

## **BP 3430 Prohibition of Harassment**

### **References:**

Title VII of the Civil Rights Act of 1964, 42 U.S. Code Section 2000e-2  
Title IX of the Education Amendments Act of 1972; 20 U.S. Code Sections 1681 et seq.;  
Age Discrimination in Employment Act of 1967 (ADEA);  
Americans with Disabilities Act of 1990 (ADA);  
34 Code of Federal Regulations Part 106;  
ORS 659A;  
ORS 350.330;  
ORS 243.319  
BP 317 Grievance  
BP 318 Affirmative Action Grievance  
Previous BP 322 Sexual Harassment

All forms of harassment are contrary to basic standards of conduct between individuals. State and federal law, and this policy prohibit harassment, as defined in AR 3430, and Tillamook Bay Community College will not tolerate harassment. This policy applies to all members of Tillamook Bay Community College community including Board of Education members, employees, students, volunteers and interns.

Tillamook Bay Community College is committed to providing an academic and work environment that respects the dignity of individuals and groups. Tillamook Bay Community College shall be free of all forms of unlawful harassment. Oregon law includes the following protected classes: race, color, religion, sex (including pregnancy), sexual orientation, gender identity, national origin, marital status, age (18 years of age and older), disability, expunged juvenile record, or familial status. Oregon law defines race to include “physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined in ORS 659A.001.

For Tillamook Bay Community College’s policy regarding sex discrimination including sex-based harassment under Title IX, see BP 3433 Prohibition of Sex Discrimination under Title IX and accompanying procedures.

Tillamook Bay Community College seeks to foster an environment in which employees, students, and other members of the campus community feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, Tillamook Bay Community College 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. Tillamook Bay Community College will investigate all allegations of retaliation swiftly and thoroughly. If Tillamook Bay Community College determines that someone has retaliated, 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, or other member of the campus community 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 AP 3435 Discrimination and Harassment Complaints and Investigations and AP 3432 Workplace Harassment. Tillamook Bay Community College requires supervisors 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, evaluation, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end the President/CEO 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 President/CEO shall establish procedures that define harassment on campus. The President/CEO shall further establish procedures for employees and 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. State and federal law and this policy prohibit retaliatory acts by Tillamook Bay Community College, its employees, students, and agents.

Tillamook Bay Community College will publish and publicize this policy and related written procedures (including the procedure for making complaints) to students and employees, particularly when they are new to the institution. Tillamook Bay Community College will make this policy and related written procedures (including the procedure for making complaints) available in all administrative offices and will post them on the Tillamook Bay Community College'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.

**Adopted: 12/24**