

PROHIBITION OF DISCRIMINATION INCLUDING HARASSMENT

All forms of unlawful discrimination, including 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 sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence. It shall also be free of unlawful discrimination including harassment which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation of any person, or military or veteran status, or because he or she is perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees and students, unpaid interns, and volunteers feel free to report incidents of discrimination, including harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of discrimination, including harassment or for participating in a discrimination or 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, applicant for admission or employment, unpaid intern or volunteer who believes that he or she has been discriminated, harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in Administrative Procedure 3435. Supervisors are mandated to report all incidents of discrimination, 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 program or activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to recruitment, 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 unlawful discrimination or any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment. The Superintendent/President shall establish procedures that define discrimination and harassment on campus and in District programs and activities. The Superintendent/President shall further establish procedures for employees, students, unpaid interns, third parties, volunteers, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures for students, employees and applicants to resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

This policy and related written procedures (including the procedure for making complaints) shall be widely published and publicized to administrators, faculty, staff, students, unpaid interns, volunteers, and applicants for admission or employment particularly when they are new to the institution. They shall be available for students, employees, unpaid interns, and volunteers, and applicants for admission or employment in all administrative offices and shall be posted 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 who violate this policy and related procedures may be subject to disciplinary measure up to and including termination from the internship or other unpaid work experience program. Third parties who violate the policy and procedures may be subject to termination from their contract or other relationship with the District.

See Administrative Procedures 3410 and 3435.

See Negotiated Procedures COSTA, Article XXII, CSEA, Article XXX, COSAFA, Appendix M

Reference: Educ. Code Sections 212.5; 44100; 66252; 66282.5 and 66281.5; Govt. Code sections 12940 and 12950.1; Labor Code sections 1101, 11021; California Code of Regulations, Title 2, Sections 10500 et. seq.; Title 5, Section 59320; 42 U.S.C. sections 2000d,2000e et. seq. (Title VI, VII); 42 U.S.C. section 2000h – 2 (Title IX); and Title 5, section 59320, et. seq., Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e

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