

**General Institution**

**1 BP 3430 PROHIBITION OF HARASSMENT**

**2 References:**

- 3 Education Code Sections 212.5, 44100, 66252, and 66281.5;
- 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 All forms of harassment are contrary to basic standards of conduct between individuals  
9 and are prohibited by state and federal law, as well as this policy, and will not be tolerated.  
10 The District is committed to providing an academic and work environment that respects  
11 the dignity of individuals and groups. The District shall be free of sexual harassment and  
12 all forms of sexual intimidation and exploitation including acts of sexual violence. It shall  
13 also be free of other unlawful harassment, including that which is based on any of the  
14 following statuses: race, religious creed, color, national origin, ancestry, physical  
15 disability, mental disability, medical condition, genetic information, marital status, sex,  
16 gender, gender identity, gender expression, age, or sexual orientation of any person, or  
17 military and veteran status, or because he or she is perceived to have one or more of the  
18 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 retaliation has occurred, 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 or she has been  
29 harassed or retaliated against in violation of this policy should immediately report such  
30 incidents by following the procedures described in AP 3435 titled Discrimination and  
31 Harassment Investigations. Supervisors are mandated 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 discrimination and to prevent, minimize and/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 for students to resolve complaints of harassment and  
48 discrimination. All participants are protected from retaliatory acts by the District, its  
49 employees, students, and agents.

50 This policy and related written procedures (including the procedure for making  
51 complaints) shall be widely published and publicized to administrators, faculty, staff,  
52 students, unpaid interns, and volunteers particularly when they are new to the institution.  
53 They shall be available for students, employees, unpaid interns and volunteers in all  
54 administrative offices, and shall be 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

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**Date Adopted: February 5, 2014**  
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**Date Reviewed: January 16, 2019**