

**CHAPTER 1: Board of Trustees
ADMINISTRATIVE PROCEDURE NO. 2.24.1**

**ADMINISTRATIVE PROCEDURE
San Mateo County Community College District**

Subject: 2.24.1 Civility and Anti-Bullying

Adoption Date: x/xx

Definitions

Civility: An act or utterance that is a customary show of good manners. Courtesy, politeness; a polite action or expression.

Behaviors considered uncivilized or disrespectful include: Demeaning, intimidating, threatening, or physically or emotionally violent behaviors that affect the ability to learn or work in the college environment. Such behaviors include oral and written communications and physically threatening behavior.

Bullying: the aggressive and hostile acts of an individual or group of individuals which are intended to torment, frustrate, provoke, or humiliate, mentally or physically injure or intimidate, and/or control another individual or group of individuals. It is a type of interpersonal aggression that goes beyond incivility and is marked by frequency, intensity and duration.

Bullying can occur as a single, severe incident or repeated incidents, and may manifest in the following forms:

- a. **Physical Bullying** includes pushing, shoving, kicking, poking, and/or tripping another; assaulting or threatening a physical assault; damaging a person's work area or personal property; and/or damaging or destroying a person's work product.
- b. **Verbal/Written Bullying** includes ridiculing, insulting or maligning a person, either verbally or in writing; addressing abusive, threatening, derogatory or offensive remarks to a person; and/or attempting to exploit an individual's known intellectual or physical vulnerabilities.
- c. **Nonverbal Bullying** includes directing threatening gestures toward a person or invading personal space after being asked to move or step away.
- d. **Cyberbullying** is defined as bullying an individual using any electronic form, including, but not limited to, the Internet, interactive and digital technologies, or mobile phones.
- d. **Sabotaging or undermining** an individual or group's work performance or education experience.

Conduct constitutes prohibited bullying when a reasonable person in the circumstances would find the conduct sufficiently severe, based on its nature and frequency, to create an environment which is hostile or intimidating and which unreasonably interferes with the work, educational or college opportunity, or is intended to cause or is reasonably foreseeable to cause physical, emotional, or psychological harm.

Bullying shall not include circumstances when:

1. A supervisor or any person with supervisory authority reports and/or documents an employee's unsatisfactory job performance and the potential consequences for such performance;
2. A faculty member or academic program personnel advise a student of unsatisfactory academic work and the potential for course failure or dismissal from the program; or
3. A faculty member or academic program personnel advise a student of inappropriate behavior that may result in disciplinary proceedings.

PROCEDURES FOR REPORTING BULLYING

1. Reporting Bullying by Employees

a. Complaints alleging that District employees have bullied/are bullying other employees, students, contractors, consultants or vendors should be reported immediately to the Vice Chancellor, Human Resources and Employee Relations to determine whether or not the behavior is considered bullying or unlawful discrimination.

b. In cases of bullying behavior, the report will be forwarded to the employee's immediate supervisor who will conduct an investigation of the matter and take appropriate corrective action based on the findings of the investigation. Such corrective action could include discipline pursuant to District policies and/or collective bargaining agreements.

2. Protection from Retaliation. Individuals who report violations of this policy, seek to have prohibited conduct corrected, or participate in an investigation shall not be retaliated against. Any acts of retaliation will be addressed through the appropriate disciplinary process.

DISCIPLINARY ACTION

Violations of this policy shall be considered misconduct, and violators may be subject to disciplinary action in accordance with District policy and/or applicable collective bargaining agreements.

OTHER REMEDIES

Nothing contained herein shall preclude or limit any right, remedy or cause of action provided under any other college policy, or any local, state or federal ordinance, law or regulation, including, but not limited to, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1964 or the Americans With Disabilities Act of 1990.