

Policy IV-B-3-a: Student Harassment

STUDENT COMPLAINTS: POLICY AGAINST HARASSMENT

PURPOSE

It is the policy of the San Jacinto College to provide an educational, employment, and business environment free of discrimination based on race, creed, color, national origin, citizenship status, age, disability, pregnancy, religion, gender, sexual orientation, gender expression or identity, genetic information, marital status, or veteran status. Trustees, administrators, faculty, staff, and other agents of the College will not engage in conduct constituting unlawful harassment or discrimination.

The College strives to maintain a learning environment free of discrimination and harassment. The College will promptly investigate all allegations of discrimination and harassment and take appropriate disciplinary action against individuals who engage in unlawful behavior. Disciplinary action may include dismissal of employees or expulsion of students.

Exclusion: This policy does not apply to student complaints regarding discipline or other concerns not involving unlawful discrimination or harassment. Student complaints and concerns that do not involve allegations of discrimination or harassment must be presented to the Vice President of Student Services or to other campus officials designated in the student handbook.

This policy does not apply to employees. Employees who wish to file discrimination or harassment complaint must use the procedures identified in Employee Standards of Conduct: Policy Against Harassment.

Citizenship status discrimination does not violate this policy when such discrimination is required to comply with a statute, regulation, executive order, or federal government contract.

SCOPE OF POLICY: DEFINITIONS

No student, on the basis of the categories listed in this policy, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity operated by the College. Discrimination and harassment against students are prohibited by several federal laws, including, but not limited to, Title IX of the Education Amendments of 1972; Title VI of the Civil Rights Act; and Section 504 of the Rehabilitation Act.

Programs and activities that receive federal funding must operate in a nondiscriminatory manner. These programs and activities may include, but are not limited to: admissions, recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, housing and employment.

In addition to prohibiting discrimination, this policy expressly prohibits sexual harassment, racial harassment, and any other form harassment based on the categories listed in this policy.

Prohibited discrimination and harassment includes, but is not limited to, conduct based on a protected characteristic that:

- Creates an intimidating or offensive learning environment;
- Unreasonably interferes with an individual's work or academic performance; or
- Otherwise adversely affects an individual's academic or employment opportunities.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome verbal comments of a sexual nature, and unwelcome physical contact or touching of a sexual nature. Sexual harassment is wrongful regardless of whether the parties are of the same sex or of the opposite sex. A violation of this policy occurs when:

- Submission to such conduct is explicitly or implicitly made a term or condition of employment, instruction, or participation in other college activities;
- Submission to or rejection of such conduct is used as a basis for personnel or academic decisions that affect the individual who has been subjected to sexual advances; and/or
- Such conduct has the effect of interfering with the individual's work on academic performance or creating an intimidating, hostile, or offensive work or learning environment.

DISPUTE RESOLUTION AND COMPLAINT PROCESS

Any student alleging discrimination or harassment in violation of this policy is encouraged to seek redress of his/her complaint. A student may seek informal resolution by contacting the vice president of student services, appropriate dean, or the director of human resources who shall undertake, with permission of the student, to resolve the conflict informally by informing the alleged offender of the complaint, seeking to find out the facts, and, if both parties desire it, arranging a meeting to try to resolve the differences. If informal resolution is undesirable or ineffective, then the student may initiate a formal complaint. The College administration shall prepare and disseminate a procedure for processing and investigating student complaints about discrimination and harassment. This procedure shall be published annually in the student handbook and shall be available to students on the College's web site.

RETALIATION IS PROHIBITED

Students have a legal right to file informal or formal complaints as well as criminal charges of discrimination or harassment and to participate as witnesses in an investigation of such a charge. Retaliation against complainants and witnesses is strictly forbidden.

HARASSMENT PREVENTION COORDINATOR

Federal law requires that the College appoint a Title IX coordinator, who is responsible for serving as a resource person on sexual harassment issues. The Chancellor shall appoint a Title IX coordinator. The name, address, and phone number of the Title IX coordinator shall be published in the student handbook and catalog, and it shall be posted prominently in the student services office of each campus and in the human resources office. Students who desire further explanatory information about unlawful harassment or discrimination are encouraged to discuss their questions with the Title IX coordinator, the director of human resources/vice chancellor of human resources, or the vice president of student services on any campus.

In addition to serving as a resource regarding sexual harassment and sexual discrimination, the College's harassment prevention coordinator shall serve as a resource person regarding all the forms of discrimination and harassment that are prohibited by this policy.

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