

E-18 POLICY Title IX, Anti-discrimination, Anti-harassment, and Anti-retaliation

### **Elimination of Discrimination**

Southeast Community College hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination and sexual misconduct. In compliance with federal and state statutes and regulations, the College will develop relevant procedures in adherence with College policy.

Southeast Community College does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities. Reasonable accommodations will be provided to employees with disabilities and to those who are pregnant, have given birth, or have a related medical condition, as required by law. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

- Students: Assistant Campus Director/Dean of Students, Vice President of Student Success & Title IX Coordinator or their designee
- Employees and Others: Human Resources & Title IX Coordinator

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office of Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or [ocr.kansascity@ed.gov](mailto:ocr.kansascity@ed.gov).

### **Designation of Title IX Coordinator**

The College believes a Title IX Coordinator is essential in the elimination and prevention of sex-based discrimination and sexual misconduct. The College will designate and authorize a minimum of one employee to coordinate its efforts to comply with its Title IX responsibilities. The College will notify applicants for admission and employment, students, parents, employees, and other interested parties of the name or title, office address, electronic mail address, and telephone number of the designated Title IX Coordinator(s). The College, through the Title IX Coordinator(s), will accept a report of sex discrimination or sexual misconduct from any person and by any method that results in the Title IX Coordinator(s) receiving the report.

### **Dissemination of Policy and Related Information**

The College believes that transparency of its policies and procedures related to sex discrimination and sexual misconduct is essential in eliminating these behaviors. The College can accomplish transparency by making all public disclosure requirements related to Title IX and sexual misconduct available on its website, in its catalog, and any other location required by law or regulation.

### **Prohibited Harassment, Discrimination, and Retaliation of Employees, Students, and Others**

The Southeast Community College is committed to offering employment and educational

opportunities to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment or retaliation of any kind by College employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct, that itself is not otherwise protected, relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- a. Unwelcome conduct that a reasonable person would determine is severe, pervasive, and objectively offensive that has the effect of denying equal access to create an intimidating, hostile, or abusive educational or work environment, and/or as defined by current Title VII or Title IX federal regulations or
- b. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services, or
- c. Sexual assault, dating violence, domestic violence or stalking.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the College, whether those programs take place in a College's facilities, in a College vehicle, at a class or training program sponsored by the College at another location, or elsewhere.

Discriminatory harassment because of a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, may include, but is not limited to:

- a. Name-calling,
- b. Teasing or taunting,
- c. Insults, slurs, or derogatory names or remarks,
- d. Demeaning jokes,
- e. Inappropriate gestures,
- f. Graffiti or inappropriate written or electronic material,
- g. Visual displays, such as cartoons, posters, or electronic images,
- h. Threats or intimidating or hostile conduct,
- i. Physical acts of aggression, assault, or violence, or
- j. Criminal offenses.

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- a. Unwelcome sexual advances or propositions,
- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,

- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
- g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the College knows or reasonably should know about possible harassment, including violence, the College will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled "Grievance Procedures," below), and take appropriate interim measures, if necessary. If the College determines that unlawful harassment occurred, the College will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off College property creates a hostile environment at College, the College will follow this policy and grievance procedure, within the scope of its authority.

All College employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator). Licensed counselors employed by the College and officials serving in the role of counselor have privileged communication with their clients and as such will only provide the minimum information necessary for public disclosure requirements.

The College believes proactive measures can be taken to prevent sex-based discrimination and sexual misconduct before they occur. The College is committed to ongoing assessments to ensure compliance with this policy throughout the College and with its contractors and servicers. The College will take action to overcome the effects of limited participation in a program or activity by a particular sex.

#### **Conduct Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

The College believes it has a responsibility to assist the community in the elimination of dating violence, domestic violence, sexual assault, and stalking. The College can assist in reaching this goal through primary prevention education and strategic partnerships with community and government agencies striving for the same goal.

#### **Anti-retaliation**

The College prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the College's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The College will take immediate steps to stop retaliation and prevent its recurrence against the

alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the College will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

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**Related Procedure:** E-18a

**Adopted:** 12/13/22

**Reviewed:** 12/10/21, 8/2/22, 10/21/22, 11/08/22, 2/20/24

**Next Review:** TBD

**Web link:**

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