

**CHAPTER 2: Administration and General Institution
BOARD POLICY NO. 2.25 (BP 3430)**

**BOARD POLICY
San Mateo County Community College District**

Subject: BP 2.25 Prohibition of Harassment
Revision Date: 4/13; 11/14; ~~xx/xx~~
Policy References: Education Code Sections 212.5; 44100; 66252; 66281.5; Government Code Section 12950.1; Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e; Title IX, Education Amendments of 1972; Title 5 Sections 59320 et seq.

6. 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 sexual harassment and all forms of sexual intimidation and exploitation, including acts of sexual violence. It shall also be free of other unlawful harassment **and bullying including, but not limited to,** that which is based on any of the following **federal and state protected classes: ~~statuses:~~ race; color; national origin, ancestry or citizenship status; religion or creed; age; marital status; sex and gender (including sexual orientation and identity; gender identity and gender expression); physical or mental disability; genetic information; medical condition; political activities or affiliations; military or veteran status; status as a victim of domestic violence, assault or stalking or because one is perceived to have one or more of the foregoing characteristics or associates with a person or group with one or more of these characteristics. ~~race, religious creed, color, national origin, ancestry, physical disability, mental disability, genetic information, medical condition, marital status, sex, gender, gender identification, gender expression, age, or sexual orientation of any individual, military and veteran status, or because an individual is perceived to have one or more of the foregoing characteristics.~~** This policy shall apply to all employees, students and any other individuals who come onto District property.
1. The District seeks to foster an environment in which all employees and students 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 may be subject to disciplinary action, up to and including termination or expulsion. Engaging in intimidating conduct or bullying against another employee through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyber bullying are strictly forbidden.
2. Any individual who believes that he or she has been harassed, bullied or retaliated against in violation of this policy and wishes to report such incidents should ~~use the procedure provided by~~ report the incident to his/her supervisor, ~~or~~ the office of the Vice President of Student Services, or the Vice Chancellor of Human Resources and Employee Relations. ~~Supervisors are mandated~~ Individuals to whom incidents of harassment, retaliation or bullying are reported are required to report all such incidents ~~of harassment and retaliation that come to their attention~~ to the Vice Chancellor of Human Resources and Employee Relations. If an incident involves the Vice Chancellor of Human Resources, it shall be reported directly to the Chancellor.

BP 2.25 Prohibition of Harassment (continued)

4. This policy applies to all aspects of the academic and work environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any District activity. In addition, this policy applies to minors as well as adults, and to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, reemployment, transfer, leave of absence, training opportunities, assignment of work hours and projects, and compensation.
5. The Chancellor shall ensure that the institution undertakes education and training activities to counter discrimination 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.
6. The Chancellor shall establish procedures that define harassment throughout the District. The Chancellor shall further establish procedures for employees, students and other members of the District community that provide for the investigation and resolution of complaints regarding harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students and agents.
7. The District shall promptly investigate and resolve complaints of harassment and will assure that any harm resulting from the harassment will be promptly redressed by restoring any lost benefit or opportunity. All participants are protected from retaliatory acts by the District, its employees, students, and agents.
8. 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 on the District's public website.
9. It is the responsibility of each individual to maintain a level of conduct that is compliant with this policy. 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.