



# INDIAN RIVER STATE COLLEGE

## District Board of Trustees

### Policy Manual

<b>TITLE:</b> Non-Discrimination and Non-Harassment Policy	<b>NUMBER:</b> 6Hx11-3.13
<b>AUTHORITY:</b> Title VI – Federal Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 or the Rehabilitation Act of 1973; Equal Pay Act of 1963, as amended by the Educational Amendments of 1972; Age Discrimination in Employment Act of 1967, as amended 1978; The Pregnancy Discrimination Act of 1978; Americans with Disabilities Act of 1990, as amended and Civil Rights Act of 1991; and Genetic Information Non-Discrimination Act of 2008 Florida Statutes: 110.221, 383.015, 383.016, 760.10, 1000.05, 1001.64 Florida Administrative Code: 6A-14.0261, 6A-19.001-19.010	<b>SEE ALSO:</b> 6Hx11-3.11; AP-3.13, AP-3.132; 6Hx11-3.151; AP-3.151; 6Hx11-6.431
<b>DATE ADOPTED:</b> April 23, 2002  <b>HISTORY:</b> Revised: (January 28, 2014); (September 27, 2011); (January 22, 2008)	<b>PAGE:</b> 1 of 5


#### **Non-Discrimination and Non-Harassment Policy**

Indian River State College (College) is committed to maintaining a fair and respectful employment and educational environment. In accordance with federal, state and local equal opportunity laws, Indian River State College prohibits discrimination on the basis of race, color, national origin, ethnicity, sex, religion, age, disability, sexual orientation, marital status, veteran status, or genetic information.

#### **Scope of Policy:**

This policy applies to all full-time, part-time, and temporary IRSC employees, including administrators, faculty and staff; employment applicants, students and prospective students; non-employee volunteers who work subject to the control of a College employee; guests, contractors, vendors and/or other affiliates for actions that occur in the course of official College business, events or programs.

**Discrimination** is an act or communication that interferes with an individual's or group's ability to participate fully in College programs, activities, or employment on the basis of race, color, national origin, ethnicity, sex, religion, age, disability, sexual orientation, marital status, veteran status, or genetic information.

<b>AUTHENTICATED DATE:</b>  January 28, 2014	<b>PRESIDENT</b> 
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<b>DATE ADOPTED:</b> April 23, 2002  <b>HISTORY:</b> Revised: (January 28, 2014); (September 27, 2011); (January 22, 2008)	<b>PAGE:</b> 2 of 5

Harassment is conduct and/or verbal action which, because of its severity and/or persistence, interferes significantly with an individual’s or groups’ work or education, or creates an intimidating or hostile academic or work environment. Harassment includes but is not limited to: incitement to or threat of violence; epithets referring to race, color, national origin, ethnicity, sex, religion, age, disability, sexual orientation, marital status, veteran status, or genetic information; and/or physical conduct that is unwelcome, hostile or intimidating. College policy also recognizes conduct and/or verbal communication that are hostile, intimidating, violent, threatening, or ‘bullying’ as harassment.

Sexual Harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual’s employment or status in an educational course, program or activity;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individuals; or

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3. Such conduct has the purpose or effect:
  - a. Of interfering with the individual’s work or education performance;
  - b. Of creating an intimidating, hostile or offensive working and/or learning environment; or
  - c. Of interfering with or limiting one’s ability to participate in or benefit from an educational program or activity.

#### **Prompt Reporting**

Preventing harassment is the responsibility of the entire College. Accordingly, Indian River State College strongly encourages prompt reporting of all experienced or observed incidents of discrimination and harassment, including sexual assault, sexual misconduct and sexual harassment. Prompt reporting of such incidents through the process outlined in AP 3.13 makes investigation of the incident more effective and enhances the ability of the College to take action on a complaint.

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#### Disciplinary Actions

Any employee, student or affiliate of the College who is found to have engaged in actions that violate this policy will be subject to disciplinary action(s) up to and including termination, suspension, and/or expulsion, within the provisions of applicable Board Policies. To discourage discrimination and harassment, the College will provide comprehensive educational programs to assure awareness within the College to attempt to prevent such conduct in the future.

#### Confidentiality

The privacy of all parties involved in a complaint of discrimination, harassment, sexual assault, sexual misconduct and other acts of violence must be respected, except insofar as it interferes with the College’s obligation to fully investigate allegations of discrimination and harassment. While confidentiality will be maintained to the extent possible while still meeting the requirements of conducting an appropriate investigation and reporting illegal acts to the appropriate authorities, the College cannot guarantee confidentiality.

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#### Retaliation

No member of the College shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual who has filed a complaint, participated in an investigation, or openly opposed any unlawful or questionable practice. Such retaliation will subject the person who retaliates to disciplinary action.

#### Notice of Title IX Coordinator

The College Equity Officer serves as the Title IX Coordinator for the College, and is responsible for coordinating and ensuring that appropriate notices, training, reporting and complaint resolution procedures are in place to prevent or address issues that fall under this policy. Contact information for the Title IX Coordinator can be found on the IRSC website, and employee, student, faculty and adjunct faculty handbooks.

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