

General Institution

BP 3430 PROHIBITION OF HARASSMENT

References:

Education Code Sections 212.5, 44100, 66252, and 66281.5;
Government Code Sections 12923, 12940 and 12950.1;
Civil Code Section 51.9;
Title 2 Sections 10500 et seq.;
Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e;
~~Title 5 Sections 59300 et seq.~~
Age Discrimination in Employment Act of 1967 (ADEA);
Americans with Disabilities Act of 1990 (ADA)

All forms of harassment are contrary to basic standards of conduct between individuals, ~~and are prohibited by state~~ State and federal law, ~~and as well as~~ this policy prohibit harassment, and ~~the District will not tolerate harassment will not be tolerated~~. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of ~~sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence. It shall also be free of other~~ unlawful harassment, including that which is based on any of the following statuses: race, ethnicity, religious creed, color, national origin, ancestry, immigration status, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation ~~of any person~~, or because he ~~or~~ she they is perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees and students feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. The District will investigate All-all allegations of retaliation ~~will be~~ swiftly and thoroughly ~~investigated~~. If the District determines that someone has retaliation-retaliated has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any student, ~~or~~ employee, unpaid intern, or volunteer who believes that he/she/they has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435 ~~titled Discrimination and~~

Harassment Investigations. ~~The District requires S~~supervisors ~~are mandated~~ to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end the Chancellor shall ensure that the institution undertakes education and training activities to counter ~~discrimination-harassment~~ and to prevent, minimize ~~and/or~~ eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Chancellor shall establish procedures that define harassment on campus. The Chancellor shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures ~~for students~~ to resolve complaints of harassment and discrimination. State and federal law and this policy prohibit ~~All participants are protected from~~ retaliatory acts by the District, its employees, students, and agents.

The District will publish and publicize ~~T~~this policy and related written procedures (including the procedure for making complaints) ~~shall be widely published and publicized~~ to administrators, faculty, staff, ~~and~~ students, unpaid interns, and volunteers particularly when they are new to the institution. ~~They~~The District will make this policy and related written procedures (including the procedure for making complaints) shall be available for students and employees in all administrative offices and will post them on the District's website.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. Unpaid interns and volunteers who violate this policy and related procedures may be subject to disciplinary measures up to and including termination from the internship or other unpaid work experience program.

Date Adopted: June 16, 2015;
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