

Personnel – General

C. Employee Rights

4027 Sexual Harassment *

In accordance with federal and state law, the Chabot-Las Positas Community College District provides a school and working environment free from all forms of sexual harassment. The District will also maintain an environment in which all students and employees model this behavior, and are treated with dignity and respect.

Sexual harassment is set forth in Education Code Section 212.5 as follows:

Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following circumstances:

(a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.

(b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.

(c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.

(d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the education institution.

Such conduct by employees or students is deemed unacceptable behavior, will not be tolerated by the District, and is considered a serious offense. Violation of this policy will constitute cause for disciplinary action. Specific disciplinary action shall be related to the severity of the incident and/or the degree to which repeated incidents have occurred. Such disciplinary actions for employees may include, but are not limited to, verbal warnings, letters of reprimand, suspension without pay and

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dismissal. Such disciplinary actions for students may range from counseling to suspension and/or expulsion.

Examples of conduct constituting sexual harassment, as well as the procedures for filing, processing and resolving sexual harassment complaints in accordance with Title 5 of the California Code of Regulations, Section 59320, et seq. are found in Chabot-Las Positas Community College District Administrative Rules and Procedures for this policy. Additionally, each College and the District Office will designate the responsible officer for enforcement of this policy. Each College and the District Office will ensure that there is adequate communication of this policy and the accompanying procedures to all students and employees.