

## **Board Policy 3430**

## **Prohibition of Sexual and Other Forms of Harassment**

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.

Harassment based on any of the following statuses is prohibited and will not be tolerated: race, color, religion, ancestry, national origin, disability, gender, gender identity, sexual orientation, or any other biases, or the perception that a person has one or more of the foregoing characteristics.

Sexual harassment violates state and federal laws, as well as this policy, and will not be tolerated. It is also illegal to retaliate against any individual for filing a complaint of sexual harassment or for participating in a sexual harassment investigation, and retaliation constitutes a violation of this policy.

Sexual harassment is further defined as unwelcome sexual advances, requests for sexual favors and other conduct of a sexual nature when:

1. submission to the conduct is made a term or condition of an individual's employment, academic status, or progress;
2. submission to or rejection of the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
3. the conduct has the effect of having a severe or pervasive impact upon the individual's work or academic performance or of creating an intimidating or hostile work or educational environment; or
4. submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual.

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 activities to counter discrimination and minimize and eliminate a hostile environment that impairs access to equal education opportunity [E. C. 66252]

The Superintendent/President shall establish procedures that define sexual harassment and other forms of harassment on campus. The

Superintendent/President shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding sexual harassment and discrimination, and procedures for students to resolve complaints of sexual and other harassment and discrimination. All complainants are protected from retaliatory acts by the District, its employees, students, and agents.

This policy and related written procedures shall be widely published and publicized to administrators, faculty, staff, and students, particularly when they are new to the institution. They shall be available for students and employees in all 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.

Reference:

Education Code Sections 212.5; 66252; 66281.5

El Camino College

Adopted: 4/16/01

Amended: 11/16/09

Replaces Board Policy # 4274