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May 14, 2015

Dr. Raul Rodriguez
Chancellor
Rancho Santiago Community College District
2323 N. Broadway, Suite 410
Santa Ana, CA 92706

By email, facsimile and US mail

Dear Chancellor Rodriguez:

It is our understanding that Rancho Santiago Community College District Foundation (RSCCDF) is exploring the possibility of partnering with the Technical and Vocational Training Colleges (TVTC) in Saudi Arabia. According to a synopsis of the project, the TVTC Capability Building Project awards contracts for large-scale campus transformation and RSCCDF and its subcontractors received contracts to assist with two of the colleges.

While we support programs that seek to establish collaborative relationships with universities in the Middle East, we do believe that special care must be taken when establishing programs in countries where there are restrictions on the activities of program participants based on characteristics such as religion, gender, national origin or sexual orientation. For example, individuals in Saudi Arabia are subject to prison and/or physical punishment for homosexuality. Also, it is well-known that individuals are forbidden from publicly practicing any faith other than Islam. One cannot enter Saudi Arabia with a passport that contains evidence of travel to Israel, such as entry or exit stamps. Further, Israeli citizens are banned by the Saudi Arabian government from entering the country.

Turning first to legal obligations, RSCCDF must adhere to state and federal laws that prohibit employment discrimination based on a number of characteristics, including religion, national origin, and ancestry. See e.g., California Fair Employment and Housing Act (FEHA), Government Code Section 12900 et. seq. and Title VII of the Civil Rights Act of 1964 (as amended in 1991 to include the American employees of U.S. companies abroad). Moreover, any program operated by RSCCDF must comply with California's anti-discrimination laws which means that any qualified RSCCDF faculty or staff member should have equal access to participate in any university program. See, e.g. 42 USC 1981, 42 USC 2000d and the Unruh Civil Rights Act (Civ. Code sec. 51) or California Education Code sections 200 et seq., 66252 and 66030.

A relationship between RSCCDF and TVTC, if not precisely delineated to protect all of RSCCF's faculty and staff, might not only run afoul of a number of RSCCDF's legal obligations but also cause the College District to violate its stated mission "to provide quality educational programs and services that address the needs of our diverse students and communities." California law makes clear that "the governing board of a community college district shall have the primary responsibility for ensuring that community college district programs and activities *are free from discrimination* based on age and the characteristics listed in Section 66270 (emphasis added)."¹

We believe that you are in a unique position to further the College District's reputation as a school that supports diversity and religious equality - and to fulfill your own commitment to inclusivity described above. By insisting that any arrangement must meet the highest values of an open and welcoming university, RSCCDF will send a strong message to its faculty, its students and the wider higher education community in America that bigotry and bias have no home in the Rancho Santiago Community College District.

Sincerely,



Michelle Deutchman
Western States Counsel

Cc:

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¹ The characteristics in Section 66270 are: "disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any characteristic listed or defined in Section 11135 of the Government Code or any other characteristic that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code in any program or activity conducted by any postsecondary educational institution that receives, or benefits from, state financial assistance or enrolls students who receive state student financial aid."