
**Pasadena Area Community College District
Board Policy
Chapter 3 – General Institution**

BP 3430 PROHIBITION OF HARASSMENT

References:

Education Code Sections 212.5, 44100, 66252, 66281.5, and 70902;
Government Code Section 12950.1;
Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e;
Title 5 Sections 59300 et seq.

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, including that which is based on any of the following statuses: national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military or veteran status or because he or she is perceived to have one or more of the foregoing characteristics, or based on his/her association with a person or group with one or more of these actual or perceived characteristics.

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 are subject to disciplinary action, up to and including termination or expulsion.

Any student or employee who believes that he/she has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435 titled Discrimination and Harassment

Investigations. Supervisors are mandated to report all incidents of 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 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 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.

The Superintendent-President shall establish procedures that define 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 harassment and discrimination, and procedures for students 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, 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.

It is a violation of state and federal law for any employee or student, male or female, to sexually harass an employee or student. The District considers sexual harassment a serious offense and is firmly committed to the philosophy that every employee and student has the right to be treated with courtesy, dignity, and respect. Every employee and student is expected to adhere to a standard of conduct that is respectful to all persons within the work and learning environment.

In keeping with this commitment, the District maintains and follows a strict policy prohibiting sexual harassment, in any form, including verbal, nonverbal, physical and visual conduct, and/or reprisal. This policy applies to all employees, students, and others who use the District's facilities. The District does not tolerate sexual harassment of employees or students at the College or in any College-related situation by anyone.

If, after a prompt and thorough investigation, it is determined that an employee or student or other person has engaged in sexual harassment, that employee or student or other person will be subject to appropriate corrective action, up to and including discharge or expulsion.

Consensual relationships between members of the College community are inappropriate if one individual has power or authority over another. Such relationships pose a potential conflict of interest when one person has responsibility for supervising, directing, overseeing, evaluating, advising, or influencing the employment or educational status of another. Consequently, a Pasadena City College employee who enters into a consensual relationship with someone over whom he/ ~~or~~ she has authority (e.g. direct or indirect supervisory, decision-making, oversight, evaluative, or advisory responsibility) shall take effective steps to remove himself/ ~~or~~ herself from any professional decisions concerning that individual as soon as practicable.

This policy addresses potential conflicts of interest situations applicable to all members of the College community: faculty and other academic personnel, students, managers, classified staff, and Board members.

Date Adopted: July 16, 2014

(Replaces current PCC Policies 2200 and 6022)