

## **Prohibition of Unlawful Discrimination or Harassment**

**BP 3430**

Reference: ***Education Code Sections 212.5, 44100, 66252 and 66281.5; Government Code Section 12950.1; Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e***

All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. The District is committed to providing an educational, employment and business 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, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation of any person, or military and veteran status, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person with one or more of perceived or actual conditions.

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. All allegations of retaliation will be swiftly and thoroughly investigated. If the District determines that retaliation 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 who believes that he or she has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the appropriate procedures. 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 Superintendent/President shall ensure that the institution undertakes education and training activities to counter discrimination 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.

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Administrative procedures have been established to define harassment and to investigate and resolve complaints regarding harassment and unlawful discrimination, which shall be widely published and available to administrators, faculty, staff and students. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

Employees who violate this policy and related procedures may be subject to disciplinary action up to and including termination from employment. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion.

***See Administrative Procedure 3430***

Board Approved 3/12/03

Board Approved Revisions 1/17/07

Reviewed by the Board Ad Hoc Committee on Policy 2/27/08

Board Approved Revisions 6/13/12

Board Reviewed Revisions 6/11/14 [MANDATED CHANGES]