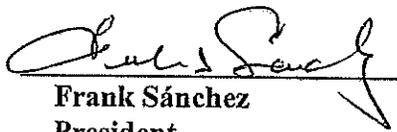


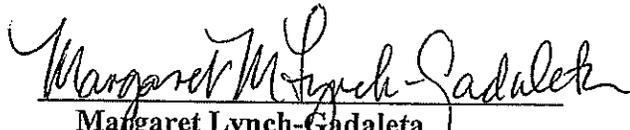
**EQUAL OPPORTUNITY AND
AFFIRMATIVE ACTION PLAN**

July 1, 2018 - June 30, 2019

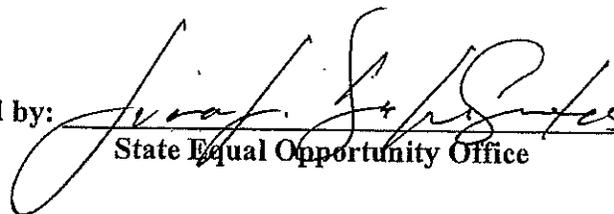
**RHODE ISLAND COLLEGE
600 MT. PLEASANT AVENUE
PROVIDENCE, RHODE ISLAND 02908**



**Frank Sánchez
President**



**Margaret Lynch-Gadaleta
Director of Institutional Equity**

Accepted by: 

State Equal Opportunity Office

Effective Date of Plan: July 1, 2018

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RHODE ISLAND COLLEGE

AFFIRMATIVE ACTION POLICY SIGNATURE SHEET

AFFIRMATIVE ACTION POLICY

Rhode Island College has taken a strong, supportive stance on affirmative action and equal employment opportunity. In addition to the general statements in the policy, Rhode Island College pledges that it will post all vacancies, including transfers, and will recruit, hire, train, and promote persons in all job classifications without regard to race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status or status as a disabled veteran, or covered veteran. In addition, all the following areas will be administered without regard to the aforementioned: compensation, lay-offs, recall from lay-offs, transfers, promotions, demotions, training, benefits, appointments, and discipline.

DISCRIMINATION POLICY

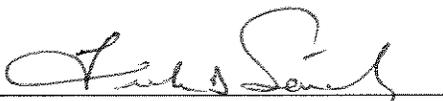
Applicants or employees who feel that they have been subjected to discrimination may lodge a complaint in accordance with the Council on Post Secondary Education grievance procedures that are listed in Appendix IX.

CONTRACTS POLICY

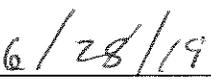
In accordance with federal and state legislation, Rhode Island College will continue to submit to the State Purchasing Office all requests for purchases over \$5000 (except for where the College has delegated authority) and for contracted services (except those for architectural or engineering services costing less than \$20,000). Wherever possible, Rhode Island College is committed to ensuring equal employment opportunity/affirmative action compliance of individuals or agencies under contract to the College. A current list of state-certified minority and women-owned businesses can be accessed from the College website and will continue to be used to identify service contractors and/or product suppliers. The College has partnered with the RI Office of Diversity, Equity and Opportunity to broaden its outreach to minority businesses.

SERVICE DELIVERY POLICY

Rhode Island College will continue to provide service and assistance to students and to the public in a non-discriminatory manner.



Frank Sánchez
President



Date

**COMMITTEE ON HUMAN RELATIONS
2018 – 2019**

<u>TITLE OF POSITION</u>	<u>REPRESENTATIVE</u>	<u>RACE</u>	<u>GENDER</u>
VP of Student Success (Chair)	Jason Meriwether	Black	Male
Promising Practices co-Chairs	Antoinette Gomes Stefan Battle	Black Black	Female Male
Dialogue on Diversity Standing co-Chairs	Antoinette Gomes Valerie Endress	Black White	Female Female
Diversity Week Coordinator	Antoinette Gomes	Black	Female

PART I

ORGANIZATION AND STRUCTURE

RHODE ISLAND COLLEGE

MISSION STATEMENT

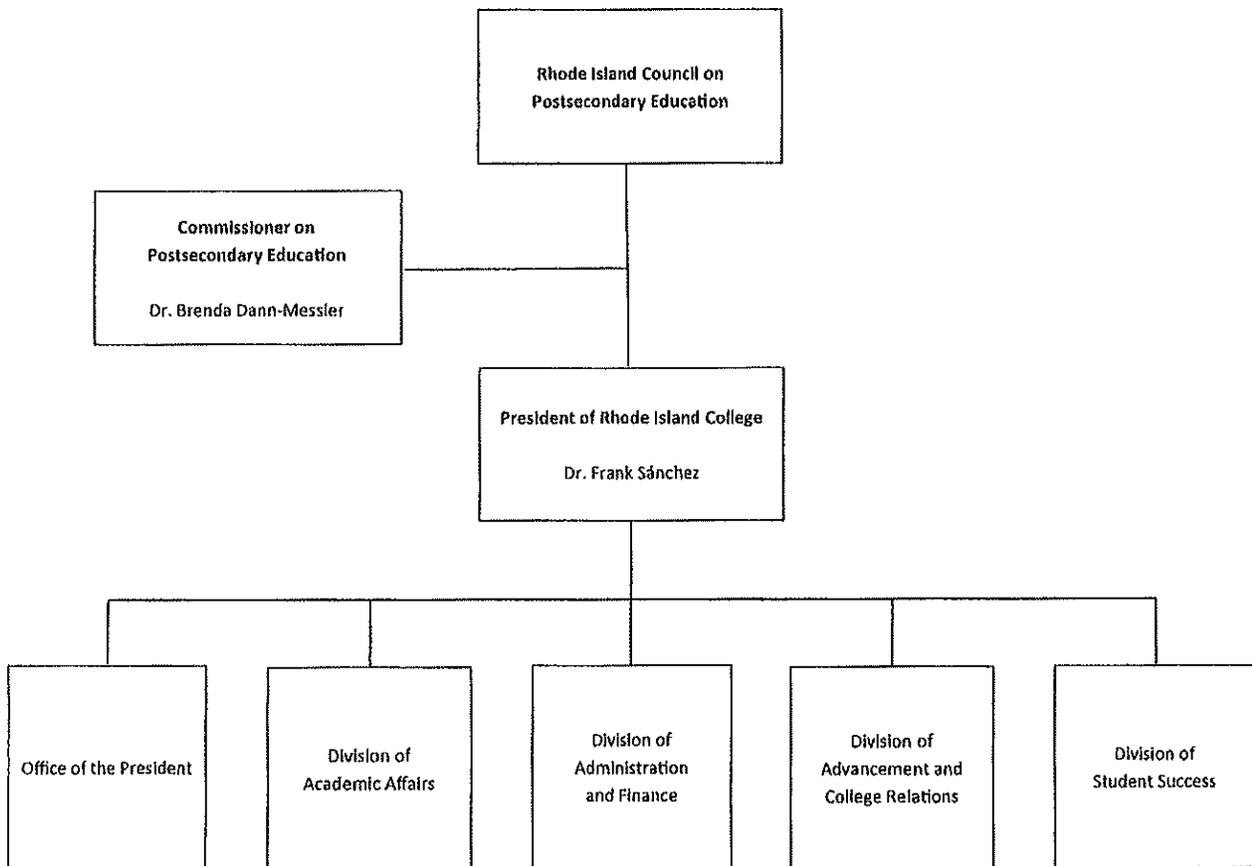
Rhode Island College is one of the region's leading comprehensive public colleges. Our mission is to offer accessible higher education of the finest quality to traditional and non-traditional students from around the state, the region, and beyond. Students here are members of a caring community that respects diversity and values academic excellence informed by cultural inquiry, civic engagement, and co-curricular activity. The College offers a wide variety of liberal arts, science, and professional programs in which dedicated faculty work with students to achieve the promise of higher education within a supportive, respectful and diverse community.



**RHODE
ISLAND
COLLEGE**

Rhode Island College Tables of Organization

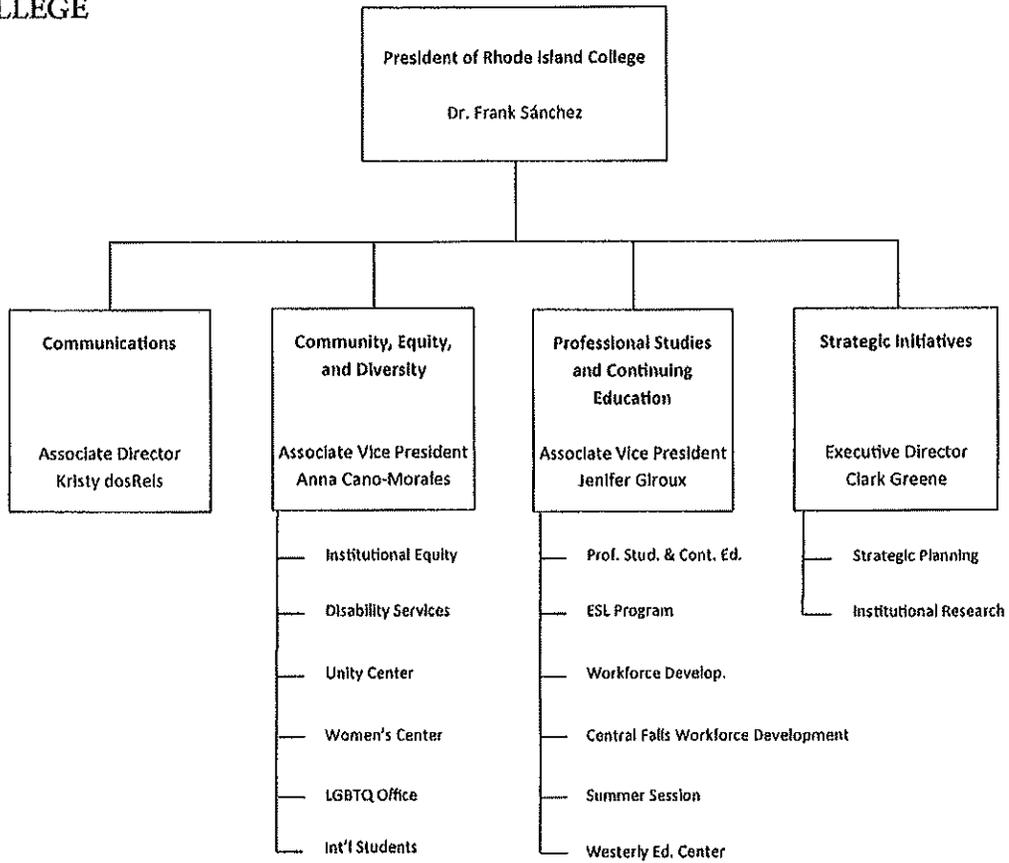
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ISLAND
COLLEGE**

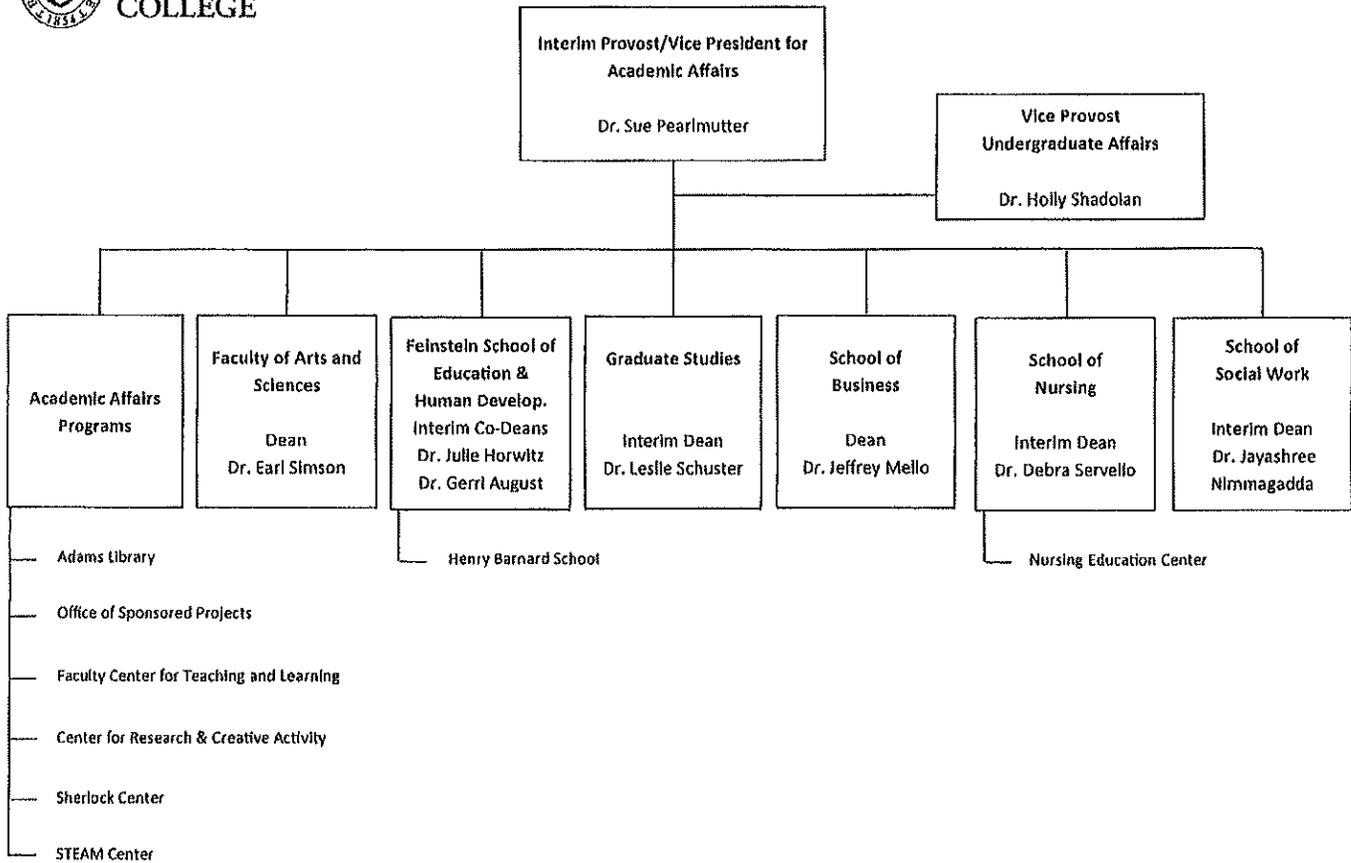
Office of the President





**RHODE
ISLAND
COLLEGE**

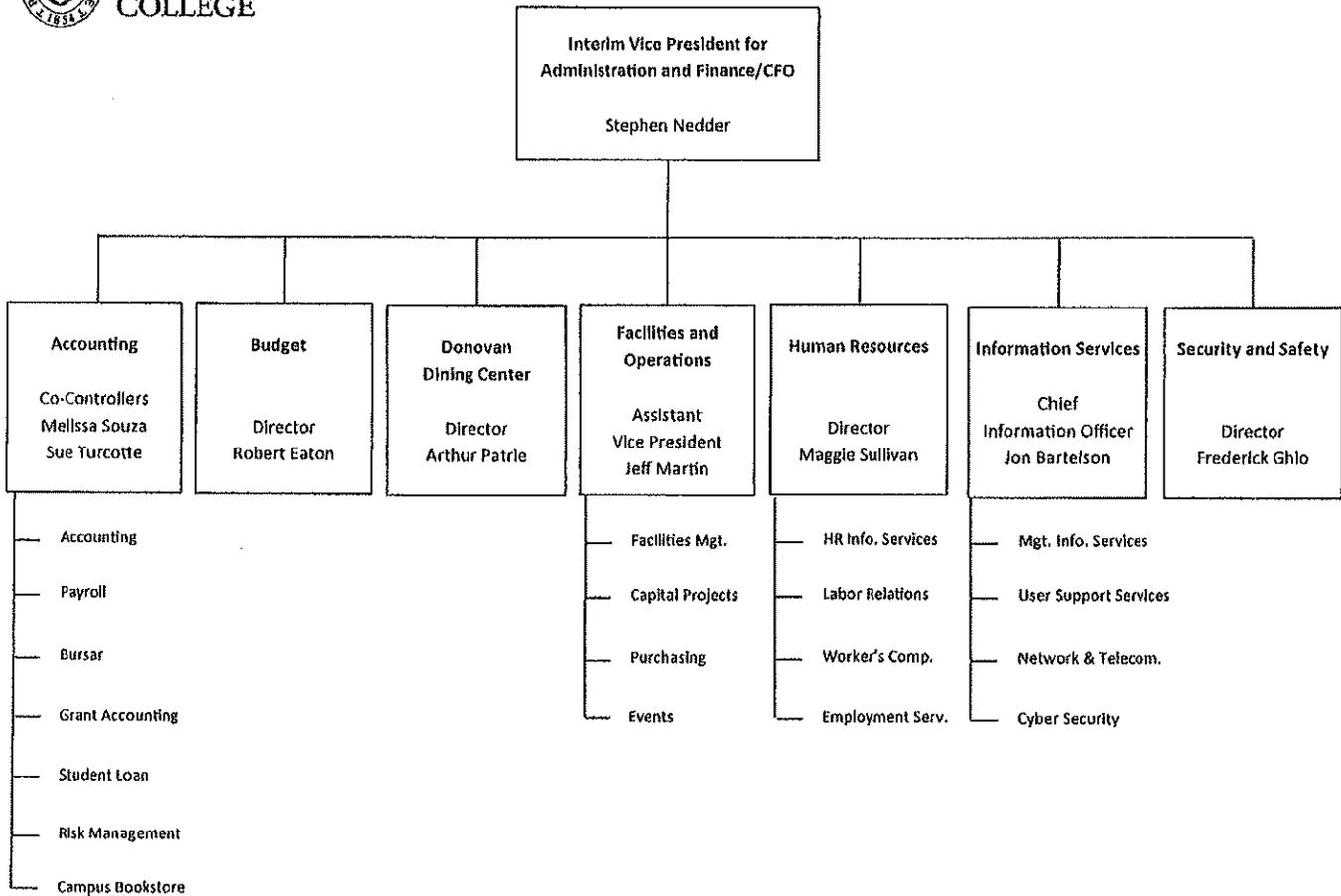
Division of Academic Affairs





RHODE ISLAND COLLEGE

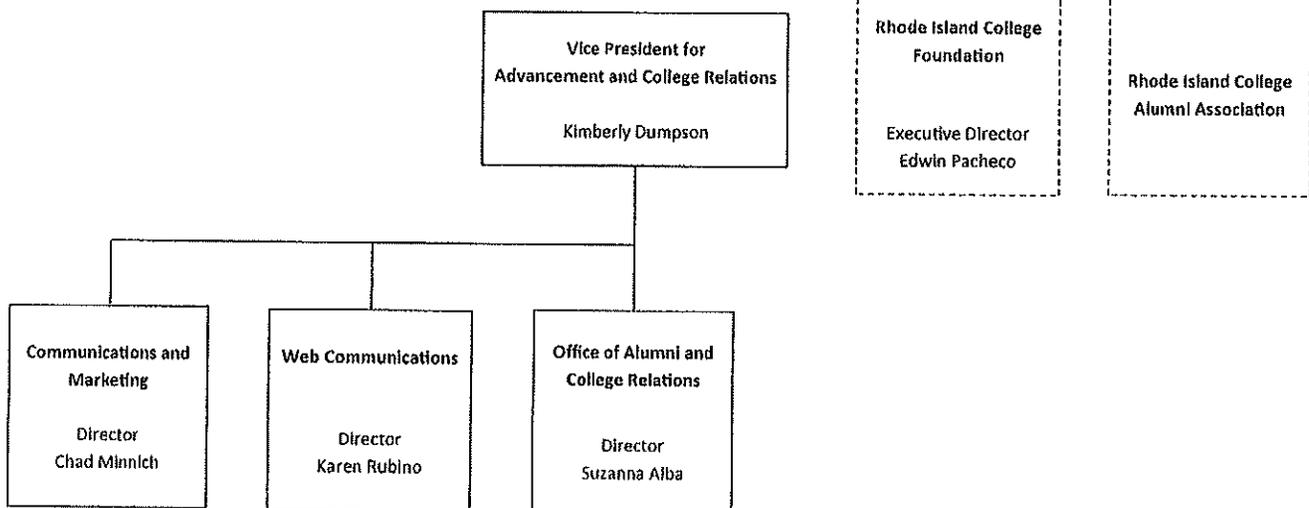
Division of Administration and Finance





**RHODE
ISLAND
COLLEGE**

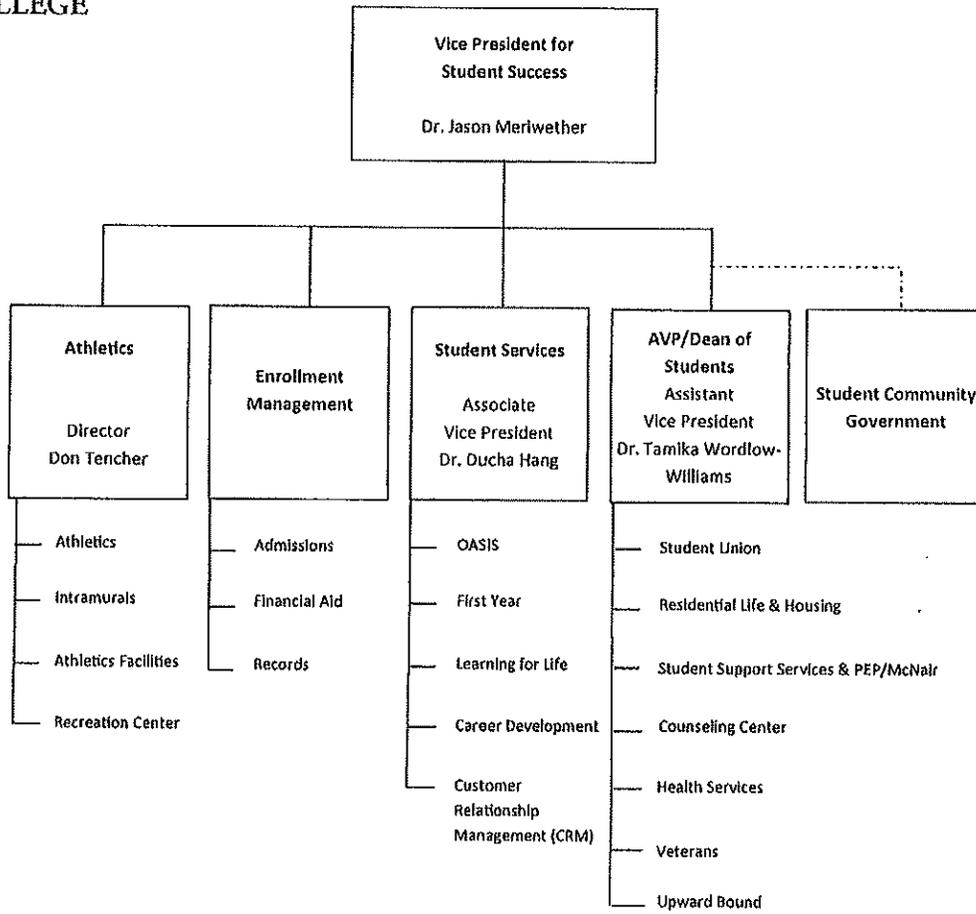
Division of Advancement and College Relations





**RHODE
ISLAND
COLLEGE**

Division of Student Success



PART II

PLAN ADMINISTRATION

PLAN ADMINISTRATION

EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION POLICY

Rhode Island College hereby adopts the following Equal Opportunity, Affirmative Action, and related policies that it is committed to implement, subject to limits established in relevant laws, limitations on resources available to the College, or conditions that the College cannot control.

GENERAL LAW 28-5.1 AND FEDERAL LAWS

Rhode Island College adheres to all requirements of Rhode Island General Law 28-5.1 and all relevant federal laws. Where necessary, new policies and procedures have been instituted to fulfill the requirements of those laws.

EQUAL OPPORTUNITY

Rhode Island College is committed to providing equal opportunity in all terms, conditions or privileges of employment including, but not limited to, recruitment, certification, selection, job assignments, working conditions, fringe benefits, compensation, training, transfer and promotions, and in extending all of its services to students and to the public generally. It is also committed to non-discrimination in appointments, salary/wages, layoffs, recall from layoffs, requests for leave, disciplinary actions, demotions, and terminations.

The College will post all vacancies, recruit, hire, train, and promote persons in all job classifications without regard to race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status or status as a disabled veteran or covered veterans. All employment decisions will promote the principles of equal employment opportunity.

It is the policy of the College to promote fair and equitable treatment of all employees, and to comply with federal and state legislation relative to providing such treatment to employees.

The College does not discriminate in employment on the basis of race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status or status as a special disabled veteran or covered veteran.

Harassment by supervisors or co-workers in employment or the delivery of services on the basis of race, gender, national origin, or any other protected status is prohibited by the College. Harassment is defined as verbal or physical conduct interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment is defined in the College's Sexual Harassment and Sexual Violence Policy (Appendix IV) and includes unwanted sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature. Harassment includes ethnic or racial slurs and other verbal or physical conduct related to a person's race or national origin.

It is the policy of Rhode Island College to strive for maximum accessibility for all populations of the College. The College maintains a commitment to its disabled population, both employees and students. Where possible and when resources are available, reasonable accommodations may include, but are not limited to, job restructuring and/or reassignment, and acquisition or modifications of equipment and facilities. Maggie Sullivan, Director of Human Resources the College's 504 Coordinator and also is the College's Americans with Disabilities Act (ADA) Coordinator. The duties of Rhode Island College's ADA Coordinator are included in Part VI. Margaret Lynch-Gadaleta, the Director of Institutional Equity serves as the College's Affirmative Action Officer.

AFFIRMATIVE ACTION

Rhode Island College is committed to identifying and eliminating past and present effects of discrimination in employment and in the delivery of services. To achieve equal opportunity, the College recognizes the need: (1) to take affirmative action to identify classifications with underrepresentation of minorities, females, and persons with disabilities; (2) to set reasonable goals and target dates for increasing the employment of underrepresented groups; and (3) to develop an affirmative action plan for implementing those reasonable goals through outreach, recruitment, training, and other special activities and commitments.

GENDER DISCRIMINATION GUIDELINES

Rhode Island College recruits for all positions without regard to gender. When advertising for a position, the College does not express gender preference. The College takes affirmative action to recruit women for all positions, especially those where women have been underrepresented.

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The College's written affirmative action policies expressly indicate that there shall be no discrimination against employees on the basis of gender. The College does not make any distinction based on gender in employment opportunities, compensation, hours, seniority lists, promotions, transfers, in-service training courses, tuition waivers, social and recreational programs, positions, job titles, and benefits.

The College's wage schedules are not related to or based upon the gender of the employee. The College does not discriminatorily restrict any gender to particular job classifications. The College ensures that all jobs are available to all qualified employees without regard to gender.

The College does not discriminate against employees with young children. The College maintains a Parental Leave Policy that is available to all eligible employees.

When the College deals with bargaining representatives for its employees (and there are written agreements on conditions of employment), such agreements are consistent with State and Federal laws.

The Director of Human Resources & the Director of Affirmative Action are responsible for the implementation of affirmative action guidelines.

RELIGION AND NATIONAL ORIGIN DISCRIMINATION GUIDELINES

Rhode Island College does not discriminate against employees or applicants for employment based on religion or national origin and takes affirmative action to insure that applicants and employees are treated without regard to their religion or national origin. Such action includes, but is not limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including tuition waiver.

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The College reviews its employment practices to determine whether members of the various religious and/or ethnic groups are receiving fair consideration for job opportunities. It communicates throughout the entire campus community that the obligation to provide equal opportunity without regard to religion or national origin is to be fully implemented.

The College periodically informs all employees of its commitment to equal opportunity for all persons, without regard to religion or national origin.

The College accommodates the religious observances and practices of applicants and employees unless the accommodation would pose an undue hardship on the institution. As part of its obligation, the College gives employees the option to use personal leave, vacation leave, or leave without pay as a reasonable accommodation to religious observances and practices of employees who regularly observe certain religious holidays during the year and who are, in conscience, opposed to performing work or engaging in similar activity on such days.

ASSIGNMENT OF SPECIFIC RESPONSIBILITIES

Rhode Island College is currently working on re-establishing the Equal Opportunity Advisory Committee and also appointing a Diversity Liaison.

The Director of Human Resources has overall responsibility for the monitoring and implementation of the College's EO/AA Plan, as well as for Title 504 of the Rehabilitation Act of 1973; Ms. Maggie Sullivan, Director of Human Resources, has overall responsibility for the monitoring and implementation of the Americans With Disabilities Act of 1990 (ADA). The final responsibility and authority resides with the President of the College. The Director of Human Resources & the Director of Affirmative Action advise the President, Vice Presidents, Deans, Department Chairpersons, and Directors on equal opportunity/affirmative action policies and their obligation under federal and state laws.

The Office of the President includes the Community, Equity and Diversity Division and the Professional Studies and Strategic Initiatives. In addition to the Office of the President, the College Administration is organized into four divisions: Academic Affairs, Administration and Finance, Advancement, and Student Success. Each is headed by a Vice President. The Vice Presidents are responsible for ensuring that the affirmative action program and policies are carried out in all dealings with students, employees, and in employment actions. Deans, Directors, and Department Chairs are responsible for reviewing employment actions of individual departments to ensure that all procedures are in compliance with stated College Affirmative Action policy. Department Chairs and Directors are responsible for ensuring that all employment practices and all policies dealing with students are in compliance with College Affirmative Action policy. All employees and students of the College are responsible for behavior appropriate to the stated goals and objectives of equal opportunity and affirmative action.

POLICY COMMUNICATION

To provide optimum awareness to the College, other institutions in the State, and the surrounding community, Rhode Island College will disseminate information about its policy and plans both internally and externally. Internally, the Plan will be distributed to all campus officials at the level of President and Vice Presidents. Plan summaries will be made available to all employees. Upon request, Plans will be made available by the Director Affirmative Action to all other employees, students, and interested groups. Externally, information will be disseminated to those who might be interested in employment at Rhode Island College and those who may assist in recruitment efforts.

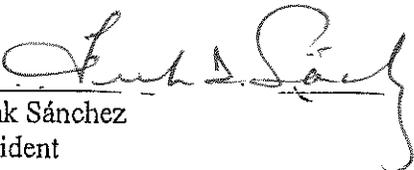
The following positive steps are taken to ensure effective dissemination of Affirmative Action Policy:

1. The Policy is included in College Handbook of College Policies and Regulations;
2. All new employees receive copies of Policies on Sexual Harassment, Equal Opportunity/Non-Discrimination and the Complaint Resolution Procedure.
3. A copy of the Plan is placed in the College Library;
4. Copies of the Plan are made available to employees and students upon request from the Affirmative Action Office;
5. A Plan Summary is available to all current and new employees in either hard copy or electronic format;

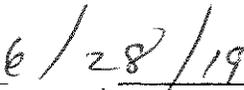
6. The Affirmative Action Office publishes the entire Affirmative Action Plan and Plan Summary on its website. Students, faculty, staff, members of the community and recruiting sources are able to access this information at: <http://www.ric.edu/AffirmativeAction/plan.php>.

Upon completion and approval of the Plan, periodic meetings may be held with various administrative personnel of the College, students, and other interested persons to discuss the implementation of the Plan. These include the President, Vice Presidents, Deans, Directors, Department Chairs, student leaders, special interest groups on and off campus, and the various union organizations at Rhode Island College.

It is the policy of the College to indicate its commitment to equal opportunity and affirmative action on all outgoing publications.



Frank Sánchez
President

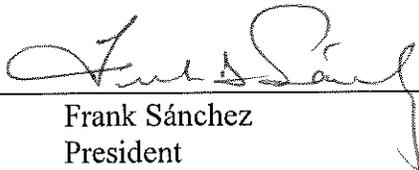


Date

POLICY ON SERVICE DELIVERY

Rhode Island College does not discriminate on the basis of race, color, creed, national or ethnic origin, gender, religion, disability, age, sexual orientation, genetic information, gender identity or expression, marital, citizenship status or status as a disabled veterans and covered veterans. This nondiscrimination policy encompasses the operation of the College's educational programs and activities including admissions policies, scholarship and loan programs, athletic and other College-administered programs. It also encompasses the employment of College personnel and contracting by the College for goods and services. The College is committed to taking affirmative action to employ and advance in employment qualified women and members of minority groups identified in state and federal affirmative action laws and executive orders, persons with disabilities (including qualified special disabled veterans), and veterans.

Inquires concerning the College's administration of the nondiscrimination laws should be addressed to the Director of Affirmative Action, Roberts Hall 301, Rhode Island College, Providence, RI 02908-1991, tel. (401) 456-8218.



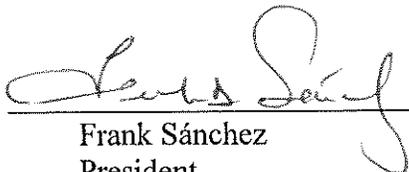
Frank Sánchez
President



Date

POLICY ON MONITORING OF CONTRACTS

For all contracts on which the College accepts bids from contractors, subcontractors or vendors, the bidder must submit a statement of non-discrimination and equal opportunity to the State Equal Opportunity Office prior to signing of the contract. The College's Director of Affirmative Action may also request employment statistics and other information from the contractor, subcontractor or vendor. Under Federal Executive Order #11246 as amended and Rhode Island General Law 28-5.1, all contractors, subcontractors or vendors bidding on contracts must file a Compliance Data Report with the State of Rhode Island, Contract Compliance Office, and State Equal Opportunity Office. Construction contractors file periodic reports, and other contractors file reports on an annual basis.



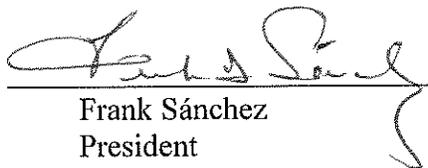
Frank Sánchez
President



Date

COMPLAINT RESOLUTION POLICY AND PROCEDURES

Rhode Island College's Complaint Resolution Policy and accompanying procedures provide all members of the Rhode Island College community with a mechanism for the resolution of any concerns or grievances they may have pertaining to acts of illegal discrimination. This policy is posted on the College's website, included in the College's Affirmative Action Plan and is also referenced in its Plan Summary. Copies of the Policy and accompanying procedures are available in the Affirmative Action Office (401-456-8218).



Frank Sánchez
President



Date

PART III

PROGRAM EVALUATION

2017-18 AFFIRMATIVE ACTION GOALS

PROGRESS REPORT

ITEM: WORKFORCE COMPOSITION

PROGRESS: Rhode Island College filled 94 positions in 2017-2018. Of that total, 28.7% were filled by minorities, and 58.5% were filled by women. In the Officials/Administrators/Managers category, 3 of 9 positions (33%) went to a minority. In the Faculty category, of 32 positions, 5 (15.6%) went to minorities, and 20 (62.5%) went to females. In the Professional category 7 of the 14 positions (50%) went to females and 2 (14.2%) went to a minority. In the Administrative Support category, 1 of the 7 (14.2%) positions went to minorities. There were 3 new hires in the Technical/Paraprofessional category, all 3 (100%) were female. There were no new hires in the skilled craft category. In the Service/Maintenance category, out of 29 positions 16 (55.1%) went to a minority, and 15 (51.7%) went to females.

ITEM: POSTING OF POSITIONS

PROGRESS: The College continued to post positions in a manner that provided the greatest access to the broadest pool of persons. In addition to the standard recruitment, minority recruitment referral books were utilized, personal contacts were made with candidates who were deemed to have the appropriate qualifications, departments utilized relevant web sites and all open positions were posted on the College's web site. The Affirmative Action Office sends all position postings, both state and out of state, electronically. Additionally, we have made improvements to the on-line applicant tracking system will make it easier and encourage more people to apply for positions at the College.

ITEM: EMPLOYMENT AND SELECTION PROCESS

PROGRESS: The Director of Affirmative Action continued to meet with search committees in order to present the College's affirmative action requirements and encourage diversification in hiring. The Director also hand delivered detailed reference packets to all search committees. In addition, The Dialogue on Diversity and Inclusion Committee (DDI) has collaborated with the Affirmative Action Office to diversify the composition of search committees. The Affirmative Action Office has also collaborated with the Rhode Island Office of Diversity Opportunity and Equity to reach out to minority businesses and organizations for job postings. With respect to the classified positions at the College, the Manager of Classified Employment/Training worked with the Affirmative Action Office to ensure that qualified minorities were interviewed and hired whenever possible.

ITEM: APPLICANT FLOW

PROGRESS: Because of ongoing budgetary constraints, Rhode Island College's advertising budget continued to be pared down. Collection of voluntary applicant racial, minority and disability data is done through the College's on-line applicant tracking system. The Office of Human Resources continues to make efforts to advertise in specialty journals. The individual departments reach out to professional groups using available list servers and personal contacts. Search Committees are encouraged to use their own networking for outreach to qualified diverse candidates, inviting them to be applicants for approved positions in the School. Of the entire pool of applicants for positions during 2017-2018, 22.8% was minority, and 46.3% was female. The hiring rate for minorities and females was 28.7% and 58.5%, respectively.

ITEM: **TRANSFER AND PROMOTION PRACTICES**

PROGRESS: During the 2017-2018 Plan year, the College continued to promote protected group members. Out of a total of 26 promotions, 14 (53.8%) went to a female, 2 (7.6%) went to minorities.

ITEM: **TRAINING PROGRAMS/WORKFORCE ATTITUDE**

PROGRESS: In 2018 the Office of Human Resources added an Onboarding system powered by PeopleAdmin, The onboarding system allows the College to provide all newly hired faculty, staff, support staff and service employees preventative training on discrimination and sexual harassment. Beginning in 2018, new employees are also required, as a condition of employment, to complete an 80 minute on-line training program provided by United Educators that is focused on higher education. The two courses *Prevent Discrimination and Harassment Together* and *Prevent Sexual Violence Together* are designed to provide general knowledge about the topic and the employee's duty and responsibility to prevent and report such matters. The training mandate is communicated to employees through both the Onboarding system and a personal written offer letter requiring employees to agree to such terms of employment. HR monitors and confirms completion of the training.

The College continues to offer campus wide training on the topic of sexual harassment and sexual assault. RIC collaborates with United Educators, our liability insurance provider, to provide target training on this subject. The key goal of this program is to provide a campus environment which is free from sexual violence including sexual harassment and sexual assault.

The Rhode Island College Preparatory Enrollment Program (PEP) in the Division of Student Success, celebrates a rich history of over 45 years in supporting Rhode Island high school graduates. First year prospective students indicate their desire to apply to

PEP on the Common Application. The program supports the academic and personal development of first generation college students beginning in their transition to Rhode Island College and throughout their college experience. PEP places a strong emphasis on first year support services to lay the foundation for student success. We enhance the college experience by providing holistic programming, which includes: Individualized Advising & Support, Summer Academic Enrichment Opportunities, First Year Learning Communities, Group Advising & Workshops, College Major Exploration Series, and Peer-to-Peer Support. Students also participate in a Summer Bridge Program the summer prior to their first year, the program provides advising and support services, as well as the opportunity to take a 3-credit college course (COLL 150), which focuses on the academic transition to college. PEP is designed to assist and support students who identify as first-generation and/or low income and is characterized by an environment of diversity, inclusion and community. PEP has historically served and supported students from all racial and ethnic backgrounds, as well as students who identify as second language learners, in their pursuit of a Rhode Island College education.

Rhode Island College has the distinction of being one of the first public institutions of higher education to establish an Upward Bound Program in 1966. Funded by the United States Department of Education, is designed to provide low-income, potential first-generation college students the skills and motivation necessary to complete high school and subsequently graduate from college. The major goal of Upward Bound is to increase the high school, college-going and college graduation rates of program participants. During the 2017/2018 funding period, the total number of students served was 169, with 85% who identified as members of racial minority groups.

The office of HR continued its New Employee Orientation program. The training programs were conducted in August 2017 . This program incorporates explanations of Rhode Island College's harassment, equal opportunity and employment policies. This program will continue to be offered to all new hires.

ITEM: **TECHNICAL COMPLIANCE**

PROGRESS: The College continues to be in compliance with both external and internal policy directives. College reports for the State Equal Opportunity Office, the Office for Higher Education and the Legislature were all submitted. All new employees continue to be provided with relevant copies of affirmative action policies and procedures. All employees also continue to be provided with copies of the Affirmative Action Plan Summary on an annual basis. The Summary references all affirmative action policies and procedures and provides information on where they can be obtained. In addition, both the College's Affirmative Action Plan and Plan Summary are published on the Affirmative Action Office web site, accessible by way of the College's home page.

ITEM: **EXIT INTERVIEWS**

PROGRESS: The Office of Human Resources disseminated Exit Interview letters and forms to terminating employees, informing them about their right to meet with staff of the State Equal Opportunity Office in order to discuss conditions surrounding their employment and termination. All terminated employees were offered the opportunity for an Exit Interview with the State Equal Opportunity Office.

ITEM: **EQUAL OPPORTUNITY/AFFIRMATIVE ACTION PERFORMANCE**

PROGRESS: In its advisory capacity to the President, the Human Relations Committee's focus was on embedding affirmative action-oriented activities and solutions into the fabric of the Rhode Island College community.

The implementation of electronic applicant tracking system in FY2010 has had a significant impact on improving the number of "self-identification" responses that the

Affirmative Action office has historically received. This enhances search committee efforts to identify an increased number of qualified women, minorities, veterans and disabled candidates.

The College is encouraged with the overall progress in recruiting and hiring protected-group members and the general response of the individual hiring departments.

ITEM: AFFIRMATIVE ACTION/MULTICULTURAL AWARENESS

PROGRESS: All Campus departments continued to promote understanding and appreciation of affirmative action and diversity. The breadth and creativity of the activities undertaken by departments in all four of the Divisions of the College are a testimony to the commitment of both the Rhode Island College Administration and the individual members of the campus community. In November, The Dialogue on Diversity Committee held its 20th annual Promising Practices Conference: “Education for a Diverse and Inclusive Workplace.” Lisa McBride, VP for Diversity & Inclusion for Salem State University was the keynote speaker. The purpose of this conference is to bring together a diverse audience to explore, share, and promote cutting-edge strategies for fostering inclusive excellence from school through career. The Committee also held its 23rd annual Dialogue on Diversity Spring Lecture on March 14, 2018, entitled “Free Speech on Campus: Multiple Perspectives.” This was a forum on the first amendment, civic engagement, safety and civility.

Spanish Heritage Month was held September 15 – October 15, 2017.

Diversity Week was held October 2 – 6, 2017. Now in its 13th year, Diversity Week featured exhibits, lectures, films and open classes.

In February 2018, RIC celebrated African American History Month. This year’s featured speaker was Ilyassh Shabazz, the accomplished activist and daughter of Malcolm X and Betty Shabazz.

On February 15th, RIC welcomed Holocaust Survivor Eva Kor. Ms Kor spoke on the power of forgiveness. A crowd of more than 1,000 came to hear Eva Kor's address.

TRAINING PARTICIPATION SUMMARY

AGENCY: RHODE ISLAND COLLEGE

DATE: 7/1/17-6/30/18

EEO Job Categories	Total Trainees	Number Disabled	Number Veterans	Number Minority	Number Female	Male							Female																
						1 Black	2 Hispanic or Latino	3 Asian	4 Asian	5 White	6 Unknown	7 Two or More Races	1 Black	2 Hispanic or Latino	3 Asian	4 Asian	5 White	6 Unknown	7 Two or More Races										
Officials/Managers/Administrators	25	1	0	6	10	2	8%	2	8%	0%	1	4%	10	40%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Professionals	24	3	0	6	17		0%	2	8%	0%		0%	5	21%	0%	0%	2	8%	0%	0%	0%	0%	13	54%	0%	0%	0%	0%	
Faculty	67	0	0	12	49		0%	1	1%	0%	3	4%	14	21%	0%	0%	2	3%	0%	0%	0%	0%	41	61%	0%	0%	0%	0%	
Technicians	0	0	0	0	0		0%		0%	0%		0%		0%	0%	0%		0%	0%	0%	0%				0%	0%	0%	0%	
Protective Services	0	0	0	0	0		0%		0%	0%		0%		0%	0%	0%		0%	0%	0%	0%				0%	0%	0%	0%	
Para-Professionals	1	0	0	1	1		0%		0%	0%		0%		0%	0%	0%		0%	0%	0%	0%				0%	0%	0%	0%	
Administrative Support	0	0	0	0	0		0%		0%	0%		0%		0%	0%	0%		0%	0%	0%	0%				0%	0%	0%	0%	
Skilled Craft	0	0	0	0	0		0%		0%	0%		0%		0%	0%	0%		0%	0%	0%	0%				0%	0%	0%	0%	
Service Maintenance	0	0	0	0	0		0%		0%	0%		0%		0%	0%	0%		0%	0%	0%	0%				0%	0%	0%	0%	
Totals	117	4	0	25	77	2	2%	5	4%	0	4	3%	29	25%	0	0%	4	3%	0	0%	0	4	4%	63	54%	0	0%	0	0%

Total Percent:
 Minority: 21%
 Female: 66%
 Disabled: 3%
 Veterans: 2%

Race/Ethnicity Description:
 1 Black or African American (Not Hispanic or Latino)
 2 Hispanic or Latino
 3 American Indian or Alaska Native (Not Hispanic or Latino)
 4 Asian (Not Hispanic or Latino)
 5 White (Not Hispanic or Latino)
 6 Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)
 7 Two or More Races (Not Hispanic or Latino)

AGENCY: Rhode Island College DATE: 7/1/17-6/30/18

DISCIPLINARY ACTION

DISCIPLINARY ACTION TAKEN	1 Black or African American (NHL*)		2 Hispanic or Latino		3 American Indian or Alaska Native (NHL*)		4 Asian (NHL*)		5 White (NHL*)		6 Native Hawaiian or Other Pacific Islander (NHL*)		7 Two or More Races (NHL*)		Disabled		Veterans		
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
Suspension (Indefinitely)		1	1						3										
Suspension (Specified Time)																			
Loss of Pay																			
Written Reprimand									1	1									
Duty On Off Days																			
Oral Reprimand									1	3									
Termination																			
Other (Explain)	1**									2**									
TOTAL	0	1	1	0	0	0	0	0	5	4	0	0	0	0	0	0	0	0	0

* Not Hispanic or Latino

The disproportionate treatment of any class should be a warning to an administrator that counseling of supervisors is necessary.

Oral reprimands, including those noted in supervisors' reviews or written reprimands, should be included in the graph.

** Female Term - inappropriate behavior

** Female Term - Failed probation

** Male Term - Sexual harassment

EQUAL EMPLOYMENT OPPORTUNITY
CIVIL RIGHTS COMPLAINT PROFILE

AGENCY: Rhode Island College

DATE: 7/01/2017 - 6/30/2018

COMPLAINT				FILING				STATUS			DISPOSITION						
File No.	Date Filed	Type (Internal or External*)	Basis (Race, Sex, etc.)	Notice Provided to Supervisor or Manager	Complaint Filed with Human Resources	Complaint Filed with Administrative Agency	Filed Grievance	Filed Lawsuit	Pending	Under Investigation	Resolved	Settled During Investigation	Complainant Withdrew Complaint	Complaint Resolved/ Settled After Investigation	Investigation Determined No Probable Cause	Investigation Determined Violation/ Resolved Through Conciliation	Formal Charge Filed With RICHREECC
	2/9/2017	Internal	Sex			*Title IX Coord.					X		X				
	2/9/2017	Internal	Sex			*Title IX Coord.					X			X			
	2/13/2017	Internal	Sex			*Title IX Coord.					X		X				
	2/13/2017	Internal	N/A			*Title IX Coord.					X	X					
	4/4/2017	Internal	Sex			*Title IX Coord.					X			X			
	4/14/2017	Internal	Sex			*Title IX Coord.					X					X	
	4/14/2017	Internal	Sex			*Title IX Coord.					X			X			
	4/28/2017	Internal	Race & Age			*Title IX Coord.					X	X					
	5/8/2017	Internal	Sex			*Title IX Coord.					X			X			
	5/8/2017	Internal	Race & Age			*Title IX Coord.					X			X			
	6/4/2017	Internal	Retaliation			*Title IX Coord.					X			X			
	6/19/2017	Internal	Sex			*Title IX Coord.					X			X			
	10/16/2017	Internal	Sex			*Title IX Coord.					X					X	
	10/24/2017	Internal	Sex			*Title IX Coord.					X					X	
	12/1/2017	Internal	Disability			*Title IX Coord.					X	X					
	12/13/2017	Internal	Race			*Title IX Coord.					X			X			
	1/26/2018	Internal	Disability			*Title IX Coord.					X	X					
	1/30/2018	Internal	Disability			*Title IX Coord.					X	X					
	1/31/2018	Internal	Disability			*Title IX Coord.					X	X					
	1/31/2018	Internal	Disability			*Title IX Coord.					X	X					
	1/31/2018	Internal	Disability			*Title IX Coord.					X	X					
	1/31/2018	Internal	Disability			*Title IX Coord.					X	X					
	3/28/2018	Internal	Sex			*Title IX Coord.					X	X					

* An internal complaint refers to a complaint filed by a state employee, and an external complaint refers to a complaint filed by an external applicant or other non-state employee

APPLICANT DATA

AGENCY: RHODE ISLAND COLLEGE

DATE: July 1, 2017 - June 30, 2018

APPLICANTS														
CLASSIFICATION	POSITION NUMBER	EEO CATEGORY	UNION	NON-UNION	LIST	NO LIST	WHITE MALE	MINORITY	FEMALE	DISABLED	HIRE	PROMOTION	TRANSFER WITHIN	GRADE
Vice President	4180	A		X		X		1			1M			N/A
Associate Director	5090	B	X			X	1	3	9		5F			13
Information Aide	122	F	X			X			1		5F			315
Groundskeeper	2050	H	X			X	1				5M			311
Director	6540	A	X			X	10	3	4		5F			14
Provost & VP	4250	A		X		X	1				5M			N/A
Director	5110	A	X			X	1	4	7		5F			16
Assistant Professor	610	CF	X			X	118	21	41		5F			N/A
Assistant Professor	2620	CF	X			X	2		2		5M			N/A
Assistant Professor	4330	CF	X			X	1	1	4		1F			N/A
Assistant Professor	3790	CF	X			X			1	1	5F			N/A
Assistant Professor	3800	CF	X			X		1	4		5F			N/A
							135	34	73	1				

EEO CATEGORY
 A - Officials/Mgrs/Administrators
 B - Professionals
 C - Technicians
 CF - Faculty
 D - Protective Services

RACE/ETHNIC CODE
 1 - Black
 2 - Hispanic
 3 - American Indian/
 Alaskan Native
 4 - Asian American/
 Pacific Islander
 5 - White

SEX CODE
 F - Female
 M - Male

DISABILITY CODE
 D - Disabled

APPLICANT DATA

AGENCY: RHODE ISLAND COLLEGE

DATE: July 1, 2017 - June 30, 2018

APPLICANTS															
CLASSIFICATION	POSITION NUMBER	EEO CATEGORY	UNION	NON-UNION	LIST	NO LIST	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERAN	HIRE	PROMOTION	TRANSFER WITHIN	GRADE
Assistant Professor	7170	CF	X			X	2	1	2			5M			N/A
Assistant Professor	3090	CF	X			X	6	2	2	1		5F			N/A
Assistant Professor	350	CF	X			X		1	1	1		5F			N/A
Assistant Professor	3650	CF	X			X	3	2	4			5M			N/A
Assistant Professor	880	CF	X			X	4	1	1	1		5MD			N/A
Assistant Professor	9203	CF	X			X		3	1	1		4M			N/A
Assistant Professor	330	CF	X			X	3	2	2			5F			N/A
Assistant Professor	2370	CF	X			X	Same Pool As Above (2 Pos)					4M			N/A
Assistant Professor	3170	CF	X			X	24	11	21	2		5M			N/A
Assistant Professor	2270	CF	X			X		1	6			5F			N/A
Assistant Professor	9166	CF	X			X	1	2	2	1		5FD			N/A
Assistant Professor	1760	CF	X			X	2	1	2	1		5MD			N/A
							45	27	44	8					

EEO CATEGORY

- A - Officials/Mgrs/Administrators
- B - Professionals
- C - Technicians
- CF - Faculty
- D - Protective Services
- E - Paraprofessionals
- F - Administrative Support
- G - Skilled Craft
- H - Service Maintenance

RACE/ETHNIC CODE

- 1 - Black
- 2 - Hispanic or Latino
- 3 - American Indian or Alaska Native
- 4 - Asian
- 5 - White
- 6 - Native Hawaiian or Other Pacific Islander
- 7 - Two or More Races (Not Hispanic or Latino)

Gender Code

- F - Female
- M - Male
- Disabling Code
- D - Disabled
- Veteran Code
- V - Veteran

APPLICANT DATA

DATE: July 1, 2017 - June 30, 2018

AGENCY: RHODE ISLAND COLLEGE

APPLICANTS															
CLASSIFICATION	POSITION NUMBER	EEO CATEGORY	UNION	NON-UNION	LIST	NO LIST	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERAN	HIRE	PROMOTION	TRANSFER WITHIN	GRADE
Assistant Professor	1760	CF	X			X	54	36	28	1		5M			N/A
Assistant Professor	2420	CF	X			X	2	1	3			5F			N/A
Assistant Professor	1090	CF	X			X	5	7	15			5F			N/A
Assistant Professor	3250	CF	X			X			2			5F			N/A
Assistant Professor	9177	CF	X			X		3	2			4M			N/A
Assistant Professor	940	CF	X			X	3	2	10	1		5F			N/A
Assistant Professor	7210	CF	X			X	2	6	13			2F			N/A
Assistant Professor	1480	CF	X			X			1	1		5FD			N/A
Assistant Professor	1470	CF	X			X	2					5M			N/A
Assistant Professor	1780	CF	X			X			1			5F			N/A
Assistant Professor	1480	CF	X			X	10	1	3			5M			N/A
Coordinator	7057	B	X			X		1	4	1		2MD			N/A
							78	57	82	4					

EEO CATEGORY
 A - Officials/Mgrs/Administrators
 B - Professionals
 C - Technicians
 CF - Faculty
 D - Protective Services

RACE/ETHNIC CODE
 1 - Black or African American
 2 - Hispanic or Latino
 3 - American Indian or Alaska Native
 4 - Asian
 5 - White
 6 - Native Hawaiian or Other Pacific Islander
 7 - Two or More Races (Not Hispanic or Latino)

Gender Code
 F - Female
 M - Male

Disabled Code
 D - Disabled

Veteran Code
 V - Veteran

APPLICANT DATA

AGENCY: RHODE ISLAND COLLEGE DATE: July 1, 2017 - June 30, 2018

APPLICANTS															
CLASSIFICATION	POSITION NUMBER	EEO CATEGORY	UNION	NON-UNION	LIST	NO LIST	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERAN	HIRE	PROMOTION	TRANSFER WITHIN	GRADE
Executive Assistant	4280	F		X		X	4	13	80			5F			6
Cook	107	H	X			X		1				1M			312
Head Basketball Coach	5195	B		X			49	23	18			5F			12
Specialist Logistics/Inventor	4520	B	X			X	1					5M			10
Information Aide	3	F	X			X			1				5F		315
Personnel Aide	1985	E	X			X		1	3				5F		319
Sr. Cook	108	H	X			X			1				5F		315
Housekeeper (P/T)	114	H	X			X		2	2			2F			310
Housekeeper (P/T)	2001	H	X			X	1	2	3			2F			310
Cook's Helper (P/T)	127	H	X			X	1		4			5M			309
Cook's Helper (P/T)	128	H	X			X	1		4			5F			309
Housekeeper (P/T)	9	H	X			X		1	1			2F			310
							57	43	117	0					

EEO CATEGORY

- A - Officials/Mgrs/Administrators
- B - Professionals
- C - Technicians
- CF - Faculty
- D - Protective Services
- E - Paraprofessionals
- F - Administrative Support
- G - Skilled Craft
- H - Service Maintenance

RACE/ETHNIC CODE

- 1 - Black or Native American
- 2 - Hispanic or Latino
- 3 - American Indian or Alaska Native
- 4 - Asian
- 5 - White
- 6 - Native Hawaiian or Other Pacific Islander
- 7 - Two or More Races (Not Hispanic or Latino)

Gender Code

- F - Female
- M - Male

Disabled Code

- D - Disabled

Veteran Code

- V - Veteran

APPLICANT DATA

AGENCY: RHODE ISLAND COLLEGE DATE: July 1, 2017 - June 30, 2018

APPLICANTS															
CLASSIFICATION	POSITION NUMBER	EEO CATEGORY	NON-UNION	UNION	LIST	LIST	NO LIST	WHITE MALE	MINORITY	FEMALE	DISABLED	HIRE	PROMOTION	TRANSFER WITHIN	GRADE
Assistant Professor	1630	CF		X			X	1		2		5F			N/A
Manager, HR	4380	B	X				15	2	24	1		5M			12
Information Svcs Tech I	2019	F		X						1		5F			316
Housekeeper	1575	H		X			1						5M		310
Cook's Helper	110	H		X			1						5M		309
Cook's Helper (P/T)	129	H		X			1					5M			309
Housekeeper (P/T)	10	H		X				3	3			2F			310
Housekeeper (P/T)	1999	H		X			1	2	2			2F			310
Principal Janitor	2034	H		X						1			5F		315
Associate Director	4481	H		X			1						5M		14
Sr. Janitor	2008	H		X			1						5M		312
Campus Police Lieutenant	1815	H		X			1						5M		319
									23	7	33				

- EEO CATEGORY**

 - A - Officials/Mgrs/Administrators
 - B - Professionals
 - C - Technicians
 - CF - Faculty
 - D - Protective Services
 - E - Paraprofessionals
 - F - Administrative Support
 - G - Skilled Craft
 - H - Service Maintenance

RACE/ETHNIC CODE

 - 1 - Black or African American
 - 2 - Hispanic or Latino
 - 3 - American Indian or Alaska Native
 - 4 - Asian
 - 5 - White
 - 6 - Native Hawaiian or Other Pacific Islander
 - 7 - Two or More Races (Not Hispanic or Latino)
- Gedner Code**

 - F - Female
 - M - Male

Disabled Code

 - D - Disabled

Veteran Code

 - V - Veteran

APPLICANT DATA

AGENCY: RHODE ISLAND COLLEGE

DATE: JULY 1, 2017 - June 30, 2018

APPLICANTS															
CLASSIFICATION	POSITION NUMBER	EEO CATEGORY	NON-UNION	UNION	LIST	NO LIST	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERAN	HIRE	PROMOTION	TRANSFER WITHIN	GRADE
Assistant Director	4561	B	X			X	9		5			5F			10
Data Management Coord.	4456	B	X			X	6	11	29			2F			9
Assistant Director	5076	B	X			X			1				5F		12
Cook	137	H	X			X		1	1				2F		312
Cook's Helper	110	H	X			X	1							5M	309
Coordinator	4770	B	X			X			1				5F		10
Assistant Professor	650	CF	X			X	8	12	13			5F			N/A
Associate Director	4432	B	X			X		2	2			5F			14
Coordinator	5170	B	X			X	20	1	8			5F			10
Housekeeper (P/T)	147	H	X			X		3	2			2F			310
Cook's Helper (P/T)	132	H	X			X	2	2				2M			309
Cook (P/T)	113	H	X			X		1				2M			312
							46	33	62	0					

EEO CATEGORY

- A - Officials/Mgrs/Administrators
- B - Professionals
- C - Technicians
- CF - Faculty
- D - Protective Services
- E - Paraprofessionals
- F - Administrative Support
- G - Skilled Craft
- H - Service Maintenance

RACE/ETHNIC CODE

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- 2 - Hispanic or Latino
- 3 - American Indian or Alaska Native
- 4 - Asian
- 5 - White
- 6 - Native Hawaiian or Other Pacific Islander
- 7 - Two or More Races (Not Hispanic or Latino)

Gender Code

- F - Female
- M - Male

Disabled Code

- D - Disabled

Veteran Code

- V - Veteran

APPLICANT DATA

AGENCY: RHODE ISLAND COLLEGE

DATE: July 1, 2017 - June 30, 2018

APPLICANTS															
CLASSIFICATION	POSITION NUMBER	EEO CATEGORY	NON-UNION	UNION	LIST	NO LIST	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERAN	HIRE	PROMOTION	TRANSFER WITHIN	GRADE
Cook's Helper	127	H	X			X		2	1			5F			309
Higher Ed Admin Asst II	596	F	X	X		X			1				5F		315
Higher Ed Admin Asst II	747	F	X	X		X			1				5F		315
Business Mgmt Officer	148	E	X	X		X			1				5F		B26A
Higher Ed Admin Asst II	1894	F	X	X		X			1				5F		315
Asst Bldg/Grounds Officer	1953	H	X	X		X	1						5M		324
Coordinator	7058	B	X	X		X	1			1		5MD			8
Houskeeper (P/T)	114	H	X	X		X	2	1	2			2F			310
Warehouse Supervisor	1770	H	X	X		X	1						5M		315
Asst Administrative Officer	2055	F	X	X		X	1						5M		321
Higher Ed Admin Asst II	2059	F	X	X		X	1		1			5F			315
Cook's Helper	6	H	X	X		X		1	1					4F	309
							7	4	9	1					

EEO CATEGORY

- A - Officials/Mgrs/Administrators
- B - Professionals
- C - Technicians
- CF - Faculty
- D - Protective Services
- E - Paraprofessionals
- F - Administrative Support
- G - Skilled Craft
- H - Service Maintenance

RACE/ETHNIC CODE

- 1 - Black or African American
- 2 - Hispanic or Latino
- 3 - American Indian or Alaska Native
- 4 - Asian
- 5 - White
- 6 - Native Hawaiian or Other Pacific Islander
- 6 - Two or More Races (Not Hispanic or Latino)

Gender Code

- F - Female
- M - Male

Disabled Code

- D - Disabled

Veteran Code

- V - Veteran

APPLICANT DATA

AGENCY: RHODE ISLAND COLLEGE

DATE: July 1, 2017 - June 30, 2018

APPLICANTS														
CLASSIFICATION	POSITION NUMBER	EEO CATEGORY	NON-UNION	UNION	NO LIST	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERAN	HIRE	PROMOTION	TRANSFER WITHIN	GRADE
Housekeeper	10	H	X		X		2	2					2F	310
Sr. Janitor	33	H	X		X		1	1					2F	312
Principal Cook	142	H	X		X		1						2M	318
Higher Ed Admin Asst II	2058	F	X		X	1						5M		315
Higher Ed Admin Asst III	8057	F	X		X			1	1			5FD		317
Director	4181	A	X		X	1	1	1			5M			13
Data Mgmt. Specialist	4219	B	X		X			1			5F			6
Technical Programmer	5391	B	X		X	1					5M			12
Administrative Officer	9149	E	X		X			1				5F		324
Housekeeper	1998	H	X		X	2	2	5			5M			310
Housekeeper	2013	H	X		X	2	2	4			5M			310
Higher Ed Admin Asst II	2068	F	X		X			1				5F		315
						7	9	17	1					

- EEO CATEGORY**

 - A - Officials/Mgrs/Administrators
 - B - Professionals
 - C - Technicians
 - CF - Faculty
 - D - Protective Services
 - E - Paraprofessionals
 - F - Administrative Support
 - G - Skilled Craft
 - H - Service Maintenance

RACE/ETHNIC CODE

 - 1 - Black or African American
 - 2 - Hispanic or Latino
 - 3 - American Indian or Alaska Native
 - 4 - Asian
 - 5 - White
 - 6 - Native or Other Pacific Islander
 - 7 - Two or More Races (Not Hispanic or Latino)
- Gender Code**

 - F - Female
 - M - Male

Disabled Code

 - D - Disabled

Veteran Code

 - V - Veteran

APPLICANT DATA

AGENCY: RHODE ISLAND COLLEGE

DATE: July 1, 2017 - June 30, 2018

APPLICANTS															
CLASSIFICATION	POSITION NUMBER	EEO CATEGORY	UNION	NON-UNION	LIST	NO LIST	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERAN	HIRE	PROMOTION	TRANSFER WITHIN	GRADE
Higher Ed Admin Asst II	2067	F	X			X			1				5F		315
Special Assistant	756	F	X			X			1				5F		10
Director	5640	A	X			X	3	1	10			4M			14
Assistant Vice President	4430	A		X			21	7	2	1		5M			18
Associate Dean	5051	A		X					1					5F	15
Director	7010	A	X			X	4	6	8					2F	14
Asst Administrative Officer	2053	F	X			X		1						1M	321
Higher Ed Admin Officer I	1971	F	X			X		1	4			5F			312
Personnel Aide	1985	E	X			X		2	3					5F	319
Housekeeper	1957	H	X			X		1	1					2F	310
Housekeeper	10	H	X			X	1					5M			310
Sr. Associate Director	5571	B	X			X			1				5F		14
							29	19	32	1					

EEO CATEGORY

- A - Officials/Mgrs/Administrators
- B - Professionals
- C - Technicians
- CF - Faculty
- D - Protective Services
- E - Paraprofessionals
- F - Administrative Support
- G - Skilled Craft
- H - Service Maintenance

RACE/ETHNIC CODE

- 1 - Black or African American
- 2 - Hispanic or Latino
- 3 - American Indian or Alaska Native
- 4 - Asian
- 5 - White
- 6 - Native Hawaiian or Other Pacific Islander
- 7 - Two or More Races (Not Hispanic or Latino)

- Gender Code**
- F - Female
 - M - Male

- Disabled Code**
- D - Disabled

- Veteran Code**
- V - Veteran

APPLICANT FLOW DATA

AGENCY: Rhode Island College

DATE: 7/1/17-6/30/18

	TOTAL APPLICANTS	MALE							FEMALE							**DISABLED	VETERANS
		BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	ASIAN (NHL*)	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	ASIAN (NHL*)	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)		
APPLICANTS																	
OFFICIALS/ADMINISTRATORS	88	6	0	8	0	41	0	0	3	3	3	0	24	0	0	1	0
PROFESSIONALS	245	14	7	1	0	105	0	0	11	9	3	0	95	0	0	3	0
TECHNICIANS	0																
FACULTY	526	8	26	41	5	253	0	0	8	8	23	1	153	0	0	11	0
PROTECTIVE SERVICES	0																
PARA-PROFESSIONALS	7	0	0	0	0	0	0	0	3	0	0	0	4	0	0	0	0
ADMINISTRATIVE SUPPORT	97	2	2	0	0	5	0	0	3	7	1	0	77	0	0	0	0
SKILLED CRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SERVICE/MAINTENANCE	66	3	5	0	0	19	0	0	4	15	4	0	16	0	0	0	0
TOTAL	1029	33	40	50	5	423	0	0	32	42	34	1	369	0	0	15	0
HIRES																	
OFFICIALS/ADMINISTRATORS	9	1	0	1	0	3	0	0	0	1	0	0	3	0	0	0	0
PROFESSIONALS	14	0	1	0	0	6	0	0	0	1	0	0	6	0	0	2	0
TECHNICIANS	0																
FACULTY	32	0	0	3	0	9	0	0	1	1	0	0	18	0	0	5	0
PROTECTIVE SERVICES	0																
PARA-PROFESSIONALS	3	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0
ADMINISTRATIVE SUPPORT	7	1	0	0	0	0	0	0	0	0	0	0	6	0	0	0	0
SKILLED CRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SERVICE/MAINTENANCE	29	1	3	0	0	10	0	0	1	10	1	0	3	0	0	1	0
TOTAL	94	3	4	4	0	28	0	0	2	13	1	0	39	0	0	8	0
PROMOTIONS																	
OFFICIALS/ADMINISTRATORS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PROFESSIONALS	4	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0
TECHNICIANS	0																
FACULTY	24	0	0	1	0	1	0	0	0	0	1	0	0	0	21	0	0
PROTECTIVE SERVICES	0																
PARA-PROFESSIONALS	3	0	0	0	0	2	0	0	0	0	0	0	1	0	0	0	0
ADMINISTRATIVE SUPPORT	11	0	0	1	0	2	0	0	0	0	0	0	8	0	0	0	0
SKILLED CRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SERVICE/MAINTENANCE	8	0	0	0	0	7	0	0	0	1	0	0	0	0	0	0	0
TOTAL	50	0	0	2	0	12	0	0	0	1	1	0	13	0	21	0	0
TERMINATIONS																	
OFFICIALS/ADMINISTRATORS	6	1	0	0	0	3	0	0	0	0	0	0	2	0	0	0	0
PROFESSIONALS	12	1	0	0	0	4	0	0	1	2	0	0	4	0	0	1	0
TECHNICIANS	0																
FACULTY	23	0	0	1	0	6	0	0	0	1	0	0	15	0	0	4	0
PROTECTIVE SERVICES	0																
PARA-PROFESSIONALS	6	1	0	0	0	0	0	0	0	0	0	0	5	0	0	0	0
ADMINISTRATIVE SUPPORT	9	0	0	0	0	0	0	0	0	0	0	0	9	0	0	0	0
SKILLED CRAFT	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
SERVICE/MAINTENANCE	25	1	1	0	0	11	0	0	1	4	1	0	6	0	0	0	0
TOTAL	82	4	1	1	0	25	0	0	2	7	1	0	41	0	0	5	0

* Not Hispanic or Latino

** Include disabled in appropriate job categories.

PART IV

**STATISTICS:
JOB GROUP ANALYSIS
AND GOAL SETTING**

CONTENTS

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DISABILITY IDENTIFICATION

DISABLED: all persons with a physical or mental disability that substantially impairs or restricts one or more of such major life activities as walking, seeing, hearing, speaking, working, or learning. A history of such disability, or the belief on the part of others that a person has such a disability, whether it is so or not, also is recognized as a handicap by the Rehabilitation Act of 1973 and the American With Disabilities Act of 1990. Handicapping conditions include, but are not limited to:

- AIDS*
- Alcoholism
- Blindness or Visual Impairment
- Cancer
- Cerebral Palsy
- Deafness or Hearing Impairment
- Diabetes
- Drug Addiction
- Epilepsy
- Heart Disease
- Mental or Emotional Illness
- Mental Retardation
- Multiple Sclerosis
- Muscular Dystrophy
- Orthopedic
- Perceptual Disabilities; such as Dyslexia,
Minimal Brain Dysfunction, Developmental
Aphasia, or Speech Impairment.

* According to recent Supreme Court decisions, AIDS victims are considered disabled and are therefore covered under the Rehabilitation Act of 1973.

Note: Refer to Appendix II for a more complete listing of disabilities.

JOB GROUP ANALYSIS

EEO JOB CATEGORY: PROFESSIONALS

DATE: 7/1/2017 - 6/30/2018
Page 2 of 4 pages

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	MALE							FEMALE														
					TOTAL MALE	BLACK	HISPANIC OR LATINO	AN/AN	ASIAN	WHITE	NH/HP	TWO OR MORE RACES	TOTAL FEMALE	BLACK	HISPANIC OR LATINO	AN/AN	ASIAN	WHITE	NH/HP	TWO OR MORE RACES						
Assistant Director	12	9	1	11%	4						4						5	1								
Clinical Counselor	12	1	0	0%	0												1									
Head Coach	12	3	0	0%	2						2						1									
Manager	12	4	0	0%	2						2						2									
Research Analyst	12	0	0	0%	0						0						0									
Budget Specialist II	12	1	1	100%	0						0						1									
Senior Database Support Tech	12	1	0	0%	1						1						0									
Senior Info. Technologist	12	1	1	100%	1		1										0									
Senior Programmer Consultant	12	1	0	0%	0												1									
Senior Programmer/Analyst	12	3	0	0%	2						2						1									
Senior Recorder Advisor	12	2	0	0%	0						0						2									
Technical Programmer	12	2	0	0%	1						1						1									
Web Developer/Designer	12	1	0	0%	1						1						0									
Assistant Director	11	4	1	25%	1						1						3									
Costume Design Supervisor	11	0	0	0%	0						0						0									
Manager	11	1	0	0%	1						1						0									
Coordinator	11	1	0	0%	1						1						0									
Front Desk Assistant	11	1	0	0%	0						0						1									
Admissions Officer	10	2	1	50%	1		1										1									
Assistant Director	10	4	0	0%	3												1									
Coordinator	10	7	1	14%	0						0						7									
SUBTOTAL (Each Page)		49	6	12%	21	0	2	0	0	0	19	0	0	0	0	28	2	2	0	0	24	0	0	0	0	
EEO JOB CATEGORY TOTAL																										
GRANT TOTAL (Last Page Only)																										

JOB GROUP ANALYSIS

EEO JOB CATEGORY: PROFESSIONALS

DATE: 7/1/2017 - 6/30/2018
Page 3 of 4 pages

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	MALE							FEMALE										
					TOTAL MALES	BLACK	HISPANIC OR LATINO	ASIAN	WHITE	NH/HP	TWO OR MORE RACES	TOTAL FEMALES	BLACK	HISPANIC/LATINO	ASIAN	WHITE	NH/HP	TWO OR MORE RACES				
Financial Aid Officer	10	1	1	100%	0								1									
Director	10	0	0	0%	0								0									
Head Athletic Trainer	10	2	0	0%	2				2				0									
Information Technologist	10	3	0	0%	3				3				0									
Manager	10	2	0	0%	0								2									
Writer-Editor	10	2	2	100%	1	1							1	1								
Graphics Communications Specialist	10	2	0	0%	0								2									
Specialist	10	1	0	0%	1				1				0									
Senior Accountant	323	1	0	0%	0								1									
Accountant	9	1	0	0%	1				1				0									
Assistant Bursar	9	3	1	33%	1			1					2									
Assistant Director	9	0	0	0%	0								0									
Assistant Manager	9	0	0	0%	0								0									
Assistant to the Director	9	1	0	0%	1				1				0									
Coordinator	9	10	1	10%	5				5				5	1								
Counselor	9	0	0	0%	0								0									
Library Supervisor	9	4	0	0%	2				2				2									
Manager	9	1	0	0%	0								1									
Advisor	9	1	1	100%	0								1									
Library Assistant Cataloging	9	1	1	100%	0								1									
Accountant	320	2	0	0%	1				1				1									
Assistant Director	8	0	0	0%	0								0									
SUBTOTAL (Each Page)		38	7	18%	18	1	0	0	1	16	0	20	2	2	0	1	15	0				
EEO JOB CATEGORY TOTAL																						
GRAND TOTAL (Last Page Only)																						

JOB GROUP ANALYSIS

EEO JOB CATEGORY: ADMINISTRATIVE SUPPORT

DATE: 7/1/2017 - 6/30/2018
Page 1 of 2 pages

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	MALE							FEMALE														
					TOTAL MALE	BLACK	HISPANIC OR LATINO	AIAN	ASIAN	WHITE	NHIOPI	TWO OR MORE RACES	TOTAL FEMALE	BLACK	HISPANIC OR LATINO	AIAN	ASIAN	WHITE	NHIOPI	TWO OR MORE RACES						
Supervising Pre-Audit Clerk	321	1	0	0%	0													1								
Assistant Admin Officer	321	3	2	67%	3	1			1	1																
Admin Assistant to President	10	1	0	0%	0																					
Special Assistant	10	1	0	0%	0																					
Clerk Secretary	B16	8	0	0%	0																					
Senior Teller	318	0	0	0%	0																					
PreAudit Clerk	317	8	1	13%	0																					
Prop. Control & Supply Officer	317	0	0	0%	0																					
Information Svcs Tech I	316	11	4	36%	1					1											2				6	
Senior Enrollment Serv Rep	316	3	2	67%	0																				1	
Student Loan Officer	316	0	0	0%	0																					
Senior Telephone Operator	B13	3	0	0%	0																				3	
Enrollment Services Rep	315	3	1	33%	0																				2	
Information Aide	315	7	0	0%	1					1															6	
Storekeeper	315	0	0	0%	0																					
Higher Ed Administrative Asst II	315	2	0	0%	0																				2	
Teller	315	0	0	0%	0																					
Fiscal Clerk	314	0	0	0%	0																					
Senior Reconciliation Clerk	314	0	0	0%	0																					
Superv. Word Proc. Typist	313	0	0	0%	0																					
Document & Imaging Center Te	313	0	0	0%	0																					
SUBTOTAL (Each Page)		51	10	20%	5	1	0	0	1	3											2	0	2		38	0
EEO JOB CATEGORY TOTAL GRAND TOTAL (Last Page Only)																										

JOB GROUP ANALYSIS

DATE: 7/1/2017 - 6/30/2018

Page 1 of 2 pages

EEO JOB CATEGORY: TECHNICAL/PARAPROFESSIONAL

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	MALE							FEMALE													
					TOTAL MALE	BLACK	HISPANIC OR LATINO	ASIAN	WHITE	NH/OP	TWO OR MORE RACES	TOTAL FEMALE	BLACK	HISPANIC OR LATINO	ASIAN	WHITE	NH/OP	TWO OR MORE RACES							
Manager Computer Operations	14	0	0	0%	0																				
Network & Systems Engineer	14	0	0	0%	0																				
Network Technician IV	14	1	0	0%	1				1																
Administrative Officer	324	1	0	0%	0																		1		
Tech. Support Spec. II	332	0	0	0%	0																				
Business Mgmt. Officer	B26	0	0	0%	0																				
Tech. Support Spec. I	328	1	0	0%	0																		1		
Network & Systems Tech. III	12	1	0	0%	1				1																
Manager	11	1	0	0%	1				1																
Laboratory Coordinator	10	1	0	0%	0																		1		
Photographer	10	1	0	0%	1				1																
Technical Supervisor	10	0	0	0%	0																				
Telecommunication Technician I	10	2	1	50%	1		1																1		
Manager	9	1	0	0%	0																				
Multicultural Specialist I	9	1	0	0%	1				1																
Coordinator	9	1	0	0%	0																		1		
Supervisor I	9	0	0	0%	0																				
Technical Director	9	2	0	0%	2									2											
Junior Information Tech	8	1	0	0%	1									1											
Office Manager	323	1	0	0%	0																			1	
Eligibility Technician	321	0	0	0%	0																				
System Support Tech II	321	0	0	0%	0																				
Info. Services Tech. II	320	1	0	0%	0																		1		
SUBTOTAL		17	1	6%	9	0	1	0	0	0	0	0	0	8	0	0	0	0	0	0	0	0	8	0	0
<i>(Each Page)</i>																									
EEO JOB CATEGORY TOTAL																									
GRANT TOTAL (Last Page Only)																									

JOB GROUP ANALYSIS

DATE: 7/1/2017 - 6/30/2018
 Page 1 of 2 pages

EEO JOB CATEGORY: SERVICE/MAINTENANCE

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	MALE							FEMALE									
					TOTAL	BLACK	HISPANIC OR LATINO	ASIAN	WHITE	NH/OP	TWO OR MORE RACES	TOTAL	BLACK	HISPANIC OR LATINO	ASIAN	WHITE	NH/OP	TWO OR MORE RACES			
Associate Director	14	1	0	0%	1					1											
Associate Director	12	0	0	0%	0																
Assistant Director	12	2	0	0%	1				1												
Assistant Director	11	1	0	0%	1				1												
Coordinator	11	1	0	0%	1				1												
Manager	10	1	0	0%	1				1												
Assistant Director	10	0	0	0%	0																
Assistant Manager	10	1	0	0%	1				1												
Executive Chef	10	1	0	0%	1				1												
Assistant Director	9	1	0	0%	1				1												
Food Services Administrator	322	0	0	0%	0																
Campus Police Lieutenant	319	3	0	0%	3				3												
Principal Cook	318	2	1	50%	2		1		1												
Campus Police Officer	317	12	0	0%	12				12												
Grounds Superintendent	317	3	0	0%	3				3												
Supervisor	316	1	0	0%	1				1												
Principal Janitor	315	2	1	50%	0										1						
Senior Cook	315	4	0	0%	3				3												
Warehouse Supervisor	315	1	0	0%	1				1												
Painter	314	0	0	0%	0																
Laborer Supervisor	313	0	0	0%	0																
SUBTOTAL		37	2	5%	33	0	1	0	0	32	0	0	0	4	0	1	0	0	3	0	
<i>(Each Page)</i>																					
EEO JOB CATEGORY TOTAL																					
GRAND TOTAL (Last Page Only)																					

SUMMARY

AGENCY: RHODE ISLAND COLLEGE

DATE: 6/30/2018

Categories	TOTAL EMPLOYEES	MINORITIES	%	MALE							FEMALE																				
				BLACK	HISPANIC OR LATINO	AIAN	ASIAN	WHITE	NHOPI	TWO OR MORE RACES	BLACK	HISPANIC OR LATINO	AIAN	ASIAN	WHITE	NHOPI	TWO OR MORE RACES														
				%	%	%	%	%	%	%	%	%	%	%	%	%	%	%													
Officials/Mgrs. Administrators	58	9	16%	1	1	0	2	3	22	38%	0	0	0	0	0	0	0	0	27	47%	0	0	0	0	0						
Faculty	355	54	15%	3	7	0	14	4	105	30%	0	0	0	0	0	0	0	0	196	55%	0	0	0	0	0						
Professionals	132	20	15%	1	3	0	2	2	47	36%	0	0	0	0	0	0	0	0	65	49%	0	0	0	0	0						
Technicians																															
Protective Services																															
Administrative Support	78	13	17%	1	0	0	0	1	4	5%	0	0	0	0	0	0	0	0	7	9%	2	3%	2	3%	61	78%	0	0	0	0	
Professionals	32	2	6%	0	1	0	0	0	13	41%	0	0	0	0	0	0	0	0	1	3%	0	0%	0	0	17	53%	0	0	0	0	
Skilled Craft	22	0	0%	0	0	0	0	0	22	100%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Service Maintenance	162	52	32%	7	14	2	1	2	79	49%	0	0	0	0	0	0	0	0	7	4%	17	10%	3	2%	31	19%	0	0	0	0	
GRAND TOTAL	839	150	18%	13	26	2	21	3	292	35%	0	0	0	0	0	0	0	0	28	3%	32	4%	1	0%	27	3%	387	47%	0	0	0

RACE/ETHNIC CODE

- 1 Black or African American (Not Hispanic or Latino)
- 2 Hispanic or Latino
- 3 American Indian or Alaska Native (Not Hispanic or Latino)
- 4 Asian (Not Hispanic or Latino)
- 5 White (Not Hispanic or Latino)
- 6 Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)
- 7 Two or More Races (Not Hispanic or Latino)

PART V

**IDENTIFICATION AND ANALYSIS
OF PROBLEM AREAS**

WORKFORCE COMPOSITION

In order to identify deficiencies, we have examined the composition of our workforce by job category; we have also examined all of our personnel actions. Following are the job categories where minorities, females and/or persons with disabilities are underrepresented, *according to the underrepresentation analysis required by the State of Rhode Island*: FEMALES- Officials/Administrators, Skilled Craft, Service/Maintenance; MINORITIES- Officials/Administrators, Faculty, Administrative Support, Technical/Paraprofessionals and Skilled Craft; DISABLED - All categories. We will continue to make a concerted effort to hire more protected group members. We will review all relevant job descriptions to insure that qualifications are not screening out potential applicants. We will also continue to insure that our recruitment efforts attract as wide a pool as possible. In the areas of Administrative Support, Skilled Craft and Service Maintenance, we are often constrained by Union contracts and the Civil Service System. However, when we are not constrained, we will continue to attempt to hire additional qualified protected group members.

RECRUITMENT PRACTICES

In an effort to structure an even more diversified applicant pool, the Office of HR (OHR) and The Office of Affirmative Action will continue to look at ways of restructuring and simplifying our recruitment practices in order to attract more protected group members. OHR's on-line applicant tracking system (ATS) portal provides applicants with a consistent and simplified application process. The rate of self-identification of minorities and disabled applicants through the ATS has consistently yielded a rate of over 80%. This has greatly assisted search committees in identifying qualified minority candidates as well as access to a diverse applicant pool. OHR will continue to examine existing recruitment practices to identify areas of potential improvement. The college's recruitment program has also been augmented by the use of a third party impartial background investigation service initiated upon all offers of employment.

EMPLOYMENT AND SELECTION PROCESS

The Administration continues to have a strong commitment to integrating the workforce when hiring for administrative, faculty, and professional positions. All personnel involved in the hiring process are made aware that the Affirmative Action Office is available to discuss the affirmative action requirements. The OHR and The Office of AA has partnered with the Dialogue on Diversity and Inclusion committee as a resource for identifying search committee members who are well versed on diversity issues. In addition, the appropriate officials discuss creative means to attract more protected group members to campus. With respect to hiring for technical/paraprofessional, administrative support, skilled craft, and service maintenance positions, the College will utilize opportunities to integrate the workforce, although those positions are generally controlled by union contracts or the Civil Service System. In the case of the Skilled Craft category, we believe that special efforts must be made to integrate the College's workforce, as there are currently neither females nor minorities in any of the positions. The College's home page contains a diversity link so that prospective applicants can see the breadth of diversity activities on campus. The College utilizes an on-line applicant tracking system package which provides easy access and insures consistency in recruitment practices. The on-line applicant tracking system vastly improves the applicant self-identification rate of response.

TERMINATIONS

Terminations are in accordance with the provisions of our ten (10) collective bargaining agreements and Council on Postsecondary Education Personnel Policy.

APPLICANT FLOW

An analysis of the applicant flow for the Plan period July 1, 2017 to June 30, 2018 reveals that minorities were represented in the areas over which Rhode Island College had freedom of range, and in higher percentages in the faculty category than in past years. In Civil Service categories, the College continued to hire protected group members when qualified applicants appeared in pools and were

reachable according to Civil Service rules. We will continue to make a broad outreach recruitment.

TRANSFER AND PROMOTION PRACTICES

Although union contracts regulate our transfers, we do have latitude when it comes to some promotions. For instance, faculty promotions are governed by certain contractual obligations, including years of service, teaching performance, scholarship, and service. The College will continue to insure that all qualified protected group members are given careful consideration for promotion.

TRAINING PROGRAMS/WORKFORCE ATTITUDE

The Office of Human Resources added in 2018 an onboarding system powered by PeopleAdmin. The onboarding system allows the college to provide all newly hired faculty, staff, support staff and service employees preventative training on discrimination and sexual harassment. Beginning in 2018, new employees are also required, as a condition of employment, to complete an 80 minute on-line training program provided by United Educators that is focused on higher education. The two courses *Prevent Discrimination and Harassment Together* and *Prevent Sexual Violence Together* are designed to provide general knowledge about the topic and the employee's duty and responsibility to prevent and report such matters. The training mandate is communicated to employees through both the onboarding system and a personal written offer letter requiring employees to agree to such terms of employment. HR monitors and confirms completion of the training.

TECHNICAL COMPLIANCE

We have looked into all areas of technical compliance, both external and internal. In terms of external technical compliance, we find that we have had good success with our compliance. In terms of internal compliance, we will continue to make every effort to insure that all revised affirmative action policies and procedures are made available to all employees. The Office for Institutional Research and

Planning will continue to work with the Office of Management Information Systems to find ways to get more complete and accurate information on employee and student gender, racial/ethnic, and date of birth data in cases where that information is missing.

EXIT INTERVIEWS

The Office of Human Resources disseminated Exit Interview letters and forms to terminating employees, informing them about their right to meet with staff of the State Equal Opportunity Office in order to discuss conditions surrounding their employment and termination. All terminated employees were offered the opportunity for an Exit Interview with the State Equal Opportunity Office.

EQUAL OPPORTUNITY/AFFIRMATIVE ACTION PERFORMANCE

We are pleased with our equal opportunity/affirmative action performance at the College. As in the past, our divisions and departments independently continue to present affirmative action programs and activities. The President's Human Relations Committee continues to examine campus policies and practices and to make recommendations on how to better serve the interests of diversity on campus. We continue to disseminate affirmative action information to students and employees. We are also pleased with our protected group hiring in categories where we have hiring latitude. The Community, Equity and Diversity Division works throughout the campus on issues of equity, diversity and inclusion. We strive to continue to increase overall awareness this year in all areas affected by affirmative action.

AFFIRMATIVE ACTION/MULTICULTURAL AWARENESS

The campus community is continually provided with information to ensure there will be a greater understanding and appreciation of affirmative action and multiculturalism. We will continue to provide information through offices such as Human Resources, the Community, Equity and Diversity Division, the Office of Institutional Equity, the Affirmative Action Office, the President's Human

Relations Committee, and the President's Dialogue on Diversity and Inclusion Committee. The Director of Institutional Equity collaborates with the Office of Human Resources in an effort to continue to enhance the College's commitment to equal opportunity and affirmative action. The Director of Academic Support and Information Services, in concert with the Director of the Unity Center, will continue to provide mandatory training sessions for all incoming students. Affirmative action and multicultural awareness is a unified effort by all across our campus community.

STRATEGY FOR RECRUITING, HIRING, PROMOTING AND RETAINING A MORE DIVERSE WORKFORCE

The college has implemented, and will continue to enhance, a strategy for Recruiting, Hiring, Promoting and Retaining a More Diverse Workforce in accordance with the goals established under Executive Order 13-5. In order to promote these goals, the college will continue to work in collaboration with the State's Chief Diversity and Equity Officer to determine, based on current civilian workforce data, realistic and achievable short-term and long-term hiring goals for each of the next three Fiscal Years. The college will seek available services and assistance from the Diversity Office and Equal Opportunity Office in meeting these goals to include discussing establishment of diversity goal setting methodology, best practices for recruitment and selection, identifying specific entry level and non-union positions where an increased opportunity exists to expand diversity efforts and, identify specific challenges with regard to positions that require civil service exams. The Office of Human Resources and the Affirmative Action Office will continue to work with RI Office of Diversity, Equity and Opportunity to enhance our recruitment and hiring of a more diverse workforce.

PART VI

**AFFIRMATIVE ACTION FOR
INDIVIDUALS WITH DISABILITIES,
AND VETERANS**

**AFFIRMATIVE ACTION FOR INDIVIDUALS WITH DISABILITIES,
DISABLED VETERANS AND COVERED VETERANS**

It has been and will continue to be the policy of Rhode Island College to be an equal opportunity employer. All employment decisions are based on objective standards which will further the goals of equal employment opportunity. Rhode Island College takes affirmative action to employ, promote and otherwise treat qualified individuals with disabilities, disabled veterans and covered veterans without regard to either their disability or status in the following areas: employment, promotion, demotion or transfer, layoff, termination, compensation and selection for training programs.

The Director of Human Resources and Acting Director of Affirmative Action is responsible for affirmative action as concerns individuals with disabilities, disabled veterans and Vietnam era veterans.

INTERNAL AND EXTERNAL DISSEMINATION

The following positive steps are taken to ensure effective dissemination:

1. The policy is included in the College Handbook of College Policies and Regulations;
2. A copy of the Plan is placed in the College Library;
3. Copies of the Plan are made available to employees and students upon request from the Affirmative Action office;
4. A Plan Summary is made available to all current and new employees in either hard copy or electronic format;
5. The college publishes the entire Affirmative Action Plan and the Plan Summary on its web site. Students, faculty, staff, and members of the community will be able to access this information through the Affirmative Action home page, at <http://www.ric.edu/affirmativeAction>.


Frank Sánchez
President

6/28/19
Date

REASONABLE ACCOMMODATION

Rhode Island College has made significant progress toward making the Campus more accessible. Paths of travel, ramps, automatic door openers, lifts, elevators and handicap accessible and gender neutral restrooms are provided throughout campus. The College continues to provide a program whereby faculty, staff and students can apply for a temporary assigned parking space pending their application for a Rhode Island Disability Parking Placard from the DMV. Where feasible and when resources are available, the College will consider options such as job restructuring, reassignment of duties and acquisition or modification of equipment, furniture, and facilities. The Disability Services Center enhanced the program by providing additional access to students with temporary or continuing disabilities who may need temporary assigned parking.

The college continues to offer a temporary reserved parking program for employees and students based on short-term medical conditions and during a time when their need for an accommodation is usually greatest. Employees or students who have a need and have not had the opportunity to apply for and receive an official Disability Parking Placard from the R.I. Department of Motor Vehicles may apply through Beth Cabana, Manager of HR and Employee Benefits, to obtain a temporary parking placard. Approved applicants are assigned a temporary parking space marked by a movable RIC sign. Seven (7) temporary passes were issued this past year to both faculty/staff and students, demonstrating the success of the program.

Disability Services Center Activities:

The Disability Services Center (DSC) is part of the Division of Community, Equity and Diversity. The DSC provides accommodations for students with disabilities, supports them in achieving their goals, and promotes the inclusion of individuals with disabilities in all aspects of college life. The Center serves more than 998 students with all types of disabilities: mobility, hearing, vision, motor, psychological, learning, speech, chronic medical, temporary and other conditions. Support services may include classroom and testing accommodations, advisement, referrals and use of assistive technology. These services are provided in an environment that is physically and socially accessible.

RIC's Director of Disability Services and Coordinator of Disability Services have a wealth of professional experience in the disability field and serve as a primary resource to educate, train

and guide the college community in understanding disability access, rights and responsibilities. In addition to serving students, the DSC provides consultation to faculty and staff and provides training, programming and events around relevant topics. The DSC's Assistive Technology Coordinator also collaborates with faculty and IT staff to ensure that online learning content and course materials are accessible for students and trains students on the use of learning software and adaptive equipment.

Veterans Resource Center

The college made changes to its website to provide information to veterans via its Veterans Resource Center. The center provides guidance, advice and support to all student veterans in adjusting to higher education.

Since its founding as the first public institution of higher education in the state in 1854, Rhode Island College (RIC) has been recognized as a college of opportunity for first generation, adult, and underrepresented students. This unique role, made evident through increased collaboration with the Veterans Administration and its Providence-based Medical Center, led to establishment of the Military Resource Center at Rhode Island College (MRC/RIC) in November 2009. Since that time, the MRC/RIC has served as a resource hub for all military-connected students (active duty, National Guard, retired, veteran, and family members) who wish to attend or are attending RIC. Its mission: Introduce and assist military-connected veterans in considering the value of enrolling in RIC programs of study; provide information and assistance to initiate and access educational benefits; support military-connected students to be successful graduates. The MRC/RIC encourages military-connected students to stop in early and often to receive information, resources and support throughout their academic pursuits at RIC. Direct referrals from campus offices, website information and email contact informs military-connected students to visit the MRC/RIC where they are greeted by personnel in the office, who are military-connected themselves. From this first interaction, military-connected students realize they are being welcomed into a community of peers. MRC/RIC office representatives address the needs and handle the inquiries of students who have varying questions or concerns during their time as RIC students. With office contact by phone, email and face to face, inquiring students are provided information, advice, and resources that support their ongoing success in their studies. While there

have been support mechanisms in place for student veterans and military connected students there has not been a position dedicated to overseeing the needs and issues of this population.

The goals of the Veterans Resource Center are as follows:

1. Create an Assistant Director of Veteran Affairs position.
 2. Recruit, select and hire a qualified candidate to fill the position of Assistant Director of Veterans Affairs by July 1, 2019.
 3. Upon the hire of an Assistant Director, reestablish the Student Veteran's Organization as an active group and space on RIC;s campus.
 4. Upon hire of an Assistant Director, revitalize the Veterans Affairs Resource Office.
 5. Upon the hire of an Assistant Director, coordinate and implement programs throughout the academic year that offer veteran support.
 6. Upon the hire of an Assistant Director, establish opportunity to collaborate and partner with academic affairs as well as with the division of Community, Equity and Diversity.
 7. Upon the hire of an Assistant Direct, develop community partnerships that can be utilized as off-campus referrals for student veterans and military connected students.
- Upon the hire of an Assistant Director, establish methods to identify veteran and military

family students to provide earlier outreach and support (i.e. update RIC admissions website; work to update the common application to include veteran information).

Outreach and Recruitment

The College request from employment agencies, referrals of qualified individuals with disabilities, disabled veterans and covered veterans.

The Collee will continue to strengthen its commitment to the recruitment and hiring of qualified individuals with disabilities and protected veteran status by working the the RI Department of Labor and Training and through collaborative intiatives with RI Veterans Offices. The Affirmative Action Office has collaborated with the RI Office of Diversity, Opportunity and Equity to reach out to minority business and organizations for job postings.

Physical and Mental Qualifications:

The Americans with Disabilities Act Amendments Act of 2008 defines disability as follows:

Basic Three Parts:

DISABILITY – The term “disability” means with respect to an individual –

A. A physical or mental impairment that substantially limits one or more major life activities of such individual; “(B) a record of such an impairment; or “(C) being regarded as having such an impairment.

B. Definition of Impairment:

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine; or
2. Any mental or psychological disorder, such as an intellectual disability (formerly termed “mental retardation”), organic brain syndrome, emotional or mental illness, and specific learning disabilities.

C. MAJOR LIFE ACTIVITIES – IN GENERAL

Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

BODILY FUNCTIONS – A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

The definition of disability in this Act shall be construed in favor of broad coverage of individuals under this Act, to maximum extent permitted by the terms of this Act.

The term “substantially limits” shall be interpreted consistently with the findings and purposes of the ADA Amendments Act of 2008.

An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability.

An impairment that is episodic in remission is a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as –
(1) medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies; (II) use of assistive technology; (III) reasonable accommodations or auxiliary aids or services or (IV) learned behavior or adaptive neurological modifications.

Except: The ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.

As used in this Act:

- (1) AUXILIARY AIDS AND SERVICES – The term “auxiliary aids and services” includes – (A) qualified interpreters or other effective methods of making aurally delivered materials available to individuals with hearing impairments; (B) qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments; (C) acquisition or modification of equipment or devices; and (D) other similar services and actions.

Covered Veterans and Disabled Veterans:

38 U.S.C. 4214 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended, prohibits job discrimination and requires affirmative action to employ and advance in employment qualified covered veterans.

A covered veteran means any of the following:

1. Disabled veterans;
2. Veterans who served on active duty in the Armed Forces during a war or in a campaign or expedition for which a campaign badge have been authorized;
3. Veterans who, while serving on active duty with the Armed Forces, participated in a United States military operation for which an Armed Forces Service Medal (AFSM) was awarded pursuant to Executive Order 12985; and
4. Recently separated veterans

Work Environment

1. The University does not discriminate against any applicant or employee because of a physical or mental disability, or any other covered veteran service, in regard to any position for which the applicant or employee is qualified. The University's commitment to equal opportunity includes, but is not limited to, the following areas:

- (a) Hiring
- (b) Upgrading
- (c) Recruitment or recruitment advertising
- (d) All forms of compensation
- (e) Selection for training
- (f) Education or tuition assistance
- (g) Leave of absence

2. The University continually reviews its personnel procedures to ensure that careful and thorough consideration is given to the job qualifications of individuals with disabilities, special disabled veterans, recently separated veterans, Vietnam era veterans, or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized applicants and employees. Whenever it is determined that modification of personnel procedures is necessary, it is addressed.

3. The University will ensure that job qualification requirements that tend to screen out individuals with disabilities are related to the specific job or jobs for which the person is being considered and are consistent with business necessity and safe performance of the job.

PART VII

**2017 – 2018
ACTIVITIES**

2017-2018 ACTIVITIES

The Office of Human Resources:

The Office of Human Resources continues to use and refine the PeopleAdmin on-line applicant tracking system (ATS) and the Position Management (PM) module. The ATS includes “push-technology” that allows applicants to be alerted when new positions are posted as well as allow applicants to share posting with friends and colleagues, thus, casting a wider applicant net. The PM module complements recruitment efforts to attract and retain a diversified workforce by insuring job postings are consistent with approved job descriptions.

The Office of Human Resources centralized the recruitment advertising budget in HR beginning with FY18. Such allows HR to insure that recruitment advertising dollars in professional journals and diverse publications are spent consistently, fairly and equitably. It also allows the college to respond quickly when targeted diversity advertising is needed for specific positions or for departments that are underrepresented. As part of this effort a HR implemented a standard practice of posting vacancies with at least one diverse publication, Department of Labor and Training ApplyRI site and the RI Office of Diversity, Equity and Opportunity as well as other List-serves and free sites.

The Office of Human Resources added in 2018 an Onboarding system powered by PeopleAdmin. The onboarding system allows the college to provide all newly hired faculty, staff, support staff and service employees timely and consistent benefits information and electronic enrollment, policy and procedure information as well as preventative training on discrimination and sexual harassment. Included in the onboarding is a welcome video from President Sanchez. Beginning this year, new employees are also required, as a condition of employment, to complete an 80 minute on-line training program provided by United Educators that is focused higher education. The two courses *Prevent Discrimination and Harassment Together* and *Prevent Sexual Violence Together* are designed to provide general knowledge about the topic and the employee’s duty and responsibility to prevent and report such matters. The training mandate is communicated to employees through both the Onboarding system and a personal written offer letter requiring employees to agree to such terms of employment. HR monitors and confirms

completion of the training. The new process has resulted in 100% completion rate of discrimination, harassment and sexual violence training for new hires.

The Unity Center:

The Unity Center, established in 1994, is the Rhode Island College multicultural center within the division for Community, Equity and Diversity (CED). The Unity Center was brought into the Division of Community, Equity and Diversity (CED), in 2017 when the CED was established. The LGBTQ+ office and the International Student Services office were given part time permanent positions which reflect the College's continue commitment to enhance access and awareness of these activities. The Unity Center now officially includes the LGBTQ+ office, The International Student Services office, the Interfaith Services and the Women's Center all under the umbrella of the Unity Center and included within the CED. is comprised of the leadership and activities of the Women's Center, the LGBTQ+ Office, Interfaith Services, and the International Student Services office. Its mission is to promote the accessibility of educational services and the opportunity for excellence to all students through collaborative programming among student organizations, faculty, staff and the wider community. The Center seeks to enhance cultural awareness by providing safe and welcoming forums for exploring issues pertaining to diversity, equity and inclusion. The Center's objectives include engaging students in meaningful dialogue about their academic, social and personal experiences; challenging the stereotypes of racism, sexism, homophobia, classism and other forms of oppression; and providing support services for students in underrepresented and/or protected classes. The Center enhances campus life by offering spaces where students can engage their peers, faculty and staff in dialogue and discussion while preparing to become productive global citizens. Unity Center offices are located in the lower level of the Donovan Dining Center, easily accessible from the campus mall and offer student lounges, a conference room, mediation space, and computer work stations (www.ric.edu/unitycenter/).

Pursuant to Executive Order 13-15 entitled "Promotion of Diversity, Equal Opportunity and Minority Business Enterprises in Rhode Island," the college President assigned a staff member from the Office of Human Resources to serve as the agency Diversity Liaison. The Diversity Liaison continues to be an active participant with the Department of Administration (DOA) in

developing and implementing specific strategies, plans and recommendations in support the State's efforts to improve the diversity of the State's workforce and to increase the utilization of Minority Business Enterprises in State contracts.

The HR Manager of Recruitment from the Office of Human Resources serves on the Dialogue on Diversity committee providing a voice for HR and obtains feedback to assist in improving college faculty and staff recruitment best practices.

The College created the Community, Equity and Diversity Division under the President's Office and hired an Associate Vice President for that division. The AVP advises and informs the President on all issues related to diversity, equity, and the development and sustenance of a vibrant, inclusive and diverse community of students, staff, and faculty throughout the College. The AVP interfaces regularly with all Vice Presidents and all divisions to ensure that active and viable diversity and community initiatives are being developed and implemented in all divisions. The AVP oversees the development, measurement, and reporting of campus-wide progress related to diversity, campus climate, and community, and provides direct leadership and support for student centers that support under-represented and vulnerable populations within the College community. The AVP works as part of the senior leadership team, lead the effort to integrate diversity, equity, and community into the College's core mission, vision, and strategies.

The College has also hired a full-time Director of Institutional Equity. The Director serves as an educator, trainer and spokesperson at the college regarding issues of access, equity, opportunity and Title IX. The Director develops, implements, supervises and monitors affirmative action/equal opportunity employment programs in compliance with government regulations, Board of Education policy and the college's goals and strategic plan to enhance diversity within the college community and to ensure that the spirit of the college's AA/EEO policies are being developed and maintained in all areas. The Director maintains record-keeping procedures, conducts compliance reviews, prepares AA/EEO reports and plans, and monitors job searches. The Director also supervises investigations and monitors complaints of civil rights violations including discrimination, harassment and sexual misconduct under Title IX. In addition, the Director provides counseling, technical assistance, compliance, and training as

needed, in matters related to equity, diversity, affirmative action, unlawful harassment prevention, and sexual misconduct prevention

The college made changes to its website to provide information to veterans via its Veterans Resource Center. The center provides guidance, advice and support to all student veterans in adjusting to higher education.

Community, Equity and Division (CED) Activities:

In January 2017 the Community, Equity and Diversity Division in the Office of the President was established. The Associate Vice-President (AVP) leads the division and is a member of the senior leadership team which enhances the College's effort to integrate diversity, equity and community into its core mission, vision and strategies. The AVP regularly interfaced with college leadership to ensure that active and viable diversity and community initiatives are being developed and implemented across all divisions. Additionally, the AVP provided oversight and leadership for the Inclusive Excellence Commission, Promising Practices, Unity Center, Dialogue on Diversity and Inclusion, Disability Services Center, Women's Center, Interfaith Center and International Student Services and the LGBTQ+ office.

The Inclusive Excellence Commission was established to provide a forum where representatives from various segments of the external community can come together to provide input and feedback and react to staff-led, proactive strategies, methods and approaches to advance diversity and equity at the college.

The position of the Director of Institutional Equity was also created within CED to serve as educator, trainer and spokesperson regarding issues of access, equity, opportunity and Title IX. The Director of Institutional Equity served as the Title IX Coordinator and the Affirmative Action Officer. This position attended and completed the RI orientation training session on Discrimination, Sexual Harassment and Diversity and collaborates with the RI Office of Diversity, Equity and Opportunity (ODEO) to increase outreach and recruitment of minorities. Also appeared before each search committee to speak on issues such as recruitment, diversity and inclusion. Joined the ODEO Diversity Liaison Group to expand networking strategies for Diversity in Employment and collaborates with the Office of Human Resources.

Facilities and Operations Department Activities:

The Facilities and Operations Department continues to use extreme diligence during snowstorms by assigning specific managers and administrators with the hands-on responsibility to ensure that there is ready and safe access to all buildings. This check and balance system was implemented to ensure that all campus constituents are afforded the safest campus conditions, especially those dealing with physical restrictions during weather related emergencies.

Facilities and Operations has continued to make safety and accessibility improvements to several facilities on campus which include the addition of handrails, stairway improvements, installation of additional automated doors as well as replacements of doors incorporating window panels to enhance visibility and overall safety and accessibility. The department has continued to add walkways that ensure ADA compliance and provide ease of access for physically challenged students, faculty, staff and visitors. A number of those projects were completed this year to include, but not limited to, Building 6 upgrades, Adams Library, Physical Plant and the area of Alger/Clark Science.

Capital Projects Department Activities:

The Capital Projects Department continues to work tirelessly to ensure that any projects under their jurisdiction meet the strictest guidelines related to ADA and enhance the student, faculty and staff campus experience. This includes the strict monitoring of design to ensure compliance with all building regulations related especially to new construction and renovation to include, but not limited to ADA, environmental, fire safety, life safety and sustainability guidelines. In addition to design, the capital projects team provides the necessary oversight to ensure such regulations are met. A number of projects completed over the past year that will significantly improve access for students, faculty and staff are the completion of the East Campus Parking Lot project, the completion of a new elevator at Roberts Hall, the completion of the new Counseling Center in Browne Hall and the new Student Success Center in Roberts Hall.

College Police and Public Safety Department Activities:

The College Police and Public Safety Department continues to monitor campus wide parking to ensure safe access to all constituents especially in light of the parking disruptions due to

construction. As noted earlier, the department has been an active partner in the designs that support safety and security. The department also actively enforces handicapped parking rules and regulations. The department continues to support HR and the student disability services center in meeting the temporary parking needs of those students, faculty and staff who demonstrate a need due to temporary physical challenges. Campus Police have continued to work with the College community and host events such as “Coffee With the Cops” and pizza night in the dorms.

The College Police and Public Safety Department is now fully vetted as the approval body in the issuance of keys, card access and the development of access policies ensuring safer buildings. They have recently completed a review of Henry Barnard School as well as other campus areas. Organizational structure and staffing will be reviewed to assure maximization of outreach and training. There has been an increase in efforts for outreach and recruitment of minorities when vacancies occur; as such, a female officer was hired. There has been continued focus on community policing and collaboration with the campus community to assure our work reflects the college statement of non-discrimination and Affirmative Action.

Department of Intercollegiate Athletics and Recreation Activities

The Department of Intercollegiate Athletics and Recreation continues to focus all of its efforts towards providing its constituency with quality experiences in the most professional of settings. The constituency most important in the department’s delivery of services are its student-athletes and members of the general student body. A secondary constituency, yet very important to our mission are alumni, campus community members and members of the community-at-large. The intercollegiate athletic program strives to insure that the “total student-athlete” is successful in his/her experience at Rhode Island College. This “total” approach creates an environment for student-athletes to be successful in the athletic arena, in the classroom and in the community. A critical component always being graduation.

An important piece of the formula in the student-athlete’s “athletic experience” is to insure that he/she is provided with quality coaching, quality equipment, first class facilities and the appropriate support services. Critical to the student-athlete’s positive “academic experience” is to surround the student-athlete with the positive environment for learning which at RIC includes

components like academic monitoring and mentoring, pre-registration and community service activities. This aspect of the program continues to evolve and adapt to meet the diverse populations we now service (i.e., ESL, learning disabilities, learning software requirements, etc.). Student-athletes continue to excel academically significantly more than the general student body. Additionally the Department has adapted to many trends facing today's campuses including a new required component on sexual assault training with student-athletes being the only group on campus with 100% participation. Student-athletes continue to be positive role models in the community with engaging in over 3,000 hours of community services during the past year. Student-athletes from RIC continue to be selected to leadership roles on both the conference, regional and national levels, as well as on campus.

Equally important to the department is to provide the general student with the most positive experiences as they seek out a quality venue to fill their fitness and recreational needs. The College's Recreation Center, now seven years into since undergoing an extensive renovations, and its accompanying programming continue to provide the Rhode Island College student with a quality experience. Of critical importance to the continuance of these positive experiences, the department continues to enhance programming while communicating with the College's Administration with reference to the requirements for future quality programming for all students. The recreation program works closely to accommodate the needs of all students which very often includes creating adaptive programming for special needs students. The delivery of services to the general student body continues to be of paramount importance and new initiatives like "fitness on demand" have been added to support program enhancement.

This year marked the fifth year offering a program directed towards the state's senior citizen population. Also, this marked the second full year a new faculty-staff membership program was introduced and supported the fitness needs of that group and stressing the importance of fitness activities in one's overall health. Over the past year the Department also increased its hours by 8 hours in support of meeting all student requests.

The department continues to work extremely well in cooperation with other campus departments in supporting their needs (i.e., PEP, Upward Bound, etc.) as well as working with the community-at-large and community based groups (i.e., Special Olympics, Senior Olympics,

RI Interscholastic League, RIAAO College Fair, etc.). The athletic department hosted over 300 outside events during the past year involving community based groups which involved thousands of different activities. Many of these community engagement activities occur during down periods of the athletic and recreation program and bring in significant income. Unfortunately that revenue does not come back towards facility enhancement but into the general fund.

Two critical components to the department's strategic facilities plan that continued from last year was to renovate the Bazar Softball Complex and Pontarelli Baseball Field to make them fully ADA accessible. The cost was approximately a quarter of a million dollars and was entirely funded through third party fundraising. These projects are now totally complete and other areas of the facilities are being upgraded, also through third party funding to support the "fan experience" for all constituents.

Lastly in attempt to better mentor, better engage and support better persistence the Department has again stepped up to raise third party funds in support of creating four full-time coaching positions through its athletic foundation. Though this is a very positive step it is one that is needed across the board of all sports offerings and necessary to support the competition from other institutions who have almost all full-time coaches and understand fully the value of such in recruitment and retention. With the Department being so underfunded this third party funding initiative could be very difficult to sustain in future years.

2018-2019 GOALS

The Office of Human Resources will attempt to secure funds to add the PeopleAdmin Performance Management (PM) module to the existing applicant tracking system and Position Management module. Such software is designed to enhance the college's ability to conduct reliable and objective performance evaluations as well as contribute to the college's ability to promote and retain minorities and a diverse workforce.

The Office of Human Resources continues to work in collaboration with the Office of Institutional Equity to develop a Recruitment/Hiring Guide covering staff positions. The intent

of the guide is to clearly layout the recruitment and hiring process as well as search committee and hiring manager responsibilities. The Office of HR is developing additional targeted instructions describing Search Committee Chair and Hiring Manager responsibilities.

The Office of HR will include in all job descriptions and postings for which job duties require interaction with students and/or their families a preferred qualification calling for bilingual candidates. HR will continually review vacancy job qualifications with an eye for criteria that is too rigid and a potential barrier to hiring women and minorities and/or creates unconscious or unintended bias.

The Office of HR will explore redesigning/rebranding the Human Resources Web site so that it reflects the diversity of the RIC community.

The institution's new strategic plan, "Rhode Island College: Affirming Our Strength, Building Our Future," has as one of its six goals, "Inclusive Excellence." Objective IE-3 of that goal is relevant to the College's affirmative action goals; it states that the college will "Increase diversity among faculty, staff and administrations to reflect the demographics of the College and the state." A sub-objective of IE-3 is to "Expand and improve recruitment efforts to increase workforce diversity among professionals staff, faculty and administration;" "establish clear HR protocol that supports inclusive excellence" and "provide faculty and staff professional development on culture of inclusion, including through HR workshops, orientations and consultations."

Craig-Lee construction is currently underway and is nearing completion. Occupants are scheduled to move into the building in mid-January 2019. The Clarke Science lab renovations will start in the summer 2018. The Student Union renovations are planned to start in late December 2018 or early January 2019.

The College Police and Public Safety Department continues to work diligently on supporting the security and safety needs of all students, faculty and staff. They have worked closely with IT in the implementation, review and testing of a number of new campus warning systems, evacuation drills and the installation of a new camera monitoring system campus wide.

Campus police will continue to be aggressive in their efforts to insure that all employees, students and visitors obey parking rules particularly as it pertains to the use of handicapped placards and parking spaces. Additionally, campus police continues to interact with the Dean's office, Human Resources and the Disability Services Center to support the needs of those on campus who may need assistance with a temporary disability and have a basic short term need that would not qualify for a long term placard.

Campus police have been actively involved in the design of new buildings through capital projects to insure the safety and accessibility of new constructions. In order to fully support the college's mission and that of the Department of Public Safety and Campus Police, the commander of each shift is assigned to be out on the campus.

CED will continue to promote an inclusive campus culture in which every participant will grow in their understanding of diversity and be better prepared to prosper in a world that is increasingly both culturally rich and complex. CED will also invest in the college's organizational structure to best support inclusive excellence and increase diversity among faculty, staff and administration to reflect the demographics of the college and the state. Further, CED will review and strengthen key policies and practices involving Title IX, bias response and safety. CED will strive to improve campus climate for all members of the Rhode Island College community and initiate a campus climate survey.

CED will continue to make certain that RIC promotes diversity and inclusion regardless of ethnicity, gender, national origin, disability, sexual orientation, religion, politics or culture. The division will work to ensure that diversity and inclusion are active and ongoing processes that promote social justice and equity college-wide. CED will provide leadership to identify, assess, and eliminate institutional inequalities in areas related to race, ethnicity, sexual orientation, gender expression or identity, religion, social class, language, disability, socio-economic status, national origin, citizenship status, age, and veteran status. The Division is committed to promoting a campus climate that is diverse, supportive, welcoming and safe for all.

PART VIII

APPENDICES

APPENDIX

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APPENDIX I

LAWS GOVERNING EQUAL OPPORTUNITY

**PRIVATE EMPLOYMENT,
STATE AND LOCAL GOVERNMENTS
EDUCATIONAL INSTITUTIONS
RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN:**

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, and other aspects of employment, on the basis of race, color, religion, sex or national origin.

The law covers applicants to and employees of most private employers, state and local governments and public or private educational institutions. Employment agencies, labor unions, and apprenticeship programs are also covered.

AGE:

The Age Discrimination in Employment Act of 1967, as amended, prohibits age discrimination and protects applicants and employees 40 years of age or older from discrimination on account of age in hiring, promotion, discharge, compensation, terms, conditions, or privileges of employment. The law covers applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations.

SEX (WAGES):

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act (see above), the Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment. The law covers applicants to and employees of most private employers, state and local governments and educational institutions. Labor organizations cannot cause employers to violate the law. Many employers not covered by Title VII, because of size, are covered by the Equal Pay Act.

DISABILITY:

The Americans with Disabilities Act of 1990, as amended, prohibits discrimination on the basis of disability, and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, and other aspects of employment. The law also requires that covered entities provide qualified applicants employees with disabilities with reasonable accommodations that do not impose undue hardship. The law covers applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN:

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES:

On September 24, 2013, the U.S. Department of Labor's Office of Federal Contract Compliance Programs published a Final Rule in the *Federal Register* that makes changes to the regulations implementing Section 503 of the Rehabilitation Act of 1973, as amended (Section 503) at 41 CFR Part 60-741. Section 503 prohibits federal contractors and subcontractors from discriminating in employment against individuals with disabilities (IWDs), and requires these employers to take affirmative action to recruit, hire, promote, and retain these individuals. The new rule strengthens the affirmative action provisions of the regulations to aid contractors in their efforts to recruit and hire IWDs, and improve job opportunities for individuals with disabilities. The new rule also makes changes to the nondiscrimination provisions of the regulations to bring them into compliance with the ADA Amendments Act of 2008. The new Section 503 regulations became effective on March 24, 2014. However, contractors with a written affirmative action program (AAP) already in place on the effective date have additional time to come into compliance with the AAP requirements. This compliance structure seeks to provide contractors the opportunity to maintain their current AAP cycle.

Highlights of the New Regulations

Utilization goal: The new regulations establish a nationwide 7% utilization goal for qualified IWDs. Contractors apply the goal to each of their job groups, or to their entire workforce if the contractor has 100 or fewer employees. Contractors must conduct an annual utilization analysis and assessment of problem areas, and establish specific action-oriented programs to address any identified problems.

Data collection: The new regulations require that contractors document and update annually several quantitative comparisons for the number of IWDs who apply for jobs and the number of IWDs they hire. Having this data will assist contractors in measuring the effectiveness of their outreach and recruitment efforts. The data must be maintained for three years to be used to spot trends.

Invitation to Self-Identify: The new regulations require that contractors invite applicants to self-identify as IWDs at both the pre-offer and post-offer phases of the application process, using language prescribed by OFCCP. The new regulations also require that contractors invite their employees to self-identify as IWDs every five years, using the prescribed language. This language is posted in the Self-Identification Form, below.

Incorporation of the EO Clause: The new regulations require that specific language be used when incorporating the equal opportunity clause into a subcontract by reference. The mandated language, though brief, will alert subcontractors to their responsibilities as Federal contractors.

Records Access: The new regulations clarify that contractors must allow OFCCP to review documents related to a compliance check or focused review, either on-site or off-site, at OFCCP's option. In addition, the new regulations require contractors, upon request, to inform OFCCP of all formats in which it maintains its records and provide them to OFCCP in whichever of those formats OFCCP requests.

ADAAA: The new regulations implement changes necessitated by the passage of the ADA Amendments Act (ADAAA) of 2008 by revising the definition of "disability" and certain nondiscrimination provisions.

COVERED VETERANS AND DISABLED VETERANS:

38 U.S.C. 4212 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended, prohibits job discrimination and requires affirmative action to employ and advance in employment qualified covered veterans.

Covered veterans means any of the following:

- 1) Disabled veterans;
- 2) Veterans who served on active duty in the Armed Forces during a war or in a campaign or expedition for which a campaign badge has been authorized;
- 3) Veterans who, while serving on active duty with the Armed Forces, participated in a United States military operation for which an Armed Forces Service Medal (AFSM) was awarded pursuant to Executive Order 12985; and
- 4) Recently separated veterans.

Applicants to and employees of companies with a Federal government contract or subcontract are protected under the authorities above. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under Executive Order 11246, as amended, Section 503 of the Rehabilitation Act or 38 U.S.C. 4212 of the Vietnam Era Veterans Readjustment Assistance Act should immediately contact:

The Office of Federal Contract Compliance Programs (OFCCP) Employment Standards Administration, U.S. Department of Labor,
200 Constitution Avenue, N.W., Washington, D.C. 20210, (202) 523-9368, or an OFCCP regional or district office, listed in most directories under U.S. Government, Department of Labor.

**PROGRAMS OR ACTIVITIES RECEIVING
FEDERAL FINANCIAL ASSISTANCE**

RACE, COLOR, NATIONAL ORIGIN, SEX:

In addition to the protection of Title VII of the Civil Rights Act of 1964, Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such

programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities that receive Federal assistance.

If you believe you have been discriminated against in a program of any institution that receives Federal assistance, you should contact immediately the Federal agency providing such assistance.

INDIVIDUALS WITH DISABILITIES:

Section 504 of the Rehabilitation Act of 1973 is a national law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency, including the U.S. Department of Health and Human Services (DHHS). These organizations and employers include many hospitals, nursing homes, mental health centers and human service programs.

Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.

TITLE 28

Labor and Labor Relations

CHAPTER 28-5.1

Equal Opportunity and Affirmative Action

SECTION 28-5.1-1

§ 28-5.1-1 Declaration of policy.

(a)(1) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of state employment. This policy applies in all areas where the state dollar is spent, in employment, public service, grants and financial assistance, and in state licensing and regulation.

(2) All policies, programs, and activities of state government shall be periodically reviewed and revised to assure their fidelity to this policy.

(3) Each department head shall make a report to the governor and the general assembly not later than September 30 of each year on the statistical results of the implementation of this chapter and to the state equal opportunity office; provided, that the mandatory provisions of this section do not apply to the legislative branch of state government.

(b) The provisions of this chapter shall in no way impair any contract or collective bargaining agreement currently in effect. Any contract or collective bargaining agreements entered into or renewed after July 6, 1994 shall be subject to the provisions of this chapter.

§ 28-5.1-2 State equal opportunity office.

(a) There shall be a state equal opportunity office. This office, under the direct administrative supervision of the office of diversity, equity and opportunity, shall report to the governor and to the general assembly on state equal opportunity programs. The state equal opportunity office shall be responsible for ensuring compliance with the requirements of all federal agencies for equal opportunity and shall provide training and technical assistance as may be requested by any company doing business in Rhode Island and all state departments as is necessary to comply with the intent of this chapter.

(b) The state equal opportunity office shall issue any guidelines, directives, or instructions that are necessary to effectuate its responsibilities under this chapter, and is authorized to investigate possible discrimination, hold hearings, and direct corrective action to the discrimination.

§ 28-5.1-3 Affirmative action.

(a) The state equal opportunity office shall assign an equal opportunity officer as a liaison to agencies of state government.

(b) Each state department or agency, excluding the legislative branch of state government, shall annually prepare an affirmative action plan. These plans shall be prepared in accordance with the criteria and deadlines set forth by the state equal opportunity office. These deadlines shall provide, without limitation, that affirmative action plans for each fiscal year be submitted to the state equal opportunity office and the house fiscal advisor no later than March

31. These plans shall be submitted to and shall be subject to review and approval by the state equal opportunity office.

(c) Any affirmative action plan required under this section deemed unsatisfactory by the state equal opportunity office shall be withdrawn and amended according to equal opportunity office criteria, in order to attain positive measures for compliance. The state equal opportunity office shall make every effort by informal conference, conciliation and persuasion to achieve compliance with affirmative action requirements.

(d) The state equal opportunity office shall effect and promote the efficient transaction of its business and the timely handling of complaints and other matters before it, and shall make recommendations to appropriate state officials for affirmative action steps towards the achievement of equal opportunity.

(e) The state equal opportunity administrator shall serve as the chief executive officer of the state equal opportunity office, and shall be responsible for monitoring and enforcing all equal opportunity laws, programs, and policies within state government.

(f) No later than July 1 each state department or agency, excluding the legislative branch of state government, shall submit to the state equal opportunity office and the house fiscal advisor sufficient data to enable the state equal opportunity office and the house fiscal advisor to determine whether the agency achieved the hiring goals contained in its affirmative action plan for the previous year. If the hiring goals contained in the previous year's plan were not met, the agency shall also submit with the data a detailed explanation as to why the goals were not achieved.

(g) Standards for review of affirmative action plans shall be established by the state equal opportunity office, except where superseded by federal law.

(h) For purposes of this section, "agency" includes, without limitation, all departments, public and quasi-public agencies, authorities, boards, and commissions of the state, excluding the legislative branch of state government.

(i) The state equal opportunity office shall continually review all policies, procedures, and practices for tendencies to discriminate and for institutional or systemic barriers for equal opportunity, and it shall make recommendations with reference to any tendencies or barriers in its annual reports to the governor and the general assembly.

(j) Relevant provisions of this section also apply to expanding the pool of applicants for all positions where no list exists. The equal opportunity administrator is authorized to develop and implement recruitment plans to assure that adequate consideration is given to qualified minority applicants in those job categories where a manifest imbalance exists, excluding those job categories in the legislative branch of state government.

§ 28-5.1-3.1 Appointments to state boards, commissions, public authorities, and quasi-public corporations.

(a) The general assembly finds that, as a matter of public policy, the effectiveness of each appointed state board, commission, and the governing body of each public authority and quasi-public corporation is enhanced when it reflects the diversity, including the racial and gender composition, of Rhode Island's population. Consequently, each person responsible for appointing one or more individuals to serve on any board or commission or to the governing body of any public authority or board shall endeavor to ensure that, to the fullest extent possible, the composition of the board, commission, or governing body reflects the diversity of Rhode Island's population.

(b) During the month of January in each year the boards, agencies, commissions, or authorities are requested to file with the state equal opportunity office a list of its members, designating their race, gender, and date of appointment.

(c) Of the candidates considered for appointment by the governor and the general assembly, the governor and the general assembly shall give due consideration to recommendations made by representatives of Rhode Island's

minority community-based organizations. The human resources outreach and diversity office shall act as the liaison with state government and shall forward the recommendations to appointing authorities.

(d) The appointing authority, in consultation with the equal employment opportunity administrator and the human resources outreach and diversity administrator within the department of administration, shall annually conduct a utilization analysis of appointments to state boards, commissions, public authorities and quasi-public corporations based upon the annual review conducted pursuant to § 28-5.1-3.

(e) The equal employment opportunity administrator shall report the results of the analysis to the Rhode Island commission for human rights and to the general assembly by or on January 31 and July 31 of each year, consistent with § 28-5.1-17. The report shall be a public record and shall be made available electronically on the secretary of state's website.

§ 28-5.1-3.2 Enforcement.

(a) The state equal opportunity administrator is authorized to initiate complaints against any agencies, administrators, or employees of any department or division within state government, excluding the legislative branch, who or which willfully fail to comply with the requirements of any applicable affirmative action plan or of this chapter or who or which fail to meet the standards of good faith effort, reasonable basis, or reasonable action, as defined in guidelines promulgated by the federal Equal Employment Opportunity Commission as set forth in 29 CFR 1607.

(b) Whenever the equal employment opportunity administrator initiates a complaint, he or she shall cause to be issued and served in the name of the equal employment opportunity office a written notice, together with a copy of the complaint, requiring that the agency, administrator, agent, or employee respond and appear at a hearing at a time and place specified in the notice. The equal employment opportunity office shall follow its lawfully adopted rules and regulations concerning hearings of discrimination complaints.

(c) The equal employment opportunity office shall have the power, after a hearing, to issue an order requiring a respondent to a complaint to cease and desist from any unlawful discriminatory practice and/or to take any affirmative action, including, but not limited to, hiring, reinstatement, transfer, or upgrading employees, with or without back pay, or dismissal, that may be necessary to secure compliance with any applicable affirmative action plan or with state or federal law.

(d) A final order of the equal employment opportunity office constitutes an "order" within the meaning of § 42-35-1(j); is enforceable as an order; is to be rendered in accordance with § 42-35-12; and is subject to judicial review in accordance with § 42-35-15.

§ 28-5.1-4 Employment policies for state employees.

(a) Each appointing authority shall review the recruitment, appointment, assignment, upgrading, and promotion policies and activities for state employees without regard to race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability. All appointing authorities shall hire and promote employees without discrimination.

(b) Special attention shall be given to the parity of classes of employees doing similar work and the training of supervisory personnel in equal opportunity/affirmative action principles and procedures.

(c) Annually, each appointing authority shall include in its budget presentation any necessary programs, goals and objectives that shall improve the equal opportunity aspects of their department's employment policies.

(d) Each appointing authority shall make a monthly report to the state equal opportunity office on persons hired, disciplined, terminated, promoted, transferred, and vacancies occurring within their department.

§ 28-5.1-5 Personnel administration.

(a)(1) The office of personnel administration of the department of administration, in consultation with the office of

diversity, equity and opportunity, shall prepare a comprehensive plan indicating the appropriate steps necessary to maintain and secure the equal-opportunity responsibility and commitment of that division. The plan shall set forth attainable goals and target dates based upon a utilization study for achievement of the goals, together with operational assignment for each element of the plan to assure measurable progress.

(2) The office of personnel administration shall:

(i) Take positive steps to ensure that the entire examination and testing process, including the development of job specifications and employment qualifications, is free from either conscious or inadvertent bias, and

(ii) Review all recruitment procedures for all state agencies covered by this chapter for compliance with federal and state law, and bring to the attention of the equal opportunity administrator matters of concern to its jurisdiction.

(3) The division of budget shall indicate in the annual personnel supplement progress made toward the achievement of equal-employment goals.

(4) The division of purchases shall cooperate in administering the state contract-compliance programs.

(5) The division of statewide planning shall cooperate in ensuring compliance from all recipients of federal grants.

(b) The office of labor relations shall propose in negotiations the inclusion of affirmative-action language suitable to the need for attaining and maintaining a diverse workforce.

(c) There is created a six-member (6) committee that shall monitor negotiations with all collective bargaining units within state government specifically for equal-opportunity and affirmative-action interests. The members of that committee shall include the director of the Rhode Island commission for human rights, the associate director of the office of diversity, equity and opportunity, the equal opportunity administrator, the personnel administrator, one member of the house of representatives appointed by the speaker, and one member of the senate appointed by the president of the senate.

§ 28-5.1-6 Commission for human rights.

The Rhode Island commission for human rights shall exercise its enforcement powers as defined in chapter 5 of this title and in this chapter, and shall have the full cooperation of all state agencies. Wherever necessary, the commission shall, at its own initiative or upon a complaint, bring charges of discrimination against those agencies and their personnel who fail to comply with the applicable state laws and this chapter. This commission also has the power to order discontinuance of any departmental or division employment pattern or practice deemed discriminatory in intent by the commission, after a hearing on the record, and may seek court enforcement of such an order. The commission shall utilize the state equal opportunity office as its liaison with state government. The Rhode Island commission for human rights is authorized to make any rules and regulations that it deems necessary to carry out its responsibilities under this chapter, and to establish any sanctions that may be appropriate within the rules and regulations of the state.

§ 28-5.1-7 State services and facilities.

(a) Every state agency shall render service to the citizens of this state without discrimination based on race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability. No state facility shall be used in furtherance of any discriminatory practice nor shall any state agency become a party to any agreement, arrangement, or plan which has the effect of sanctioning those patterns or practices.

(b) At the request of the state equal opportunity office, each appointing authority shall critically analyze all of its operations to ascertain possible instances of noncompliance with this policy and shall initiate sustained, comprehensive programs based on the guidelines of the state equal opportunity office to remedy any defects found to exist.

§ 28-5.1-8 Education, training, and apprenticeship programs.

(a) All educational programs and activities of state agencies, or in which state agencies participate, shall be open to all qualified persons without regard to race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability. The programs shall be conducted to encourage the fullest development of the interests, aptitudes, skills, and capacities of all participants.

(b) Those state agencies responsible for educational programs and activities shall take positive steps to insure that all programs are free from either conscious or inadvertent bias, and shall make quarterly reports to the state equal opportunity office with regard to the number of persons being served and to the extent to which the goals of the chapter are being met by the programs.

(c) Expansion of training opportunities shall also be encouraged with a view toward involving larger numbers of participants from those segments of the labor force where the need for upgrading levels of skill is greatest.

§ 28-5.1-9 State employment services.

(a) All state agencies, including educational institutions, which provide employment referral or placement services to public or private employees, shall accept job orders, refer for employment, test, classify, counsel and train only on a nondiscriminatory basis. They shall refuse to fill any job order which has the effect of excluding any persons because of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability.

(b) The agencies shall advise the commission for human rights promptly of any employers, employment agencies, or unions suspected of practicing unlawful discrimination.

(c) The agencies shall assist employers and unions seeking to broaden their recruitment programs to include qualified applicants from minority groups.

(d) The department of labor and training, the governor's commission on disabilities, the advisory commission on women, and the Rhode Island economic development corporation shall fully utilize their knowledge of the labor market and economic conditions of the state, and their contacts with job applicants, employers, and unions, to promote equal employment opportunities, and shall require and assist all persons within their jurisdictions to initiate actions which remedy any situations or programs which have a negative impact on protected classes within the state.

§ 28-5.1-10 State contracts.

The division of purchases shall prepare any rules, regulations, and compliance reports that shall require of state contractors the same commitment to equal opportunity as prevails under federal contracts controlled by federal executive orders 11246, 11625 and 11375. Affirmative action plans prepared pursuant to those rules and regulations shall be reviewed by the state equal opportunity office. The state equal opportunity office shall prepare a comprehensive plan to provide compliance reviews for state contracts. A contractor's failure to abide by the rules, regulations, contract terms, and compliance reporting provisions as established shall be ground for forfeitures and penalties as established by the department of administration in consultation with the state equal opportunity office.

§ 28-5.1-11 Law enforcement.

The attorney general, the department of corrections, and the Rhode Island justice commission shall stress to state

and local law enforcement officials the necessity for nondiscrimination in the control of criminal behavior. These agencies shall develop and publish formal procedures for the investigation of citizen complaints of alleged abuses of

authority by individual peace officers. Employment in all state law enforcement and correctional agencies and institutions shall be subject to the same affirmative action standards applied under this chapter to every state unit of government, in addition to applicable federal requirements.

§ 28-5.1-12 Health care.

The state equal opportunity office shall review the equal opportunity activity of all private health care facilities licensed or chartered by the state, including hospitals, nursing homes, convalescent homes, rest homes, and clinics. These state licensed or chartered facilities shall be required to comply with the state policy of equal opportunity and nondiscrimination in patient admissions, employment, and health care service. The compliance shall be a condition of continued participation in any state program, or in any educational program licensed or accredited by the state, or of eligibility to receive any form of assistance.

§ 28-5.1-13 Private education institutions.

The state equal opportunity office shall review all private educational institutions licensed or chartered by the state, including professional, business, and vocational training schools. These state licensed or chartered institutions shall at the request of the board of regents of elementary and secondary education be required to show compliance with the state policy of nondiscrimination and affirmative action in their student admissions, employment, and other practices as a condition of continued participation in any state program or of eligibility to receive any form of state assistance.

§ 28-5.1-14 State licensing and regulatory agencies.

State agencies shall not discriminate by considering race, color, religion, sex, sexual orientation, gender, identity or expression, age, national origin, or disability in granting, denying, or revoking a license or charter, nor shall any person, corporation, or business firm which is licensed or chartered by the state unlawfully discriminate against or segregate any person on these grounds. All businesses licensed or chartered by the state shall operate on a nondiscriminatory basis, according to equal employment treatment and access to their services to all persons, except unless otherwise exempted by the laws of the state. Any licensee, charter holder, or retail sales permit holder who fails to comply with this policy is subject to any disciplinary action that is consistent with the legal authority and rules and regulations of the appropriate licensing or regulatory agency. State agencies which have the authority to grant, deny, or revoke licenses or charters will cooperate with the state equal opportunity office to prevent any person, corporation, or business firm from discriminating because of race, color, religion, sex, sexual orientation, gender, identity or expression, age, national origin, or disability or from participating in any practice which may have a disparate effect on any protected class within the population. The state equal opportunity office shall monitor the equal employment opportunity activities and affirmative action plans of all such organizations.

§ 28-5.1-15 State financial assistance.

State agencies disbursing financial assistance, including, but not limited to, loans and grants, shall require recipient organizations and agencies to undertake affirmative action programs designed to eliminate patterns and practices of discrimination. At the request of the state equal opportunity office, state agencies disbursing assistance shall develop, in conjunction with the state equal opportunity office, regulations and procedures necessary to implement the goals of nondiscrimination and affirmative action and shall be reviewed for compliance according to state policy.

§ 28-5.1-16 Prior executive orders – Effect.

All executive orders shall, to the extent that they are not inconsistent with this chapter, remain in full force and effect.

§ 28-5.1-17 Utilization analysis.

(a)(1) The personnel administrator, in consultation with the equal employment opportunity administrator, and the human resources outreach and diversity administrator within the department of administration, shall annually conduct

a utilization analysis of positions within state government based upon the annual review conducted pursuant to §§ 28-5.1-3 and 28-5.1-4.

(2) To the extent the analysis determines that minorities as currently defined in federal employment law as Blacks, Hispanics, American Indians (including Alaskan natives), Asians (including Pacific Islanders), are being underrepresented and/or underutilized, the personnel administrator shall, through the director of administration, direct the head of the department where the under-representation and/or under-utilization exists to establish precise goals and timetables and assist in the correction of each deficiency, to the extent permitted by law and by collective bargaining agreements.

(3) The initial analysis shall be directed toward service oriented departments of the state, state police, labor and training, corrections, children, youth and families, courts, transportation, and human services.

(4) The equal employment opportunity administrator shall be consulted in the selection process for all positions certified as underrepresented and/or underutilized and shall report the results of progress toward goals to the governor and to the general assembly by January 31 and July 31 of each year. A copy of these results which shall be referred to the Rhode Island commission for human rights which may, in its discretion, investigate whether a violation of chapter 28-5 has occurred. The results shall be a public record and shall be made available electronically on the secretary of state's website.

(b)(1) In the event of a reduction in force, the personnel administrator, in consultation with the equal employment opportunity administrator and director of the department(s) where the reduction is proposed, shall develop a plan to ensure that affirmation action gains are preserved to the extent permitted by law and by collective bargaining agreements. A copy of this plan shall be referred to the Rhode Island commission for human rights which may, in its discretion, investigate whether a violation of chapter 28-5 has occurred. The plan shall be a public record and shall be made available electronically on the secretary of state's website.

(2) The equal employment opportunity administrator shall report the results of the plans and their subsequent actions to the governor and to the general assembly by January 31 and July 31 of each year, to the Rhode Island commission for human rights. The report shall be a public record and shall be made available electronically on the secretary of state's website. Consistent with § 28-5.1-6, the Rhode Island commission for human rights shall have the power to order discontinuance of any department or division employment pattern or practice deemed discriminatory in intent or result by the commission.

(3) The equal opportunity administrator shall notify the commission of reports and results under this chapter.

TITLE 28

Labor and Labor Relations

CHAPTER 28-5

Fair Employment Practices

SECTION 28-5-41.1

§ 28-5-41.1 Right to fair employment practices – Gender identity or expression. – Whenever in this chapter there appears the terms "race or color, religion, sex, disability, age, country of ancestral origin, or sexual orientation" there shall be inserted immediately thereafter the words "gender identity or expression."

STATE EXECUTIVE ORDERS

EXECUTIVE ORDER 13-05

Promotes Diversity, Equal Opportunity and Minority Business Enterprises in Rhode Island

EXECUTIVE ORDER 05-02

Establishes the Human Resources Outreach and Diversity Office and their responsibilities

EXECUTIVE ORDER 05-01

Promotes Equal Opportunity and the Prevention of Sexual Harassment in State Government

EXECUTIVE ORDER 94-22

Promotes Minority Business Enterprises in Rhode Island State Government.

EXECUTIVE ORDER 93-1

Equal Opportunity and Affirmative Action Policy for units in State Government.

EXECUTIVE ORDER 92-2

Compliance with Americans with Disabilities Act.

EXECUTIVE ORDER 86-10

Establishes the Refuge Policy for the State.

EXECUTIVE ORDER 85-16

Designates the State 504 coordinator to create policies, practices and programs regarding accessibility of State buildings and properties to disabled persons.



State of Rhode Island and Providence Plantations
State House, Room 224
Providence, Rhode Island 02903
401-222-2080

2013 MAY -9 PM 1:11

SECRETARY OF STATE

Lincoln D. Chafee
Governor

EXECUTIVE ORDER

13-05

May 9, 2013

PROMOTION OF DIVERSITY, EQUAL OPPORTUNITY AND
MINORITY BUSINESS ENTERPRISES IN RHODE ISLAND

WHEREAS, Rhode Island was founded on the principles of tolerance and diversity;
and

WHEREAS, for generations, minority populations have enriched the fabric of our
State, strengthened our economy, and made Rhode Island a better place to live; and

WHEREAS, it is vitally important for the State to acknowledge the changing
demographics of our population and actively recruit minority talent to the workforce; and

WHEREAS, it is a priority of the Chafee Administration to reflect these changing
demographics through substantial minority employment in State government and
increased opportunities for minority business enterprises to participate in State
procurement and construction projects; and

WHEREAS, by drawing from the entire pool of human resources and talent, and by
creating a culture that values diversity and inclusion, we strengthen our collective
performance as a State workforce and thereby improve the State's ability to serve the
people of Rhode Island; and

WHEREAS, over the past 30 years, Rhode Island's population has increased from
seven percent (7%) to twenty-four percent (24%) people of color. In addition, in just the
last decade, Rhode Island's Latino population grew forty-four percent (44%), adding
almost 40,000 residents. The Asian-American and African-American populations also grew
by twenty-eight percent (28%) and twenty-three percent (23%), respectively, over the
same time period; and

Executive Order 13-05
May 9, 2013
Page 2

WHEREAS, by the year 2040 the population of the State as a whole is projected to be forty-one percent (41%) people of color; and

WHEREAS, R.I. Gen. Laws § 37-14.1-1 *et seq.*, enacted in 1986, declared a State policy by which minority business enterprises (MBEs), which include minority-owned, women-owned and disadvantaged business enterprises, shall be awarded a minimum of ten percent (10%) of all dollars in State procurement and construction projects and a preference in State contracts and subcontract awards; and

WHEREAS, R.I. Gen. Laws § 28-5.1-1 *et seq.*, the Equal Opportunity and Affirmative Action Act, enacted in 1988, declared a policy of affirmative action to achieve equal opportunity in all units of State government, and established a State Equal Opportunity Office within the Department of Administration.

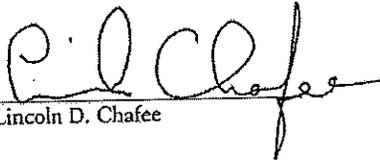
NOW, THEREFORE, I, LINCOLN D. CHAFEE, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

1. The Director (Director) of the Department of Administration (Department), shall review all divisions and offices within the Department charged with facilitating equal opportunity employment and MBEs, including, but not limited to, the Division of Human Resources, the State Equal Opportunity Office, the Human Resources Outreach and Diversity Office, the Division of Purchases, and the MBE Program, and shall make recommendations to the Governor to improve collaboration between these offices and all executive departments to ensure these programs are more effective. These recommendations shall encourage measures of quality and accountability in equal opportunity and affirmative action hiring and MBE procurement as allowed by law. In addition, these recommendations shall include strategies for recruiting, hiring, promoting and retaining a more diverse workforce. The Director shall submit these recommendations to the Governor for approval on or before August 1, 2013. All executive departments shall comply with the Director's recommendations and shall cooperate fully with taking steps to increase minorities in the State's workforce and increase the usage of MBEs with State contracts.
2. Every State agency, in partnership with the Office of Equal Opportunity, shall track and maintain hiring data as part of the agency's performance management functions. Each agency shall provide the Office of Equal Opportunity, which shall coordinate with the Office of Management and Budget's Office of Performance Management and the Office of Outreach and Diversity, with a plan for improving minority hiring no later than October 1, 2013.

3. The Division of Purchases MBE Compliance Office shall identify State contracts and sub-contracts that could increase the number of minority-owned businesses participating in State work where strategic efforts can be undertaken. Each agency shall provide a list of contracts and sub-contracts that should be reviewed for MBE recruiting potential as part of the plan which shall coordinate with the Office of Management and Budget's Office of Performance Management and the Division of Purchases MBE Compliance Office on or before December 1, 2013.
4. The Director shall prepare an annual report to the Governor due on August 1, 2013 and every August 1 thereafter, for the prior fiscal year, demonstrating the State's progress in minority employment and MBE procurement and any recommendations for continued improvements in these programs. This report shall take into account the Affirmative Action Plans that are submitted by every State agency on an annual basis, as required under R.I. Gen. Laws Chapter 28-5.1.
5. The Department and the Human Resources Outreach and Diversity Office shall develop and conduct a diversity training program within one year of the effective date of this Order. For future hires, such training may be part of the standardized orientation provided to new employees.

This Order shall take effect immediately.

So Ordered:


Lincoln D. Chafee



RHODE ISLAND STATE
PUBLIC INFORMATION
CENTER

05 JAN 14 PM 3: 54

State of Rhode Island and Providence Plantations

State House
Providence, Rhode Island 02903-1196
401-222-2080

Donald L. Carcieri
Governor

EXECUTIVE ORDER

05-02

January 17, 2005

PROMOTION OF A DIVERSE STATE GOVERNMENT WORKFORCE

WHEREAS, Rhode Island State Government is committed to fostering a competitive and diverse workforce composed of highly skilled and capable employees through the recruitment, training, retention, and promotion of qualified men and women from diverse racial, ethnic, linguistic, socioeconomic, and educational backgrounds as well as individuals with disabilities; and

WHEREAS, it is in the best interests of business and government to create an open, inclusive and equitable human resources paradigm that capitalizes on workforce excellence and the strength of individual differences; and

WHEREAS, the Rhode Island General Assembly has determined there exists a compelling interest in promoting equal opportunity; and

WHEREAS, diversity requires leadership commitment and accountability, along with the assessment and development of policies and practices to assure that the State's operating system is based on principles of equity and inclusion; and

WHEREAS, the state's commitment to equal opportunity, diversity, and conduct that fosters respect in the workplace is unwavering.

NOW, THEREFORE, I, DONALD L. CARCIERI, by the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

1. There shall be established within the Department of Administration a Human Resources Outreach and Diversity Office. This Office shall report directly to the Director of the Department of Administration or designee on the state of diversity in Rhode Island State government and shall work towards developing a business case for equity with an emphasis on building a diverse workforce to guarantee fair and reasonable opportunities for public service.
2. The Human Resources Outreach and Diversity Office responsibilities shall include:
 - Developing guidelines to effectuate its mission;
 - Researching and developing best practices for the promotion of diversity throughout State government;
 - Providing guidance and technical support to state entities;
 - Developing a strategic and focused recruitment and tracking initiative for individuals interested in state employment including fostering relationships with community-based organizations to strengthen and support recruitment and outreach activities;
 - Initiating training seminars including a diversity awareness program to share the benefits of diversity and to encourage a culturally sensitive workforce environment;
 - Submitting an annual benchmark report to the Director of the Department of Administration or designee.
3. To assist the Office in carrying out its responsibilities there shall be established a Diversity Advisory Council, selected and appointed by the Governor, and comprised of fifteen (15) members, consisting of four (4) members of the public and one (1) member from each of the following governmental entities:

Office of the Governor
Human Resources Outreach and Diversity Office
Department of Labor & Training
Office of Personnel Administration Human Resources
Office of Labor Relations
Office of Equal Opportunity
Governor's Commission on Women

Executive Order 05-02
January 17, 2005
Page 3

Governor's Commission on Disabilities
Office of Higher Education
Rhode Island Commission on the Deaf and Hard of Hearing
Division of Legal Services within the Department of Administration

The Director of Administration or designee shall chair the Council. The Council shall meet quarterly.

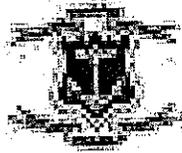
This Executive Order supersedes and rescinds Executive Order No. 00-4, and is effective immediately upon the date hereof.

So Ordered:



Donald L. Carcieri

Dated: January 17, 2005



State of Rhode Island and Providence Plantations
State House
Providence Rhode Island 02903-1196
401-222-2080

Donald L. Carcieri
Governor

EXECUTIVE ORDER

05-01

January 17, 2005

PROMOTION OF EQUAL OPPORTUNITY AND
THE PREVENTION OF SEXUAL HARASSMENT IN STATE GOVERNMENT

WHEREAS, there is a compelling interest in the promotion and achievement of equal opportunity; and concerted commitment is necessary to prevent discrimination and sexual harassment in all departments and agencies of Rhode Island state government; and

WHEREAS, Rhode Island has an unwavering commitment to providing equal employment opportunity in state government to all qualified individuals without sexual harassment or discrimination on the basis of race, color, creed, religion, age, sex, ethnicity, national origin, veteran status, marital status, sexual orientation, gender identity, or the presence of a sensory, mental, or physical disability; and

WHEREAS, the prevention and elimination of discrimination and sexual harassment requires continued action to ensure that all employment opportunities existing in or through state government are available to all qualified individuals; and

WHEREAS, to provide equal opportunity for all employees and applicants in all aspects of employment including, but not limited to recruitment, hiring, retention, training, compensation, benefits, leave, assignment, transfer, promotion, discipline, demotion, terminations, and layoffs, and to ensure reasonable steps are taken to actively promote employment opportunities to all qualified individuals that historically have been underutilized in the state government workforce there is a need to reaffirm policies, practices consistent with State and Federal law.

NOW, THEREFORE, I, DONALD L. CARCIERI, by the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

1. All Directors, their senior staff and all supervisory employees of agencies, departments, state boards, commissions, public authorities and quasi-public corporations of state government ("Agencies") are responsible for ensuring that all aspects of state programs for which they manage are available without discrimination or sexual harassment.
2. Pursuant to all applicable Federal and State law, all Agencies are to develop, promote, monitor, implement, and maintain equal employment opportunity policies and practices that:
 - a) do not discriminate against any employees or applicants for state employment in all aspects of employment including contract procurement and service delivery;
 - b) establish guidelines to prevent discrimination and sexual harassment of any employees or applicants for state employment;
 - c) identify and actively promote employment opportunities for qualified individuals that historically have been underutilized in the state government workforce;
 - d) describe the notice and filing provisions that enable any employee or applicant for state employment who believes he/she has been discriminated against or sexually harassed to immediately report such conduct to appropriate official(s).
3. All Agency Directors shall designate an individual as the Agency's Equal Employment Opportunity Officer and American with Disabilities Act Coordinator (the Officer). Such Officers, with the assistance of the State Equal Opportunity Office (EEO) as set forth in Title 28, Chapter 5.1 et seq. of the Rhode Island General Laws, shall be responsible for the formulation, drafting and reporting of plans and policies relating to nondiscrimination as well as the prevention of sexual harassment as required by Title 28, Chapter 51-2.

All Agency Officers shall annually attend one (1) Equal Employment Opportunity training session and one (1) training session on the prevention of sexual harassment. Each Agency Officer shall work cooperatively with the Diversity Advisory Council as established by Executive Order 05-02 and the State EEO to conduct a semi-annual review and evaluation of hiring/promotion activity within their unit.

All Agency Directors shall work cooperatively with the Agency Officer to monitor and maintain compliance according to the guidelines outlined in the Agency's EEO plan.

4. All Agencies shall comply with Federal laws pertaining to the promotion of equal opportunity for all qualified individuals and the prevention of sexual harassment including but not limited to the following provisions:
 - Title VII of the Civil Rights Act of 1964, as amended, that prohibits employment discrimination on the basis of race, color, religion, sex or national origin;
 - The Age Discrimination in Employment Act of 1967, as amended, that prohibits employment discrimination against individuals 40 years of age or older;
 - The Equal Pay Act of 1963 that prohibits discrimination on the basis of gender in compensation for substantially similar work under similar conditions;

- Title I of the Americans with Disabilities Act of 1990, as amended, that prohibits employment discrimination on the basis of disability in both the public and private sector, excluding the federal government;
- The Civil Rights Act of 1991, as amended, that provides for monetary damages in case of intentional discrimination;
- Section 501 of the Rehabilitation Act of 1973, as amended, that prohibits employment discrimination against federal employees with disabilities;
- Title IX of the Education Act of 1972, as amended, that forbids gender discrimination in education programs, including athletics that receive federal dollars;
- The Pregnancy Discrimination Act of 1978, as amended, that makes it illegal for employers to exclude pregnancy and childbirth from their sick leave and health benefits plans; and
- 38 U.S.C. 4212 Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended that prohibits job discrimination and requires affirmative action to employ and advance in employment qualified Vietnam era veterans and qualified special disabled veterans.

5. All Agencies of Rhode Island State Government shall also comply with State laws pertaining to the promotion of equal opportunity for all qualified individuals and the prevention of sexual harassment including but not limited to Article 1, Section 2 of the Rhode Island Constitution; all applicable provisions of Rhode Island General Laws Chapter 5 through 6, and Chapter 51 of Title 28. These statutes require Fair Employment Practices regardless of race, color, religion, sex, sexual orientation, gender identity, expression, disability, age, or country of origin; positive action be taken to affirm the civil rights of protected classes of individuals; promote nondiscrimination, and prohibit sexual harassment.

6. Pursuant to Rhode Island General Laws Title 28, Chapter 5.1, the State EOO shall be responsible for assuring compliance with State and Federal laws prohibiting discrimination and all applicable provisions of this Executive Order.

7. Pursuant to Rhode Island General Laws Title 28 Chapter 51, the Office of Labor Relations within the Department of Administration shall be responsible for assuring compliance with State and Federal laws prohibiting sexual harassment and all applicable provisions of this Executive Order.

8. Pursuant to Rhode Island General Laws Title 28, Chapter 5 Sections 8 through 40, the Rhode Island Commission for Human Rights shall be responsible for assuring compliance with State and Federal laws and all applicable provisions of this Executive Order.

9. Pursuant to Rhode Island General Laws Title 42, Chapter 51, the Governor's Commission on Disabilities shall be responsible for assuring compliance with State and Federal laws and all applicable provisions of this Executive Order.

10. Pursuant to Rhode Island General Laws Title 23 Chapter 23-1.8, the Commission on Deaf and Hard-of-Hearing shall be responsible for assuring compliance with all applicable provisions of this Executive Order.

11. Pursuant to Rhode Island General Laws Title 28-5.1-5 and Title 36 Chapter 4-26.1, the Office of Personnel Administration within the Department of Administration and the State EOO

shall be responsible for assuring compliance with State and Federal laws and all applicable provisions of this Executive Order.

12. Pursuant to Rhode Island General Laws Title 28-5.1-3.1 each Agency of State Government is responsible for assuring compliance with all applicable provisions of this Executive Order.

Individuals believing that they have been discriminated against or sexually harassed in employment by or through state government should immediately contact:

Rhode Island State Equal Opportunity Office
Department of Administration, Personnel Office
One Capitol Hill
Providence, RI 02908
Tel (401) 222-3090; Fax (401) 222-6391; TTD (401) 222-6144

Rhode Island Commission for Human Rights

Executive Order 05-01 January 17, 2005 Page 5
180 Westminster Street, 3rd Floor Providence, RI 02903 Tel (401) 222-2661; Fax (401) 222-2616; TTY (401) 222-2664

Governor's Commission on Disabilities
41 Cherry Dale Court
Cranston, RI 02920
Tel (401) 462-0100; Fax (401) 462-0106; TTY (401) 462-0101

This Executive Order supersedes and rescinds Executive Order No. 96-14 and No. 95-11, and is effective immediately upon the date hereof.
So Ordered:



Donald L. Carcieri
Dated: January 17, 2005

State of Rhode Island
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

No. 94-22

December 23, 1994

MINORITY BUSINESS ENTERPRISE



State House,
Providence

WHEREAS, it is the policy of the State of Rhode Island and of this administration that Minority Business Enterprises and Women Business Enterprises, (herein defined as "MBEs") shall have the fullest possible opportunity to participate in State funded and State directed public construction programs and projects and in State purchases of goods and services; and

WHEREAS, the General Assembly in 1986 enacted Title 37, Chapter 14.1, (herein defined as the MBE statute) and therein authorized the Director of the Department of Administration to establish rules and regulations for giving MBEs a preference in contract and subcontract awards; and

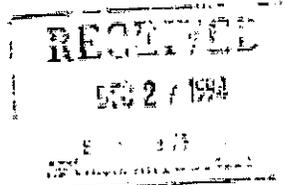
WHEREAS, on June 23, 1994, I signed Executive Order 94-9, reorganizing and enhancing the powers and duties of the MBE Program, and there is now a need to restructure and clarify the responsibilities of the MBE program; and

WHEREAS, as Governor, I intend to affirm and carry out the State's policy of encouraging full compliance with the MBE statute throughout State government;

NOW, THEREFORE, I, BRUCE SUNDLUN, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

Article I - Applicability

This Executive Order shall apply to any and all State purchasing, including but not limited to construction projects or contracts, professional services, and purchase of goods and services funded in whole or in part by State funds, or funds which the State expends or administers as the recipient of a federal grant, or in which the State is a signatory to the contract.



Article II - Minority Business Enterprise Program

(A) The Director of the Department of Administration shall assume overall responsibility for the MBE Compliance Program. The Director of Administration shall create the position of Administrator - MBE Compliance and shall delegate day to day operational responsibility to that official. The Administrator - MBE Compliance shall serve as the primary operational officer of the MBE Program and shall be supported by staff as determined by the Director, Department of Administration. The Administrator - MBE Compliance shall assume responsibility as the Executive Director of the MBE Commission and provide staff support for the Commission. The Administrator - MBE Compliance shall, with the support of the MBE Program staff, advise and assist the Governor, the Director of Administration, the Purchasing Agent, and other entities and individuals directly affected by the contract and procurement practices of State government. The Administrator - MBE Compliance shall assist in the development of effective and innovative strategies for promoting MBE participation in the State's procurement, construction, professional, consulting, and legal service contracts in order to comply with R.I. General Laws Section 37-14.1-7.

(B) The MBE Program shall:

1. Assist the Director of Administration to issue rules, regulations and reporting requirements necessary to implement the objective of this Executive Order.
2. Monitor the progress of each department, agency, and quasi-state authority or corporation in the attainment of MBE policy objectives, participation goals, and requirements.
3. Conduct such activities as visits to job sites, public hearings and examination of records and practices of various departments as may be necessary to ensure compliance with the requirements of this Executive Order.
4. Arrange for technical assistance, support and resource identification to assist the various department, agency and quasi-state authority or corporation purchasing entities in attaining the objectives of this Executive Order.
5. Identify and seek assistance from various community based organizations, local, state and federal agencies active in the field of MBE development as well as offices in other state and federal jurisdictions.

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Executive Order No. 94-22

December 23, 1994

Page 3

6. Act as a coordinating body to bring MBEs into active participation in the purchasing procedures of the various departments of the State.

7. Develop a statewide reporting system for all MBE activities under R.I. General Laws Section 37-14.1.

8. Conduct research and analysis to strengthen the State's MBE Program.

9. Develop for the Director of the Department of Administration recommended rules and regulations to insure compliance and sanctions for non-compliance by departments, agencies and quasi-state authorities or corporations.

10. Submit an Annual Report to the Governor, by November 30th of each year (for the prior fiscal year) recommending procedures, activities, etc. to improve the program.

(C) The MBE Program shall certify MBEs:

The responsibility for MBE certification has been assumed by the Department of Administration:

1. Pursuant to R.I. General Laws Section 37-14.1 (relating to MBE) and Section 42-35-1 (relating to Administrative Procedures), the Department of Administration shall adopt, transfer and/or modify rules and regulations for the certification of MBEs.

2. Develop a database of certified MBEs to be maintained as a public record.

3. Notify the purchasing agent of the State and quasi-state authorities or corporations of any determination of non-compliance with the requirements of this Executive Order or a removal of the certification of an MBE.

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Article III - MBE Commission

(A) There is hereby established a Minority Business Enterprise Commission (herein defined as the "MBE Commission") to advise and assist the MBE Program, the Director, Department of Administration and the Administrator - MBE Compliance in meeting and carrying out the MBE compliance rules and regulations promulgated by the Department of Administration.

(B) The following officials and individual persons are hereby appointed as members of the MBE Commission, to serve at the pleasure of the Governor:

A cabinet level official to be appointed by the Governor

Director of the Department of Administration (or designee), Chair

Representative Joseph Newsome

Executive Director, Commission for Human Rights

Casby Harrison, III
Leht & Semenov

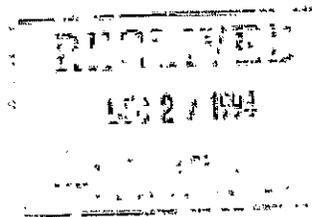
President (or designee)
Black Contractors Association of Rhode Island

Executive Director (or designee)
Rhode Island Commission on Women

President (or designee)
Hispanic Contractors Association

(C) The following officials shall serve as non voting advisors to the MBE Commission:

Director of Policy
Governor's Office



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Associate Director and Purchasing Agent
Department of Administration - Division of Purchasing

Associate Director - Department of Administration
Division of Human Resources

State Controller
Department of Administration - Office of Accounts and Control

Chief Civil Rights Officer
Department of Transportation

(D) The following official shall serve as the Executive Director of the MBE Commission:

Administrator - MBE Compliance
Department of Administration - Division of Human Resources

The MBE Commission shall meet no less than six times per year and upon the call of the Chairperson or four (4) Commission members to consider whatever business the Chairperson or Commission members may deem appropriate. Four (4) members shall constitute a quorum of the Commission.

Article IV - Responsibility of Departments, Agencies, and Quasi-State
Authorities or Corporations Empowered to Expend State Funds

(A) Each governmental department, agency and quasi-state authority or corporation empowered to expend or administer State funds shall develop and submit as part of its annual budget, an MBE plan to meet the goal of awarding 10% of the dollar value of all procurements and construction projects to certified MBEs.

(B) The Director of each department, agency or quasi-state authority or corporation empowered to expend State funds, shall designate a highly placed official ("MBE Coordinator") to have overall responsibility for promoting greater participation of MBE in his or her department or agency or quasi-state authority or corporation.

(C) If the rules and regulations promulgated by the Department of Administration are not being met, the Department, agency or quasi-state authority or corporation shall submit a report to the Department of Administration's Administrator - MBE Compliance stating the reasons for its inability to comply with such rules and regulations, and identify the remedial steps it shall take. Such remedial steps may include:

1. Targeting some bid invitations to MBEs.
2. Promoting joint ventures between MBEs and non-MBEs.
3. Requiring prime contractors, where subcontracting opportunities exist, to subcontract a minimum amount of work on projects to MBEs.
4. Designating MBEs as suggested vendors when submitting requests to the purchasing agent.
5. Dividing large contracts into smaller units to afford opportunities for MBEs, where legally permissible.
6. Developing a plan to require prime contractors, whenever possible, to purchase supplies, services and equipment from MBEs.

Article V - Responsibility of State Purchasing Agent and Quasi-State Authority or Corporation Purchasing Agents

The State Purchasing Agent and quasi-state authority or corporation purchasing agents will provide maximum support to comply with the requirements of the MBE statute as stated herein. Such efforts will include:

1. Notifying all possible bidders, especially potential MBE suppliers of purchasing for departments, agencies and quasi-state authorities or corporations. Such notification might include direct mail, advertising in media reaching the minority community, and such other outreach efforts as may be necessary.
2. Seeking out MBEs from the list of certified MBEs to be included in prospective bidder lists, and targeting some bid invitations to MBEs.

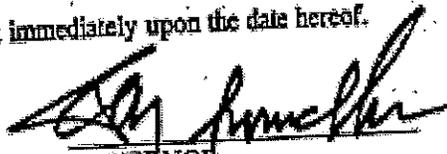
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December 23, 1994
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3. Providing information to minority suppliers and conducting outreach and information sessions for existing and potential MBEs.
4. Monitoring the utilization of MBEs in the area of Utility Order Purchases.
5. Provide such information as may be requested by the MBE Commission.
6. Performing any such other activities that generally support objectives of this Executive Order and R.I. General Laws Section 37-14.1 et seq.

This Executive Order effectively rescinds, supersedes and replaces Executive Order No. 94-9.

This Executive Order shall take effect immediately upon the date hereof.

12/27/94
DATE


GOVERNOR

DEC 27 1994

State of Rhode Island
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

No. 93-1

JANUARY 18, 1993

RECEIVED

JAN 19 1993

SECRETARY OF STATE
ADMINISTRATIVE RECORDS DIV.



AFFIRMATIVE ACTION POLICY STATEMENT

State House, Providence
I, BRUCE SUNDLUN, by the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

1. Equal Opportunity and Affirmative Action towards its achievement is the firm and unwavering policy of all units of Rhode Island State Government.

2. Rhode Island State Government is committed to providing equal opportunity in every aspect of its programs and will not discriminate because of race, sex, national origin, age, religion, sexual orientation, or disability. Because my administration recognizes the need to eliminate the vestiges of past societal discrimination, it will take affirmative action to ensure that its employment opportunities are available to every qualified Rhode Islander.

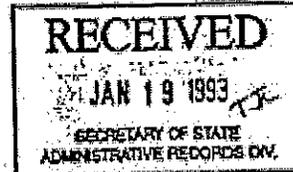
3. Within agencies, departments of state government, and those agencies created by legislative statute, the following areas will be administered without regard to race, color, sex, age, religion, sexual orientation, or disability:

Hirings
Salary/Wage
Lay-offs
Transfers
Promotions
Demotions

Work Assignments
Leave
Training
Recall From Lay-offs
Appointments
Discipline

4. In addition, my administration will not tolerate discrimination by any recipient of state government funds. This includes lending institutions, developers, contractors, sub-contractors and entities doing business with the State. Deliberate or persistent violation of the affirmative action policies set forth herein may result in the withdrawal of State support or involvement in a project and/or debarment from further State involvement. Any person or corporation doing business with the State shall cooperate with the monitoring of this policy. The Director of Administration shall promulgate such rules and regulations as are necessary to effectuate compliance with this paragraph.

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Affirmative Action Policy Statement



5. In addition to Rhode Island State Government, each and every employee of state government is responsible for assuring that all aspects of State programs for which he/she is responsible for are available without discrimination. Department Directors and their senior staff are responsible for the implementation of this policy and they will be evaluated as to their role in this implementation.

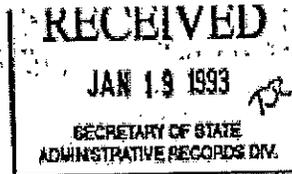
6. All Department Directors and appointing authorities shall appoint a highly placed person, who shall report to the Department Director and who shall be designated as the Departmental Affirmative Action Officer. The Departmental Affirmative Action Officer shall attend at least one EEO training session annually and the Officer shall assist in the development and enforcement of affirmative action plans. Each Departmental Affirmative Action Officer shall work cooperatively with the Personnel Administrator to conduct a quarterly review of hiring/promotion activity within their unit to evaluate and report to his/her Department Director on affirmative action progress or lack thereof. Each Departmental Affirmative Action Officer shall submit information on the status of their plans twice annually to their respective Department Directors.

7. The Governor's Executive Committee for Affirmative Action is hereby established and its membership shall hereafter consist of the following: the EEO Administrator, the Executive Director of the Human Rights Commission, the Executive Secretary of the Governor's Commission on the Handicapped, the Director of the Commission on Women, the Executive Director of the Minority Business Enterprise Commission, the Chief of the Merit Selection and Classification Unit, the Administrator of Purchasing Systems, and the Personnel Administrator who shall Chair this Committee.

8. The Committee shall advise the Governor in the formulation and coordination of plans, policies and programs relating to equal opportunity and affirmative action in all State departments and agencies and in assuring effective implementation of such policies, plans and programs by such agencies.

9. Upon the request of the Executive Committee, the Department Director of each State agency and the Departmental Affirmative Action Officer shall meet with the Committee and report in person to such Committee on the agency's affirmative action program. It shall be the Executive Committee Chair's responsibility to schedule such meetings, and it shall be the duty of every agency head to comply

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Affirmative Action Policy Statement



with such requests for data or other information or reports as the Executive Committee may deem appropriate for analysis and review in advance of such meeting.

10. In addition to the duties of the State EEO Office set forth in Title 28, Chapter 5.1 of the Rhode Island General Laws, the State EEO Office shall:

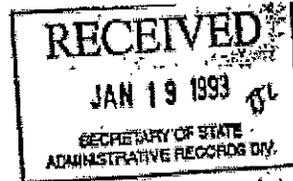
- A) review the Affirmative Action plans submitted annually by each state department or agency and prepare a comparative analysis of the strengths and weaknesses of the plans;
- B) make recommendations to the departments on proactive policy initiatives that may enhance affirmative action plan objectives;
- C) prepare an Executive Summary of the departmental plans for submission to the Governor annually on November 15th; and
- D) work cooperatively and in conjunction with the Departmental Affirmative Action Officers, Departmental MBE Coordinators, and State Officials serving on the Governor's Executive Committee for Affirmative Action.

11. The State Equal Opportunity Office shall be responsible for assuring compliance with Rhode Island General Laws Title 28, Chapter 5.1 and the provisions of this Executive Order.

12. The Rhode Island Commission for Human Rights shall be responsible for assuring compliance with Rhode Island General Laws Title 28, Chapter 5, Sections 8 through 40 and the provisions of this Executive Order.

13. The Rhode Island Governor's Commission on the Handicapped shall be responsible for assuring compliance with Rhode Island General Laws Title 42, Chapter 51 and the provisions of this Executive Order.

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Affirmative Action Policy Statement



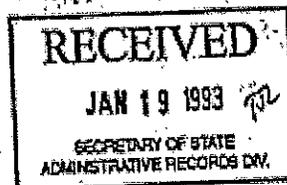
14. All units of Rhode Island State Government shall comply with all state and federal laws pertaining to equal opportunity and affirmative action including:

Rhode Island Fair Employment Practices Act,
Rhode Island Handicapped Products Procurement Act,
Rhode Island AIDS Discrimination Act,
Federal Executive Order 11246, as amended,
Title VI and Title VII of the Civil Rights Act of 1964, as amended,
Age Discrimination in Employment act of 1967,
Equal Pay Act of 1963,
Rehabilitation Act of 1973, Section 504,
Americans with Disabilities Act (ADA) of 1990,
Vietnam Era Veterans Act of 1974,
Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991,
Age Discrimination Act of 1975,
Education Amendments Act of 1972 (Title IX),
Civil Rights Act of 1991,
Rhode Island Executive Order 92-2 (Americans with Disabilities Act),
Rhode Island Executive Order 91-39 (Sexual Harassment),
Rhode Island Executive Order 92-4 (Minority Business Enterprise Commission), and
Rhode Island Executive Order 93-1 (Affirmative Action Policy Statement).

15. Persons with disabilities requesting reasonable accommodation should contact their own department/agency's personnel office or ADA Coordinator.

16. Persons having questions or needing assistance for minority or women business enterprises should contact the Executive Director of the Minority Business Enterprise Commission at 277-6246(v) 277-3090 (tdd).

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Affirmative Action Policy Statement



17. Citizens of Rhode Island believing that they have been discriminated against in the pursuit of achieving the quality of life as aforementioned should contact:

Governor's Commission on the Handicapped
555 Valley Street, Building #51
Providence, RI 02908-5686
TEL. #277-3731
TDD #277-3701
FAX #277-2833

RI Commission for Human Rights
10 Abbott Park Place
Providence, RI 02903-3768
TEL. #277-2661
TDD #277-2664
FAX #277-2616

RI State Equal Opportunity Office
One Capitol Hill
Providence, RI 02908-5865
TEL. #277-3090
TDD #277-6144
FAX #277-6378

This Executive Order shall supercede and rescind Executive Order No. 85-11, and become effective immediately on the date hereof.

1-12-93
DATE


GOVERNOR

State of Rhode Island
and Providence Plantations

Bruce Sundlun, Governor



EXECUTIVE ORDER

NO. 92-2

JANUARY 23, 1992



COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT

State House,
Providence

WHEREAS, the Americans with Disabilities Act ("ADA") was enacted by the United States Congress on July 26, 1990 to expand the civil rights of individuals with disabilities in the areas of employment, transportation, public accommodations and communications; and

WHEREAS, the primary objective of the ADA is to require employers and public service providers to eliminate any and all barriers, practices or policies that may discriminate against or otherwise deprive individuals with disabilities of the full use and enjoyment of public accommodations, public transportation, telecommunication systems and employment opportunities; and

WHEREAS, it was anticipated that the process of removing any and all such barriers would best be effectuated by developing a comprehensive statewide plan; and

WHEREAS, in June of 1991, I directed the Governor's Commission on the Handicapped to create a Coordinating Committee on the ADA that would bring representatives from all segments of State government together to participate in joint self evaluation and ADA compliance planning; and

WHEREAS, the Coordinating Committee, chaired by Nancy Husted-Jensen has developed and presented me with a statewide plan for meeting the mandates of the ADA entitled "AMERICANS WITH DISABILITIES ACT; SELF EVALUATION AND COMPLIANCE PLAN FOR THE STATE OF RHODE ISLAND;" (hereinafter "ADA Compliance Plan")

NOW, THEREFORE, I, BRUCE SUNDLUN, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

1. The Rhode Island State ADA Compliance Plan shall be implemented forthwith so that individuals with disabilities may be fully integrated into all aspects of Rhode Island life in the most expeditious manner possible.

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Executive Order 92-2
January 23, 1992



2. There shall be a State ADA Coordinator to assume overall, day-to-day responsibility for implementing the ADA Compliance Plan.

3. The Chairperson of the Governor's Commission on the Handicapped is hereby designated to serve at the Governor's pleasure as the State ADA Coordinator. The Executive Secretary of the Governor's Commission on the Handicapped is hereby designated to serve as Deputy Coordinator.

4. The duties of the ADA Coordinator shall include:

- A. monitoring the State's compliance with all federal and state laws and regulations affecting individuals with handicaps, including but not limited to Section 504 of the 1973 Rehabilitation Act and the Americans with Disabilities Act;
- B. establishing a technical assistance program to inform and advise State and local government agencies, human service providers, providers of public accommodations, real estate agents, brokers, developers, architects, landlords, builders, and other affected entities and individuals on their obligations under the ADA;
- C. establishing a grievance procedure to promptly and equitably resolve complaints of noncompliance with the ADA involving departments, agencies or divisions of State government;
- D. establishing a procedure for initiating complaints against any department, agency or division within State government that willfully fails to comply with the requirements of the ADA or the ADA Compliance Plan.
- E. developing, making periodic revisions to, and overseeing implementation of an ADA Transition Plan for the removal of environmental and communication barriers in State owned facilities;
- F. presiding at future meetings of the State Coordinating Committee on the ADA.

Page Three
Executive Order 92-2
January 23, 1992



5. The State Coordinating Committee on the ADA shall continue to exist and shall continue to be staffed by the Governor's Commission on the Handicapped. The Committee shall advise and assist the ADA Coordinator in the implementation of the ADA Compliance Plan. It shall also prepare a status report to the Governor on or before October 1, 1992, and annually thereafter.

6. The Governor's Commission on the Handicapped, the State Building Commission and the Commission for Human Rights shall, whenever possible and appropriate, cooperate with and assist the ADA Coordinator to:

- A. Assure compliance with the building accessibility and public accommodations sections of the ADA; and
- B. carry out the duties of the ADA Coordinator enumerated above.

This Executive Order shall take effect on the date hereof.

Date

1-23-92

Governor



Edward D. DiPrete
Governor

State of Rhode Island and Providence Plantations
EXECUTIVE CHAMBER, PROVIDENCE

EXECUTIVE ORDER

NO. 86-10

APRIL 15, 1986

REFUGEE POLICY

WHEREAS, the State of Rhode Island has been a home and a haven for immigrants and refugees since the beginning of its recorded history; and

WHEREAS, for more than three centuries people driven from their homelands by various forms of persecution have come to Rhode Island and found the opportunity and the means to establish a new life here; and

WHEREAS, the United States Refugee Act of 1980, Pub. L. No. 96-212, authorizes the grant of asylum to refugees who are defined as any person outside his or her country of nationality "who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion"; and

WHEREAS, Rhode Island accepts and welcomes the opportunity to take part in our national refugee resettlement program and to carry out our state's exemplary historical role in assisting people fleeing dangers and undue hardships; and

WHEREAS, the refugee experience is a major upheaval in the lives of these individuals, and in order for them to adjust successfully to a new country and culture, a period of transition is necessary to learn a new language and culture; and

WHEREAS, Rhode Island recognizes that refugees have great potential to contribute to the state and its communities, and that it is in the interest of all that their potential be nurtured and encouraged; and

Executive Order 86-10
Page Two
April 15, 1986

WHEREAS, the Rhode Island Office of Refugee Resettlement was created for the purpose of implementing the requirements of the Refugee Act of 1980 (P.L. 96-212) to assist refugees in the state to become self-sufficient as rapidly as possible; and

WHEREAS, the Governor's Advisory Council on Refugee Resettlement, created by Executive Order 85-24, was established for the purpose of forging a linkage between the refugee community and the larger Rhode Island society; and

NOW, THEREFORE, I, Edward D. DiPrete, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, hereby order and direct the following:

1. The Rhode Island Office of Refugee Resettlement shall be authorized to coordinate consultations among the following entities and agencies: voluntary agencies ("VOLAGE") and their national offices; local officials; state departments; namely, the Department of Employment Security, the Department of Health, the Department of Human Services, the Department of Mental Health, Retardation and Hospitals, the Department for Children and Their Families, the Department of Economic Development, the Department of Transportation, the Department of Education, the Office of the Attorney General and other appropriate public and private agencies.
2. The above consultations shall be to determine the availability of needed services such as housing availability and community responsiveness; to evaluate economic conditions, and to determine the proximity of organizations and institutions which provide support.
3. All transitional services shall be provided with a view to maximize their accessibility and cultural appropriateness. The characteristics and concerns of the refugee communities should be taken into account in the shaping of specific service delivery procedures and mechanisms and the determination of their cultural and linguistic sensitivity.

4. Those state agencies as previously stated that conduct programs and activities directly or indirectly relating to the service needs of the refugee population shall immediately undertake an affirmative planning process with regard to refugees. This planning process shall be completed by October 1, 1986, and shall include the following elements:

- A. Needs Assessment: Determining the current and potential requirements refugees have for the agencies' services;
- B. Current Use: Measuring and documenting the extent to which refugees now use the services;
- C. Agency Service Plan for Refugees: Formulating a plan, including a timetable for implementation, that ensures that delivery of the agencies' services to refugees meets the needs identified in the needs assessment and are in compliance with Title VI of the United States Civil Rights Act of 1964.

5. Rhode Island Office of Refugee Resettlement and Rhode Island Equal Opportunity Office Assistance -

The Rhode Island Office of Refugee Resettlement and the Rhode Island Office of Equal Opportunity shall provide technical assistance to the agencies throughout the planning process and shall monitor the agencies' progress in the implementation of their plans. Technical assistance when necessary will be requested from the Federal Offices for Civil Rights Compliance.

6. State Agencies Preparing Agency Service Plans -

The following state agencies shall engage in the planning process: the Department of Human Services, The Department of Health, the Department of Employment Security, The Department of Mental Health, Retardation and Hospitals, the Department for Children and Their Families, the Department of Education,

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the Department of Economic Development, and the Department of Transportation.

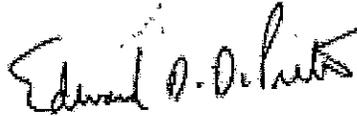
7. Transitional Education Program -

RIORR shall meet regularly with the Department of Education to coordinate the provision of the transitional program for refugee children, bilingual education programs, adult education services, and other educational programs of special concern to the refugee communities.

8. Consultation with Attorney General -

RIORR shall work with the Office of the Attorney General, specifically the Civil Rights Division and the Division of Consumer Protection, in its effort to ensure that necessary state protection and services are available to the refugee population.

This Executive Order shall take effect on the date hereof.



Edward D. DiPrete
Governor



Edward D. DiPrete
Governor

State of Rhode Island and Providence Plantations
EXECUTIVE CHAMBER, PROVIDENCE

EXECUTIVE ORDER

NO. 85-16

JULY 23, 1985

SECTION 504 COORDINATOR

WHEREAS, Title V of the Rehabilitation Act of 1973 sets forth the civil rights of handicapped persons; and

WHEREAS, handicapped persons have a right to expect and gain access to various buildings and properties which exist for the betterment of all persons; and

WHEREAS, under Section 504 of Title V of the Rehabilitation Act of 1973 the State has been mandated to create policies, practices and programs regarding accessibility of State buildings and properties to handicapped persons; and

WHEREAS, such a designation would allow for the expedient compliance with the mandate of Section 504 thereby serving the needs of handicapped persons in the best possible manner;

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, it is ordered as follows:

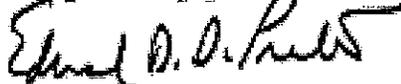
1. The Director of Administration is hereby designated the State's 504 Coordinator and shall delegate operational control to the State Building Code Commissioner as his designee.
2. The duties of the Coordinator shall be to coordinate all State agencies in the implementation of all federal rules and regulations affecting the State in terms of compliance with the mandates of Section 504 of Title V of the Rehabilitation Act of 1973.
3. The Coordinator's duties shall include:
 - a. Authority to order departments to prepare and complete transition plans in accordance with 504 regulations.

Executive Order No. 85-16
July 23, 1985
Page Two

- d. Coordinating the formulation and review of transition plans with advisory panels who may represent handicapped organizations.
- c. Granting final approval of transition plans and department use of program accessibility.
- d. Managing the construction, design or alterations of buildings and sites necessary to bring all programs into compliance.
- e. Authorization to coordinate and mediate matters concerning 504 compliance.
- f. Assisting public and private sectors through the use of proper agencies on technical, employment and architectural matters concerning 504 compliance.
- g. Establishment of a consumer complaint procedure necessary to resolve all complaints to agencies pertaining to 504.
- h. The State 504 Coordinator or the State Building Code Commissioner as his designee is hereby authorized to initiate complaints against those agencies, administrators, agents or employees of any department or division within state government who willfully fail to comply with the requirements.
- i. The 504 Coordinator and the State Building Code Commissioner as his designee shall consult with the Chairman of the Governor's Commission on the Handicapped with respect to implementation of the above duties and responsibilities.

This Executive Order shall take effect on the date hereof. This Executive Order rescinds Executive Order No. 80-16 dated September 29, 1980.

Respectfully yours



Edward D. DiPrete
GOVERNOR

PUBLIC LAW 97-118
AN ACT

**RELATING TO SEXUAL HARASSMENT, EDUCATION
AND TRAINING IN THE WORKPLACE**

CHAPTER 51
SEXUAL HARASSMENT, EDUCATION AND TRAINING IN THE WORKPLACE

§ 28-51-1. Definitions. — (a) As used in this chapter the term “sexual harassment” means any unwelcome sexual advances or requests for sexual favors or any other verbal or physical conduct of a sexual nature when submission to such conduct or such advances or requests is made either explicitly or implicitly a term or condition of an individual’s employment.

(b) As used in this chapter, the term “employer” means any entity employing fifty (50) or more employees.

§ 28-51-2. Adoption of workplace policy and statement. — (a) All employers and employment agencies shall promote a workplace free of sexual harassment.

(b) Every employer shall:

(1) adopt a policy against sexual harassment which shall include:

- (i) a statement that sexual harassment in the workplace is unlawful;
- (ii) a statement that it is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of a complaint for sexual harassment;
- (iii) a description and examples of sexual harassment;
- (iv) a statement of the range of consequences for employees who are found to have committed sexual harassment;
- (v) a description of the process for filing internal complaints about sexual harassment and the work addresses and telephone numbers of the person or persons to whom complaints should be made; and
- (vi) the identity of the appropriate state and federal employment, as amended, discrimination enforcement agencies, and directions as to how to contact such agencies as amended.

(2) provide to all employees a written copy of the employer's policy against sexual harassment; provided, however, that a new employee shall be provided such a copy at the time of his or her employment.

(c) Employers are encouraged to conduct an education and training program for new employees and members, within one (1) year of commencement of employment or membership, which includes at a minimum the information set forth in this section. Employers are encouraged to conduct additional training for new supervisory and managerial employees within one (1) year of commencement of employment which shall include at a minimum the information set forth in subsection (b), the specific responsibilities of supervisory and managerial employees and the methods that such employees should take to ensure immediate and appropriate state agencies are encouraged to cooperate in making such training available.

(d) Employers shall provide amended copies of their written policies on sexual harassment to all employees upon their request on or before September 1, 1997.

§ 28-51-3. Education and training programs. — Employers are encouraged to conduct an education and training program on sexual harassment consistent with the aims and purposes of this chapter for all employees, including, but not limited to the supervisory or managerial personnel, on or before September 1, 1997.

(2003)

APPENDIX II

JOB CATEGORY DESCRIPTION

DESCRIPTION OF JOB CATEGORIES

OFFICIALS AND ADMINISTRATORS:

Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies or direct individual departments or social phases of the agency's operations or provide specialized consultation on a regional, district or area basis. Includes: Department heads, Bureau Chiefs, Division Chiefs, Directors, Deputy Directors, Controllers, Wardens, Superintendents, Sheriffs, Police and Fire Chiefs and Inspectors, Examiners (Bank, Hearing, Motor Vehicle, Warehouse), Inspectors (Construction, Building, Safety, Rent-and-Housing, Fire, A.B.C. Board, License, Dairy, Livestock, Transportation), Assessors, Tax Appraisers and Investigators, Coroners, Farm Managers and kindred workers.

PROFESSIONALS:

Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Includes: Personnel and Labor Relations workers, Social Workers, Doctors, Psychologists, Registered Nurses, Economists, Dieticians, Lawyers, Systems Analysts, Accountants, Engineers, Employment and Vocational Rehabilitation Counselors, Teachers or Instructors, Police & Fire Captains and Lieutenants, Librarians, Management Analysts, Airplane Pilots and Navigators, Surveyors & Mapping Scientists and kindred workers.

TECHNICIANS:

Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: Computer Programmers, Drafters, Survey and Mapping Technicians, Licensed Practical Nurses, Photographers, Radio Operators, Technical Illustrators, Highway Technicians, Technicians (Medical, Dental, Electronic, Physical Sciences), Police and Fire Sergeants, Inspectors (Production or Processing Inspectors, Testers and Weighers) and kindred workers.

PROTECTIVE SERVICE WORKERS:

Occupations in which workers are entrusted with Public Safety, Security and Protection from destructive forces. Includes: Police Patrol Officers, Fire Fighters, Guards, Deputy Sheriffs, Bailiffs, Correctional officers, Detectives, Marshals, Harbor Patrol Officers, Game and Fish Wardens, Park Rangers (except Maintenance) and kindred workers.

PARAPROFESSIONALS:

Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience that is normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion under a "New Careers" concept. Includes: Research Assistants, Medical Aids, Child Support Workers, Policy Auxiliary, Welfare Service Aids, Recreation Assistants, Homemakers Aides, Home Health Aides, Library Assistants and Clerks, Ambulance Drivers and Attendants and kindred workers.

ADMINISTRATIVE SUPPORT:

Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: Bookkeepers, Messengers, Clerk Typists, Stenographers, Court Transcribers, Hearing Reporters, Statistical Clerks, Dispatchers, License Distributors, Payroll Clerks, Office Machine and Computer Operators, Telephone Operators, Legal Assistants, Sales Workers, Cashiers, Toll Collectors and kindred workers.

SKILLED CRAFT WORKERS:

Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: Mechanics and Repairers, Electricians, Heavy Equipment Operators Stationary Engineers, Skilled Machining Occupations, Carpenters, Compositors and Typesetters, Power Plant Operators, Water and sewage Treatment Plant Operators and kindred workers.

SERVICE/MAINTENANCE:

Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene of safety of the general public or which contribute to the upkeep and care of group may operate machinery. Includes: Chauffeurs, Laundry and Dry Cleaning Operatives, Truck Drivers, Bus Drivers, Garage Laborer, Custodial Employees, Gardeners and Groundskeepers, Refuse Collectors and Construction Laborers, Park Ranger Maintenance, Farm Workers (except Managers), Craft Apprentices/Trainees/Helpers and kindred workers.

APPENDIX III

RACIAL/ETHNIC IDENTIFICATION

Racial / Ethnic Designations Minority Group

An employee may be included in the group by which he or she appears to belong, identifies with or is regarded in the community as belonging. However, no person should be counted in more than one racial/ethnic group.

BLACK OR AFRICAN AMERICAN (Not Hispanic or Latino): A person having origins in any of the black racial groups of Africa.

HISPANIC OR LATINO: A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

NATIVE AMERICAN OR ALASKA NATIVE (Not Hispanic or Latino): A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

ASIAN (Not Hispanic or Latino): A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

WHITE (Not Hispanic or Latino): A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

NATIVE HAWAIIAN OR PACIFIC ISLANDER (Not Hispanic or Latino): A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

TWO OR MORE RACES (Not Hispanic or Latino): All persons who identify with more than one of the above five races.

**Standards adopted by the United States Equal Employment Opportunity Commission and
the Office of Federal Contract Compliance Program.**

APPENDIX IV

**OPC POLICY RELATIVE TO
SEXUAL HARASSMENT AND SEXUAL VIOLENCE**

COUNCIL ON POSTSECONDARY EDUCATION

SEXUAL HARASSMENT

AND

SEXUAL VIOLENCE POLICY

CPE Approved (4-1-2015)
Technical Rev. (3-12-18)
Contact Information revised (8-14-18)

**COUNCIL ON POSTSECONDARY EDUCATION
SEXUAL HARASSMENT AND SEXUAL VIOLENCE POLICY**

POLICY STATEMENT

It is the policy of the Council on Postsecondary Education ("CPE"), its constituent institutions of higher education (specifically, the University of Rhode Island, Rhode Island College, the Community College of Rhode Island) and the Office of Postsecondary Commissioner (collectively referred to as the "Covered Entities") to prohibit all forms of unlawful sexual harassment and sexual violence, as those terms are defined herein.

PURPOSE AND GOALS OF POLICY

- (1) Defines the types of conduct that will be considered to be prohibited sexual harassment, sexual assault and sexual violence at the Covered Entities;
- (2) Provides examples of such prohibited conduct;
- (3) Sets forth the mandatory and discretionary reporting obligations and procedures pertaining to such conduct that is witnessed, experienced or learned about by, or reported to, employees of the Covered Entities.
- (4) Provides a list of contacts, and internal and external resources, available to individuals who experience or witness acts of sexual harassment, sexual assault and sexual violence or who have questions relating to those subjects.

BACKGROUND

Sexual harassment, as defined herein, is prohibited in employment by Title VII of the 1964 Civil Rights Act and the Rhode Island Fair Employment Practices Act, and in education programs, activities and benefits by Title IX of the Educational Amendments of 1972 and Title VI of the 1964 Civil Rights Act.

Sexual violence (as defined herein) is prohibited in both the employment context, as well as in the educational programs, activities and benefits context, under Title IX of the Educational Amendments of 1972 ("Title IX") and the Violence Against Woman Reauthorization Act of 2013 ("VAWA").

APPLICABILITY

All faculty, staff, and students at all Covered Entities must comply with this policy in an effort to foster an inclusive and safe academic and work environment. This policy applies to the perpetration of sexual harassment, sexual assault or sexual violence by one member of the Covered Entity's community (faculty, staff, student, or volunteer) against another. Depending on the context, the policy may also apply where one of the involved or affected parties is a visitor or a contractor performing work on behalf of the Covered Entity. The policy applies to all such behavior occurring on campus, and to behavior occurring off campus when the behavior arises in the context of a Covered Entity event or otherwise has a significant relation to, or could have a significant impact on, the Covered Entity's living, learning or employment environments.

SEXUAL HARASSMENT

Sexual Harassment is defined as unwelcome sexual advances, request for sexual favors, and any other verbal, non-verbal or physical conduct of a sexual nature when:

- (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education, employment, or participation in programs or activities at the Covered Entity;
- (2) Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting that individual's education, employment, or participation in programs or activities at the Covered Entity; or
- (3) Such conduct is so severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's education, employment or participation in programs or activities at the Covered Entity and/or creating an intimidating, hostile, offensive or abusive employment, academic, extracurricular or living or learning environment for the individual at the Covered Entity.

The following are just two examples of conduct and behavior that will very likely be considered sexual harassment under this policy:

- (1) A faculty member conditions a student's favorable evaluation on the student's submission to sexual advances. The faculty member then gives the student a poor evaluation after the student rejects the faculty member's advances.
- (2) A student editor for the college newspaper continually and inappropriately touches another student newspaper staff member in a sexual manner over an extended period of time. The touching is unwelcome and continues even after the student editor is asked to stop. The conduct makes the staff member uncomfortable and creates an offensive and hostile environment in the newsroom.

Sexual harassment can arise from many different types of unwelcome verbal, nonverbal and physical conduct ranging from sexual gestures or teasing to sexual assault, acts of sexual violence, including domestic and dating violence, stalking and other coercive activity.

Examples of such conduct and behaviors that may lead to a finding of sexual harassment include, but are not limited to, the following:

- (1) Verbal: Sexual remarks, comments, jokes and innuendos, communicating unwelcome stories about someone's social or sexual life, and propositions or pressure for social or sexual contact.
- (2) Non-verbal: The display of sexually explicit stares, gestures or suggestive pictures, including secretly video recording sexual acts or objects.
- (3) Physical: Unwanted touching, patting, grabbing, pinching, including sexual assault, domestic violence, dating violence stalking and rape.

Sexual harassment need not be intentional. The intent of the person who is alleged to have committed such behavior may not be relevant to determining whether a violation has occurred. The relevant determination is whether a reasonable person similarly situated could have reasonably considered the alleged behavior to be sexual harassment.

Acts that do not necessarily involve conduct of a sexual nature but are based on sex or gender-stereotyping, and which may include physical aggression, intimidation, hostility, humiliation, insulting and hazing, may also be considered sexual harassment under this policy. Specific examples of such behavior that may lead to a finding of sexual harassment include the following:

- (1) A male employee is repeatedly taunted and insulted verbally by his co-workers for his "looking like a girl," "for acting like a girl" and "acting like a queer."
- (2) A female program director is repeatedly called "bossy", "overly aggressive" and "unlady like" by her male supervisors with some of these criticisms noted in her performance evaluations.

SEXUAL VIOLENCE

As used in this policy, the term sexual violence shall refer to (a) "sexual violence under Title IX" as that term is defined herein; (b) "sexual or relationship assault or violence under VAWA" as that term is defined herein; and/or (c) "sexual assault or relationship violence under Rhode Island law" as defined herein. *All forms of sexual assault and violence are prohibited under this policy.*

SEXUAL VIOLENCE UNDER TITLE IX

Sexual violence under Title IX, as described in the April 4, 2011 guidance issued by the U.S. Department of Education, is a form of sexual harassment, and 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. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and other forms of sexual coercion.

SEXUAL OR RELATIONSHIP VIOLENCE OR ASSAULT UNDER VAWA

Sexual or relationship violence or assault under VAWA refers to the following offenses, as defined herein: Sexual Assault-VAWA; Domestic Violence-VAWA; Dating Violence-VAWA; and Stalking-VAWA.

SEXUAL ASSAULT- VAWA

An offense that meets one of the following definitions of rape, fondling, incest, or statutory rape used in the FBI's Uniform Crime reporting Program.

Rape ---The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.

DATING VIOLENCE- VAWA

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition—

(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(B) Dating violence does not include acts covered under the definition of domestic violence.

DOMESTIC VIOLENCE- VAWA

A felony or misdemeanor crime of violence committed—

(A) By a current or former spouse or intimate partner of the victim;

(B) By a person with whom the victim shares a child in common;

(C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

(D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred,
or

(E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

STALKING- VAWA

(i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) Fear for the person's safety or the safety of others; or

(B) Suffer substantial emotional distress.

(ii) For the purposes of this definition—

(A) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, including social media, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

(B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

(C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

SEXUAL OR RELATIONSHIP VIOLENCE OR ASSAULT UNDER RHODE ISLAND LAW

Sexual or Relationship Assault or Violence under Rhode Island Law refers to the following offenses, as defined herein and fully set forth on EXHIBIT A attached hereto and made a part hereof:

SEXUAL ASSAULT – RI (as defined in R.I.G.L §11-37-1 through §11-37-6)

DATING VIOLENCE – RI (as defined in R.I.G.L. §16-22-24)

DOMESTIC VIOLENCE –RI (as defined in R.I.G.L. §12-29-2)

STALKING – RI (as defined in R.I.G.L. §11-59-1 though §11-59-2)

RETALIATION

Retaliation against any complainant or witness is prohibited and shall be treated as a separate violation under this policy as well as any of the Covered Entity's community standards and Non-Discrimination Policy.

Furthermore, no officer, employee, student or agent of any of the Covered Entities shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of law, or any of the Covered Entity's policies or procedures, relating to campus security or campus crime reporting, including any laws and policies relating to the reporting of, and required responses to, allegations of sexual violence.

REPORTING PROCEDURES AND AVAILABLE RESOURCES

Each of the Covered Entities shall establish, and make known to their students and employees, their (legally compliant) "reporting procedures" for the reporting of instances or complaints of sexual harassment and sexual violence, including a description of which employees shall be responsible for reporting, and which official(s) shall be responsible for receiving such reports. The Covered Entities shall also publish and make available to all of their students and employees information about "available resources" for individuals who believe they are victims of, witnesses to, or are simply concerned about, sexual harassment or sexual violence. Such "available information" should include a list of internal and external agencies, offices, hotlines, websites, or other information resources or service providers the Covered Entity believes would be important or valuable resources for their students and employees. The current "reporting procedures" descriptions, and "available resources" listings, for the University of Rhode Island, Rhode Island College, the Community College of Rhode Island, and the Office of the Postsecondary Commissioner, are attached hereto as Exhibits B, C, D and E respectively, and are incorporated by reference into this policy. Each Covered Entity shall be obligated to keep their "reporting procedures" descriptions and "available resources" listings current, and to promptly provide all updates to them (i.e. revisions to Exhibits B, C, D or E) to the Council, which will substitute the updated exhibits for the old ones and attach them to this policy.

INVESTIGATIONS AND DISCIPLINARY ACTIONS

Each Covered Entity shall investigate complaints and allegations of sexual harassment and sexual violence **against their employees**, pursuant to the Council for Postsecondary Education Discrimination Complaint Procedures. Each Covered Entity shall also investigate complaints and allegations of sexual harassment and sexual violence **against their students** in accordance with procedures described in their respective student conduct policies. Individual Covered Entity employees found in violation of this policy may be subject to disciplinary action up to and including remedial education, written reprimand, suspension and/or termination.

EXHIBIT A

ADDITIONAL DEFINITIONS RELEVANT TO "SEXUAL OR RELATIONSHIP ASSAULT OR VIOLENCE UNDER RHODE ISLAND LAW"

SEXUAL ASSAULT- RI (R.I.G.L. 11-37-1 thru 11-37-6)

"First degree sexual assault" – A person is guilty of first degree sexual assault if he or she engages in sexual penetration with another person, and if any of the following circumstances exist:

- (1) The accused, not being the spouse, knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless.
- (2) The accused uses force or coercion.
- (3) The accused, through concealment or by the element of surprise, is able to overcome the victim.
- (4) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

"Second degree sexual assault" – A person is guilty of a second-degree sexual assault if he or she engages in sexual contact with another person and if any of the following circumstances exist:

- (1) The accused knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless.
- (2) The accused uses force, element of surprise, or coercion.
- (3) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

"Third degree sexual assault" – A person is guilty of third degree sexual assault if he or she is over the age of eighteen (18) years and engaged in sexual penetration with another person over the age of fourteen (14) years and under the age of consent, sixteen (16) years of age.

The following words and phrases, when used in the above definition, have the following meanings:

- (1) "Accused" means a person accused of a sexual assault.
- (2) "Force or coercion" means when the accused does any of the following:
 - (i) Uses or threatens to use a weapon, or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a weapon.
 - (ii) Overcomes the victim through the application of physical force or physical violence.

(iii) Coerces the victim to submit by threatening to use force or violence on the victim and the victim reasonably believes that the accused has the present ability to execute these threats.

(iv) Coerces the victim to submit by threatening to at some time in the future murder, inflict serious bodily injury upon or kidnap the victim or any other person and the victim reasonably believes that the accused has the ability to execute this threat.

(3) "*Intimate parts*" means the genital or anal areas, groin, inner thigh, or buttock of any person or the breast of a female.

(4) "*Mentally disabled*" means a person who has a mental impairment which renders that person incapable of appraising the nature of the act.

(5) "*Mentally incapacitated*" means a person who is rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or other substance administered to that person without his or her consent, or who is mentally unable to communicate unwillingness to engage in the act.

(6) "*Physically helpless*" means a person who is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to an act.

(7) "*Sexual contact*" means the intentional touching of the victim's or accused's intimate parts, clothed or unclothed, if that intentional touching can be reasonably construed as intended by the accused to be for the purpose of sexual arousal, gratification, or assault.

(8) "*Sexual penetration*" means sexual intercourse, cunnilingus, fellatio, and anal intercourse, or any other intrusion, however slight, by any part of a person's body or by any object into the genital or anal openings of another person's body, or the victim's own body upon the accused's instruction, but emission of semen is not required.

(9) "*Spouse*" means a person married to the accused at the time of the alleged sexual assault, except that such persons shall not be considered the spouse if the couple are living apart and a decision for divorce has been granted, whether or not a final decree has been entered.

(10) "*Victim*" means the person alleging to have been subjected to sexual assault.

DATING VIOLENCE- RI (R.I.G.L. 16-22-24)

"*Dating violence*" means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control his or her dating partner.

The following words and phrases, when used in the above definition, have the following meanings:

"Dating partner" means any person involved in an intimate association with another primarily characterized by the expectation of affectionate involvement whether casual, serious or long-term.

DOMESTIC VIOLENCE- RI (R.I.G.L. 12-29-2)

"Domestic violence" includes, but is not limited to, any of the following crimes when committed by one family or household member against another:

- (1) Simple assault (§ 11-5-3);
- (2) Felony assaults (§§ 11-5-1, 11-5-2, and 11-5-4);
- (3) Vandalism (§ 11-44-1);
- (4) Disorderly conduct (§ 11-45-1);
- (5) Trespass (§ 11-44-26);
- (6) Kidnapping (§ 11-26-1);
- (7) Child-snatching (§ 11-26-1.1);
- (8) Sexual assault (§§ 11-37-2, 11-37-4);
- (9) Homicide (§§ 11-23-1 and 11-23-3);
- (10) Violation of the provisions of a protective order entered pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8 where the respondent has knowledge of the order and the penalty for its violation or a violation of a no contact order issued pursuant to § 12-29-4;
- (11) Stalking (§§ 11-59-1 et seq.);
- (12) Refusal to relinquish or to damage or to obstruct a telephone (§ 11-35-14);
- (13) Burglary and Unlawful Entry (§ 11-8-1 et seq.);
- (14) Arson (§ 11-4-2 et seq.);
- (15) Cyberstalking and cyberharassment (§ 11-52-4.2); and
- (16) Domestic assault by strangulation § 11-5-2.3.

The following words and phrases, when used in the above definition, have the following meanings:

"Family or household member" means spouses, former spouses, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past three (3) years, and persons who have a child in common regardless of whether they have been married or have lived together, or if persons who are or have been in a substantive dating or engagement relationship within the past one year which shall be determined by the court's consideration of the following factors:

- (1) the length of time of the relationship;

- (2) the type of the relationship;
- (3) the frequency of the interaction between the parties.

"*Victim*" means a family or household member who has been subjected to domestic violence.

STALKING- RI (R.I.G.L. 11-59-1 through 11-59-2)

"*Stalking*" means when a person: (1) harasses another person; or (2) willfully, maliciously, and repeatedly follows another person with the intent to place that person in reasonable fear of bodily injury.

The following words and phrases, when used in the above definition, have the following meanings:

(1) "***Course of conduct***" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."

(2) "***Harasses***" means a knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury.

EXHIBIT B
Reporting Procedures and Resource Listings
for
The University of Rhode Island

REPORTING

Any person who feels that they may have been the target of or witness to sexual harassment, including sexual violence or sexual assault is encouraged to seek redress through the following:

- (1) Student-to-student complaint - Office of Student Life, URI Police Department
- (2) Student-to-faculty complaint - Department Chair, College Dean, URI Police Department
- (3) Student-to-staff or staff-to-staff or faculty-to-faculty or faculty-to-staff complaint: Human Resources, Chair or Dean, URI Police Department or:

The University of Rhode Island's Office of Affirmative Action, Equal Opportunity and Diversity
Title IX Coordinator - Roxanne M. Gomes, Administrator
Deputy Title IX Coordinator - Gerard J. Holder, Investigator
201 Carlotti Administration Building
Kingston, Rhode Island 02881
Phone: 401-874-2442
Fax: 401-874-2995
TTY Via Relay 711
uri.edu/affirmativeaction

The following individuals shall be considered "responsible employees" at URI for purposes of reporting complaints and incidents of sexual harassment and sexual violence under the CPE's Sexual Harassment and Sexual Violence Policy: All Senior University Officials, including all University Officers and all Senior Administrators with a rank of Director or higher (e.g. Directors, Vice Presidents, President); All Full Time and Part Time Faculty; All Academic Deans and Department Chairs; All employees who are responsible supervisors for one or more other employees; All Resident Assistants; All coaches; and All other individuals designated as "Campus Security Authorities," as listed in the University's Annual Crime Statistics and Fire Safety Report ("Clery Report"). Notwithstanding the foregoing, mental health counselors, pastoral counselors, psychologists, health services employees or other employees with a professional license that requires confidentiality, or employees supervised by any such employees, are not considered responsible employees for reporting purposes, and shall not report incidents of sexual harassment or sexual violence in a way that identifies the student, without the student's consent.

All such responsible employees are obligated to report all actual, suspected or alleged incidents of sexual harassment and sexual violence which are reported to them, or of which they become aware, to the Office of Affirmative Action/Title IX Coordinator (when the

alleged perpetrator is an employee) or the Office of Student Life (when the alleged perpetrator is a student).

AVAILABLE RESOURCES

The University recognizes that some individuals, for a variety of reasons, may be reluctant to cooperate or participate in the investigation or file a complaint without the advice or counsel of a sympathetic party. The following resources are available to provide assistance and information to anyone who is concerned or witnessed incident(s) of sexual harassment and sexual violence or sexual assault:

Internal Resources:

Counseling Center – 401-874-2288 Health Services – 401-874-2246
Office of Student Life – 401-874-2101 Women’s Center 401-874-2097
CCE Department of Student Services – 401-277-5000

Campus Police:

Kingston Campus 401-874-2121
College of Continuing Education 401-277-5155
Narragansett Bay Campus 401-874-4910

External Resources:

U.S. Department of Education
Office for Civil Rights, Boston Office
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
617-289-0111

Rhode Island Commission for Human Rights
180 Westminster Street, 3rd Floor
Providence, RI 02903
401-222-2662

Equal Employment Opportunity Commission
Boston Area Office
J.F.K. Federal Building, Room 475
475 Government Center
Boston, MA 02203
Toll Free 1-866-408-8075
617-565-3200

Other Resources: [Click here for emergency services.](#)

EXHIBIT C
Reporting Procedures and Resource Listings
for
Rhode Island College

REPORTING

Any person who feels that they may have been the target of or witness to sexual harassment, including sexual violence or sexual assault is encouraged to seek redress through the following:

Rhode Island College Office of Institutional Equity

Margaret Lynch-Gadaleta, Director of Institutional Equity
Title IX Coordinator/Affirmative Action Officer
301 Roberts Hall
Providence, Rhode Island 02908
Phone: 401-456-8387
mlynchgadaleta@ric.edu
<http://www.ric.edu/affirmativeAction/>

The following individuals shall be considered "Responsible Employees" at the College: (1) any employee who has the authority to take action to redress discrimination on the basis of sex; (2) any employee who has been given the duty to report discrimination on the basis of sex to the Title IX Coordinator or other appropriate school official; or (3) any individual who a student could reasonably believe has this authority or responsibility. All Responsible Employees are obligated to report discrimination on the basis of sex that they know, or in the exercise of reasonable care should have known about, to the Title IX Coordinator or designee. Mental health counselors, pastoral counselors, psychologists, health services staff or other employees with a professional license that requires confidentiality, and the individuals they supervise, are not Responsible Employees.

All such responsible employees are obligated to report all actual, suspected or alleged incidents of sexual harassment and sexual violence which are reported to them, or of which they become aware, to the Office of Institutional Equity, Affirmative Action Officer/Title IX Coordinator.

AVAILABLE RESOURCES

The College recognizes that some individuals, for a variety of reasons, may be reluctant to cooperate or participate in the investigation or file a complaint without the advice or counsel of a sympathetic party. The following resources are available to provide assistance and information to anyone who is concerned or witnessed incident(s) of sexual harassment and sexual violence or sexual assault:

Internal Resources:

Counseling Center – 401-456-8094 Health Services – 401-456-8055
Office of Student Life – 401-456-8061 Women’s Center 401-456-8474
Residential Life and Housing – 401-456-8240
Office of Institutional Equity - 401-456-8387
Affirmative Action Office – 401-456-8218
Campus Police – 401-456-8888

External Resources:

U.S. Department of Education
Office for Civil Rights, Boston Office
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
617-289-0111

Rhode Island Commission for Human Rights
180 Westminster Street, 3rd Floor
Providence, RI 02903
401-222-2662

Equal Employment Opportunity Commission
Boston Area Office
J.F.K. Federal Building, Room 475
475 Government Center
Boston, MA 02203
Toll Free 1-866-408-8075
617-565-3200

Other Resources: [Click here for emergency services.](#)

EXHIBIT D

Reporting Procedures and Resource Listings for The Community College of Rhode Island

REPORTING

Any person who feels that they may have been the target of or witness to sexual harassment, including sexual violence or sexual assault is encouraged to seek redress through the following:

- (1) Student-to student complaint – Dean of Students, Title IX Coordinator or College Police
- (2) Student-to-faculty complaint – Title IX Coordinator, Office of Human Resources, Director of Affirmative Action, Dean of Students or College Police
- (3) Student-to-staff complaint – Title IX Coordinator, Office of Human Resources, Director of Affirmative Action, Dean of Students or College Police
- (4) Staff-to-staff or faculty-to-faculty or faculty-to-staff complaint or faculty/staff to student complaint– Title IX Coordinator, Office of Human Resources, Director of Affirmative Action or College Police
- (5) Non-credit/CWCE student complaint – Title IX Coordinator, Office of Human Resources, Director of Affirmative Action, Director of Community Services or College Police
- (6) Vendors, Sub-Contractors, Visitors or Members of the public whose complaints are based on actions that happened within the college’s jurisdiction – Title IX Coordinator, Office of Human Resources or College Police

COLLEGE POLICE

LINCOLN 401-333-7035
NEWPORT 401-851-1620
PROVIDENCE 401-455-6050
WARWICK 401-825-2109

Elizabeth Canning, JD, Director of Institutional Equity and Title IX Coordinator
ecanning@ccri.edu, 401-825-1230

Sheri Norton, Director of Human Resources
snorton@ccri.edu, 401-825-2311

Michael Cunningham, Dean of Students, Deputy Title IX Coordinator
micunningham2@ccri.edu, 401-333-2459

The following individuals shall be considered “responsible employees” at CCRI for purposes of reporting complaints and incidents of sexual harassment and sexual violence under the CPE’s Sexual Harassment and Sexual Violence Policy: All College Officials and Administrators; All

full Time and Part Time Faculty; All Academic Deans, Associate and Assistant Deans, and Department Chairs; All Student Services Deans, Associate and Assistant Deans, Directors, Associate and Assistant Directors; All Student Services Advisors, Coordinators and other professional staff; All employees who are responsible supervisors for one or more employees; All Athletic Coaches and Trainers; All Student Organization Advisors; and All other individuals designated as "Campus Security Authorities," as listed in the college's Annual Crime Statistics and Fire Safety Report ("Clery Report"). All such "responsible employees" are obligated to report all actual, suspected or alleged incidents of sexual harassment and sexual violence which are reported to them, or of which they become aware to the Office of Human Resources at 401-825-2311. The list above does not imply that others should not or cannot report sexual harassment and sexual violence or that they do not have an ethical or moral responsibility to do so.

Notwithstanding the foregoing, pastoral and professional counselors providing counseling services as part of their duties are exempt from mandated reporting. A pastoral counselor is defined as an employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. A professional counselor is defined as an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

AVAILABLE RESOURCES

Various on-campus support and counseling services are available for victims of sexual assault. CCRJ offers counseling services:

Warwick: 401-825-2301
Lincoln: 401-333-7160
Providence: 401-455-6063
Newport: 401-851-1625

Students may contact CCRJ's Health Services at 401-825-2103 or email nurse@ccri.edu. Hours of operation for these services vary and this should not be considered an emergency contact. Check the website for current hours of operation.

Off-campus services that are available 24 hours/7 days a week include:

Women's Center 401-861-2760
Day One 401-421-4100

The personnel in these offices can provide advice and counseling, detailed information on health issues and reporting procedures, or referrals to other resources.

External Resources:

U.S. Department of Education
Office for Civil Rights, Boston Office
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
617-289-0111

Rhode Island Commission for Human Rights
180 Westminster Street, 3rd Floor
Providence, RI 02903
401-222-2662

Equal Employment Opportunity Commission
Boston Area Office
J.F.K. Federal Building, Room 475
475 Government Center
Boston, MA 02203
Toll Free 1-866-408-8075
617-565-3200

EXHIBIT E
Reporting Procedures and Resource Listings
for
The Rhode Island Office of the Postsecondary Commissioner (RIOPC)

REPORTING

Any staff member who feels that they may have been the target of or witness to sexual harassment, including sexual violence or sexual assault is encouraged to seek redress by contacting:

Kimberly Bright, Chief of Staff
Rhode Island Office of the Postsecondary Commissioner
560 Jefferson Boulevard, Suite 100
Warwick, RI 02886
401-736-1100
Kimberly.Bright@riopc.edu

AVAILABLE RESOURCES

RIOPC recognizes that some individuals, for a variety of reasons, may be reluctant to cooperate or participate in the investigation or file a complaint without the advice or counsel of a sympathetic party. The following resources are available to provide assistance and information to anyone who is concerned or witnessed incident(s) of sexual harassment and sexual violence or sexual assault:

Internal Resources:

Anne Marie Coleman
Assistant Vice President for Human Resources
University of Rhode Island
401-874-2414
amc@uri.edu

External Resources:

U.S. Department of Education
Office for Civil Rights, Boston Office
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
617-289-0111

Rhode Island Commission for Human Rights
180 Westminster Street, 3rd Floor

Providence, RI 02903
401-222-2662

Equal Employment Opportunity Commission
Boston Area Office
J.F.K. Federal Building, Room 475
475 Government Center
Boston, MA 02203
Toll Free 1-866-408-8075
617-565-3200

APPENDIX V

GUIDELINES FOR ENSURING UNBIASED WORK ENVIRONMENTS

**DEPARTMENT OF ADMINISTRATION
OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY
STATE EQUAL OPPORTUNITY OFFICE**

GUIDELINES FOR ENSURING UNBIASED WORK ENVIRONMENTS

Rhode Island General Law 28-5.1, Executive Order No. 05-01 of the State of Rhode Island and Title VII of the 1964 Civil Rights Act, mandates employers to maintain a working environment free of discriminatory insults, intimidation and other forms of harassment. Both an employee's psychological and economic well being are protected. While an employer cannot be held accountable for the prejudices of its workers clientele, it must take reasonable measures to control or eliminate the overt expression of those prejudices in the workplace. Prompt action by an employer to prevent or correct discriminatory harassment can go a long way in lessening employer liability.

Perhaps the most common type of harassment to which workers are subjected is verbal abuse. Racial and ethnic epithets, slurs or jokes directed at or made in the presence of minority group employees, are not to be tolerated. An example of unlawful race and sex bias in the work environment is the use of the diminutive term "boys" when referring to minority male employees and "girls" when referring to female employees.

Another common type of verbal abuse is either spreading rumors or joking about an employee's assumed sexual preference or orientation. One's personal preference does not determine how one performs at his or her job and therefore, this type of bias does not belong in the workplace.

An employer is under a two-pronged duty to maintain a working atmosphere free of national origin bias. First, the employer itself must refrain from ridicule or harassment on the basis of national origin. Second, an employer should not tolerate such behavior by its employees. Ethnic slurs or jokes based on national origin are unlawful.

An employer is also under obligation to maintain a work environment free of religious bias. Permitting a supervisor to espouse his or her beliefs to employees while at work may amount to religious discrimination.

Any unwelcome sexual advances, requests for sexual favors and other verbal and physical conduct of a sexual nature is unlawful sexual harassment when the response or reaction to the advances or requests is permitted to affect the employment decisions. It is also illegal for an employer to permit any conduct that is sexually offensive, intimidating, hostile or interferes with an individual's work performance. Sexual advances by co-workers who have no control over a person's employment may be unlawful if it has such an intimidating effect that job status is affected.

(2005)

APPENDIX VI

**EMPLOYEE SELF-IDENTIFICATION OF DISABILITY
AND REQUEST FOR REASONABLE ACCOMMODATION**

CONFIDENTIAL
EMPLOYEE SELF-IDENTIFICATION OF DIASBILITY
& REQUEST FOR REASONABLE ACCOMODATIONS

In accordance with the Americans with Disabilities Act of 1990, Rhode Island General Law 28-5.1 and Executive Order # 92-2. The State Equal Opportunity Office invites a qualified individual with a disability to self-identify to be provided reasonable accommodations if necessary to perform the essential function for the desired position.

NAME: _____
JOB TITLE: _____

AGENCY: _____
DATE: _____

Please check (✓) the category that best describes your disability. (Upon request, verification of disabling condition must be obtained from your physician.)

Disabling conditions include, but are not limited to:

- _____ AIDS
- _____ Alcoholism
- _____ Blindness or Visual Impairment
- _____ Cancer
- _____ Cerebral Palsy
- _____ Deafness or Hearing Impairment
- _____ Diabetes
- _____ Drug Addiction
- _____ Epilepsy
- _____ Heart Disease
- _____ Mental Retardation
- _____ Mental or Emotional Illness
- _____ Multiple Sclerosis
- _____ Muscular Dystrophy
- _____ Orthopedic
- _____ Perceptual Disabilities such as Dyslexia, Minimal Brain
Dysfunction, Development Aphasia or Speech Impairment
- _____ Other

() Yes, I request a Reasonable Accommodation Needs Assessment Review.

() No Reasonable Accommodation is needed at this time.

Additional Comments:

Signature: _____

Date: _____

APPENDIX VII

MEDICAL DISABILITY FORM

SELF-IDENTIFICATION OF DISABILITY

(see instructions and Privacy Act information on reverse)

Last Name, First Name, and MI	Date of Birth (mm/yy)	Social Security Number	ENTER CODE HERE _____ > <input type="text"/>
<p>Definition: An individual with a disability: A person who (1) has a physical impairment or mental impairment (psychiatric disability) that substantially limits one or more of such person's major life activities; (2) has a record of such impairment; or (3) is regarded as having such an impairment. This definition is provided by the Rehabilitation Act of 1973, as amended (29 U.S.C. 701 et. seq.).</p>		<p>Purpose: Self-identification of disability status is essential for effective data collection and analysis. The information you provide will be used for statistical purposes only and will not in any way affect you individually. While self-identification is voluntary, your cooperation in providing accurate information is critical.</p>	
<p>Part I. Targeted/Severe Disabilities</p> <p>Hearing 18 - Total deafness in both ears (with or without understandable speech)</p> <p>Vision 21 - Blind (Inability to read ordinary size print, not correctable by glasses, or no usable vision, beyond light perception)</p> <p>Missing Extremities 30 - Missing extremities (missing one arm or leg, both hands or arms, both feet or legs, one hand or arm and one foot or leg, one hand or arm and both feet or legs, both hands or arms and one foot or leg, or both hands or arms and both feet or legs)</p> <p>Partial Paralysis 69 - Partial paralysis (because of a brain, nerve or muscle impairment, including palsy and cerebral palsy, there is some loss of ability to move or use a part of the body, including both hands; any part of both arms or legs; one side of the body, including one arm and one leg; and/or three or more major body parts)</p> <p>Complete Paralysis 79 - Because of a brain, nerve or muscle impairment, including palsy and cerebral palsy, there is a complete loss of ability to move or use a part of the body, including both hands; one or both arms or legs; the lower half of the body; one side of the body, including one arm and one leg; and/or three or more major body parts</p> <p>Other Impairments 82 - Epilepsy 90 - Severe intellectual disability 91 - Psychiatric disability 92 - Dwarfism</p>		<p>Part II. Other Disabilities</p> <p>Hearing Conditions 15 - Hearing impairment/hard of hearing</p> <p>Vision Conditions 22 - Visual impairments (e.g., tunnel or monocular vision or blind in one eye)</p> <p>Physical Conditions 26 - Missing extremities (one hand or one foot) 40 - Mobility impairment (e.g., cerebral palsy, multiple sclerosis, muscular dystrophy, congenital hip defects, etc.) 41 - Spinal abnormalities (e.g., spina bifida, scoliosis) 44 - Non-paralytic orthopedic impairments: chronic pain, stiffness, weakness in bones or joints, some loss of ability to use part or parts of the body 51 - HIV Positive/AIDS 52 - Morbid obesity 61 - Partial paralysis of one hand, arm, foot, leg, or any part thereof 70 - Complete paralysis of one hand 80 - Cardiovascular/heart disease with or without restriction or limitation on activity; a history of heart problems w/complete recovery 83 - Blood diseases (e.g., sickle cell anemia, hemophilia) 84 - Diabetes 86 - Pulmonary or respiratory conditions (e.g., tuberculosis, asthma, emphysema, etc.) 87 - Kidney dysfunction (e.g., required dialysis) 88 - Cancer (present or past history) 93 - Disfigurement of face, hands, or feet (such as those caused by burns or gunshot wounds) and noticeable gross facial birthmarks 95 - Gastrointestinal disorders (e.g., Crohn's Disease, irritable bowel syndrome, colitis, celiac disease, dysphagia, etc.) 98 - History of alcoholism</p> <p>Speech/Language/Learning Conditions 13 - Speech impairment - Includes impairments of articulation (unclear language sounds), fluency (stuttering), voice (with normal hearing), dysphasia, or history of laryngectomy 94 - Learning disability - a disorder in one or more of the processes involved in understanding, perceiving, or using language or concepts (spoken or written) (e.g., dyslexia, ADD/ADHD)</p> <p>Other Options 01 - I do not wish to identify my disability status. (Please read the notes on the next page.) (Note: Your personnel officer may use this code if, in his or her judgment, you used an incorrect code.) 05 - I do not have a disability. 06 - I have a disability, but it is not listed on this form.</p>	

the Rehabilitation Act, as amended (29 U.S.C. 701, et seq.), requires each agency in the executive branch of the Federal Government to establish programs that will facilitate the hiring, placement, and advancement of individuals with disabilities. The best means of determining agency progress in this respect is through the production of reports at certain intervals showing such things as the number of employees with disabilities who are hired, promoted, trained, or reassigned over a given time period; the percentage of employees with disabilities in the workforce and in various grades and occupations; etc. Such reports bring to the attention of agency top management, the U.S. Office of Personnel Management (OPM), and the Congress deficiencies within specific agencies or the Federal Government as a whole in the hiring, placement, and advancement of individuals with disabilities and, therefore, are the essential first step in improving these conditions and consequently meeting the requirements of the Rehabilitation Act.

The disability data collected on employees will be used only in the production of reports such as those previously mentioned and not for any purpose that will affect them individually. The only exception to this rule is that the records may be used for selective placement purposes and selecting special populations for mailing of voluntary personnel research surveys. In addition, every precaution will be taken to ensure that the information provided by each employee is kept to the strictest confidence and is known only to those individuals in the agency Personnel Office who obtain and record the information for entry into the agency's and OPM's personnel systems. You should also be aware that participation in the disability reporting system is entirely voluntary, with the exception of employees appointed under Schedule A, SECTION 213.3102(u) (Severe physical or mental disabilities). These employees will be requested to identify their disability status and if they decline to do so, their correct disability code will be obtained from medical documentation submitted to support their appointment.

Employees will be given every opportunity to ensure that the disability code carried in their agency's and OPM's personnel systems is accurate and is kept current. They may exercise this opportunity by asking their Personnel Officer to see a printout of the code and a definition from their records. The code carried on employees in the agency's system will be identical to that carried in OPM's system.

Your cooperation and assistance in establishing and maintaining an accurate and up-to-date disability report system is sincerely appreciated.

Privacy Act Statement

Collection of the requested information is authorized by the Rehabilitation Act, as amended (29 U.S.C. 701, et seq.). Solicitation of your Social Security Number (SSN) is authorized by Executive Order 9397, which permits agencies to use the SSN as the means for identifying persons with disabilities in personnel information systems. Your SSN will only be used to ensure that your correct disability code is recorded along with other employee information that your agency and OPM maintain on you. Furnishing your SSN or any other data requested for this collection effort is voluntary and failure to do so will have no effect on you. It should be noted, however, that where individuals decline to furnish their SSN, the SSN will be obtained from other records in order to ensure accurate and complete data. Employees appointed under Schedule A, Section 213.3102 (u) (Severe physical or mental disabilities) are requested to furnish an accurate disability code, but failure to do so will not affect them. Where employees hired under one of these appointing authorities fail to disclose their disability(ies), however, the appropriate code will be determined from the employee's existing records or medical documentation physically submitted upon appointment.

APPENDIX VIII

AMERICANS WITH DISABILITIES / 504 GREIVANCE PROCEDURE

APPENDIX IX

**COUNCIL ON POST SECONDARY EDUCATION FOR
DISCRIMINATION, SEXUAL HARASSMENT AND SEXUAL VIOLENCE**

COUNCIL ON POSTSECONDARY EDUCATION

COMPLAINT PROCEDURES

for

DISCRIMINATION, SEXUAL HARASSMENT & SEXUAL VIOLENCE

Approved June 17, 2015

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INTRODUCTION: GENERAL COMPLAINT PROCEDURES **PERTAINING TO EMPLOYEES**

These complaint procedures apply to complaints by or regarding employees of the Council on Postsecondary Education (the "Council"), at the University of Rhode Island, Rhode Island College, and The Community College of Rhode Island (the "Institutions") and the Office of the Postsecondary Commissioner ("OPC"), alleging unlawful discrimination, harassment, and retaliation as well as all types of sexual harassment and sexual violence that are prohibited by Title IX (including sexual assault, sexual battery, rape and sexual coercion) and all types of sexual or relationship assault or violence that are prohibited by the Violence Against Women Reauthorization Act ("VAWA") of 2013, (which are sexual assault, domestic violence, dating violence, and stalking). All of the sexual and relationship offenses prohibited under Title IX and VAWA, which are also all prohibited by the Council's Sexual Harassment and Sexual Violence Policy, will hereinafter be collectively referred to by the general term "sexual violence."

The Council prohibits discrimination, including harassment and retaliation, on the basis of race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status or status as a special disabled veteran, recently separated veteran, Vietnam era veteran, or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized. The Council also prohibits all forms of sexual harassment and sexual violence.

These procedures are also applicable to complaints and cases that may arise under, and are intended to be consistent and compliant with the procedural and substantive provisions of, applicable state and federal law and regulations including but not limited to Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the 1972 Educational Amendments to the Higher Education Act; the Age Discrimination in Employment Act of 1967; Sections 503 and 504 of the Rehabilitation Act of 1973, as amended; Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of

1974, as amended; the Equal Pay Act of 1963; the Americans with Disabilities Act of 1990; ADA Amendment Act of 2008; the Higher Education Act of 1965, as amended; the Violence Against Women Reauthorization Act of 2013; the Genetic Information Nondiscrimination Act, Executive Order 11246, as amended; Executive Order 91-39; Executive Order 92-2; and Rhode Island General Law §28-5.1, as amended.

These procedures also describe the process for individual members of the relevant campus communities (e.g., faculty, staff or students), and employees of the Office of Postsecondary Commissioner ("OPC"), to follow in the event they believe themselves or others, to have been victim of unlawful discrimination, harassment, retaliation, sexual harassment, or sexual violence. These procedures also describe the required process for the investigation and resolution of allegations of such wrongful conduct by the institutions and OPC.

Complaints regarding the institutions' President or the Commissioner of Postsecondary Education should be filed with the Office of General Counsel for the Council on Postsecondary Education.

A complaint may also be filed against institutional service providers, vendors, and other contractors. In these instances, the Affirmative Action Office shall determine, within its discretion, appropriate response and action.

The provisions of the collective bargaining agreements governing unionized employees may provide additional mechanisms for addressing allegations of discrimination.

OFFICES FOR COMPLAINANTS TO CONTACT

If any member of the relevant campus communities (e.g.: faculty, staff or students) or employees of the OPC believe that their rights (and/or the rights of others) have been violated and wish further information, advice or assistance in filing a complaint, they should, as a first step contact:

University of Rhode Island

Affirmative Action Office/ Title IX Coordinator (Roxanne Gomes)

201 Carlotti Administration Building

Kingston, Rhode Island 02881

Phone: (401) 874-2442

TTY - via RI Relay at 1-800-745-5555

Rhode Island College

Affirmative Action Office/Title IX Coordinator (Margaret Lynch-Gadaleta)

600 Mt. Pleasant Avenue

Providence, Rhode Island 02908

Phone: (401) 456-8000

TTY - via RI Relay at 1-800-745-5555

Community College of Rhode Island

Affirmative Action Office/Title IX Coordinator (Sheri Norton)

400 East Avenue

Warwick, Rhode Island 02886

Phone: (401) 825-1000

TDD: (401) 825-2313

Office of Postsecondary Commissioner

Affirmative Action Office/Title IX Coordinator (Interim: Ann Marie Coleman)

80 Washington Street, Ste. 450

Providence, Rhode Island 02903

Phone: (401) 456-6000

TDD: (401) 456-6027

INFORMATION FOR COMPLAINANTS ALLEGING SEXUAL VIOLENCE

In cases involving allegations of sexual violence, Complainants shall, in addition, be provided an explanation of his/her rights and options, which shall include a description of available options for, and assistance in, changing academic, living, transportation, and working situations, as well as information about:

1. the importance of seeking immediate medical attention for sexual violence
2. other available health care and counseling services
3. the importance of preserving evidence for proof in the investigation or subsequent proceedings, or for obtaining a protective order
4. to whom the alleged sexual violence should be reported
5. options regarding notifying law enforcement and/or campus authorities, including notification of the Complainant regarding the Complainant's right to:
 - a. notify either police (local or campus) or campus authorities
 - b. be assisted by campus authorities in notifying law enforcement if the Complainant so chooses
 - c. decline to notify such authorities
6. the rights of Complainants and the institutions in notifying law enforcement if the protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

If the Complainant alleging sexual violence is a student, the student shall also be referred to the appropriate Student Affairs Office responsible for advising student victims of alleged sexual violence, which shall provide further relevant information and assistance to the student, as required by Title IX, VAWA, local law and institution/OPC policies. If the complaint alleges sexual violence, the complaint investigation and proceedings shall provide a prompt, fair and impartial process (which includes the provision to the parties of timely and equal access to any information that will be used during the formal resolution process) and shall be conducted by an official (or officials) who do not have a conflict or bias for or against the Complainant or Respondent and who have received annual training on methods and processes for conducting complaint investigations and proceedings in a manner that protects the safety of victims and promotes accountability, and any other training required by law or University policy.

COMPLAINTS AGAINST STUDENTS

In the event that an employee files a complaint against a student, the Affirmative Action Officer/Title IX Coordinator and the Division/Office of Student Affairs will determine which office will proceed with the processing of the complaint. Proceedings involving student-to-student complaints will be adjudicated through the Division/Office of Student Affairs and must comply with the procedural guidelines contained in the institution's student handbook.

REPORTING BY RESPONSIBLE EMPLOYEES

The required general procedures pertaining to the reporting of instances or complaints of sexual harassment and sexual violence are set forth in the Council on Postsecondary Education Sexual Harassment and Sexual Violence Policy. The more specific reporting procedures established by each Institution and the OPC are set forth in Attachments B, C, D and E of that Policy. Those specific reporting procedures list the "responsible employees" at each of the Institutions and the OPC who are required to report complaints and incidents of sexual harassment and sexual violence reported to them or of which they become aware.

Those same "responsible employees" shall also be required under these Procedures to report all other instances and allegations of other types of discrimination (i.e. discrimination other than sexual harassment and sexual violence), including but not limited to racial or gender discrimination, or retaliation, to their institution's/OPC's Affirmative Action Office.

FILING DEADLINES

To provide adequate opportunity for a prompt investigation, that enables access to the most current evidence, parties are encouraged to file complaints as soon as possible. All complaints under this procedure must normally be filed within 365 days after the last of alleged discriminatory act occurred. The Institution's/Office's ability to respond to complaints filed beyond this time is limited. However, complaints or cases involving allegations of continuing unlawful discrimination, harassment, sexual harassment,

sexual violence, or retaliation may be fully investigated, including occurrences beyond the 365-day time frame, so long as the last act of alleged discrimination occurred within the prescribed filing deadline (365 days).

ADVISORS AND SUPPORTERS

All parties meeting with an Affirmative Action Officer/Title IX Coordinator may be accompanied by an individual of their choice (who may be an attorney) for support and/or advice. This individual: may not address or question the investigator, other parties or witnesses; may not present evidence or make arguments; and shall not have any role other than to accompany and communicate with the party requesting support.

DISCRIMINATION AGAINST GROUPS

Cases involving unlawful discrimination, including harassment or retaliation, against a group or class of individuals, reflecting an apparent pattern and practice of discrimination, must be appropriately acted upon by the Affirmative Action Officer/Title IX Coordinator regardless of whether there is an identified complainant.

CRIMINAL VIOLATIONS

If a complaint or case reported to the Title IX Coordinator or Affirmative Action Office involves potential criminal violations, that Coordinator or Office shall forward a report of the complaint or case to the campus police and to the appropriate President or the Commissioner of Postsecondary Education where applicable.

In cases involving allegations of sexual violence or other crimes, Complainants shall also be informed of their right to file a complaint with campus police or local law enforcement authorities. However, regardless of whether a Complainant files a complaint with local law enforcement authorities, and regardless of any investigations or other actions taken by local law enforcement, the Institution/OPC will continue to have

an obligation to undertake and duly complete its own internal complaint and investigation procedure.

NON-RETALIATION

Retaliation against any Complainant or witness is prohibited and shall be treated as a separate violation of the Institution's or OPC's community standards and Non-Discrimination Policy. Specifically, no officer, employee, or agent of the Institutions or OPC under the Council's jurisdiction shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for filing a complaint or participating in any investigation or proceeding brought pursuant to this policy.

There shall be no disciplinary action, retaliation or reprisal for bringing a complaint in good faith. Individuals shall not, however, knowingly make false charges of discrimination, harassment, retaliation, sexual harassment, or sexual violence.

MODIFICATION OF PROCEDURES

These procedures constitute the general complaint process to be followed by the Institutions and OPC in addressing and resolving complaints and cases of unlawful discrimination, harassment, retaliation, sexual harassment and sexual violence. The Institutions and OPC shall have the right to reasonably alter and/or deviate from the procedural guidelines contained herein when it is warranted by either the circumstances of a case or required by applicable state and federal law and regulations. The Institutions and OPC shall also have the right to authorize and appoint a designee to serve in the Affirmative Action Officer's capacity in the execution of these procedures.

The parties are to be provided timely written notice of any such designation and of any substantive deviation from the procedural guidelines.

SPECIFIC PROCEDURES

INITIAL CONSULTATION

The Affirmative Action Officer/Title IX Coordinator shall meet with the Complainant to discuss the Complainant's concerns, and review the complaint procedure, determine the appropriate jurisdiction, and explain the different methods available to resolve the complaint under these procedures. (See: formal resolution and informal resolution, where applicable).

The purpose of this initial step is to assist individuals to identify the source of the concern and provide the Complainant with information concerning Institutional/OPC resources, policies and procedures; so that the Complainant might best assess the most appropriate course of action, given their circumstances.

PROCEDURAL OPTIONS

If it is determined that the Affirmative Action Office shall retain responsibility for the case, the Affirmative Action Officer/Title IX Coordinator will ascertain from the Complainant which of the following procedural resolution options he/she prefers to utilize.

Informal Resolution (Not an Option for Sexual Violence Cases)

Formal Resolution

The selected option will be verified by the Complainant's signature. Selection of an option at this time will not preclude the Complainant from electing another option at a later time, where appropriate, as determined in consultation with the Affirmative Action Officer/Title IX Coordinator. Informal Resolution may only be utilized when both the Complainant and Respondent agree to it.

If it is determined that the case should not be addressed by the Affirmative Action Office, the Affirmative Action Officer or Title IX Coordinator will refer the Complainant to the appropriate office or department.

INTERIM PROTECTIVE MEASURES

If, during the initial consultation, the Affirmative Action Officer/Title IX Coordinator determines that immediate action may be necessary to protect the rights, interests, or safety of the Complainant, Respondent or the campus community, the Affirmative Action Officer/Title IX Coordinator will advise the institution's/OPC's human resources office and Division/Office of Student Affairs (if applicable) of the situation. Upon consultation with appropriate institution/OPC officials, immediate action may be taken which may include temporary changes in duties and responsibilities, directives to Complainant and Respondent regarding personal contact, warnings to the Respondent and, in severe cases, and the immediate suspension of the Respondent pending the completion of a formal investigation. These remedial and protective actions may be coordinated with any similar actions independently provided by the Institution upon the request of the Complainant.

WITNESSES

The Affirmative Action Officer/Title IX Coordinator may contact any other pertinent individuals who may have knowledge of or information relating to the matter.

CONFIDENTIALITY

At the time at which a procedural option is selected, the Complainant will also be asked to make a decision regarding confidentiality. The Institution/OPC will make all reasonable efforts to honor requests for confidentiality, to the extent permitted by law. However, it must be understood that while some concerns or complaints can be resolved without disclosing one's identity, often successful resolution cannot be achieved under such circumstances. Further, individuals who are directly accused of unlawful and/or discriminatory behavior and who, as a result, may be subject to disciplinary action, are entitled to a copy of the formal complaint and/or a summary of the charges against them so that they may prepare a proper defense.

Any member of the Council, employees of the Office of the Postsecondary Commissioner, or students or employees of the colleges or university who participate in formal or informal proceeding under this policy or otherwise gain knowledge thereof shall treat all information acquired, whether written or oral, as confidential, provided however, that the parties to a proceeding may share such information with their personal advisors, advocates and representatives.

The Institutions and OPC will keep identifying information about Complainants and victims confidential in accordance with all applicable legal requirements, and such information will generally only be shared on a need-to-know basis with those college, university, and OPC officials such as investigators, campus security personnel, student affairs officials, and other institutional or OPC officials who are involved in responding to the complaint or who are legally required to receive such information. In cases where an individual wishes to file a complaint but not be identified, their request will be honored to the full extent permitted by law, but the individual will be advised that the college's, university's, or OPC's ability to investigate the complaint or proceed with appropriate corrective or disciplinary action may be prevented or significantly hampered. The identity of, and identifying information about, Complainants and victims will not be disclosed in any public safety notices, final determination reports, or statistical reports that may be issued or made publically available as required or permitted by law. If the Institution or Office is compelled by law, such as through a subpoena or court order issued in a legal proceeding, or through a public records request, to provide such information to third parties, the Institution or Office will make a reasonable effort, prior to complying with the request, to notify the individual, so that the individual may seek a protective order or take other actions as they may deem appropriate.

INFORMAL RESOLUTION

This informal procedure is intended to affect the resolution of a complaint by reconciling the parties' differences and/or rectifying the alleged discriminatory action(s). Complaints that the Affirmative Action Officer/Title IX Coordinator determines as involving

discrimination against a group or class of individuals, or involving likely criminal violations may not be resolved through use of the informal resolution process. Informal resolution will also not be used in cases involving allegations of sexual violence.

If, after preliminary review of the matter, it is the judgment of the Affirmative Action Officer/Title IX Coordinator that the case should not be addressed by the Affirmative Action Office/Title IX Coordinator, the informal procedure shall be terminated and the case shall, if applicable, be referred to the appropriate office.

If the parties agree to the informal resolution procedure, the Affirmative Action Officer/Title IX Coordinator will make all reasonable attempts to resolve the matter within thirty (30) days. The specific details of each case will determine the best possible means for achieving a satisfactory resolution. If attempts at informal resolution are not effective, if the terms of the informal resolution are subsequently broken, or if for any reason the Complainant wishes to discontinue the informal resolution process, the Complainant may exercise the remaining option.

If the complaint is resolved during the informal procedure the terms of the resolution will be reduced to writing and signed by the parties.

The Informal Resolution Procedure offers an option to discuss, evaluate and resolve allegations of discrimination without beginning a Formal Resolution/Investigation.

No official findings of fact are made about the alleged behavior, which may be discriminatory and/or violate Institution/OPC policy. Rather, emphasis is placed on:

1. Identifying the source of the allegations/concerns(s).
2. Exploring alternatives to resolve the complaint.
3. Instituting solutions to address the current concerns(s) and eliminate the possibility of similar issues occurring in the future.

Steps in the Informal Resolution Process

The following steps shall be taken in an effort to resolve complaints in an informal manner.

Step 1: Notifying the parties

Upon receipt of a complaint, the Office of Affirmative Action/Title IX Coordinator shall notify and meet with the Complainant and the Respondent.

Step 2: Information gathering

In an effort to fully understand the facts and positions of the Complainant and the Respondent, the Investigator shall take steps that he/she deems necessary to gather additional information from the parties or from others perceived to have knowledge of the allegations.

Step 3: Resolution or Next Steps

If all parties agree to the informal resolution process, the Affirmative Action Officer/Title IX Coordinator will make all reasonable attempts to resolve the matter within thirty (30) days. The specific details of each case will determine the best possible means for achieving a satisfactory resolution.

If the informal resolution process fails to resolve the matter to the satisfaction of both the parties, or the terms of the informal resolution as subsequently broken, either may request a Formal Resolution/Investigation of the charge within 10 calendar days of concluding the Informal Resolution Process.

FORMAL RESOLUTION

Any person(s) who believes they have been the victim of discrimination, harassment, retaliation, sexual harassment or sexual violence, or who witnesses acts of discrimination, harassment, retaliation, sexual harassment or sexual violence against others, may file a formal complaint with the Affirmative Action Office/Title IX Coordinator. Utilizing the informal process is not a prerequisite. A formal review consists of conducting an investigation, fact-finding, determining whether sufficient credible evidence exists to support the allegation(s), and issuing written findings. The formal investigation and related proceedings, which are described below, shall provide a prompt, fair, and impartial investigation and resolution of the allegations.

Step 1: Complainant's Written Statement

Normally, a signed incident complaint form containing a written statement of allegations initiates the formal process. In order to enable the Investigator to most effectively investigate the complaint, the written statement of allegations should contain a detailed description of the conduct being complained about, the name(s) of the alleged offender(s), the name(s) of the alleged victim(s), the names of any alleged witnesses, and the name of the person filing the complaint. The Affirmative Action Officer/Title IX Coordinator will provide assistance to anyone for whom completion of the complaint form is difficult or impractical. The person or persons filing the complaint and/or the alleged victim of discrimination shall be referred to hereinafter as the "Complainant." Anonymous complaints, and complaints filed by individuals who request confidentiality, will be investigated by the Institution/OPC to the extent possible pursuant to the procedures set forth herein.

Step 2: Notifying the Respondent

The person or persons identified as the alleged offender shall be referred to hereinafter as the "Respondent." Once the complaint has been filed, the Affirmative Action Officer/Title IX Coordinator will notify the Respondent(s) by written letter of its existence and provide him/her/ them with a copy of the signed complaint.

Step 3: Respondent's Written Response

The Respondent(s) will be provided an opportunity to file a formal response. The formal response shall be filed with the Affirmative Action Office/Title IX Coordinator by the Respondent(s) within twenty (20) days from the date the Respondent(s) received the signed complaint.

If the Respondent fails to timely file a formal response and/or elect(s) not to participate in the formal resolution process, the case will proceed and be investigated with or without the involvement of the Respondent.

If, during the investigation, the Complainant indicates a desire to withdraw his/her complaint, the Complainant shall sign a written statement of withdrawal containing the

reasons therefore and the case may be closed in the discretion of the Affirmative Action Officer/Title IX Coordinator. However, the Affirmative Action Officer/Title IX Coordinator may continue to conduct the investigation and take action to address the issues raised by the Complainant regardless of the Complainant's wishes.

Step 4: Investigation Process

The Affirmative Action Officer/Title IX Coordinator or designee will act as investigator. The investigator is neutral, objective, and does not act as an advocate for either party. The investigator is authorized to contact any and all persons who may have information relevant to the complaint and shall have access to all relevant College/ University/OPC records. The investigator shall also collect and evaluate other available records and information relevant to the complaint and investigation (e.g. email communications, medical test results, photographs), as appropriate. The investigator shall maintain a record of the investigation, including any interviews, which shall be retained as an official Affirmative Action Office record.

Step 5: Final Investigative Report

A final investigative report shall be prepared which sets forth the findings of the Affirmative Action Officer/Title IX Coordinator or designee and the basis and rationale for his/her conclusion(s). Unless otherwise indicated in the report, the date of the report shall be considered the date upon which the results of the investigation become final. In making his/her findings, the Affirmative Action Officer/Title IX Coordinator or designee shall utilize the evidentiary standard of "preponderance of the evidence." The final investigative report shall normally be issued within sixty (60) days after the complaint is filed. When more than sixty (60) days is needed to complete the investigation, the Affirmative Action Officer/Title IX Coordinator or designee shall notify the parties and proceed as expeditiously as possible. Allegations or evidence of violations of policies and procedures that are discovered during the investigation but which are outside the jurisdiction of the Affirmative Action Officer/Title IX Coordinator shall be referred to the appropriate office for resolution. The Affirmative Action Officer/Title IX Coordinator or designee will simultaneously provide copies of the report to the Complainant and the Respondent, and will also send a copy to the appropriate Vice President/Provost or

Associate Commissioner. The Complainant and Respondent will also be advised of the appeal process at that time.

POST-INVESTIGATION PROCEDURES

APPEAL PROCEDURES

Either party (Complainant or Respondent) may appeal the Affirmative Action Officer's/Title IX Coordinator's findings. Such appeals shall be filed with the Institution's President or the Commissioner of Postsecondary Education as appropriate. The Appeal may be conducted by the President or the Commissioner or their designee. Parties wishing to file an appeal must do so within ten (10) days after receiving the Affirmative Action Officer's/Title IX Coordinator's final report. The appeal process will not involve reinvestigation of the complaint. Appeals must raise specific issues related to the Affirmative Action Officer's/Title IX Coordinator's findings. Appeal decisions (which shall include a statement of the rationale for the decision) shall be rendered within thirty (30) days after the request for appeal is received unless extended for good cause as reasonably determined by the Appeals Officer. Copies of the appeal decision shall be simultaneously provided to the parties, with a copy also to be sent to the appropriate Vice President/Provost or Associate Commissioner.

DISCIPLINARY ACTION

When the investigative findings of the Affirmative Action Officer/Title IX Coordinator or designee (together with the appeal decision in cases in which there is an appeal) are received by the appropriate Vice President, Provost, or Associate Commissioner, he/she in consultation with the Institution's/OPC's Office of Human Resources, shall render a written determination (which includes a statement of the rationale for the determination) regarding the appropriate disciplinary and/or corrective action, if any, and provide a copy of the written determination to the Respondent. In cases involving allegations of sexual violence, a copy of the written determination will also be provided

to the Complainant. Such disciplinary and/or corrective action may include but are not limited to: reprimand, required counseling, suspension, demotion, or termination.

Disciplinary action will follow the procedural requirements of applicable collective bargaining agreements and any applicable statutory and judicial mandates. The Vice President/Provost/Associate Commissioner will be responsible for the implementation of all such disciplinary/corrective action measures. A record of the outcome of each case will remain a part of the permanent file of the case maintained by the Affirmative Action Office/Title IX Coordinator.

POST-PROCEEDING PROTECTIVE MEASURES

In appropriate cases, the Vice President/Provost or Associate Commissioner, in consultation with the Institution's/OPC's Office of Human Resources and/or Director/Office of Student Affairs, may direct that certain measures be instituted or provided, to protect or safeguard the Complainant or victim of the misconduct, and/or to prevent or minimize the possibility of a further harmful incident or offense. Such protective measures may include: no trespass orders, no contact directives, counseling, reassignment of work duties, workplace relocation, referral to institutional offices capable of providing support, advice or other resources (e.g. EAP, Housing, Woman's Center, Residence Life), or any such other action(s) that may be described in the Institution's/OPC's policies and that are deemed appropriate under the circumstances.

OUTSIDE AGENCIES

All individuals shall be informed regarding their right to seek redress through the following outside agencies:

Office of Civil Rights, Region I
US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Tel.: (617) 289-0111
Fax: (617) 289-0150
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

United States Equal Employment Opportunity Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: 1-800-669-4000
Fax: 617-565-3196 *<http://www.eeoc.gov/field/boston/index.cfm>*

Rhode Island Commission for Human Rights
180 Westminster Street, 3rd Floor
Providence, Rhode Island 02903
Tel: 401-222-2661 401-222-2664
Fax: 401-222-2616
<http://www.richr.state.ri.us/frames.html>

APPENDIX X

**RHODE ISLAND COLLEGE SEXUAL MISCONDUCT AND
RELATIONSHIP VIOLENCE FOR COMPLAINTS AGAINST STUDENTS**

RHODE ISLAND COLLEGE

SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE POLICY FOR COMPLAINTS AGAINST STUDENTS

It is the policy of Rhode Island College (the "College") to prohibit all forms of discrimination on the basis of sex in any education program or activity pursuant to Title IX of the Education Amendments of 1972. Title IX states, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." This prohibition against discrimination on the basis of sex applies to all persons, including third-parties.

In addition to prohibiting discrimination on the basis of sex, it is the policy of the College to prohibit the crimes of dating violence, domestic violence, sexual assault and stalking, as they are defined for purposes of this Policy and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act").

I. Title IX Coordinator

Margaret Lynch-Gadaleta, Director-Institutional Equity, serves as the College's Title IX Coordinator. The Title IX Coordinator's office address is 111 Roberts Hall, Rhode Island College, Providence, RI 02908. The Title IX Coordinator can be contacted at (401) 456-8387 or at mlynchgadaleta@ric.edu. The Title IX Coordinator is responsible for monitoring compliance with Title IX; and coordinating and implementing a prompt, fair, impartial and equitable complaint process for Title IX Complaints, from the time a report is made, or when the College knows about prohibited behavior, until the final result.

II. Parties

The person who is directly impacted by a violation(s) of this Policy, will be referred to as the "Complainant." The student responding to the complaint (i.e., the student accused of violating this Policy) will be referred to as the "Respondent."

III. Application of this Policy

This Policy outlines the rights of the Complainant and the Respondent when a violation(s) of this Policy is alleged. This Policy applies to complaints made against students enrolled in the College. This Policy applies to all forms of sexual misconduct and relationship violence, including complaints of sexual and gender based harassment, sexual assault, non-consensual sexual conduct, sexual exploitation, dating violence, domestic violence, stalking and retaliation, whether they occur on or off campus. *For more information on the complaint process for complaints made against employees, please contact the Title IX Coordinator.*

IV. Application of the Council on Postsecondary Education Sexual Harassment and Sexual Violence Policy

In addition to this Policy, all students must also comply with the Council on Postsecondary Education Sexual Harassment and Sexual Violence Policy. The definitions set forth in the Council on Postsecondary Education Sexual Harassment and Sexual Violence Policy are incorporated herein. For purposes of adjudication of complaints against students under the Title IX Complaint Process, the definitions set forth herein shall be utilized.

V. Privacy and Confidentiality

The College will make all reasonable efforts to protect the confidentiality of the Complainant, Respondent and other necessary parties by keeping all complaints and investigations private to the extent possible and will only disclose on a "need to know" basis. It is the expectation of the College that any persons who participate in the investigation and/or adjudication of violations under this Policy or otherwise gain knowledge thereof shall treat all information acquired, whether written or oral, as confidential, provided however, that the Complainant and Respondent may share such information with their advisor and legal representative, if applicable.

The College will make all reasonable efforts to honor requests for confidentiality, to the extent permitted by law. However, in certain circumstances, the College may not be able to grant the confidentiality request(s) due to various factors, including when there is a risk of imminent harm to an individual or others or a threat to the health and safety of the College community. Additionally, while some concerns or complaints can be resolved without disclosing one's identity, often successful resolution may be difficult to achieve under such circumstances.

In cases where a Complainant's request for confidentiality is granted, the College will continue to complete publicly available recordkeeping in accordance with relevant laws, including the Clery Act reporting and disclosures, without the inclusion of personally identifying information about the Complainant. Further, individuals who are directly accused of violations of this Policy and who, as a result, may be subject to sanctions, are entitled to a summary of the charges against them so that they may effectively respond.

The College will maintain, as confidential, any accommodations or protective measures provided to the Complainant, to the extent that maintaining such confidentiality does not impair the ability of the College to provide the accommodations and/or protective measures.

VI. Employees' Responsibility to Report Violations of this Policy

The following individuals shall be considered "Responsible Employees" at the College for purposes of reporting violations under this Policy: All Senior college officials, including all college officers and all Senior Administrators with a rank of Director or higher (e.g. Directors, Vice Presidents, President); All Full Time and Part Time Faculty; All academic Deans and Department Chairs; All employees who are responsible supervisors for one or more other employees; All Residence Hall Coordinators and Residence Hall Directors; All coaches; and All other individuals designated as "Campus Security Authorities," as listed in The College's Annual Crime Statistics and Fire Safety Report ("Clery Report"). Notwithstanding the foregoing, mental health counselors, pastoral counselors, psychologists, health services

employees or other employees with a professional license that requires confidentiality, or employees supervised by any such employees, are not considered responsible employees for reporting purposes, and shall not report potential violations of this Policy in a way that identifies the student, without the student's consent. All Responsible Employees are obligated to report all actual, suspected or alleged violations of this Policy which are reported to them, or of which they become aware, to the Title IX Coordinator or designee.

VII. Violations

The types of sexual misconduct and relationship violence prohibited by this Policy are defined below. (It is important to note that sexual misconduct and relationship violence is prohibited regardless of the sexual orientation, gender, gender identity, or gender expression of the Complainant or Respondent).

A. Sexual Harassment

Sexual Harassment is defined as unwelcome sexual advances, request for sexual favors, and any other verbal, non-verbal or physical conduct of a sexual nature when: (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education, employment, or participation in programs or activities at the College; (2) Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting that individual's education, employment, or participation in programs or activities at the College; or (3) Such conduct is so severe and pervasive that it has the purpose or effect of unreasonably interfering with an individual's education, employment or participation in programs or activities at the College and/or creating an intimidating, hostile, offensive or abusive employment, academic, extracurricular or living or learning environment for the individual at the College.

Sexual harassment can arise from many different types of unwelcome verbal, nonverbal and physical conduct ranging from sexual gestures or teasing to sexual assault, acts of sexual violence, including domestic and dating violence, stalking and other coercive activity. Examples of such conduct and behaviors that may lead to a finding of sexual harassment include, but are not limited to, the following: (1) Verbal: Sexual remarks, comments, jokes and innuendos, communicating unwelcome stories about someone's social or sexual life, and propositions or pressure for social or sexual contact. (2) Non-verbal: The display of sexually explicit stares, gestures or suggestive pictures, including secretly video recording sexual acts, and/or sharing sexual images via social media without consent. (3) Physical: Unwanted touching, patting, grabbing, pinching, including sexual assault, domestic violence, dating violence stalking and rape. Sexual harassment need not be intentional. Examples may also include, persistent and inappropriate personal attention in the face of repeated rejection; unwelcome comments about an individual's sexual orientation, gender, gender identity, or gender expression; inappropriate written conduct containing comments, words, jokes, or images that are lewd or sexually suggestive or relate in an unwelcome manner to an individual's sexual orientation, gender, gender identity, or gender expression.

The intent of the person who is alleged to have committed such behavior may not be relevant to determining whether a violation has occurred. The relevant determination is whether a reasonable person similarly situated could have reasonably considered the alleged behavior to be sexual harassment.

Acts that do not necessarily involve conduct of a sexual nature but are based on sex or gender- stereotyping, and which may include physical aggression, intimidation, hostility, humiliation, insulting and hazing, may also be considered sexual harassment under this Policy.

The College will consider the effects of both on and off campus conduct when evaluating whether there is a hostile environment on campus.

B. Sexual Assault

Sexual assault includes any of the following:

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim;

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity;

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent. The age of consent in Rhode Island is 16 years of age (See RIGL § 11-37-6).

C. Non-Consensual Sexual Contact

Non-consensual sexual contact includes any touching (however slight) with any part of the body or other object, by any person upon another, without consent, for the purpose of sexual gratification.

D. Sexual Exploitation

Sexual Exploitation is purposefully taking sexual advantage of another person without consent. (Sexual exploitation may include, but not be limited to, voyeurism; disseminating, streaming, or posting pictures or videos of another in a state of undress or of a sexual nature without the person's consent; exposing one's genitals to another person without consent, etc.).

E. Dating Violence

Dating violence is defined as physical violence or the threat of physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person against whom the physical violence or the threat of physical violence has been committed. The existence of such a relationship shall be determined based on factors such as the length and type of relationship, and frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

F. Domestic Violence

Domestic violence is defined as physical violence committed: (A) by a current or former spouse or intimate partner of the victim; (B) by a person with whom the victim shares a child in common; (C) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (E) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

G. Stalking

Stalking occurs when a person engages in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress. For the purposes of this definition "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, including social media, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

H. Retaliation

Retaliation against any individual for filing a complaint or participating in any investigation or proceeding brought pursuant to this Policy is prohibited by Title IX and by the College. Retaliation includes, but is not limited to threats (both verbal and physical), intimidation, harassment, coercion, and other adverse action. There shall be no disciplinary action, retaliation or reprisal for bringing a complaint in good faith. Individuals shall not, however, knowingly make false charges of sexual misconduct or relationship violence as defined herein. Examples of retaliation may include pressuring a person to withdraw a complaint, rumor spreading, ostracism, destruction of property,

sending unwelcomed messages by electronic media, encouraging friends to relay unwelcomed messages, stalking or threatening, etc.

VIII. Relevant Definitions

A. Consent:

Consent is an affirmative and willing agreement to engage in specific forms of sexual contact with another person. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in sexual activity or contact. Consent cannot be obtained through: (1) the use of coercion or force; or (2) by taking advantage of the incapacitation of another individual. Silence, passivity, or the absence of resistance does not imply consent. Consent can be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop. Prior consent does not imply current or future consent; even in the context of an ongoing relationship, consent must be sought and freely given for each instance of sexual activity or contact.

B. Incapacitation:

Incapacitation means the person is incapable of giving consent. A person is incapacitated if that person is in a physical or mental state that causes the person to be unable to make a knowing and voluntary choice to engage in the sexual activity or contact. A person may also become incapacitated due to many factors, including the use of alcohol and/or drugs, or when the person is asleep or unconscious, or due to intellectual or other disability. When determining incapacitation, the inquiry is whether a sober, reasonable person in the Respondent's position should have known that the Complainant was incapacitated and could not provide consent. Evidence of incapacitation may include, but is not limited to, slurred speech, bloodshot eyes, the smell of alcohol on breath, unsteadiness when walking, vomiting, unusual behavior, etc.

C. Coercion:

Coercion is conduct, which can be verbal and/or physical, that includes intimidation, manipulation, or threats (either express or implied), that would reasonably cause a person to be in fear of immediate or future harm and that is undertaken to compel a person to engage in sexual activity or contact.

D. Force:

Force is the use of or threat of physical violence or intimidation, which prevents an individual's from making a knowing and voluntary choice to engage in sexual activity or contact.

IX. Procedures Individuals Should Follow to Report a Violation of this Policy

To report violations of this Policy, individuals (including students, employees and/or third-parties) should follow the procedures outlined below:

A. Reporting a Violation of this Policy

Violations of this Policy may be reported verbally or in writing to the Title IX Coordinator or to any Responsible Employee (See Paragraph VI above). The Responsible Employee will provide all known details of the violation(s) to the Title IX Coordinator or designee. The Title IX Coordinator or designee will review the report(s) in accordance with the College's Title IX Complaint Process. Reports may also be made to the following individuals:

- Title IX Deputy Coordinator, Dr. Marissa Weiss, Interim Associate Dean of Students, mweiss@ric.edu or 401-456-8149
- Title IX Deputy Coordinator, Dr. Leslie Schuster, Interim Dean of Graduate Studies, lschuster@ric.edu or 401-456-9723
- Title IX Deputy Coordinator, Jo-Ann D'Alessandro, Associate Director of Athletics, Intercollegiate Athletics, Intramurals, and Recreation, jdalessandro@ric.edu or 401-456-9882

Confidential Reporting: confidential reports can be made to:

RIC Health Services: 401-456-8055

RIC Counseling Center: 401-456-8094

Law Enforcement: While not required, the College strongly encourages anyone who becomes aware of behavior that may constitute a violation of Rhode Island State Law to report the incident to local law enforcement. The College can provide support, resources and assistance to those who do so.

Regarding the involvement of law enforcement, the Complainant has several options, including: (1) to notify law enforcement authorities, including local police; (2) to be assisted by campus authorities in notifying law enforcement authorities if the Complainant chooses; or (3) to decline to notify such authorities. The College will comply with the Complainant's request for assistance in notifying law enforcement. The Complainant's choice to report to law enforcement will not impact the implementation of accommodations and/or protective measures if applicable.

Information about Campus Police and local law enforcement agencies and how to make a police report can be found on the College's website under Campus Police. Campus Police may be reached by calling 401-456-8201.

The Complainant has the right to file a criminal complaint and a complaint under the Title IX Complaint Process simultaneously.

Time Limits: There is no time limit on reporting violations of this Policy, although the College's ability to respond fully may be limited with the passage of time.

Written Explanation of Rights and Options: When an individual reports a violation of this Policy, whether the offense occurred on or off campus, the College will provide the individual with a written explanation of the Complainant's rights and options.

Preserving Evidence

In cases of sexual misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking, as defined herein, it is critical that the Complainant preserve evidence because doing so may assist in proving that the alleged behavior occurred and/or may be helpful in obtaining a protective order.

X. Procedures the College Will Follow When a Complaint is Reported

The College will investigate and address all complaints of sexual misconduct and relationship violence in accordance with the Title IX Complaint Process. The Title IX Complaint Process outlines the procedures for institutional disciplinary action that the College will undertake when violations of this Policy are alleged.

The Title IX Complaint Process outlines the steps, anticipated timelines and decision-making process for the disciplinary proceeding; including how to report a complaint, the standard of evidence that will be used (preponderance of the evidence); and a list of all possible sanctions that the College may impose following the results of the Title IX Complaint Process.

The Title IX Complaint Process will be implemented by officials who, at a minimum, receive annual training on relevant issues and on how to conduct the Title IX Complaint Process in a way that protects safety and promotes accountability. Relevant issues include issues related to sexual misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking.

The College will provide for an adequate, reliable and impartial investigation of all complaints, which will include: interviews with the Complainant, the Respondent and any relevant witnesses; a review of any other relevant evidence; an equal opportunity for the parties to present witnesses and other evidence and equal access to information being considered in the Title IX Complaint Process (in accordance with the Family Educational Rights and Privacy Act).

The Complainant and the Respondent will, to the extent possible, receive simultaneous notification, in writing, of the result of the Title IX Complaint Process; the procedures for the Complainant and the Respondent to appeal the result of the Title IX Complaint Process; any change to the result, if applicable; and when such results become final.

XI. Advisors

The Complainant and the Respondent have the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice for support, guidance and/or advice. The College will not limit the choice of advisor or presence of the advisor for either the Complainant or Respondent in any meeting or proceeding provided the advisor complies with the guidelines for advisors outlined in this Policy. The advisor's role is to provide support,

guidance and/or advice only. The advisor may not participate in any manner during any related meeting or proceeding, including interviews or hearings. This advisor may not: (1) address or question the investigator, or other parties or witnesses; (2) present evidence or make arguments; and (3) have any role other than to accompany and communicate with the party requesting support and/or advice. The Complainant or the Respondent may request a break during any meeting and/or proceeding to allow the Complainant or the Respondent to confer with their respective advisors in private. Advisors who do not follow the guidelines outlined in this Policy will be asked to leave the meeting(s) and/or proceeding(s). The College may consider reasonable requests to reschedule a meeting or proceeding because an advisor cannot be present, however, the College is not required to do so and will not do so if it unreasonably delays the Title IX Complaint Process.

XII. Remedial and Protective Measures

The College may provide interim measures, such as counseling, academic assistance, and no-contact mandates, to protect, support or provide for the safety of the Complainant and the campus community during the Title IX Complaint Process. Requests for interim measures may be made by or on behalf of the Complainant to the Title IX Coordinator or designee. The Title IX Coordinator or designee will be responsible for the implementation and coordination of interim measures. Interim measures will not disproportionately impact the Complainant, and are available even if the Complainant does not report or continue to pursue a complaint.

If requested by the Complainant, the College will promptly implement a one-way no contact mandate (with the burden of no contact on the Respondent) if the College has made a finding of responsibility under this Policy, even if an appeal may be filed, or has been filed and is pending. If requested, the College will assist the Complainant in filing/applying for orders of protection, restraining orders or similar lawful orders issued by a criminal, civil or tribal court.

The College may provide interim measures for the Respondents where reasonable and appropriate under the circumstances as determined by the Title IX Coordinator or designee.

To request information about available remedial and protective measures contact the Title IX Coordinator and the Title IX Coordinator or designee will provide assistance and information regarding available options for remedial and protective measures, including assistance in obtaining, complying with and enforcing orders of protection issued by a criminal, civil or tribal court.

XIII. Amnesty

The health and safety of every student at the College is of utmost importance. The College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of violence occurs, including, but not limited to, domestic violence, dating violence, stalking, or sexual assault may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The College strongly encourages students to report incidents of violence to institution officials. The Complainant, Respondent, a bystander acting in good faith, or a reporting individual acting in

good faith, who discloses any incident of violence to the College or law enforcement will not be subject to the College's student conduct code for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the incident of violence.

XIV. Resources

The College will provide written notification to the Complainant about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services that may be available for the Complainant at the College and in the community. The written information will include options for, available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures. The College will make such accommodations and protective measures if the Complainant requests them and if they are reasonably available, regardless of whether the Complainant chooses to report the crime to Campus Police or local law enforcement.

The following resources are available in the community:

Women & Infants Hospital
101 Dudley Street
Providence, RI
(401) 274-1100

Rhode Island Hospital
593 Eddy Street
Providence, RI
(401) 444-5411

Miriam Hospital
164 Summit Avenue
Providence, RI
(401)-793-4220

Day One (Sexual Assault and Trauma Center)
100 Medway Street
Providence, RI
(401) 421-4100

RI Coalition Against Domestic Violence
422 Post Road
Warwick, RI
(401) 467-9940

24 Hour Helpline- 1(800)-494-8100

Sojourner House
(401)-861-6191 – Office
(401)-765-3232 – Residential Services

XV. Prevention and Awareness Programs

The College is committed to preventing sexual misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking as they are defined in this Policy as well as in the Clery Act. The College conducts ongoing educational and primary prevention and awareness programs for all faculty, staff and employees (including incoming students and new employees) to: promote awareness; prevent sexual misconduct and relationship violence; and to remind the entire community of the College's prohibition against sexual and misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking. A description of the institution's educational and primary prevention and awareness programs can be found in the College's most recent Annual Security Report.

XVI. Bystander Intervention

Bystander intervention refers to safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of sexual misconduct and relationship violence, including sexual assault, dating and domestic violence or stalking, against a person(s) other than the individual. Safe and positive options for bystander intervention include: recognizing prohibited conduct and situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying effective ways to intervene and take action provided that the intervention or action can be undertaken in a way that ensures the safety of the bystander. For more information about bystander intervention please contact greendot@ric.edu and a Green Dot member will reply or contact the Counseling Center at (401)-456-8094. A description of the institution's educational and primary prevention and awareness programs, including bystander intervention, can be found in the College's most recent Annual Security Report.

XVII. Risk Reduction

Risk reductions are designed as options designed to decrease perpetration and bystander inaction, increase empowerment for victims in order to promote safety, and help individuals and communities address conditions that facilitate violence. A description of the College's educational and primary prevention and awareness programs, including risk reductions, can be found in the College's most recent Annual Security Report.

XVIII. Violations of Rhode Island State Law

Violations of this Policy will be determined in accordance with the Violations set forth in Paragraph VII above; however, individuals may also wish to pursue criminal charges through local law enforcement. Below are relevant violations under Rhode Island General Law:

First Degree Sexual Assault (RIGL § 11-37-2): A person is guilty of first degree sexual assault if he or she engages in sexual penetration with another person, and if any of the following

circumstances exist: (1) The accused, not being the spouse, knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless. (2) The accused uses force or coercion. (3) The accused, through concealment or by the element of surprise, is able to overcome the victim. (4) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

Second Degree Sexual Assault (RIGL § 11-37-4): A person is guilty of second degree sexual assault if he or she engages in sexual contact with another person and if any of the following circumstances exist: (1) The accused knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless. (2) The accused uses force or coercion. (3) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

Third Degree Sexual Assault (RIGL § 11-37-6): A person is guilty of third degree sexual assault if he or she is over the age of 18 years and engages in sexual penetration with another person over the age of 14 years and under the age of consent, 16 years of age.

Stalking (RIGL § 11-59-2): Any person who (1) harasses another person; or (2) willfully, maliciously, and repeatedly follows another person with the intent to place that person in reasonable fear of bodily injury, is guilty of the crime of stalking. "Harasses" means a knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury. "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."

Cyberstalking and Cyberharassment (RIGL § 11-52-4.2): Whoever transmits any communication by computer or other electronic device to any person or causes any person to be contacted for the sole purpose of harassing that person or his or her family is guilty of a misdemeanor.

Dating Violence (R.I.G.L. §16-22-24) "Dating violence" means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control his or her dating partner. 10 The following words and phrases, when used in the above definition, have the following meanings: "Dating partner" means any person involved in an intimate association with another primarily characterized by the expectation of affectionate involvement whether casual, serious or long-term.

Domestic Violence (RIGL § 12-29-2):

(a) "Domestic violence" includes, but is not limited to, any of the following crimes when committed by one family or household member against another:
(1) Simple assault (§ 11-5-3);

- (2) Felony assaults (chapter 5 of title 11);
 - (3) Vandalism (§ 11-44-1);
 - (4) Disorderly conduct (§ 11-45-1);
 - (5) Trespass (§ 11-44-26);
 - (6) Kidnapping (§ 11-26-1);
 - (7) Child-snatching (§ 11-26-1.1);
 - (8) Sexual assault (§§ 11-37-2, 11-37-4);
 - (9) Homicide (§§ 11-23-1 and 11-23-3);
 - (10) Violation of the provisions of a protective order entered pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8 where the respondent has knowledge of the order and the penalty for its violation, or a violation of a no contact order issued pursuant to § 12-29-4;
 - (11) Stalking (chapter 59 of title 11);
 - (12) Refusal to relinquish or to damage or to obstruct a telephone (§ 11-35-14);
 - (13) Burglary and Unlawful Entry (chapter 8 of title 11);
 - (14) Arson (chapter 4 of title 11);
 - (15) Cyberstalking and cyberharassment (§ 11-52-4.2);
 - (16) Domestic assault by strangulation § 11-5-2.3; and
 - (17) Electronic tracking of motor vehicles (§ 11-69-1).
- (b) "Family or household member" means spouses, former spouses, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past three (3) years, and persons who have a child in common regardless of whether they have been married or have lived together, or persons who are, or have been, in a substantive dating or engagement relationship within the past one year which shall be determined by the court's consideration of the following factors:
- (1) The length of time of the relationship;
 - (2) The type of the relationship;
 - (3) The frequency of the interaction between the parties.
- (c) "Protective order" means an order issued pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8.
- (d) "Victim" means a family or household member who has been subjected to domestic violence.

Consent:

Under Rhode Island Law, (RIGL § 11-37-6), A person is guilty of third degree sexual assault if he or she is over the age of 18 years and engages in sexual penetration with another person over the age of 14 years and under the age of consent, 16 years of age.

XIX. Complaints and Inquires

Complaints regarding the application or enforcement of this Policy should be made to The College's Title IX Coordinator. Margaret Lynch-Gadaleta, Director-Institutional Equity, serves as The College's Title IX Coordinator. The Title IX Coordinator's office address is 111 Roberts Hall, Rhode Island College, Providence, RI 02908. The Title IX Coordinator can be contacted at (401) 456-8387 or at mlynchgadaleta@ric.edu.

Inquiries regarding the application of Title IX and its implementing regulations may be referred to the Title IX Coordinator or designee, or to the United States Department of Education, Office for Civil Rights, at OCR@ed.gov or (800) 421-3481.

This Policy is in compliance with applicable legal requirements including Title IX of the Education Amendments of 1972; relevant provisions of the Violence Against Women Reauthorization Act of 2013; the Clery Act; and other applicable federal and Rhode Island state laws.

APPENDIX XI

**RHODE ISLAND COLLEGE
TITLE IX COMPLAINT PROCESS FOR
COMPLAINTS AGAINST STUDENTS**

RHODE ISLAND COLLEGE

TITLE IX COMPLAINT PROCESS FOR COMPLAINTS AGAINST STUDENTS

The Title IX Complaint Process for Complaints Against Students (the "Title IX Complaint Process") is the complaint process used to promptly, fairly and impartially adjudicate violations of the Sexual Misconduct and Relationship Violence Policy alleged to have been committed by students against Rhode Island College (the "College") students, faculty and staff, as well as third-parties.

The Title IX Complaint Process will be implemented by officials who, at a minimum, receive annual training on relevant issues and on how to conduct the Title IX Complaint Process in a way that protects safety and promotes accountability. Relevant issues include issues related to sexual misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking.

The College has jurisdiction over all Title IX Complaints, including violation(s) of the Sexual Misconduct and Relationship Violence Policy.

For purposes of the Title IX Complaint Process, the person who was directly impacted by the violation(s) of the Sexual Misconduct and Relationship Violence Policy will be referred to as the "Complainant." The student responding to the Complaint (i.e., the student accused of violating of the Sexual Misconduct and Relationship Violence Policy) will be referred to as the "Respondent."

The Title IX Complaint Process constitutes the College's formal resolution process and disciplinary proceeding used by the College to respond to sexual misconduct and relationship violence (including sexual assault, dating and domestic violence and stalking) committed by students.

Certain Complaints may be resolved informally in limited situations where the Complainant and the Respondent have been fully informed of all available options for resolution of the Complaint and have both voluntarily chosen to resolve the Complaint through an informal resolution process. The Complainant and/or the Respondent can ask to end the informal resolution process at any time before its completion. Once a Complaint has been resolved through an informal resolution process, the matter will be closed. For some limited types of Complaints alleging violations of the Sexual Misconduct and Relationship Violence Policy, an informal resolution may include mediation. Mediation is not, however, an appropriate resolution for matters involving allegations of sexual assault, dating violence or domestic violence. The Title IX Coordinator or designee will have discretion to determine whether an informal resolution is appropriate given the circumstances.

The College will take steps to prevent recurrence of any sexual violence and remedy discriminatory effects on the Complainant and others, if appropriate.

I. Standard of Evidence

The preponderance of the evidence standard (more likely than not) will be used under the Title IX Complaint Process and for making findings regarding all complaints of sexual misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking.

II. Notice of Potential Violation(s)

When the Title IX Coordinator or designee becomes aware of a potential violation(s) of the Sexual Misconduct and Relationship Violence Policy, the Title IX Coordinator or designee will contact the Complainant and provide the Complainant with detailed information about the Complainant's rights and responsibilities under the Title IX Complaint Process, as well as information regarding resources and interim measures.

III. Threat Assessment

When the Title IX Coordinator or designee becomes aware of a potential violation of the Sexual Misconduct and Relationship Violence Policy, the Title IX Coordinator or designee will (in collaboration with the Campus Assessment Response Evaluation Team (the "CARE Team")) conduct an initial threat assessment to determine whether there is reasonable cause to believe that the Respondent poses a continuing, significant threat of harm to the health, safety, and welfare of others or to the College community, and whether interim measures are necessary to alleviate or mitigate that risk.

IV. Making a Complaint

Complaints alleging violations of the Sexual Misconduct and Relationship Violence Policy by students of the College may be made by submitting a written Complaint to the Title IX Coordinator or designee using the Complaint Form. The Complaint Form can be found on the College's [Title IX webpage](#). Any individual who has experienced sexual misconduct or relationship violence by a student of the College may submit a Complaint Form. Except in limited circumstances that involve protecting the health and safety of the College community and its members, the Title IX Complaint Process will not be initiated unless a Complaint Form has been submitted. Specifically, in some limited instances, to protect the health and safety of the College community and its members, it may be necessary for the College to initiate the Title IX Complaint Process against the Respondent even if a Complaint Form has not been submitted.

Upon receipt of the Complaint Form, the Title IX Coordinator or designee will determine whether the College has jurisdiction to resolve the Complaint under the Title IX Complaint Process. Matters that cannot be resolved under the Title IX Complaint Process, because of jurisdiction, will be referred to the appropriate departments on campus.

Alleged violations of the Student Conduct Code or Statement of Nondiscrimination and Affirmative Action, which are ancillary and related to the Complaint, will be resolved under the Title IX Complaint Process.

V. Meeting with the Respondent

The Title IX Coordinator or designee will have a preliminary meeting with the Respondent at which the Title IX Coordinator will: share the Complaint Form with the Respondent, if applicable; explain the Respondent's rights and responsibilities under the Title IX Complaint Process; describe any potential sanctions that may result from a finding of responsibility; and answer any questions the Respondent may have. At the preliminary meeting, the Respondent will also be provided with information regarding the Respondent's constitutional rights, including the right to have the Complaint heard under the Title IX Complaint Process, which is the complaint process used for all similar matters; the right to receive notice of all violations of the Sexual Misconduct and Relationship Violence Policy, as well as any ancillary violations being alleged against the Respondent; the right to be heard by the investigator, who is an impartial arbiter under the Title IX Complaint Process; and the right to hear a description of all information presented to the investigator that supports a finding of responsibility.

At the conclusion of the preliminary meeting, the Respondent may: (I) voluntarily admit responsibility and execute a written Waiver of the Title IX Complaint Process (at which point the Respondent will be assigned a sanction(s) and the Title IX Complaint Process will be concluded); or (II) request that the alleged violation(s) be adjudicated in accordance with the Title IX Complaint Process. A Respondent who executes a written Waiver of the Title IX Complaint Process is not entitled to an appeal. If the Respondent chooses to have the Complaint adjudicated through the Title IX Complaint Process, then the Respondent must submit a written Response to the Complaint, within three (3) business days of the preliminary meeting, to the Title IX Coordinator or designee.

If the Respondent fails to appear at the preliminary meeting after notification, or fails to respond to communications from the Title IX Coordinator or designee, the Title IX Coordinator or designee may proceed with the Title IX Complaint Process without the Respondent's participation.

VI. Investigation and adjudication

Upon receipt of the Respondent's written Response, the Title IX Coordinator or designee will appoint an investigator(s). The investigator will conduct an investigation of the Complaint and issue findings regarding responsibility. The Title IX Coordinator or designee will have the discretion to appoint an internal investigator(s) or an external investigator(s), or both.

The College will ensure an adequate, reliable and impartial investigation of all complaints alleging violations of the Sexual Misconduct and Relationship Violence Policy, including the opportunity for both the Complainant and the Respondent to present witnesses and evidence. The investigation will include interviews with the Complainant, the Respondent and witnesses, if applicable. The investigator will determine, in the investigator's sole discretion, what

information is relevant. Character evidence will not be considered; and pattern evidence (evidence of previous conduct) will only be considered if the previous conduct is so substantially similar to the conduct cited in the instant matter to indicate a pattern of behavior. Additionally, medical and counseling records are privileged and confidential. Therefore, those records will not be required to be disclosed.

In cases involving sexual misconduct, past sexual history will typically not be considered except possibly where consent is at issue. Specifically, prior consensual sexual activity between the Complainant and the Respondent, while not determinative, may be relevant to determining whether consent was sought and received. Past sexual history may also be considered under very limited circumstances, for example, to explain injury. However, consent to one sexual act will never be considered to constitute consent to another sexual act.

VII. Draft Investigation Report

At the conclusion of the investigation, the investigator will complete a Draft Investigation Report. The Draft Investigation Report will contain the relevant information and facts learned during the investigation, including direct observations and reasonable inferences drawn from the facts and any consistencies or inconsistencies between the various sources of information.

Once the Draft Investigation Report has been completed, the investigator will schedule separate meetings with the Complainant and the Respondent to review the Draft Investigation Report. After meeting with the investigator, the Complainant and the Respondent will have three (3) business days to respond to the investigator in writing to offer additional comments, clarify information previously shared, suggest additional witnesses, or identify any other relevant information or evidence to assure the thoroughness and sufficiency of the investigation.

VIII. Final Investigation Report

If, after receiving the written responses from the Complainant and the Respondent regarding the Draft Investigation Report, the investigator determines that no further inquiry is required, the investigation will be deemed complete and final. If, in the sole discretion of the investigator, further inquiry is necessary, the investigator will follow up on the information before finalizing and completing the investigation.

Once the investigation is deemed by the investigator to be complete and final, the investigator will make a finding of "Responsible" or "Not Responsible" for each alleged violation of the Sexual Misconduct and Relationship Violence Policy, as well as any ancillary violations, and then provide the Title IX Coordinator or designee with the Final Investigation Report, which will include the findings and rationale for each alleged violation. The Title IX Coordinator or designee will review the Final Investigation Report to ensure that it has been completed in accordance with institutional policy, relevant federal and state law and federal guidance. The Title IX Coordinator or designee will notify the investigator of any inconsistencies with institutional policy, relevant federal and state law and federal guidance that are present in the Final Investigation Report so that the investigator can make corrections.

IX. Sanctions

If the Final Investigation Report includes any findings of Responsibility, the Title IX Coordinator or designee will provide a copy of the Final Investigation Report to the Jennifer Giroux, Associate VP for Professional Studies and Continuing Education or designee (the "Sanctioning Officer") for a determination of sanctions for each "Responsible" finding. The Sanctioning Officer or designee may consider prior violations of the Title IX Complaint Process or Student Conduct Code for which the Respondent was found Responsible when determining what sanction(s) to impose. The Sanctioning Officer or designee will provide the Title IX Coordinator or designee with a written decision regarding which sanction(s) will be imposed for each "Responsible" finding, along with the rationale for each sanction imposed.

An individual found responsible for violating the Sexual Misconduct or Relationship Violence Policy (and/or the Student Conduct Code or Statement of Nondiscrimination and Affirmative Action, if ancillary to the Complaint) is subject to one or more of the following sanctions:

- A. **Written Warning** that shall become part of the student's record until the student graduates from the College.
- B. **Restitution** either to the Complainant or the College. Completion of a work assignment(s) may, in some circumstances, be substituted for a monetary payment.
- C. **Restriction** either from specific locations on campus such as the residence halls, and/or during specific times. The restriction may be for a fixed period of time or permanent.
- D. **Probation** with or without conditions such as exclusion from participation in extracurricular activities, the requirement to make restitution, or to complete some specific assignment. Satisfying the conditions of probation is a prerequisite to receiving a degree or certificate and failure to honor the terms of the probation shall result in the reconsideration of the original sanction by the relevant adjudicating board.
- E. **Revocation of Admission**
- F. **Revocation of Degree**
- G. **Suspension** is forced withdrawal from the College for a specified period of time, including exclusion from classes, termination of student status and all related privileges and activities, and exclusion from the campus if set forth in the notice of suspension. If a student, while suspended, violates any of the terms set forth in the notice of suspension, the student shall be subject to further discipline in the form of expulsion.
- H. **Expulsion** is a permanent separation from the College.

X. Notice of Outcome:

After receipt of the sanctions, the Title IX Coordinator or designee will simultaneously provide a written Notice of Outcome to the Complainant and the Respondent, which will include the finding(s), sanction(s) (if applicable), and rationale. The Title IX Coordinator or designee will offer the Complainant and the Respondent the opportunity to request an appointment to review the Final Investigation Report. If requested, the review will be scheduled to occur within three (3) business days of the request.

XI. Appeal:

The Complainant and the Respondent have the right to appeal and participate in the appeal process if: (1) a substantial procedural error occurred during the Title IX Complaint Process; (2) new (material) evidence has come to light, which was not reasonably available prior to the investigator issuing the Final Investigation Report, which is substantially material and has the likelihood of changing the findings made by the investigator in the Final Investigation Report; and/or (3) the sanction(s) is clearly contrary to the weight of the evidence.

Requests for appeal must be submitted in writing to the Title IX Coordinator or designee within five (5) business days following delivery of the written Notice of the Outcome. Appeals are heard by Jason Meriwether, VP of Student Success or designee (the "Appeal Officer") and will be strictly limited to the grounds for appeal outlined above. The Appeal Officer or designee is an impartial decision-maker and will conduct the appeal in an impartial manner.

If the appeal is denied, the matter will be closed, and the outcome set forth in the Notice of Outcome will be final. If the appeal is granted, the Appeal Officer or designee may: (1) remand the case for a new investigation (the results of the new investigation, including the finding(s) and sanction(s) will be final and not subject to further appeal); (2) make modifications to the sanction(s) imposed; or (3) if, due to the discovery of new evidence not reasonably available at the time of the initial investigation, return the matter to the investigator for reconsideration in light of the new evidence.

The Appeal Officer or designee will provide a written decision regarding the Appeal to the Title IX Coordinator who will simultaneously notify the Complainant and the Respondent within a reasonable period of time. The decision of the Appeal Officer or designee regarding the appeal will be final.

XII. Timelines for the Student Complaint Process

The College will make its best efforts to complete the Title IX Complaint Process (including the investigation and appeal process) within sixty (60) days of receipt of the Complaint Form. However, because the length of investigations may vary due to the complexity and unique factors of each case, the timeframe outlined herein may be extended to ensure that the Title IX Complaint Process is prompt, but also fair and impartial. The Complainant and the Respondent will be provided with periodic status updates as necessary. Other timelines, such as the time for filing an appeal, are listed herein.

XIII. Law Enforcement

The College will comply with law enforcement requests for cooperation. Such cooperation may require the College to temporarily suspend an investigation, for a short period, while law enforcement gathers evidence. The College will promptly resume its investigation as soon as it is notified by law enforcement that its evidence gathering process is complete. The Complainant has the right to file a criminal complaint and a complaint under the Title IX Complaint Process simultaneously.

XIV. Confidentiality

The College will keep all complaints and investigations private to the extent possible, and information will be disclosed only on a "need to know" basis. It is the expectation of the College that all individuals involved in the Title IX Complaint Process will also maintain confidentiality and share information only on a "need to know" basis. However, individuals are not restricted from discussing and sharing information related to complaints made by or against them with others who may support or assist them in presenting their case in the Title IX Complaint Process. See additional information about confidentiality set forth in the College's Sexual Misconduct and Relationship Violence Policy.

XV. Requests for Anonymity or No Action

If the Complainant requests anonymity or asks the College not to take any action, the College will strongly consider the Complainant's request. However, in certain circumstances, the College may not be able to grant the Complainant's request due to various factors, including when there is a risk of imminent harm to an individual or others or a threat to the health and safety of the College community.

XVI. Conflicts of Interest

The Complainant and the Respondent may notify the Title IX Coordinator or designee in writing if there is a concern that the investigator assigned, or any other person implementing the Title IX Complaint Process, creates a conflict of interest. The Title IX Coordinator or designee will make adjustments only if a substantiated conflict of interest exists.

XVII. Confrontation/Cross-Examination

If applicable, the Complainant and the Respondent will always be interviewed separately, and will never be required to attend any meetings together. Additionally, the Complainant and Respondent will not be permitted, at any point during the Title IX Complaint Process, to confront or cross-examine each other.

XVIII. Advisors

Advisors are permitted as outlined in the Sexual Misconduct and Relationship Violence Policy.

XIX. Retaliation:

Retaliation against any individual for filing a complaint or participating in any investigation or proceeding brought pursuant to this Policy is prohibited by Title IX and by the College.

Retaliation includes, but is not limited to threats (both verbal and physical), intimidation, harassment, coercion, and other adverse action. There shall be no disciplinary action, retaliation or reprisal for bringing a complaint in good faith. Individuals shall not, however, knowingly make false charges of sexual misconduct or relationship violence as defined herein. Examples of retaliation may include pressuring a person to withdraw a complaint, rumor spreading, ostracism, destruction of property, sending unwelcomed messages by electronic media, encouraging friends to relay unwelcomed messages, talking or threatening, etc.

APPENDIX XII

**RHODE ISLAND COLLEGE
COMPLAINT FORM**



COMPLAINT FORM

Complainant Information

Name: _____

Date: _____

Department/Major: _____

Telephone #: _____

Email address:

Are you a: Student Faculty/Staff other

Name of person(s) against whom the complaint is made: _____

Do you interact with the person(s) on campus? _____

If so, when and where do you interact with that person(s)? _____

Basis of alleged complaint:

- | | |
|--|--|
| <input type="checkbox"/> Age | <input type="checkbox"/> Marital Status |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Citizenship Status |
| <input type="checkbox"/> Sex/Gender | <input type="checkbox"/> Veteran Status |
| <input type="checkbox"/> National Origin/Ethnicity | <input type="checkbox"/> Gender Identity or Expression |
| <input type="checkbox"/> Race/color | <input type="checkbox"/> Genetic Information |
| <input type="checkbox"/> Pregnancy Status | <input type="checkbox"/> Other |
| <input type="checkbox"/> Religion/Creed | |
| <input type="checkbox"/> Sexual Orientation | |

Name of witnesses, if any:

Date of alleged violation: _____

APPENDIX XIII

**AFFIRMATIVE ACTION HIRING PROCESSES:
SPECIAL CASES**



Rhode Island College

AFFIRMATIVE ACTION HIRING PROCESSES: SPECIAL CASES

Temporary Employment

All temporary employment opportunities at Rhode Island College must satisfy the College's commitment to equal opportunity and affirmative action. College officials authorized to fill positions on a temporary or acting/pro-tem basis are responsible, with the assistance of the Director of Affirmative Action, to determine the most reasonable means of hiring which will be consistent with the College's affirmative action policy.

Temporary employment is the employment category that includes persons hired for a limited period. The following are some examples of situations where temporary appointments may be appropriate:

- In an emergency situation in order to fulfill short-term high work-volume needs.
- To fill intermittent staffing needs caused by cyclical peaks in workload.
- To fill in for employees on leave or special assignment.
- To perform duties and responsibilities associated with a position for which recruitment is in the process.

Affirmative Action Hiring Processes: Special Cases

- To provide College management with an opportunity to access the need to establish a position.
- To fill limited-term faculty appointments.

Procedures for temporary employment should ensure feasibility for the College while working to maintain its commitment to equal opportunity and affirmative action.

Grant-Funded Employment

Rhode Island College has an overall equal employment opportunity/affirmative action commitment which pertains to all phases of employment including contracts and grants. This policy is followed by principal investigators when hiring personnel for various projects funded by grants. However, Federal legislature complements for Rhode Island College Affirmative Action Plan in grants such as National Institute of Health and National Science Foundation by clearly expressing that grants are subject to compliance with the Civil Rights Act of 1964 and to Executive Order #11246. Some projects require that all persons to be hired by the principal investigator have their names and qualifications listed in the proposal. Other projects require that persons be hired by the principal investigator after funding is approved.

Officials authorized to hire for a grant-funded position should reference the document, *The Other Side of the Coin - A Step by Step Guide for Proposal Development and Management at Rhode Island College*, prepared by the Bureau of Grants and Sponsored Projects.

Administrative Reorganization or Consolidation of Positions

In case of administrative reorganization or consolidation of positions, after consultation with the Director of Affirmative Action (who may seek the advice of CEO/AA), the President shall determine whether or not a search limited to internal candidates is sufficient to satisfy the institution's equal opportunity and affirmative action commitments.

Temporary Emergency Policy

Due to severe fiscal constraints at the College, it will be necessary to continue to employ measures that serve to conserve both resources and personnel. We consider downsizing to be part of the court of last resort. In order to prevent downsizing in departments and programs, Rhode Island College will employ alternative methods, such as position/function merger wherever possible, utilizing existing personnel. This in-house process will conform to existing union and affirmative action policies and procedures, as well as federal and state rules and regulations. Although our preference is to conduct external searches for all of our positions, our financial situation, now and in the foreseeable future, precludes our ability to so do. All decisions on search procedures will therefore be made on a case-by-case basis.

APPENDIX XIV

**RHODE ISLAND COLLEGE POLICY
RELATIVE TO EQUAL OPPORTUNITY/AFFIRMATIVE ACTION**

POLICY ON EQUAL OPPORTUNITY/AFFIRMATIVE ACTION

Pursuant to the philosophy of the Board of Governors for Higher Education, Rhode Island College does not discriminate on the basis of race, color, creed, national or ethnic origin, gender, religion, disability, age, sexual orientation, genetic information, gender identity or expression, marital, citizenship status or status as a special disabled veteran, recently separated veteran, Vietnam era veteran, or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized (except in those special circumstances permitted or mandated by law). This nondiscrimination policy encompasses the operation of the College's educational programs and activities including admissions policies, scholarship and loan programs, athletic and other College-administered programs. It also encompasses the employment of College personnel and contracting by the College for goods and services. The College is committed to taking affirmative action to employ and advance in employment qualified women and members of minority groups identified in state and federal affirmative action laws and executive orders, persons with disabilities (including qualified special disabled veterans), and veterans of the Vietnam Era.

The College's policy of nondiscrimination is consistent with Title IX of the Educational Amendments of 1972, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Executive Order 11246, the Equal Pay Act, the Age Discrimination in Employment Act, the Americans With Disabilities Act, Section 504 of the Rehabilitation Act of 1973, Section 503 of the Rehabilitation Act of 1973, Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, the Immigration Reform and Control Act of 1986, and the relevant Governor's Executive Orders and Rhode Island Gen. Laws § 28-5.1 et seq.

Inquires concerning the College's administration of the nondiscrimination laws should be addressed to the Director of Human Resources, 310 Roberts Hall, Rhode Island College, Providence, RI 02908-1991, tel. (401) 456-8218. Questions regarding provisions for students with disabilities should be directed to the Office of Student Life, 127 Craig-Lee Hall, Rhode Island College, Providence, RI 02908-1991, tel. (401) 456-8061. Questions regarding provisions of the Americans with Disabilities Act (ADA) should be addressed to the ADA Coordinator, 314 Roberts Hall, Rhode Island College, Providence, RI 02908-1991, tel. (401) 456-8216.

Reasonable accommodation available upon request.

APPENDIX XV

RETALIATION/COERCION STATEMENT

RETALIATION OR COERCION

Any employee or agent of State Government who shall discriminate against an individual through the use of retaliation, coercion, intimidation, threats or other such action because such individual has filed a complaint, testified or participated in any way in any investigation proceeding or hearing regarding discrimination in employment or public service or because such individual has opposed any act made unlawful under the Americans with Disabilities Act (ADA) or Rhode Island Fair Employment Practices Act or any rules and regulations issued pursuant to either, shall be subject to disciplinary action. Said action may include suspension from employment or dismissal where the discrimination is found to be willful or repeated.

APPENDIX XVI

EXIT INTERVIEW PROCEDURE

OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY (ODEO)
STATE EQUAL OPPORTUNITY OFFICE
One Capitol Hill
Providence, RI 02908-5865

Rhode Island Department of:

EXIT INTERVIEW SIGN-OFF FORM*

Name of Employee (Please print or type)

In accordance with Rhode Island General Law 28-5.1, an Exit Interview Program has been established in order to assure that terminating/transferring employees are not leaving because of discriminatory circumstances. I understand that all terminating/transferring employees have the option of an exit interview with the ODEO/State Equal Opportunity Office. I hereby certify that I have received a **Confidential Exit Survey Inquiry** form from the Division of Human Resources and, that the completed **Confidential Exit Survey Inquiry** form must be forwarded to the ODEO/State Equal Opportunity Office. I also understand that a copy of this completed **Exit Interview Sign-Off Form** will be placed in my personnel file.

Signature of Employee

Date Employee Signed

Date Exit Interview Was
Mailed to Employee

Signature of Personnel Officer

* Instructions:

The Human Resources Office must distribute a copy of the **Confidential Exit Survey Inquiry** form along with termination/ transfer papers to the employee. The Human Resources Office must place a signed copy of the **Exit Interview Sign-Off Form** in the employee's personnel file and forward a second copy of the sign-off form to the ODEO/State Equal Opportunity Office immediately upon completion.

OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY (ODEO)
State Equal Opportunity Office
CONFIDENTIAL EXIT SURVEY INQUIRY

All information obtained from this inquiry will be handled in a confidential manner and will not be divulged to supervisors, co-workers, or anyone inside or outside the agency. The information will be used as a tool for change and improvements, and will not be made part of your personnel record and will not be used to respond to reference checks by future employers. We ask that you be as honest and fair as possible. Please complete and return to the ODEO/State Equal Opportunity Office, One Capitol Hill, Providence, RI 02908. Thank you.

Name _____	Job Title _____
Address _____	Department/Agency _____
_____	Division/Unit _____
Telephone _____	Date of Separation _____
Date Hired _____	

(Please check for Equal Opportunity Purposes Only)

Female <input type="checkbox"/>	White <input type="checkbox"/>	Asian Amer./Pacific Islander <input type="checkbox"/>	Hispanic <input type="checkbox"/>
Male <input type="checkbox"/>	Black <input type="checkbox"/>	Amer. Indian/AK Native <input type="checkbox"/>	Disabled <input type="checkbox"/>

What is your main reason for leaving?

What did you like best about your job?

What did you dislike about your job?

Did you find your employment worthwhile in terms of personal growth and achievement?

Do you feel career opportunities were adequately afforded to you?

Did you feel free to go to your supervisor to discuss problems about your job?

(Rev. 07/02)

CONTINUED.....

Was your supervisor effective in handling problems or complaints?

Was the Leave of Absence Procedure clearly explained to you?

Did you receive fair treatment while employed?

Would you seek employment with the State of Rhode Island at a future date?

Do you feel you were discriminated against?

INTERVIEWING OFFICER

DATE

COMMENTS:

APPENDIX XVII

AFFIRMATIVE ACTION FILE CARD

RHODE ISLAND DEPARTMENT OF ADMINISTRATION
OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY/STATE EQUAL OPPORTUNITY OFFICE
AFFIRMATIVE ACTION FILE

RIEEO-03/78
(Revised September 2018)

TO BE COMPLETED BY APPLICANT OR EMPLOYEE ONLY

Applicant or Employee

Address
Number Street City State Zip Code

NOTE: When selecting racial/ethnic category, you must select only one of the boxes numbered 1 through 7. Female Male

- | | | |
|---|---|---|
| 1 - Black or African American (Not Hispanic or Latino) <input type="checkbox"/> | 2 - Hispanic or Latino <input type="checkbox"/> | 3 - American Indian or Alaska Native (Not Hispanic or Latino) <input type="checkbox"/> |
| 4 - Asian (Not Hispanic or Latino) <input type="checkbox"/> | 5 - White (Not Hispanic or Latino) <input type="checkbox"/> | 6 - Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) <input type="checkbox"/> |
| 7 - Two or More Races (Not Hispanic or Latino) <input type="checkbox"/> | Disabled <input type="checkbox"/> | Veteran <input type="checkbox"/> |
| Disabled Veteran <input type="checkbox"/> | | Age: 40 & Over <input type="checkbox"/> |

FOR PERSONNEL USE ONLY

Department _____ Division _____
Appropriation Account No. _____ Pay Grade _____ Position No. _____
Incumbent* _____ (Use this selection for current employees who are requesting a change to their demographic designation)
Promotion _____ Transfer _____ Hired _____ List _____ No List _____ Offered _____ Not Offered _____ Refused _____
Reason for Action _____
Interviewer/HR Staff _____ Date _____

RACIAL/ETHNIC CATEGORIES

- 1 – **Black or African American (Not Hispanic or Latino)** – A person having origins in any of the black racial groups of Africa.
- 2 – **Hispanic or Latino** – A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- 3 – **American Indian or Alaska Native (Not Hispanic or Latino)** – A person having origins in any of the original peoples of North America and South America (including Central America), and who maintains tribal affiliation or community attachment.
- 4 – **Asian (Not Hispanic or Latino)** – A person having origins in any of the original peoples of the Far East, Southeast Asian, or the Indian subcontinent including for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- 5 – **White (Not Hispanic or Latino)** – A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- 6 – **Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)** – A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- 7 – **Two or More Races (Not Hispanic or Latino)** – A person who primarily identifies with two or more of the above race categories.

DISABLED:

All persons with a physical or mental impairment that substantially limits one or more major life activities. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. A major life activity also includes the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. A history of such disability, or the belief on the part of others that a person has such a disability, whether it is so or not, also is recognized as a disability by the regulation.

APPENDIX XVIII

EQUAL OPPORTUNITY ADVISORY COMMITTEE GUIDELINES

EQUAL OPPORTUNITY ADVISORY COMMITTEE*
GUIDELINES

MISSION:

To provide two-way communication and suggestions on various aspects of the equal opportunity program to the director in a department or agency in state government.

1. **ESTABLISHING THE COMMITTEE:**
 - A. All employees should be informed of opportunities to serve on the committee.
 - B. Agency head appoints the committee from a list of volunteers.
 - C. Volunteers should include staff from:
 1. Each division of agency
 2. Various job levels
 3. Diverse group of employees; i.e. minorities, women, persons with disabilities, and veterans

2. **STRUCTURE:**
 - A. Terms of membership
 - B. Elections of officers
 - C. How many members
 - D. Alternates
 - E. Sub-committees
 - F. Meetings
 - G. Minutes

3. **FUNCTIONS (ROLE):**
 - A. Advise – not perform
 - B. Develop short-term objectives
 - C. Identify areas of possible discrimination
 - D. Assist the designee of the agency head with preparing the affirmative action plan
 - E. Monitor the progress of the action goals and programs, if necessary, make recommendations to improve
 - F. Review monthly progress reports
 - G. Issue a progress report to agency head quarterly

4. **CHAIRPERSON (DUTIES):**
 - A. Prepare agenda for meeting
 - B. Preside over committee meetings
 - C. Submit any committee recommendations to the agency head

5. **SECRETARY (DUTIES)**
 - A. Preside over meeting in absence of chairperson
 - B. Record minutes of the meeting
 - C. Prepare minutes for distribution.

6. **AGENCY HEAD:**
Should make a commitment that all recommendations will be reviewed and acknowledged

7. **EMPLOYEES SHOULD BE INFORMED OF AGENCY POLICY:**
 1. Newsletter
 2. Pay envelopes
 3. Employee handbooks
 4. Copies of the affirmative action plan policy statement of key program elements

8. The state equal opportunity office may issue such guidelines, directives, or instructions as necessary to carry out Rhode Island General Laws § 28-5.1.

For additional guidance and/or technical assistance, contact:

Cheryl A. Burrell, Associate Director
Department of Administration
Office of Diversity, Equity and Opportunity
One Capitol Hill
Providence, RI 02908
TEL # (401) 222-6397
Rhode Island Relay: 711
FAX # (401) 222-1453
Email: Cheryl.Burrell@doa.ri.gov

* Each agency is required to have an Equal Opportunity Advisory Committee

APPENDIX XIX

DIALOGUE ON DIVERSITY AND INCLUSION COMMITTEE



May 2018 Dialogue on Diversity and Inclusion End of year report July 2017 – June 2018

This report outlines DDI activity over the last academic year and summarizes key issues shaping our 2018/19 agenda:

The overall committee met four times in the fall and four times in the spring. Additionally, subcommittees met to work specifically on committee bylaws and the Diversity Summit held on March 19, 2018. The Executive committee met multiple times throughout the summer of 2017 to work on the 2017 Promising Practices conference. Effective recruitment coupled with the administration's commitment to inclusive excellence has made this past year our most robust ever in terms of membership (attachment). The DDI held its first annual retreat as noted in the bylaws (attachment) at the RI Nursing Education Center.

- **Committee Bylaws**

The Dialogue on Diversity has a strong history of education and advocacy historically operated under a purpose statement first sanctioned by Rhode Island College President John Nazarian in 2000. The DDI recently elaborated on its mission by creating a formal set of bylaws to serve as a roadmap for our work and to provide comprehensive guidelines regarding membership and leadership roles.

The mission of the Dialogue on Diversity and Inclusion Committee is to support the college's strategic initiatives on inclusive excellence by acting as a resource to the administration, and by advising and identifying actionable outcomes for strengthening diversity, inclusion and equity.

The purpose of the Dialogue on Diversity and Inclusion Committee is to provide leadership, coordination, and recommendations for appropriate actions in furtherance of its commitment in this area.

Included in the bylaws is a re-naming of the committee to **Dialogue on Diversity and Inclusion (DDI)** which is how we will be referred to going forward. Membership better reflects the diversity and composition of the Rhode Island College community with representation from all five schools of learning, multiple student service offices and both undergraduate and graduate students. We continue to work on increasing student involvement with the committee. The Executive Committee has expanded to include a Secretary and the Unity Center director as a standing member. A designated Graduate Assistant will serve in an ex officio capacity providing administrative support to the committee. Under the committee's new bylaws, AVP Cano-Morales will serve as an ex-officio member. A nominating committee will provide recommendations to the Office of the President for appointment to the Committee when appropriate.

- **Events and Programming**

The DDI has historically been known for two flagship programs, the Promising Practices Multicultural Conference in the fall and the annual Spring Lecture. The 2017 Promising Practices theme was *Education for a Diverse and Inclusive Workplace* and the 2018 Spring Lecture focused on *Free Speech on Campus: Multiple Perspectives*. Promising Practices has typically drawn 250-400 attendees each year. Over the past two years, attendance has declined. This year attendance was approximately 245. In our most recent meetings, the DDI re-envisioned our

approach to programming and discussed reformatting, rebranding, different structures of leadership, and increased co-sponsorships. Committee discussion resulted in RIC's first Diversity Summit which brought over 40 faculty, staff and students together from across campus to share ideas, current work, and experiences in the area of Diversity and Inclusion initiatives that support the promise of Inclusive Excellence as outlined in the 2020 strategic plan. Actionable items from the Summit include:

- The creation of a Diversity Events Calendar
- Increased collaborations across campus with better communication and coordination
- More education and training around D&I topics such as microaggression and implicit bias

The DDI's May retreat, better defined our role within an evolving campus culture in order to remain relevant to an increasingly diverse student body and their needs. This academic term DDI members contributed to the American Democracy Project's high school program **From Your House to the White House: Political Bullying in our Daily Lives** and **Whose Streets: Racism, Police Brutality and Rebellion in Ferguson, MO.** and RI Pride events. The DDI looks forward to being more intentional about increasing and strengthening these types of co-sponsorships. For example, providing financial support up to \$500 for programs that align with our mission and purpose.

- **Funding**

For the first time in its history, the Dialogue on Diversity and Inclusion received a \$12,000.00 budget for the 2018 fiscal year, housed within the Community, Equity and Diversity division. In the past, the DDI relied on financial support from the Committee on College Lectures (CCL), donations from Academic Affairs and Student Affairs, as well as contributions from deans and other supporters for its annual events. The Office of the President has also contributed to DDI activity. This new funding structure allows the DDI to explore additional ways to build relationships at RIC and beyond to bring excellent lecture, seminar experiences and co-sponsored activities to our campus. In anticipation of interest in DDI co-sponsorship support, our budget may need to increase in order to accommodate the needs of the campus community. The committee's Treasurer will oversee the budget per the terms and responsibilities set by the bylaws. *A copy of budget expenditures is attached.*

- **Community, Equity and Diversity Division**

Since spring 2017, the DDI fortified a working relationship with the Community, Equity and Diversity (CED) division under Associate Vice President Anna Cano-Morales. This partnership is very timely given the five pillars of new Strategic Plan and its core values. Key considerations and concerns regarding resources and staffing levels are outlined in our previously submitted letter regarding the CED. The Committee welcomes the opportunity to work both in concert with the CED and autonomously with other partners on a variety of campus initiatives. **We seek an increased consultative role in the development of college policies and practices going forward.**

- **Diverse Workforce**

The cultural knowledge of a diverse workforce can aid in the retention, graduation and satisfaction of our students. The DDI believes that critical inquiry is ignited when students have access to varied perspectives, practices and ideas both in and out of the classroom. We realize that the term "workforce," has broad implications. Our graduates continue to contribute to the state's workforce in large number and in every sector. Rhode Island College personnel strengthen the state's workforce by serving students now. The DDI firmly believes in equal opportunity for employment at every level of the institution and that every RIC employee should understand the College's mission to constantly provide and improve upon a safe, "supportive, respectful and diverse community." Students benefit from interacting with a workforce intentionally developed to

capitalize on academic programs and student services. The DDI is committed to recruiting and hiring strategies that attract talent from a variety of personal, social and academic backgrounds. **We remain willing to participate in campus search committees to bring varied perspectives to the processes.**

Concerns & Recommendations

Training and Professional Development: The student body at RIC is increasingly diverse along racial and ethnic lines, linguistically, socio-economically, and has varying levels of ability and needs. The DDI is concerned about inconsistent approaches and the lack of required competency training and professional development for faculty, students, and staff relative to Diversity & Inclusion topics such as the LGBTQ+ population, ADA compliance and disability services, race and culture, interfaith literacy, Veterans issues etc. Based on the data collected over this past academic term, the DDI has identified “microaggressions and implicit bias” as the theme that will drive our efforts this upcoming term.

- Recommendation: Orientations should be required for all new faculty, staff and administrators. All orientations should include initial trainings in diversity and inclusion. Beyond orientations thorough professional development on microaggressions and bias should be periodically required for current faculty, staff and administrators. It is further recommended that the CED, in consultation with the DDI, contract with a nationally recognized diversity certification program for RIC employees to become credentialed executives, professionals and trainers. The college currently utilizes a similar structure for certifying Principal Investigators for research, grants and Institutional Review Board requests.

Lack of diversity in workforce:

- This issue has been ongoing for many years and remains a priority concern, from employee recruitment through retention. Human Resource needs a more robust outreach and recruitment strategy to reach and attract diverse pool of applicants. All search committee chairs and members should participate in an Affirmative Action information session with the director of Affirmative Action/Institutional Equity. Search committees should always receive timely notifications regarding candidate self ID data, prior to interview selections.
- Offering competitive salaries and job descriptions embedded with language that encourages diverse research interests, varied backgrounds and experiences, ability to teach and/or work with diverse a population of students can dramatically increase the number of diverse applicants.
- In addition to diversifying our workforce, we have concerns and recommendations about how the campus culture affects the retention of underrepresented employees. The DDI is pleased with the current Campus Climate Assessment initiative. We believe, however, that more immediate approaches are also necessary. For example, creating, expanding and/or reviving employee affinity groups for students, employees and alumni can be implemented now.

Increased recognition for Diversity and Inclusion work on campus:

- Our faculty and staff colleagues across campus have developed diversity initiatives designed to urge students in their respective areas to explore new ideas and practices. These initiatives include special lectures, cultural events, films, conferences, performances and other notable service. We are fortunate to have extraordinary individuals whose knowledge and skills make a difference in the lives of our students. However, the DDI recognizes that D&I work is often seen as extracurricular and is not uniformly valued in tenure and promotion portfolios or staff performance evaluations. *The DDI*

acknowledges the complexity of this issue and that it requires extensive discussion and negotiation with faculty and staff unions, RIC Council as well as buy-in from other campus constituents.

Expanded curricula:

- Our undergraduate and graduate students need more choices in the classroom that speak to their differing interests. Deliberate exposure to people both like and unlike oneself is a healthy way of sparking critical inquiry. The McNair program has helped to identify top-performing students who work with faculty mentors who have shared research interests. McNair is an important vehicle for highlighting the need for a more inclusive curriculum and sparking research ideas that focus on diverse scholarship. Our recommendation is that programs like McNair, Center for Research and Creative Activity (CRCA) and similar opportunities are adequately promoted to students at multiple levels of academic achievement. Another recommendation is the development of more courses that can form the foundation for cultural studies (majors, minors, concentrations, certifications etc.).

The DDI seeks a meaningful working relationship with the President's Executive Cabinet

The DDI is a largely untapped and underutilized resource with useful expertise and abilities. DDI membership is comprised of experts from multiple disciplines who have an unwavering commitment to student success. Over Societal and campus shifts over time caused the DDI to evolve from solely programmatic to consultative and capable of advising on matters of new construction, strategic planning, marketing and communications/language, policies, and procedures. One major theme taken from the qualitative data collected at the Diversity Summit is the lack of transparency in decision making, and the need to integrate student voice and other diverse perspectives into college decision making (e.g. "nothing about me without me").

Along with our colleagues, students and alumni, the DDI knows that Rhode Island College is an institution full of promise and potential that continues to cultivate exceptional talent and make a difference in our local, national and global economies. We are confident in RIC's future and excited about the opportunity your leadership represents.

Respectfully Submitted,

Valerie Endress, Outgoing Chair
Stefan Battle, Co-Chair
Keri Rossi-D'entremont, Co-Chair Elect
Joise Garzon, Secretary Elect
Ellen Bigler, Outgoing Treasurer
Christie Rishworth, Treasurer Elect
Antoinette Gomes, Executive Committee

**DIALOGUE ON DIVERSITY AND INCLUSION
2018-2019 Member List**

1. Battle, Stefan – **School of Social Work - Co-Chair**
2. Bigler, Ellen - **Education Studies ****
3. Bousseau, Aswood – **School of Social Work***
4. Cano-Morales, Anna – **Community Equity and Diversity******
5. Coutinho, Paula C. – **School of Social Work**
6. Cummings, Carol A. - **Health & Physical Education**
7. Edelman, Elijah A. - **Anthropology**
8. Endress, Valerie A. - **Communications****
9. Fox, Michael - **OASIS**
10. Garzon, Joise - **Learning for Life - Secretary*****
11. Gomes, Antoinette L. - **Unity Center, ****
12. Henshaw, Elizabeth - **Elementary Education**
13. Hoogasian, Nancy- **RIC Foundation**
14. Kamenetsky, Julia M. - **Counseling Center**
15. Kim, Jinsoo - **Communications**
16. Kutenplon, Deborah - **Nursing**
17. Lawrence, Maria E. - **Elementary Education**
18. Miller, Warren – **School of Social Work***
19. Monteiro, La Tanya R. - **Learning for Life**
20. Moran, Demetria - **Career Development**
21. Muccio, Maria - **PEP**
22. Nimmagadda, Jayashree - **School of Social Work**
23. Pagliarini, Stephanie – **Unity Center Graduate Assistant******
24. Pearson, Jessica T. - **Music, Theater, Dance**
25. Restler, Victoria – **Educational Studies***
26. Reyes, Marcy – **School of Business***
27. Reyes, Omar - **Admissions**
28. Rishworth, Christie A. - **Health Services - Treasurer*****
29. Rossi-D'entremont, Keri L. - **Disability Services – Co-Chair*****
30. Rosso, Sissy – **Undergraduate Student******
31. Silva-Jones, Jillian – **Graduate Student******
32. Stevens, Brian - **Admissions**
33. Theodore, Jeffrey - **Communications & Marketing**
34. Williams, Iraida - **Sherlock Center**

*New Member

***Incoming officer

**Outgoing officer

****Ex-Officio Members

APPENDIX XX

ENFORCEMENT AGENCIES

ENFORCEMENT AGENICES

Department of Administration

Office of Diversity, Equity and Opportunity
State Equal Opportunity Office
One Capitol Hill
Providence, RI 02908
TEL # (401)222-3090
FAX # (401)222-2490

RI Commission for Human Rights

180 Westminster St. Ste. 3
Providence, RI 02903-1918
TEL # (401) 222-2661/Voice
TDD # (401)222-2664
FAX # (401)222-2616

U.S. Equal Employment Opportunity Commission

1801 L Street NW
Washington, D.C. 20507
TEL # (202) 663-4900/Voice
TDD # (800) 800-3302
TDD # (202) 663-4494 (for all Area Codes)

Department of Justice

Office of the Americans with Disabilities Act
Civil Rights Division
P.O. Box 66118
Washington, D.C. 20035-6118
TEL # (202) 514-0301/Voice
TDD # (202) 514-0381
(202) 514-6193 (Electronic Bulletin Board)

Rhode Island College

Department of Institutional Equity
Community, Equity and Diversity Division
600 Mount Pleasant Ave.
Providence, RI 02908
TEL: 401-456-8218 or 401-456-8387