

BP6115 EQUAL EMPLOYMENT, NON-DISCRIMINATION AND ANTI-HARASSMENT

6115.1 PURPOSE

Big Bend Community College (BBCC) recognizes its responsibilities pursuant to state and federal law, rules, and regulations including the responsibility for investigation, resolution, implementation of corrective measures, and monitoring the educational environment and workplace to stop, remediate, and prevent discrimination, harassment, sexual misconduct and retaliation consistent with these provisions. The purpose of this policy is to establish BBCC's commitment to provide equal opportunities in employment and to provide a work and academic environment that is free from conduct or behaviors that constitute discrimination, harassment, sexual harassment, sexual misconduct, domestic violence, dating violence, stalking and/or retaliation by or against its employees, students, guests, trustees, visitors and contractors.

BBCC commits to recruit, employ, retain, promote, and provide benefits to employees and to admit and provide services for students without regard to race, sex, sexual orientation, gender identity/expression, religion, age, color, creed, national or ethnic origin, the presence of any physical, mental or sensory disability, use of a trained guide dog or service animal by a person with a disability, marital status, pregnancy status or families with children, a mother breastfeeding her child, AIDS/HIV or hepatitis C, genetic information and/or protected veteran or military status, or any other legally prohibited basis in accordance with federal and state laws. BBCC, consistent with the Genetic Information Nondiscrimination Act (GINA), will not obtain any genetic information (including family medical history) from applicants or employees.

This policy applies to all employees, students, guests, trustees, contractors, visitors, or others having an association with the College while on campus, on properties leased or used by BBCC for any college activities, while conducting BBCC business off-campus such as business trips, field trips, athletic events, student activities, and internships, and/or using college resources off-campus.

This policy will be interpreted in the context of academic freedom in the educational environment. The culture of BBCC is founded in the principles of free inquiry and free expression, the education of a diverse and changing student body, and service to the public. The intent of this policy is not meant to inhibit free speech or the free exchange of ideas, but to ensure freedom of speech and the free exchange of ideas by reaffirming the value of all people.

6115.2 PROHIBITED PRACTICES

This policy prohibits discrimination on the basis of a protected status that is so severe, pervasive, persistent, and objectively offensive that it effectively bars the victim from the benefit of an educational or work opportunity or benefit. Protected status includes, but is not limited to, race, sex, sexual orientation, gender identity/expression, religion, age, color, creed, national or ethnic origin, the presence of any physical, mental or sensory

disability, use of a trained guide dog or service animal by a person with a disability, marital status, pregnancy status or families with children, a mother breastfeeding her child, AIDS/HIV or hepatitis C, genetic information and/or protected veteran or military status, or any other legally protected classification.

Sexual harassment and sexual misconduct are other forms of discrimination that are prohibited. Sexual misconduct includes, but is not limited to, intimate partner/domestic violence, non-consensual sexual intercourse, non-consensual sexual contact, sexual assault, stalking, and dating violence. Sexual harassment may include unwelcome sexual advances, unwelcome requests for sexual favors or requests for sexual favors in exchange for some benefit, sexual assault, offensive remarks about a person's gender, and/or unwelcome verbal or physical conduct of a sexual nature by a male or female, of the same or differing sex.

The Vice President of Human Resources and Labor shall develop and implement an internal complaint procedure for filing a complaint of discrimination or harassment. BBCC will implement a supporting educational program that makes the policy and complaint procedure generally known. Complaints will be investigated in a timely manner and appropriate action will be taken when violations of policy are confirmed. Confirmed violations of this policy may lead to disciplinary action, up to and including termination or expulsion.

Refer to AP 6115 for the process to report discrimination, harassment, and sexual harassment.

This policy is based on: Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, Age Discrimination in Employment Act, 29 CFR Part 1635, Regulations under the Genetic Information Nondiscrimination Act of 2008, Vietnam Era Veteran's Readjustment Assistance Act, American with Disabilities Act, the Civil Rights Act of 1991, Washington State Laws on Discrimination, Chapter 49.60 RCW, Collective Bargaining Agreements, The Campus SAVE Act, Violence Against Women Act, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.