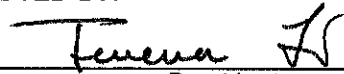


## BBCC ADMINISTRATIVE PROCESS

<b>TITLE: Discrimination, Harassment, and Sexual Harassment Complaint Process</b>	<b>PAGE:</b> 1 OF 3	<b>NUMBER:</b> 6115	<b>REVIEWED:</b> REVISED: 5/1/13
<b>ORIGINATING DEPARTMENT:</b> Human Resources	<b>EFFECTIVE DATE:</b>	<b>SUPERSEDES NO. DATE:</b>	
<b>DATE CABINET APPROVAL:</b>	<b>APPROVED BY:</b> <div style="text-align: center; margin-top: 10px;">   <hr style="width: 80%; margin: 0 auto;"/>                 President             </div>		

Big Bend Community College does not discriminate on the basis of race, sex, sexual orientation, gender identity/expression, religion, age, color, creed, national or ethnic origin, physical, mental or sensory disability, marital status, genetic information and/or status as a veteran.

Sexual harassment is a form of discrimination. Sexual harassment violates College policies, federal and state civil rights laws, and professional ethics. Big Bend Community College does not tolerate sexual harassment. Sexual harassment encompasses unwelcome sexual advances, unwelcome requests for sexual favors or requests for sexual favors in exchange for some benefit, and/or unwelcome verbal or physical conduct of a sexual nature. Sexual harassment occurs when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
- Submission to or rejection of such behavior by an individual is used as the basis for employment or education decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or creates an intimidating, hostile or offensive work or educational environment.

Big Bend Community College retains the authority to discipline or take other appropriate action for any conduct that is deemed unacceptable or inappropriate, regardless of whether the conduct rises to the level of unlawful discrimination, sexual harassment, or retaliation.

The formal and informal complaint procedures are accessible to all BBCC faculty, students, staff, guests and visitors. Any complaint(s) filed under this policy must be made in good faith and be filed within six (6) months of the alleged act of discrimination, harassment and/or sexual harassment.

Employees or students who have cause to believe they are being subjected to unlawful discrimination, harassment and/or sexual harassment are encouraged to seek confidential advice and assistance as soon as possible by contacting the VP of Human Resources & Labor or the VP of Instruction & Student Services.

When an informal or formal complaint is filed, the complainant and the alleged offender will fully cooperate with management and/or the investigator to help ensure a thorough and timely complaint process and resolution.

### **Informal Complaint/Resolution**

Discrimination and/or harassment may take many forms, and the perpetrator may not understand that his/her behavior is being perceived as discriminatory or harassing. Therefore, any staff member, faculty member, or student who feels that she/he is being subjected to discriminatory or harassing behavior is encouraged to respectfully discuss the offensive behavior directly with the person involved.

If direct communication is either impractical, the person does not respond as desired, or the individual is uncomfortable discussing the issue with that person, then the individual may bypass the offending person and discuss the behavior directly with one or more of the following:

- Students may contact the VP of Human Resources/Title IX Coordinator, VP for Instruction & Student Services, a Counselor or the college president for assistance.
- Staff/Faculty may contact their Supervisor/Director/Dean/VP, the VP of Human Resources/Title IX Coordinator or the college president for assistance.

Any college official receiving a report or complaint of such a nature should immediately provide a copy of this policy to the complainant. Sexual harassment and other forms of discrimination are illegal activities requiring a response from the College, and as such must be reported to the VP of Human Resources.

If the situation cannot be settled informally, the complainant may file a formal internal complaint. Employees and students are not required to utilize informal procedures, but may go directly to the formal complaint procedure. Students may wish to consult the Student Handbook for guidance in addition to this procedure.

### **Formal Complaint**

If informal complaint resolution does not occur or the problem persists, the individual should make a written complaint concerning allegations of discrimination, harassment, or sexual harassment to the VP of Human Resources/Title IX Coordinator, VP of Instruction & Student Services or the college president.

In addition, Big Bend Community College encourages any individual who observes incidents of harassment or discrimination to immediately report what he or she has observed.

Any reports or complaints of discrimination, harassment and/or sexual harassment will be investigated. Different circumstances will produce different responses and levels of investigation.

If college officials determine that a violation of this policy has occurred, then the offending party will be subject to disciplinary action, up to and including termination/expulsion.

### **External Complaints**

Inquiries or appeals beyond the institutional level may be filed with the following agencies or other agency with the jurisdiction to hear such complaints.

US Dept. of Education  
Office for Civil Rights  
Federal Office Building  
915 Second Ave., Room 3310  
Seattle, WA 98174-1099  
<http://www.ed.gov/ocr/>

Washington State Human Rights  
Commission  
Spokane District Office  
1330 N. Washington St., Suite 2460  
Spokane, WA 99201  
<http://www.hum.wa.gov>

U.S. EEOC  
Federal Office Building  
909 First Ave Suite 400  
Seattle, WA 98104-1061  
<http://www.eeoc.gov/>

### **Confidentiality**

To facilitate the investigative process and protect the privacy of those involved, all information will be maintained in a confidential manner to the fullest extent permissible. During an investigation, complaint information will only be disseminated on a need-to-know basis. Files subject to public disclosure will be released only to the extent required by law.

### **Retaliation**

No one shall suffer penalty or retaliation for making or supporting a charge of discrimination, harassment or sexual harassment under this policy. Retaliation against any person for bringing forward or participating in the investigation of a complaint under this policy, including creating a hostile work environment, forms independent ground for taking appropriate disciplinary action. Retaliatory acts shall be reported to the Human Resources Office.

### **Malicious or Frivolous Allegations Prohibited**

Members of the College community who knowingly make false or frivolous allegations of discrimination, harassment or sexual harassment will be subject to discipline. No complaint will be considered malicious or frivolous solely because it cannot be corroborated.

