

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;
Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e
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 and federal law, as well as this policy, and 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 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, military or veteran status, or because they are perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees, students, and volunteers 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, employee, or volunteer who believes they have been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435 Discrimination and Harassment Complaints and Investigations. The District requires supervisors 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

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action, layoff, recall, transfer, leave of absence, training opportunities, and compensation.

To this end, the Superintendent/President shall ensure that the District undertakes education and training activities to counter 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 Superintendent/President shall establish procedures pursuant to federal and state law and regulations that define harassment on campus. The Superintendent/President shall further establish procedures for employees, students, volunteers, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination and procedures. The Vice President for Human Resource Services is the responsible District Officer charged with receiving complaints of harassment and coordinating the investigation.

This policy and related written procedures (including the procedure for making complaints) shall be widely published and publicized to students, employees, and volunteers. New employees and volunteers shall receive a copy of these documents at time of hire. These documents shall be available on the District website and in all District administrative offices.

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.

Also see BP 3410 titled Nondiscrimination, BP/AP 3420 titled Equal Employment Opportunity, AP 3435 titled Discrimination and Harassment Investigations and Training, BP 4030 titled Academic Freedom, and appropriate provisions of applicable collective bargaining agreements/employee handbooks.

Academic Freedom

This policy works with BP 4030 titled Academic Freedom and is not intended to inhibit or interfere with freedom of expression and freedom of inquiry within the framework of responsibility. It is understood that staff members exercising their rights under Academic Freedom will accept responsibility for both the substance and the manner of their messages.