

## **POL #1750**

### **PROHIBITION OF HARASSMENT & NONDISCRIMINATION**

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Chemeketa Community College is dedicated to maintaining a workplace where everyone can reach their full potential free from unlawful discrimination or harassment. The college is committed to providing an academic and work environment that respects the dignity of individuals and groups, ensuring it is free of all forms of unlawful harassment. State and federal law, along with this policy, underscore the seriousness of this commitment.

All forms of harassment are contrary to basic standards of conduct between individuals. State and federal law, and this College policy prohibits harassment and discrimination. This policy applies to all members of the Chemeketa Community College community including Board of Education members, employees, students, volunteers and interns.<sup>1</sup>

We strongly encourage everyone to report any conduct they perceive as discriminatory or harassing, whether experiencing the behavior firsthand or witnessed.

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<sup>1</sup> Also see Policies 1751, 1752, and 1753

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## PROHIBITION OF HARASSMENT & NONDISCRIMINATION (continued)

### Legally Protected Classes

Although all reports of harassment or discrimination will be followed up on by appropriate personnel, harassment or discrimination is prohibited under federal and/or Oregon state law when it is based on any of the following protected classes:

- Race (including physical characteristics historically associated with race, e.g., natural hair, hair texture, hair type, and protective hairstyles)<sup>2</sup>
- Color<sup>2</sup>
- Ethnic origin<sup>12</sup>
- Religion<sup>2</sup>
- Sex (see Sexual Harassment, Discrimination and Misconduct Policy #1751)<sup>2, 6, and 13</sup>
- Sexual orientation (see Sexual Harassment, Discrimination and Misconduct Policy)<sup>11 and 13</sup>
- Gender identity/expression (see Sexual Harassment, Discrimination, and Misconduct Policy)<sup>11 and 13</sup>
- National origin<sup>12</sup>
- Disability<sup>3</sup>
- Genetic information<sup>14</sup>
- Marital status<sup>11</sup>
- Age (18 years of age and older)<sup>4</sup>
- Expunged juvenile record<sup>15</sup>
- Familial status/relationships<sup>11</sup>
- Pregnancy and related conditions<sup>7</sup>
- Citizenship status<sup>5</sup>
- Protected Veterans' status<sup>8</sup>
- Tobacco usage (non-working hours)<sup>10</sup>
- Victims of domestic violence (e.g., sexual assault, stalking, harassment, etc.)<sup>15</sup>
- Whistleblower<sup>1</sup>

<sup>2</sup> The Civil Rights Act of 1964—Title VII and ORS 659A.006

<sup>3</sup> The Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, Americans with Disabilities Act Amendment of 2008 and ORS 659A.112

<sup>4</sup> Age Discrimination in Employment Act of 1967, Older Workers Benefit Act of 1990 and ORS 659A.030

<sup>5</sup> Immigration Reform and Control Act of 1986

<sup>6</sup> Equal Pay Act of 1963 and ORS 659A.029

<sup>7</sup> Pregnancy Discrimination Act of 1978 and ORS 659A.029

<sup>8</sup> The Veterans Reemployment Act of 1974, the Uniform Service Employment and Reemployment Rights Act of 1994

<sup>9</sup> The Civil Rights Act of 1964 §1981, 1983 and ORS 659A.309

<sup>10</sup> ORS 659A.315

<sup>11</sup> ORS 659A.006

<sup>12</sup> The Civil Rights Act of 1964 §1981, 1983

<sup>13</sup> Title IX of the Education amendment of 1972

<sup>14</sup> ORS 659A/Genetic Information Non-Discrimination Act 2008 (GINA) § 202.

<sup>15</sup> ORS 659A.270

<sup>16</sup> ORS 659A.199

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## **PROHIBITION OF HARASSMENT & NONDISCRIMINATION (continued)**

This prohibition of harassment and discrimination also includes any other status protected by federal, state, or local law in any area, activity, or operation of the College. The College also prohibits retaliation against an individual for engaging in activity protected under this policy and interfering with rights or privileges granted under federal, state, or local laws.

Under College policies, equal opportunity for employment, admission, and participation in the College's programs, services, and activities will be extended to all persons, and the College will promote equal opportunity and treatment through application of its policies and other College efforts designed for that purpose.

### **College Funding**

No Chemeketa Community College funds shall ever knowingly be used for membership, or for any participation involving financial payment or contribution on behalf of the College or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of the protected classes noted above.

### **Accessibility**

Chemeketa Community College is committed to equal opportunity in educational programs, employment, and all institutional programs and activities. The College and its representatives shall provide access to services, classes, and programs without regard to an individual's legally protected status.

### **Prohibition of Retaliation**

Chemeketa Community College seeks to foster an environment in which employees, students, and other members of our College community feel free to report incidents of harassment without fear of retaliation or reprisal. Chemeketa Community College strictly prohibits retaliation against anyone for filing a harassment complaint or participating in an investigation. No one at the College may reprimand, discriminate, or retaliate against an individual who initiates a good faith inquiry or complaint, or against those who provide related information.

Such conduct is illegal and constitutes a violation of this policy. Chemeketa Community College will investigate all allegations of retaliation swiftly and thoroughly. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

### **Reporting**

Any student, employee, or other member of the campus community who believes that he/she/they have been harassed or retaliated against in violation of this policy should immediately report such incidents by following the processes described in #1750 Harassment/ Discrimination Complaint Procedure, #1751 Sexual Harassment, Discrimination and Misconduct Procedure, and/or #1752 Respectful College Community

## **PROHIBITION OF HARASSMENT & NONDISCRIMINATION (continued)**

Complaint Procedure. Chemeketa Community College requires supervisors to report all incidents of harassment and retaliation that come to their attention.

### **Applicability & Training**

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, evaluation, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities, and compensation.

To this end, the President shall ensure the College conducts education and training activities to counter harassment and prevent, minimize, or eliminate any hostile environment that affects equal education opportunities or employment conditions. The President shall establish procedures to define harassment on campus and provide for the investigation and resolution of harassment and discrimination complaints for employees, students, and other community members. State and federal law, along with this policy, prohibit retaliatory acts by the College, its employees, students, and agents.

### **Basis for Determination**

Chemeketa Community College will make the determination of harassment or discrimination based on the preponderance of the evidence standard, the totality of the situation, and from the reasonableness of the complainant's (or the person making the complaint) perspective.

Conduct that could be a violation of this policy includes, but is not limited to:

#### ***Verbal Actions***

- Jokes that stereotype a protected class
- Teasing that stereotypes a protected class
- Comments that stereotype a protected class
- Hostile comments about a protected class
- Name-calling or nicknames

#### ***Physical Actions***

- Displaying or distributing offensive pictures
- Physical violence or hostility based on a protected class
- Gesturing based on a protected class
- Encroaching on a person's physical space
- Repeated unwelcome social invitations, phone calls, texting, social media contact, email, or notes

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## **PROHIBITION OF HARASSMENT & NONDISCRIMINATION (continued)**

### **Published Procedures**

Chemeketa Community College will publish and publicize this policy and related written procedures (including the procedure for making complaints) to students and employees. The College will make this policy and related written procedures (including the procedure for making complaints) available in all administrative offices and will post them on the College's website.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion.

June 26, 1991

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*Adopted College Board of Education*

November 15, 2000; July 26, 2006; October 17, 2007;  
October 21, 2009; April 17, 2013; December 20, 2016;  
December 18, 2019; October 16, 2024

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*Revised College Board of Education*