

## POLICY 2300

### ANTI-DISCRIMINATION

### and COMPLAINT PROCEDURES

**Policy Category:** Administration

**Area of Administrative Responsibility:** Affirmative Action

**Board of Trustees Approval Date:** May 14, 1991

**Effective Date:** May 15, 1991

**Amendment History:** June 9, 2007 (34-81158) 69977Tm 000412.79 56.04 1.2 -0 612 79)312aD 64/P3

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#### PURPOSE

The purpose of this 7rE1 166.4s92 a1w-6(y)21I JETQ18.82 408.79 56.04 1.2 ref\*EMC /P A/CID fCID 24BDC

vendors, consultants, etc.). It shall also be used to address complaints of discrimination and harassment perpetrated by College students against other students, employees or third parties.

Volunteers and visitors to the College, including but not limited to vendors and service-providers, must abide by the requirements set out by this policy.

## DEFINITIONS

A. **Discrimination:** The unjust or prejudicial treatment of an individual or a group of people because of their race or color, age (40 or over), gender, sexual orientation, disability, national origin, religion, physical or mental disability, gender identity or expression, predisposing genetic characteristics, pregnancy status, marital or familial status, domestic violence victim status, military status, or because of the individual or group's participation in the discrimination complaint process in the workplace or within the educational environment.

1. **Discriminatory harassment:** improper conduct toward a particular individual or groups of individuals on the basis of one or more characteristics identified above, which is sufficiently severe or pervasive and therefore has the purpose and/or effect of 1) creating an intimidating, hostile or offensive work or educational environment for the individual or group involved, or (2) unreasonably interfering with the work or educational experience in any College program or activity.
2. **Disparate Treatment**(also referred to as “intentional discrimination”).



2. Whenever a reported incident may constitute a hate crime, the College's Department of Public Safety will promptly report the incident to

**E. Investigation:** The investigatory process is guided by the need to balance the remedy of unlawful discrimination and harassment with principles of fairness and due process.

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3. **Completed Investigation** – If, upon the conclusion of the investigation, the CDO/DIO makes a finding that the alleged conduct did not violate this Policy, the CDO/DIO shall notify both parties of this determination. If the completed investigation results in a finding discrimination in violation of this Policy, the CDO/DIO shall submit a summary report to the College President. The summary shall include: recommendations on how to remedy the situation and prevent future incidents, as well as recommended disciplinary sanctions, as appropriate. Following the President’s review, the CDO/DIO shall notify both parties, in writing, of the results of the investigation, and shall also implement the recommended remedies and sanctions, if any.

## **ENFORCEMENT**

### **A. Remedies and sanctions**

1. For employees found to have violated this policy by engaging in prohibited discrimination or harassment, sanctions/remedies shall include one or more of the following. Sanctions shall be based on the severity of the conduct in question:
  - a. Verbal Warning.
  - b. Censure or Written Reprimand
  - c. Sensitivity training
  - d. Referral to receive private psychotherapy or counseling as a condition of continued employment

**4. Hate crimes:**

- a. Students convicted of committing a hate crime on campus or at a College sponsored off-campus event shall be subject to expulsion.
- b. Employees convicted of committing a hate crime on campus or at a College