325.00 NON-DISCRIMINATION, ANTI-HARASSMENT & EQUAL OPPORTUNITY EMPLOYMENT

Non-Discrimination and Anti-Harassment Policy
Cowley College strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The environment of the College should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Employees should be able to work and learn in a safe yet stimulating atmosphere. The accomplishment of this goal is essential to the mission of the College. For that reason, Cowley College will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, the College will seek to prevent, correct and discipline behavior that violates this policy.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension or termination of employment.

Equal Employment Opportunity
Cowley College is an equal opportunity employer. The College prohibits discrimination and harassment of any type and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender and identity expression, genetic information, marital status, political affiliation or other legally protected category. Cowley College conforms to the spirit as well as to the letter of all applicable laws and regulations. In addition to federal law requirements, Cowley College complies with applicable state and local laws governing nondiscrimination in employment in every location in which the College has facilities. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

Discrimination
It is a violation of Cowley College's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender and identity expression, genetic information, marital status, political affiliation or other legally protected category. This policy is intended to comply with the prohibitions stated in federal, state and local anti-discrimination laws.

Notice of Non-Discrimination Statement
Cowley College is dedicated to providing equal opportunities to all individuals regardless of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender and identity expression, genetic information, marital status, political affiliation or other legally protected category. The College will provide all qualified individuals reasonable accommodations in the work and educational environment and ensure equal access to all College programs, activities and facilities. The College does not discriminate in admissions, educational programs, or employment on the basis of any factor outlined above or prohibited under applicable law.

This prohibition against discrimination applies to College employees, students, contractors, or agents of the College and to anyone participating in a College-sponsored event or activity. Inquiries concerning the college's compliance with its non-discrimination policies may be referred to the Student Affairs Office or the Human Resources Office at 125 S Second St, Arkansas City, KS 67005 or by calling 620.442.0430.

Harassment
Harassment is a form of unlawful discrimination and violates Cowley College policy. Cowley College prohibits harassment, of any kind. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender and identity expression, genetic information, marital status, political affiliation or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individuals' employment opportunities.

Harassing conduct occurs when, in the employee's opinion, the conduct impairs his or her ability to perform his or her job. Acts of harassment may include (but not limited to); epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; bullying; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on College time, during College sponsored events, or using College equipment by e-mail, phone (including voice messages), text messages, social networking sites or other public means.

Sexual Harassment
Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under Cowley College's Non-Discrimination and Anti-Harassment policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo, and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Retaliation
Cowley College encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of Cowley College to promptly and thoroughly investigate such reports. Cowley College prohibits retaliation against any individual who reports discrimination or harassment, files a charge of discrimination or harassment, opposes a practice believed to be unlawful discrimination, or assists, testifies or participates in an investigation.

Complaint Process
Employees who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with the Director of Human Resources. Cowley College encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment and discrimination.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation, what the law allows and appropriate corrective action.
Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately to the Director of Human Resources and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling or disciplinary action such as a warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as Cowley College administration believes appropriate under the circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to Cowley College's President.False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

Policy 325 is implemented in process through procedure AP 325.

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