

General Institution

1 BP 3430 PROHIBITION OF HARASSMENT

2 References:

- 3 Education Code Sections 212.5, 44100, 66252, 66281.5, and 66262.5;
- 4 Government Code Sections 12923, 12940 and 12950.1;
- 5 Civil Code Section 51.9
- 6 Title 2 Sections 10500 et seq.;
- 7 Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e;
- 8 Age Discrimination in Employment Act of 1967 (ADEA);
- 9 Americans with Disabilities Act of 1990 (ADA)

10 All forms of harassment are contrary to basic standards of conduct between individuals
11 and are prohibited by state and federal law, as well as this policy, and will not be tolerated.
12 The District is committed to providing an academic and work environment that respects
13 the dignity of individuals and groups. The District shall be free of unlawful harassment,
14 including that which is based on any of the following statuses: race, religious creed, color,
15 national origin, ethnicity, ancestry, immigration status, physical disability, mental
16 disability, medical condition, genetic information, marital status, sex, gender, gender
17 identity, gender expression, age, sexual orientation, or military and veteran status, or
18 because he/she/they is perceived to have one or more of the foregoing characteristics.

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

28 Any student, employee, unpaid intern, or volunteer who believes that he/she/they has
29 been harassed or retaliated against in violation of this policy should immediately report
30 such incidents by following the procedures described in AP 3435 titled Discrimination and
31 Harassment Investigations. The District requires Supervisors to report all incidents of
32 harassment and retaliation that come to their attention.

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

39 To this end the President/Superintendent shall ensure that the institution undertakes
40 education and training activities to counter harassment and to prevent, minimize or
41 eliminate any hostile environment that impairs access to equal education opportunity or
42 impacts the terms and conditions of employment.

43 The President/Superintendent shall establish procedures that define harassment on
44 campus. The President/Superintendent shall further establish procedures for employees,
45 students, unpaid interns, volunteers and other members of the campus community that
46 provide for the investigation and resolution of complaints regarding harassment and
47 discrimination, and procedures to resolve complaints of harassment and discrimination.
48 State and federal law and this policy prohibit retaliatory acts by the District, its employees,
49 students, and agents.

50 The District will publish and publicize this policy and related written procedures (including
51 the procedure for making complaints) to administrators, faculty, staff, students, unpaid
52 interns, and volunteers particularly when they are new to the institution. The District will
53 make this policy and related written procedures (including the procedure for making
54 complaints) available in all administrative offices and posted on the District's website.

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

61 Office of Primary Responsibility: Vice President, Human Resources

Date Adopted: February 5, 2014
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Date Reviewed: January 16, 2019
(Replaces former Cerritos College Policy 4902)