

## **California College of the Arts Discrimination and Unlawful Harassment Policy**

### **Equal-Opportunity Employer**

CCA is an equal-opportunity institution of higher education and employer and is firmly committed to nondiscrimination in its delivery of educational services and employment practices.

In compliance with all applicable federal and state laws, such decisions will be made irrespective of the individual's race, color, religion, religious creed, ancestry, national origin, age (except for minors), sex, marital status, citizenship status, military service status, sexual orientation, gender identity or expression, medical condition (cancer related or genetic condition), disability and/or any other status protected by law.

(Gender identity or expression includes having, or being perceived as having a gender-related identity or expression whether stereotypically associated with a person's actual or perceived gender.)

When necessary, the college will reasonably accommodate individuals with disabilities if the individual is otherwise qualified to meet the fundamental requirements and aspects of the program and safely perform all essential functions, without undue hardship to the college and/or without altering fundamental aspects of its educational program.

### **Prohibited Unlawful Harassment and Retaliation**

The college is committed to maintaining the community as a place of work and study for faculty, administrators, staff and students, free of sexual and other unlawful harassment, intimidation, and exploitation. The college does not tolerate behavior that constitutes sexual or other unlawful harassment of any member(s) of the college community.

The college remains committed to providing an environment free of sexual harassment and harassment because of race, color, religion, religious creed, ancestry, national origin, age (except for minors), sex, marital status, citizenship status, military service status, sexual orientation, gender identity or expression, medical condition (cancer related or genetic condition), disability and/or any other status protected by law.

Prohibited harassment in any form, including verbal and physical conduct, visual displays, threats, demands and retaliation is unlawful and will not be tolerated. This policy (see below) provides complaint procedures to assist the college in its efforts to implement this policy.

The college will take prompt and effective corrective action in response to occurrences of harassing behavior, including, where appropriate, disciplinary action up to and including termination or expulsion.

The policy explicitly applies to college administrators, staff, students and faculty and all other individuals engaged with college activities. Individuals who know of harassment, or believe that

they have been harassed, in violation of this policy have access to the complaint procedures described below in this policy and are encouraged to use these complaint procedures.

This policy must be adhered to by all college administrators, staff, faculty, students, contractors and other individuals involved in any employment, educational or other relationship with the college.

### **Prohibited harassing behavior**

Harassing behavior, when engaged in on any basis prohibited by this policy, may take a variety of forms. Examples of the kinds of behavior that may constitute such harassment include, but are not limited to:

- Verbal conduct such as epithets, derogatory comments, slurs, or unwelcome sexual advances, invitations, or comments;
- Visual conduct such as derogatory posters, photography, cartoons, drawings or gestures;
- Physical conduct such as unwanted touching, blocking normal movement, or interfering with work;
- Threats and demands, such as those which seek submission to sexual requests, in order to retain employment or educational benefit, and/or offers of job or educational benefits or conditions in return for favors;
- Retaliation, in the form of adverse employment or educational actions, for good faith opposing, reporting or threatening to report harassment or for participating in good faith in investigations, proceedings or hearings related to this policy.

### **Sexual harassment warrants special attention**

Conduct in violation of this policy occurs when an individual's behavior involves (1) unwelcome sexual advances; (2) unwelcome requests for sexual favors; or (3) other unwelcome verbal, physical or visual behavior of a sexual nature. Also, such conduct can become a violation of this policy and of the law when:

- Submission to such behavior is made explicitly or implicitly a term or condition of an individual's education or employment; or
- Submission to, or rejection of, such behavior by an individual is used as the basis for educational or employment decisions; or
- Such behavior otherwise has the purpose or effect of unreasonably interfering with, or otherwise creating an intimidating, hostile, or offensive educational or employment environment.

### **Retaliation is prohibited**

An individual's good-faith filing or pursuing a complaint under this policy or otherwise reporting, complaining or assisting or cooperating in good faith with a complaint of harassment will not be the basis for any adverse college decisions concerning a student, faculty or staff member's employment, or student position or status. Such retaliation is forbidden by this policy.