3358:11-4-17 Anti-discrimination and harassment policy.

(A) Purpose. Owens community college strongly opposes and will not tolerate harassment or discrimination on the basis of age, color, disability, national origin, race, religion, sex, sexual orientation, gender identity, military status, or veteran status. This prohibition extends to discrimination or harassment, based on the protected classes, including the creation of an intimidating, hostile or offensive working or learning environment. Sexual misconduct, sexual assault, dating violence, domestic violence and stalking are forms of sexual harassment prohibited by this rule.

The college recognizes all employees and students should be able to work and learn in safety and dignity and should not have to endure insulting, degrading or objectionable treatment. Any individual who files a complaint or participates in an investigation shall be protected from any form of retaliation arising out of the filing of the complaint or participation in the investigation.

Discrimination and harassment are illegal. This rule and associated procedures are not intended to impair or limit the right of anyone to seek a remedy available under state or federal law. This rule may in some respects exceed the requirements of applicable law. However, this rule will not be enforced so as to infringe upon rights of the first amendment of the United States Constitution, including academic freedom.

(B) Application. This rule and associated procedures are applicable to all aspects of college operations and programs. It applies to all college students and employees, including student-employees, administrators, faculty and staff (bargaining and non-bargaining unit members) as well as to visitors or guests on campus to the extent that there is an allegation of harassment or discrimination made by them against college students or employees. It also applies to all third-party vendors, contractors, subcontractors, and others who do business with the college. Such prohibition extends to off campus conduct or the online/virtual environment if the conduct is in connection with college operations or a college-sponsored program and poses an obvious and serious threat of harm to students or employees, or may have the effect of creating a hostile work and/or educational environment.

(C) Reporting. Any person who believes he or she has been a victim of discrimination or harassment is strongly encouraged to pursue relief by reporting the discriminatory or harassing behavior to the appropriate individual(s). Reports can be made directly to the chief diversity officer within the office of equal opportunity and inclusiveness or designee who is

serving as the affirmative action officer under the federal statutes of Titles VI, VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 and Section 504 of the Vocational Rehabilitation Act of 1973. Alternatively, a grievant may report the behavior to the director of human resources, the dean of student life, or any vice president, dean, chair, director or department head, including the police officers with the department of public safety.

(D) Any employee, as designated in paragraph (C) of this rule, who has received a report or who has knowledge of discrimination or harassment must promptly inform the chief diversity officer within the office of equal opportunity and inclusiveness. The said officer will be available to respond to any questions or concerns regarding this rule and associated procedures.

(E) Action. Each report of discrimination or harassment will be promptly and impartially investigated. Interim measures to prevent continued discrimination/harassment during the complaint investigation will be considered and implemented as deemed appropriate. If the college determines by a preponderance of the evidence that a violation has occurred, the college will take action to provide appropriate relief to the grievant and steps will be taken to prevent future discrimination/harassment and remedy discriminatory effects. This may include disciplinary action against the accused as outlined in applicable student and employee conduct and disciplinary rules, procedures and guidelines as well as associated procedures implemented pursuant to this rule.

(F) Compliance. The office of equal opportunity and inclusiveness is the college's designated office for compliance with federal statutes including: Titles VI, VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Americans with Disabilities Act of 1990, Age Discrimination in Employment Act of 1967, Pregnancy Discrimination Act of 1978, Age Discrimination Act (students), Executive Order 11246, Sections 503 and 504 of the Vocational Rehabilitation Act of 1973, and Vietnam Era Veterans' Readjustment Act of 1974, and regulations of the office of federal contract compliance program.

(G) Implementation. The vice president, human resources and the vice president, enrollment management and student services will jointly implement procedures and forms, which are consistent with the provisions of this rule and applicable law.

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Patricia M. Jezak
Certification

9/16/2014
Date

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