



POLICY OF ZERO TOLERANCE FOR HARASSMENT, DISCRIMINATION AND RETALIATION

The College is committed to providing an environment that is free from harassment, discrimination and retaliation on the basis of sex, sexual orientation or preference, gender, gender identity, race, color, religion, national origin, creed, citizenship status, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, medical conditions including genetic characteristics, mental or physical disability, veteran status, or any other characteristic protected by federal, state or local law, ordinance or regulation.

- *Unlawful Harassment Defined*

Unlawful harassment includes all forms of unwelcome verbal, physical and visual conduct and displays that are based on any of the above mentioned protected characteristics and which interfere with performance and/or create an offensive or hostile environment. Whether conduct constitutes unlawful harassment is determined based upon the manner in which the conduct or comments are perceived; not the manner in which they are intended. Harassment can take many forms. Following are some examples that may constitute harassment:

- (a) Verbal harassment such as jokes, epithets, slurs and unwelcome remarks about an individual's body, dress, clothing, race, physical appearance or abilities, derogatory comments, discussions of a sexual nature and/or harassing remarks;
- (b) Physical harassment such as physical interference with normal activity, impeding or blocking movement, assault, unwelcome physical contact or touching, staring at a person's body, and threatening, intimidating or hostile acts that relate to a protected characteristic; and
- (c) Visual harassment such as offensive or obscene e-mails, instant messaging, web blogs, photographs, calendars, posters, cards, cartoons, drawings and gestures, displays with sexually suggestive or lewd objects, unwelcome letters or notes or any other graphic material that denigrates or shows hostility or aversion toward an individual because of the individual's protected characteristics.

- *Unlawful Discrimination Defined*

Unlawful discrimination occurs when an individual's protected characteristic is used as a basis for adverse decisions affecting that individual. Following are some examples that may constitute discrimination: terminating an individual's employment, refusing a request for time off, denying housing or other benefits, or assigning an undeserved low grade based on an individual's protected characteristic.

- *Sexual Harassment & Discrimination Defined*

Sexual harassment occurs when unwelcome sexual conduct unreasonably interferes with an individual's performance or creates an intimidating, hostile or offensive environment, even if it does not lead to tangible or economic consequences. Sexual harassment includes verbal harassment, physical harassment, visual harassment and unwanted sexual advances. Sexual discrimination occurs when submission to or rejection of unwelcome sexual conduct by an individual is used as a basis for any decisions affecting that individual. Examples include threats and demands to submit to sexual requests, or offers of benefits in return for sexual favors. Sexual harassment and discrimination may involve harassment of women by men, men by women and gender-based harassment of individuals of the same sex as the harasser.

- Zero Tolerance

The College strictly prohibits all forms of unlawful harassment, discrimination or retaliation in any form. Anyone who violates this policy of zero tolerance is subject to appropriate disciplinary action, up to and including immediate termination or dismissal.

- Complaint/Reporting Responsibility

It is the responsibility of each individual to assure that prohibited harassment, discrimination or retaliation does not occur within the College community. *If anyone believes that he/she is being harassed, discriminated or retaliated against or believes that any other person is being subjected to such improper conduct, that individual shall immediately report the facts of the incident(s) and the name(s) of the party(s) involved to one of the following College grievance officers: Human Resources Director; Provost and Academic Vice President; Vice President, Student Affairs; Associate Vice President, Student Affairs; Dean, Baccalaureate Program; Dean, Associate in Arts Program; Dean, Graduate Division; President, Faculty Assembly; College Chaplain; Director, Campus Ministry. The reporting individual is strongly encouraged to put the report in writing.*

- Investigations

Reported incidents of harassment, discrimination or retaliation will immediately be investigated and investigations will be conducted in a discreet manner. Information obtained from the investigation will be disclosed only on a need to know basis. At the conclusion of the investigation, the College will determine whether unlawful harassment, discrimination or retaliation has occurred and will communicate its findings to the accused, the complainant, and, when appropriate, other persons who are directly concerned.

Any member of the College community who is determined to have violated this policy of zero tolerance will be subject to appropriate discipline, up to and including immediate termination or dismissal. Steps will be taken as necessary to prevent any further harassment, discrimination or retaliation.

Any affected individual should immediately report any incident of unlawful harassment, discrimination or retaliation to the College so that all complaints can be quickly and fairly resolved. Affected employees also may direct complaints to the federal Equal Employment Opportunity Commission (“EEOC”) (1-800-669-4000) and/or the California Department of Fair Employment and Housing (“DFEH”) (1-800-884-1684). Affected students may direct complaints to the U.S. Department of Education Office for Civil Rights (1-415-486-5555).

- No Retaliation

The College takes all complaints of harassment, discrimination and retaliation seriously and wants the opportunity to internally resolve any problems that may arise. No individual will be retaliated against or otherwise disciplined for reporting in good faith an incident of harassment, discrimination or retaliation or for participating in an investigation. The reporting individual and all parties participating in an investigation have the assurance of the College that no reprisals will be taken as the result of the complaint, unless the complaint was filed in bad faith or for an improper purpose. If any individual feels he/she has been retaliated against, he/she should immediately report the retaliatory conduct.