

HARASSMENT/DISCRIMINATION

Indian River Community College's policy concerning sexual and racial harassment is as follows:

Policy Statement:

It is the policy of Indian River Community College and its District Board of Trustees that each employee and student be allowed to work and attend this institution in an environment free from any form of improper discrimination.

Harassment or discrimination of any nature is prohibited whether it is on the basis of race, gender, color, national and ethnic origin, religion, age, disability, sexual orientation, veteran or marital status.

Preventing harassment is the responsibility of the entire College. Accordingly, Indian River Community College encourages all employees and students who believe they are being subjected to harassment to follow the outlined complaint procedures. The College will take prompt disciplinary action against individuals on any of our campuses who engage in actions that violate this policy.

Scope of Policy:

This policy applies to all full-time, part-time and temporary employees, including administrators, faculty, staff, employment applicants, students and prospective students and non-employee volunteers who work subject to the control of a College employee.

Definition of Harassment:

Harassment of any nature is prohibited whether it is on the basis of race, gender, color, national and ethnic origin, religion, age, disability, sexual orientation, veteran or marital status. Harassment includes unwelcome sexual conduct or request for sexual favors and verbal or physical conduct reflecting on an individual's race, color, national and ethnic origin, gender, religion, age, disability, sexual orientation, veteran or marital status, which has the purpose or effect of creating an intimidating, hostile or offensive educational or work environment, has the purpose or effect of unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's employment or educational opportunities. Harassment is a form of discrimination and is conduct unbecoming of a College employee or student.

Notification Requirements:

This policy shall be included in all future publications of Student Handbooks, full-time and part-time Faculty Handbooks and similar handbooks issued for other employees and will provide basic steps of due process available to the Complainant.

Disciplinary Actions:

Any employee or student of this institution who is found to have harassed another employee or student will be subject to disciplinary action up to and including termination, suspension, and/or expulsion; within the provisions of applicable current Board Policies.

Procedure for Filing a Harassment/Discrimination Complaint:

Indian River Community College and its Board of Trustees strongly encourages any College employee or student who believes that he or she has been subjected to harassment to immediately discuss it with the Intake Counselor/Health and Wellness Coordinator or as an alternate, the Equity Coordinator. Such discussion should include as much information as possible including names and positions of persons involved, identification of witnesses if any; the time, place and details of the incident leading to the allegation(s). In no case will a Complainant be required to report such behavior to the alleged Harassing Party (the Respondent). When a supervisor or faculty member receives a complaint concerning harassment from an employee and/or student, he/she shall immediately inform the Intake Counselor/Health and Wellness Coordinator or as an alternative, the Equity Coordinator and simultaneously inform the Complainant that they should notify the Intake Counselor/Health and Wellness Coordinator or in the alternative, the Equity Coordinator. Failure to immediately notify the Intake Counselor/Health and Wellness Coordinator, or as an alternative, the Equity Coordinator, of suspected harassment is a violation of this policy.

Action:

If in the judgment of the Intake Counselor /Health and Wellness Coordinator or in the alternative, the Equity Coordinator and/or the Complainant, that further inquiry or investigation is warranted by the circumstances, the Complainant shall be encouraged to pursue the complaint with the Vice President of Student Affairs (for students) or the Assistant Dean of Human Resources (for employees). The Complainant will be encouraged to complete and sign a Harassment Report Form provided by the Assistant Dean of Human Resources (for employee harassment claims) or the Vice President of Student Affairs (for student harassment claims), with the details of the conduct that is the subject of the complaint. The signed and completed Harassment Report Form shall be given to the Vice President of Student Affairs or Assistant Dean of Human Resources, respectively. Claimant must file a complaint within 100 days of the incident.

The Assistant Dean of Human Resources (for employee harassment complaints) or the Vice President of Student Affairs (for student harassment complaints) will conduct the investigation. The investigation of the complaint will be concluded within 10 days after receipt of the written Harassment Complaint Form unless otherwise agreed by both parties. Upon completion of the investigation, the Vice President of Student Affairs (for student harassment complaints) and the Assistant Dean of Human Resources (for employee harassment complaints), will prepare the Harassment Complaint Report within 10 days of the completion of the investigation which will be presented to the Claimant and his/her Supervisor and the Respondent and his/her Supervisor to carry out the recommended actions(s) and/or disciplinary procedure(s) if applicable. The College President will also be given a copy of the Harassment Complaint Report.

Confidentiality shall be maintained to the greatest extent possible within the law and the requirements for conducting appropriate investigations.

Retaliation against individuals who have filed a charge or participated in an investigation or opposed any unlawful practice is prohibited and will subject the person who retaliates to disciplinary action.

If either the Complainant or the Respondent expresses disagreement with the determination, he/she will be informed in writing to pursue the appropriate College due process procedures already in place for processing grievances for employees and students. In no case will a Complainant be required to report such behavior to the Respondent.

Authorization:

The College President has established operational procedures for the implementation of this policy which may be obtained from the Human Resources Department.

Access on Indian River Community College computer equipment of materials of a sexual or ethnically derogatory nature is in violation of the College policy on harassment which assures a positive learning environment. Violation may result in disciplinary action.