

6Hx19-2.56 EDUCATIONAL AND WORKPLACE HARASSMENT

The purpose of this Board Rule is to establish Board policy concerning harassment in the workplace and define what is considered harassment in accordance with Federal and State Laws and Rules. In addition to this policy relating to the prohibition of educational and workplace harassment, the College also maintains a comprehensive policy relating to the prevention and prohibition of sexual assault (See Board Rule 6Hx19-1.33, *Sexual Assault Prevention and Response Measures*). All students, employees, volunteers, and visitors shall fully comply with both Board Rules.

In accordance with Federal and State Laws and Rules, harassment within the educational and work environment in any form, whether directed toward supervisors, employees, or students, will not be condoned or tolerated by the College. Those actions defined as harassment will be published and distributed to all College employees.

Harassment includes:

1. Any slurs, innuendoes or other verbal or physical conduct reflecting on an individual's race, color, religion, national origin, ethnicity, age, gender, gender identity, pregnancy, marital status, sexual orientation, or disabling condition, veteran status, or any other factor or condition protected by law which has the purpose or effect of creating an intimidating, hostile or offensive educational or work environment; has the purpose or effect of unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's employment or educational opportunities.
2. The threatened or actual denial of or the promise to provide or the actual provision of aid, benefits, grades, rewards, employment, faculty assistance, services, or treatment on the basis of sexual advances or requests for sexual favors.
3. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment or educational career; submission to or rejection of such conduct is used as a basis for educational or employment decisions affecting the individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or educational environment.

A complaint of alleged harassment should be lodged with the Provost by campus-assigned personnel, or with a Vice President. If preferred, the complaint may be lodged directly with the President. If the person filing a complaint under this Rule is a student, the procedures outlined in Internal Management Memorandum (IMM) #6-17 *Student Grievance Procedures* shall govern the investigation and disposition of the complaint. For all other persons filing a complaint under this Rule, the procedures outlined in IMM

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#1-7 *Educational and Work Environment* shall govern the investigation and disposition of the complaint. All complaints of harassment or discrimination should be filed within 60 days of the alleged incident; however, this time limit is not absolute and failure to file within that time shall not have an adverse impact on the complainant or the College.

All investigations instituted under this Rule and applicable procedures shall be conducted in a strictly confidential manner and all persons involved shall be admonished to refrain from disclosing any information pertaining to the investigation. Complete written records of the investigation shall be maintained in a separate file with restricted access. At the conclusion of the investigation, the President will determine what disciplinary and/or remedial action is to be taken, if any.

No person filing a complaint under this section shall be subject to any adverse action by the College or any employee of the College. Any person acting in a manner deemed to be retaliatory for the filing of a complaint under this Rule shall be subject to appropriate disciplinary action. Any person filing a complaint under this Rule, which complaint is determined to have been filed in bad faith or for purposes of harassment, embarrassment or to disrupt the orderly operation of the College, may be subject to disciplinary action.

Rule Adopted: 6/13/83; 12/16/85; 11/16/87; 10/21/97; 1/16/07; 1/20/09; 5/15/18

Effective Date: 6/13/83; 12/16/85; 11/16/87; 10/21/97; 1/16/07; 1/20/09; 5/15/18

Legal Authority:

General Authority: Florida Statutes: 1001.64; 1001.65

Other References: Florida Administrative Code: 6A-19.008(1)

Law Implemented: Florida Statutes: 110.112(5); 1000.05;
1001.64(1)(2)(4)(8)(18)(43)(44); 1001.65(1)(3)(16)(22)(24)

Proposer: Timothy L. Beard, Ph.D., President

Administratively reviewed, no changes recommended: 01/03/13