

<b>CODE:</b>	<b>TRU – 915</b>
<b>SUBJECT:</b>	<b>Harassment</b>
<b>ADOPTED:</b>	<b>May 12, 2009</b>
<b>REVISED:</b>	<b>August 11, 2016</b>

Harassment of anyone, or by anyone, associated with Independence Community College is prohibited.

This policy applies to members of the Board of Trustees, all students, administrators, staff, faculty, visitors, guests, vendors, and volunteers of the College while on campus or in any way associated with the College off campus. The College will, to the best it is able, take steps to ensure the elimination of any form of harassment through (depending upon the nature of the claim) disciplinary actions, sanctions or referral to law enforcement for prosecution.

Harassment can be generally defined as consistent, persistent or unwelcome behaviors, comments (written or spoken) or physical contact that in any way promotes an environment of violence, hostility, degradation, exploitation, intimidation, or fear.

The types of harassment prohibited include, but are not limited to: bullying, sexual harassment, racial harassment, age based harassment, country of origin harassment, belief based harassment, Veteran status based harassment, disability based harassment, tenure based harassment hazing, stalking, mobbing, and abuse.

### **Procedure**

Harassment of anyone, or by anyone, associated with Independence Community College is prohibited. This includes members of the Board of Trustees, staff, faculty, students, and College vendors while on campus or in any way associated with the College off campus. Harassment is generally defined as consistent, persistent or unwelcome behaviors, comments (written or spoken) or physical contact that in any way promotes an environment of violence, hostility, degradation, exploitation, intimidation, or fear. The types of harassment prohibited include, but are not limited to: bullying, sexual harassment (including gender identity and sexual orientation), racial harassment, age based harassment, country of origin harassment, belief based harassment, Veteran status based harassment, disability based harassment, tenure based harassment, hazing, stalking, mobbing, and abuse.

### **Employee Based Harassment**

1. Any person who believes they have been the recipient of any type of employee based harassment should report the incident to their immediate supervisor. The initiation of a report shall not affect the employee's status, compensation, or work assignment. All reports of harassment shall be maintained in strict confidentiality.
2. The immediate supervisor must report any harassment incident to Human Resources. If the harassment received by the employee is believed to be from the immediate supervisor, the initial report will go to Human Resources and the President.

3. Human Resources will initiate a confidential finding of fact upon receipt of a harassment report. The fact finding should identify if improper conduct occurred and appropriate action to be taken.
4. If Human Resources determines action in response to harassment based on fact finding, the recommendation should be sent to the appropriate supervisor or the President if the supervisor is involved.
5. Opportunity for appeal is provided in the Employee Grievance Procedures.

**Non-Employee Related Harassment:**

Any person who believes they have been the recipient of any type of non-employment related harassment should report the incident to the College's Title IX Coordinator and/or Section 504 Coordinator for investigation.

**Non-Employee Related Harassment Grievance Procedure:**

If, upon investigation by the College's Title IX Coordinator and/or Section 504 Coordinator, a finding is rendered that is adverse to any party involved in alleged non-employee related harassment, that party may appeal the decision to the President of the College within five working days thereafter by submitting his/her appeal electronically through the College's electronic reporting system.

The President will be provided copies of all previously considered materials and forms from the appellant and written materials from the employee rendering the original decision. The President will review all supporting materials submitted as well as any other relevant materials and will meet with the appellant and the employee rendering the original decision within five working days thereafter to further discuss and clarify the question at issue.

The President will render a written decision to all parties and the employee rendering the original decision within five additional working days. The decision on appeal at this level is final.