



Peralta Community College District

333 East 8th Street · Oakland, California 94606 · (510) 466-7200

Office of Affirmative Action

December 21, 1998

Chris Witt
Office for Civil Rights
U.S. Department of Education, Region IX
50 United Nations Plaza, Room 239
San Francisco, CA 94102-4912

Re: Docket Numbers 09-98-2067

Dear Mr. Witt:

I am writing in response to the above-referenced Discrimination Complaint, which was filed with the Department of Education's Office for Civil Rights (hereinafter referred to as "OCR"). For the purpose of resolving the issues extant in the above-cited complaint, the Peralta Community College District (hereinafter referred to as "Peralta") agrees to undertake the following actions. By participating in the execution and implementation of this agreement, PCCD does not acknowledge violation of any statute or regulation.

- 1) The Peralta documents, Policy Prohibiting Sexual and Racial Harassment and Discrimination Toward Students, Implementing Procedures Prohibiting Sexual and Racial Harassment and Discrimination Toward Students, and the Guidelines to Investigate Complaints of Unlawful Discrimination and Harassment currently in draft form, will be formally adopted and implemented by January 31, 1999. Within 60 days of formal adoption, a copy of the Policy, Procedures and Guidelines will be provided to OCR.
- 2) Peralta personnel will be trained in the implementation and application of the new Policy and Procedures according to the following protocol:
 - o All managers and administrators who are currently on duty will be trained by February 28, 1999.
 - o All faculty, and other employees as appropriate, will receive training over the period January 1999 through April 15, 1999.
 - o All faculty and administrators hired after the initial training effort, and those who return to work from a retirement which predates the initial training, will receive equivalent training as a routine part of their orientation. Other employees will receive training as appropriate.
 - o All administrators responsible for conducting investigations of sexual harassment shall receive training on the standards pursuant to Title IX for conducting investigations of sexual harassment by April 15, 1999.

College of Alameda

Laney College

Merritt College

Vista College

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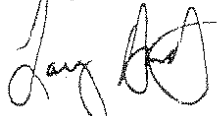
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- o By June 30, 1999, Peralta will submit to OCR a description of how the training was provided, the date(s) of such training and the identification of the personnel who provided the training.
- 3) After the Peralta Board of Trustees adopts the Policy and Procedures, the District will disseminate the Policy and Procedures at each school site, and will provide a public notice to students of the revision of the Policy and Procedures. Student and faculty handbooks, course catalogs and class schedule publications will be modified to notify students of the revised Policy and Procedures. A reference to the Policy and Procedure will appear on the Peralta Website, when the latter is made accessible to the public.
- 4) The complainant in the above-cited case will be offered counseling services, provided at no cost to the complainant by the Peralta staff who ordinarily provide such services to Peralta students, to the extent and degree such services ordinarily are provided Peralta students. Peralta will also provide the complainant with a routine referral to another agency for further counseling services at no cost to the complainant, if such referral is deemed appropriate in the professional opinion of Peralta counseling staff.

The offer of services will be made to the complainant within 45 days of the date of execution of this agreement. Within 75 days of the date of this agreement, Peralta will provide a written summary to OCR that includes the date that it offered counseling services to the complainant, the date on which the referral was made, and the current status of this referral. If no referral for counseling services was made, Peralta shall include in its written summary the basis for this decision.

If you have any questions or if you require any additional information, please contact me at (510) 466-7230, via e-mail at Lhardy@peralta.cc.ca.us or via Fax at (510) 466-7249.

Sincerely,



Larry Hardy
Director of Affirmative Action

cc: President Allen