

**3354:1-42-01 College policy on affirmative action, equal opportunity, discrimination, and harassment.**

(A) Commitments

The College embraces human diversity and is committed to affirmative action and equal opportunity. The College is committed to eliminating discrimination and harassment in the workplace and academic environment. These commitments are moral imperatives consistent with an intellectual community that celebrates individual differences, diversity, and meaningful individual freedom to pursue professional and educational goals. In many circumstances, these commitments also represent legal requirements.

(B) Discrimination

Employment and academic discrimination against any individual on the basis of age, ancestry, color, disability, military status, national origin, race, religion, sex, sexual orientation, gender identity and expression, pregnancy, veteran status and genetic information is prohibited.

(C) Affirmative action and diversity

The College is committed to maintaining a diverse workforce as it continues to pursue the highest quality employees. It is the responsibility of every employee to foster a College environment that embraces human diversity and is committed to affirmative action and equal opportunity.

(D) Harassment

(1) Harassment, in general

Harassment against any individual on the basis of age, ancestry, color, disability, military status, national origin, race, religion, sex, sexual orientation, gender identity and expression, pregnancy, veteran status and genetic information is prohibited. Conduct whether verbal, non-verbal, or physical may constitute harassment if it relates to any such classification and creates an intimidating, hostile, or offensive work or academic environment that unreasonably interferes with work or academic performance or negatively affects an individual's employment or academic opportunities.

(2) Forms of harassment, in general.

Harassment occurs in many forms, and an exhaustive list cannot be created. Harassment can occur between any individuals associated with the College – for example, an employee and a supervisor; coworkers; faculty members; a faculty, staff member, student, or employee and a customer, vendor, or contractor; or a student and a faculty member. Harassment in the workplace or academic environment may manifest itself in many ways, including without limitation jokes, slurs, derogatory expressions, graphics, cartoons, objects, e-mails, or comments.

(3) Sexual harassment

- (a) Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature generally constitute unlawful sexual harassment when:
- (i) Submission to sexual conduct is an explicit or an implicit term or condition of an individual's employment or of a student's status in a course, program, or activity;
  - (ii) Submission to or rejection of sexual conduct by an individual is used as the basis for any employment or academic decision affecting that individual; or
  - (iii) The sexual advances, requests for sexual favors, and/or verbal conduct of a sexual nature have the purpose or effect of substantially interfering with an individual's work or academic performance or create an intimidating, hostile, or offensive working or learning environment.
- (b) The following are examples of unwelcome conduct which may constitute sexual harassment:

- (i) Requests for sexual favors
  - (ii) Physical touching
  - (ii) Lewd or suggestive remarks
  - (iv) Requests for dates or meetings after work or class
  - (v) Demands for sexual favors in return for salary increases, promotion, other benefits of employment, grades or letters of recommendation
  - (vi) Sexually explicit magazines, picture, jokes or e-mails displayed or told in the work area or the classroom
  - (vi) Questions or remarks about the sexual body parts of an individual
- (E) Any managerial or supervisory level employee who learns of a violation of this policy must immediately report the violation to the Office of Diversity and Inclusion.
- (F) The College shall conduct regular training to encourage compliance with this policy.
- (G) The President or the President's designee is hereby directed to take all steps necessary and appropriate for the implementation of this policy.

Effective date: July 8, 2011

Prior effective date: June 20, 2008