex and gender-based harassment.
- The course registration process for students incorporates an acknowledgement of and agreement to the student conduct policies, including but not limited to the Title IX regulations.
- Each campus provides updated signage with information regarding Title IX policy, reporting procedures, supportive measures, and contact information for assistance in all public spaces, including but not limited to libraries, cafeterias, tutoring centers, restrooms, bulletin boards, etc.
- SMCCCD will create, on each college campus, a safe space with a fully funded dedicated personnel available and ready to offer students information, resources, and support around Title IX related incidents and issues on all days that classes are in held

Be it further resolved, that, beginning in Fall 2024, all faculty include in their course policies an explanation about Title IX and its key aspects. Possible information and the mode of delivery shall include;

- Syllabi language that explains a brief overview of Title IX and its relevance to the academic community, and a statement that sex-based discrimination, sexual harassment, and sexual violence are prohibited
- Information on how to report incidents of sexual discrimination, harassment, or violence by contacting the Title IX Coordinator and other relevant support services.
- Who the mandatory reporters are, and who are exempt from the reporting responsibility.
- The roles and obligations of faculty and staff who are mandatory reporters.
- A Canvas module containing Title IX resources.

Be it further resolved, that the SMCCCD Senates urges the District to educate students, faculty, staff and administrators that LGBTQ+ students are protected by Title IX and create local procedures that take into consideration the needs of LGBTQ+ students in:

- *The student travel policies and accommodation procedures to be based on students' identified gender*
- *Preferred name change policies published in an accessible place that specifies how to request a change, and what the consequences of the change are*
- *LGBTQ+ dedicated counseling and reporting resources*

Summary of the purposes of this resolved. A punch line to make a punchline.

Whereas, sexual harassment, discrimination, and assault exists on our campuses, compromising safety of students, faculty, staff, and administrators of our college communities;

Whereas, sexual harassment, discrimination, and assault exists on our campuses, severely impeding teaching, learning, and engagement in professional activities;

Whereas, transparency and accessibility of information regarding Title IX rights and resources contribute to the safety and well-being of all students, faculty, and staff, yet are not actively distributed to faculty, staff, administrators, and students;

Whereas, the limited transparency and accessibility of information regarding Title IX rights and resources on our campuses and websites inhibits the effectiveness of Title IX and the safety and well-being of all faculty, staff, administrators, and students, ;

Whereas, it is essential to create an environment that fosters awareness of sexual harassment, and functional reporting of sexual discrimination and harassment within academic institutions is a fundamental necessity;

Whereas, including Title IX information on course syllabi is an effective means to ensure that all members of the academic community are informed about their rights and the available support services;

Whereas, educational institutions have a responsibility to actively ensure through updated policies and procedures an environment that provides safety, advocacy, support, and process for redressing complaints;

Whereas the current District provided Title IX training found on Websmart for students is difficult to locate, and not clearly identified as a Title IX training;

Whereas, Title IX of the Education Amendments Act of 1972 is a federal law that prohibits sex discrimination in educational programs and activities receiving federal financial assistance;

Whereas, the U.S. [Department of Education](#) office of civil rights clarified that it will enforce Title IX's prohibition on discrimination on the basis of sex to include: (1) discrimination based on sexual orientation; and (2) discrimination based on gender identity;

Whereas, the campuses and District policies, including but not limited to, student field trips and name change which rely exclusively on assigned sex-based categorizations do not give adequate protections to LGBTQ+ students;

Whereas, SB493 has passed and been implemented to reinforce the rights of students to educational experiences free from sexual harassment and to advocacy in the case of incidents of sex based discrimination, violence and harassment;

Whereas, there is no District level committee or council specifically tasked with sex-based discriminations comparable to the Anti-Racism Council;

Whereas, Assembly Bill 2407 (Hart as of February 5, 2024) "Sexual Harassment Complaints" received a supportive vote from ASCCC plenary in April 2024;

Whereas, [San Mateo Community College District Strategic Plan](#) outlines equity, social justice and completion as one of the prioritized goals of the District;

Be it resolved, that San Mateo Community College District Faculty recognize the importance of Title IX compliance and commits to promoting awareness and education about Title IX rights and resources;

Be it further resolved, that, beginning in Fall 2024, all faculty include in course policies an explanation about Title IX and its key aspects. Possible information and the mode of delivery shall include;

- Syllabi language that explains a brief overview of Title IX and its relevance to the academic community, and a statement that prohibits sex-based discrimination, sexual harassment, and sexual violence.
- Information on how to report incidents of sexual discrimination, harassment, or violence by contacting the Title IX Coordinator and other relevant support services.
- Who the mandatory reporters are, and who are exempt from the reporting responsibility.
- The roles and obligations of faculty and staff who are mandatory reporters.
- A Canvas module containing Title IX resources.

Be it further resolved, that the SMCCCD local and District Senates work in conjunction with the District to ensure that all employees and students receive training appropriate to the academic environment, using the most updated higher-education specific Title IX training materials. The training materials should be tailored for each group to highlight

the most relevant information, emphasizing what constitutes a Title IX violation, the process of reporting and investigation, and supportive measures. The training shall address the types of harassment involving administrators, classified professionals, faculty, students, and members of the public.

Be it further resolved, that the SMCCCD Senates urges the District to educate students, faculty, staff and administrators that LGBTQ+ students are protected by Title IX and the district creates local procedures that take into consideration the needs of LGBTQ+ students in:

- *The student travel policies and accommodation procedures to be based on students' identified gender*
- *Preferred name change policies published in an accessible place that specifies how to request a change, and what the consequences of the change are*
- *LGBTQ+ dedicated counseling and reporting resources*

Be further resolved that each campus has an inclusive Title IX team consisting of diverse race, gender, and sexuality, and make the existence of this team visible to all students, such as publishing the membership on the website.

Be it further resolved, that the student enrollment process and the mandatory orientation includes awareness of Title IX policies, procedures and resources as well as education around the District's intolerance of sex and gender-based harassment.

Be it further resolved, that the course registration process for students incorporates an acknowledgement of and agreement to the student conduct policies, including but not limited to the Title IX regulations.

Be it further resolved, that each campus provides updated signage with information regarding title IX policy, reporting procedures, and supportive measures, and contact information for assistance in all public spaces, including but not limited to libraries, cafeterias, tutoring centers, restrooms, bulletin boards, etc.


Be it further resolved that the SMCCCD local and District Senates work in conjunction with the District to establish a Anti-Sexism council, parallel to the Anti-Racism council, tasked with the planning and education around gender-based harassment on campuses;

Be it finally resolved that SMCCCD create, on each college campus, a safe space with a fully funded dedicated personnel ready to offer students information, resources, and support around Title IX related incidents and issues.

Date:

[Date of Resolution Adoption]

Comments:

 Comments from Senates April 23 Title IX

------(what you see below is resources)

Resolution Title: Support for Assembly Bill 2407 (Hart as of February 5, 2024) “Sexual Harassment Complaints”

Whereas, Assembly Bill 2407 (Hart as of February 5, 2024), introduced by Assembly Member Hart in the California Legislature for the 2023-24 regular session, aims to address sexual harassment complaints in public postsecondary educational institutions in the state and ensure timely, fair, and impartial investigations of such complaints; and

Whereas, This bill requires the **California State Auditor to conduct audits of the California Community Colleges, the California State University, and the University of California regarding their handling and investigation of sexual harassment complaints**, with a focus on compliance with applicable federal and state laws, coordination efforts, investigatory processes, and adequacy of policies and procedures to prevent, detect, and address sexual harassment; and

Whereas, The bill seeks to ensure that institutions are held accountable for their responses to sexual harassment complaints and that best practices are followed to create safe and respectful learning environments for all students, faculty, and staff; and

Whereas, Supporting AB 2407 aligns with the Academic Senate for California Community Colleges' commitment to promoting equity, inclusion, and a safe educational environment for all members of the community college system, including protection from retaliation for reporting alleged sexual misconduct;;

Whereas, recent cases of sexual harassment in the CSU system as well as in the CCCs have demonstrated the need for external oversight in the handling of Title IX complaints, have resulted in costly legal action, and in legislation which requires annual reporting to the legislature by the CSUs, such as SB 808 (Dodd, 2023).

Resolved, That the Academic Senate for California Community Colleges officially supports **Assembly Bill 2407 (Hart as of February 5, 2024)** and urges its passage in the California Legislature to enhance the prevention, detection, and response to sexual harassment in public postsecondary educational institutions; and

Resolved, That the Academic Senate for Community Colleges urges local Academic senates to work to

advance equity and to foster a safe teaching and learning environment, free of sexual harassment and retaliation by ensuring that reporting processes for faculty and students are clearly delineated, disseminated, and supported as defined by Title IX.

Submitted by: ASCCC Legislation and Advocacy Committee

Contact Person: Angela Echeverri

Whereas, sexual harassment, discrimination, and assault exists on our campuses, impeding teaching and learning, and compromising safety of students, faculty, staff, and administrators of our college communities;