

The superintendent/president shall establish procedures that define harassment on campus. The superintendent/president shall further establish procedures for students, employees, unpaid interns, volunteers, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures to resolve complaints of harassment and discrimination. State and federal law, and this policy, prohibit retaliatory acts by the district, its employees, students, and agents.

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 MiraCosta Community College District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The district shall be free of unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, sexual orientation, age, citizenship status, parental status, military or veteran status, or because they are perceived to have one or more of the foregoing characteristics.

The district seeks to foster an environment in which all students, employees, unpaid interns, and volunteers 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. The district will investigate all allegations of retaliation swiftly and thoroughly. 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, employee, unpaid intern, or volunteer who believes that they have been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in Administrative Procedure 3435. The district requires supervisors to report all incidents of harassment and retaliation that come to their attention.

**MiraCosta Community College District**

**Page 1 of 2**

Adoption History: 5/19/09; 11/19/20

Periodic Review: ---

Reference Update: 2/17; 3/19; 7/20

References: Civil Code §§51.9

Education Code §§212.5, 44100, 66252, 66281.5

Government Code §§12923, 12940, 12950.1

Title 2 §§10500 et seq.

Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. §2000e

Age Discrimination in Employment Act of 1967 (ADEA);

Americans with Disabilities Act of 1990 (ADA)

Steering: VPHR / N/A

CCLC Update: #29, 10/16; #30, 4/17; #34, 3/19; Summer 7/20

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 harassment and to prevent, minimize, or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The district will publish and publicize this policy and related written procedures, including the procedure for filing a complaint, to administrators, faculty, staff, and students, particularly when they are new to the institution. The district will make this policy and related written procedures, including the procedure for filing a complaint, available in all administrative offices and will post them on the district's website.

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. Volunteers or unpaid interns who violate this policy and related procedures may be subject to disciplinary measure up to and including termination from the volunteer assignment, internship, or other unpaid work experience program.