



Non-Discrimination and Anti-Harassment Policy

Policy Statement on Discrimination

Gordon State College does not discriminate on the basis of sex, race, color, national origin, religion, age, disability, genetic information, veteran status, or any other characteristic protected by applicable law, nor does it permit members of the college community to engage in such discrimination. Gordon State College also prohibits retaliation against individuals who report or oppose conduct which they reasonably believe to violate this policy, as well as individuals who cooperate with investigations of reported discrimination.

This policy on non-discrimination applies to all employment and educational opportunities, including but not limited to recruitment, hiring, compensation, employment benefits, advancement, discipline, educational programs and activities, academic standing, and all other programs, activities, and opportunities offered or governed by Gordon State College.

This policy on non-discrimination further applies to all administrators, faculty members, staff, employees, applicants, independent contractors, students, prospective students, visitors, volunteers, and other members of the Gordon State College community. It is the policy of Gordon State College that members of the college community have the opportunity to work, attend classes, and pursue educational and developmental pursuits in an atmosphere and environment that is free from any form of discrimination. The College expects that all faculty, staff, and students will act in a responsible and professional manner to maintain an environment free from discrimination.

Any person who violates this policy against discrimination will be subject to appropriate penalties, which may include termination, expulsion, and/or dismissal.

Policy Statement on Harassment

Gordon State College prohibits, and will not tolerate, harassment based on sex, race, color, national origin, religion, age, disability, genetic information, veteran status, or any other characteristic protected by applicable law.

This policy applies to all administrators, faculty members, staff, employees, applicants, independent contractors, students, prospective students, visitors, volunteers, and anyone else who visits or has business on the campus of Gordon State College or interacts with employees, students, or other members of the college community. Any person who violates this policy against harassment will be subject to appropriate penalties, which may include termination, expulsion, and/or dismissal.

“Harassment” prohibited by this policy includes any conduct (including electronic conduct such as emails and texting) that has the purpose or effect of interfering with an individual’s work or educational performance or creates an intimidating, hostile, or offensive working and/or educational environment, or of interfering with or limiting one’s ability to fully participate in or benefit from an educational program or activity. This is the case even when the person responsible for such conduct did not intend to be offensive, or is not part of the Gordon State College community.

This policy lists some examples of harassment, but it is impossible to list every type of behavior that can be considered harassment in violation of this policy. Thus, all members of the college community must be appropriately sensitive to the feelings of others.

Compliance Responsibility and Questions

Gordon State College has established its Non-Discrimination and Anti-Harassment Policy in accordance with Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Acts of 1964, and other applicable law.

Title IX expressly prohibits sex discrimination (including sexual harassment and sexual violence) with respect to education programs and activities (including admissions), and with respect to employment at this educational institution. Gordon State College has appointed the Director of Human Resources as its Title IX coordinator, and he or she may designate others to assist as needed in implementing or enforcing this policy.

Anyone with questions regarding this policy should contact the Director of Human Resources at Gordon State College, Department of Human Resources, 419 College Drive, Barnesville, Georgia 30204, (678) 359-5011.

Related Documents/Resource

- Board of Regents Policy Manual – Section 8.0 (Personnel)- [Sexual Harassment](http://www.usg.edu/policymanual/section8/) – <http://www.usg.edu/policymanual/section8/>
- Human Resources Administrative Practice Manual – [Prohibit Discrimination & Harassment](http://www.usg.edu/hr/manual/prohibit_discrimination_harassment/) -http://www.usg.edu/hr/manual/prohibit_discrimination_harassment/

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Sexual Harassment

Sexual harassment (including opposite-sex, same-sex, or sexual orientation harassment) is strictly prohibited. Sexual harassment includes unwelcome sexual advancements, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or status in a course, program or activity;
- Submission to or rejection of such conduct by an individual is used as a basis for employment and/or educational decisions affecting an individual; or
- Such conduct has the purpose or effect of: (i) interfering with an individual's work or educational performance; (ii) creating an intimidating, hostile, or offensive working and/or educational environment; or (iii), interfering with or limiting one's ability to fully participate in or benefit from an educational program or activity.

Gordon State College prohibits dating or sexual relationships between individuals subject to this policy when one of those individuals has supervisory authority (employment or academic) over the other. In addition, Gordon State College prohibits faculty and staff from having a dating or sexual relationship with students whom they are currently supervising or teaching. Any person involved in one of the foregoing relationships is prohibited from making any decisions that affect the conditions of employment, or the academic status or experience, of the subordinate with whom he or she is involved. The assertion that such a relationship began by mutual consent does not prevent, negate, or disprove a subsequent claim of sexual harassment.

Examples of Sexual Harassment

Examples of sexual harassment include, but are not limited to, the following:

- Unwanted teasing, jokes, remarks, or questions of sexual nature
- "Sexist" comments or behavior (in other words, conduct that demeans other individuals because of their sex, even if such conduct is not vulgar, lewd, or sexually provocative)
- Displays of sexually oriented reading materials or pictures, including electronic materials
- Unwanted touching that is sexual in nature
- Promising favorable treatment or threatening unfavorable treatment based on an individual's response to sexual propositions or demands
- Unwanted pressure for dates or sexual favors
- Unwanted letters, emails, texts, phone calls, looks, or gestures that are sexually suggestive

- Actual or attempted rape, sexual assault, or other forms of sexual violence
- Punishing, threatening, harassing, or otherwise retaliating against an individual who has complained of sexual harassment, including but not limited to any of the above conduct

Harassment Based On Other Characteristics

Harassment based on race, color, national origin, religion, age, disability, veteran status, or any other characteristic protected by applicable law is also strictly prohibited. Examples of conduct that will be considered harassment based on these characteristics include the following:

- Jokes or negative comments about protected characteristics
- Epithets, slurs, negative stereotyping, or terms recognized as denigrating individuals or groups based on protected characteristics
- Written materials, displays, or pictures (including electronic materials) containing negative references about protected characteristics
- Vandalism or “pranks” based on protected characteristics characteristics
- Punishing, threatening, harassing, or otherwise retaliating against an individual who has complained of protected category harassment, including but not limited to any of the above conduct

Academic Freedom and Freedom of Expression

Gordon State College is committed to protecting and encouraging freedom of expression and academic freedom with respect to teaching, learning, research, service, and other educational or academic endeavors. However, such freedoms do not limit the right of other individuals to be free from prohibited discrimination and harassment. Thus, while claims of freedom of expression and academic freedom will be carefully considered when investigating allegations of harassment, raising such issues will not excuse conduct that is found to violate applicable law or this policy.

The Role of Supervisors, Administrators, Faculty and Staff

All supervisors, administrators, faculty, and staff share in the responsibility for maintaining a work and learning environment free from harassment. Any faculty or staff member who becomes aware of conduct which he or she believes violates this policy should immediately notify the Director of Human Resources or a Vice President of Gordon State College.

Any manager, supervisor or administrator who receives a report or complaint of harassment must immediately notify the Director of Human Resources or a Vice President of Gordon State College.

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If any employee becomes aware of conduct which he or she believes to be harassment, such conduct must be reported to the Director of Human Resources. Failure to report such conduct may result in serious consequences for Gordon State College, as well as disciplinary action against the employee.

Procedures for Reporting and Handling Harassment and Discrimination

Any employee, student, or other member of the Gordon State College community who becomes aware of, or subjected to, conduct that he or she believes violates this policy should promptly report the matter as follows:

- Students and prospective students should report alleged harassment or discrimination to: (a) the Director of Human Resources (who is also the Title IX Coordinator for Gordon State College); (b) the Vice President for Student Affairs; or (c) the Director of Public Safety. In all cases, the Vice President of Student Affairs or the Director of Public Safety must promptly notify the Director of Human Resources of such reports.
- Employees, applicants, and other members of the college community should report alleged harassment and discrimination to: (a) the Director of Human Resources; (b) the Vice President responsible for the area in which the person who was subjected to the alleged harassment or discrimination (hereafter referred to as “the complainant”) works; or (c) the Vice President responsible for the area in which the alleged harassment occurred. In all cases, a Vice President who receives a report of harassment must immediately notify the Director of Human Resources of such reports.
- Upon receiving or learning of a report of harassment or discrimination, the Director of Human Resources will promptly contact the complainant to initiate an investigation.
- During the initial interview, the complainant will be treated with sensitivity and discretion. As part of that interview, the Director of Human Resources will prepare a written summary of the report which will be verified by the complainant. The written summary should include at least the following:
 - a) What specifically was said or done
 - b) When and how frequently the conduct occurred (with specific dates if available)
 - c) Where the conduct occurred
 - d) The time period over which the conduct occurred
 - e) A list of persons who may have witnessed or know of the conduct, including anyone with whom the complainant may have discussed the conduct
 - f) How the complainant responded to the conduct
 - g) Any other information that the complainant or the interviewer believes to be relevant based on the circumstances

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- During the initial interview, the complainant will also be asked what steps, if any, may be needed to protect the complainant from retaliation or from ongoing discrimination or harassment. The Director of Human Resources, in conjunction with appropriate administrators, will be responsible for implementing reasonable measures to protect the complainant from such discrimination, harassment, or retaliation during the course of the investigation.
- The Director of Human Resources and the appropriate administrator will promptly discuss with the complainant the possibility of an informal resolution. If the complainant finds such a resolution agreeable, the Director of Human Resources and the appropriate administrator will discuss the matter with the alleged offender (hereafter referred to as “the respondent”) and thereafter initiate whatever steps they deem appropriate to affect an informal resolution of the complaint acceptable to both parties. If an informal resolution is reached, it will be documented in writing and approved by the Director of Human Resources and the appropriate administrator prior to being implemented.
- If an informal resolution satisfactory to the parties is not reached within 15 calendar days after an incident is reported; or if in the sole discretion of the appropriate college official, an informal resolution is not possible, a full investigation will begin.
- At some point during the investigation, the Director of Human Resources will inform the alleged offender (hereafter referred to as “the respondent”) of the allegations and provide a written summary of the complaint. The respondent will be given the opportunity at that time to provide information regarding the allegations, including but not limited to a list of witnesses who have information relevant to the allegations.
- The Director of Human Resources, administrators, and other managers will keep the allegations and the identity of the parties confidential to the extent that doing so does not inhibit the investigation or Gordon State College’s legal obligations.
- A report of the investigation results, along with a recommendation for resolution of the complaint (including any recommendations for disciplinary or punitive action) will be made to the President within 60 days of the date the investigation was initiated. Upon approval of the President, the Director of Human Resources or appropriate administrator will promptly initiate appropriate remedial or corrective action, if warranted.
- After the investigation is completed, the complainant and the respondent will be notified of the College’s factual conclusions with respect to the allegations. If College determines that conduct in violation of this policy occurred, appropriate steps will be taken to:
 - a) Discipline and/or penalize the respondent as appropriate under the circumstances

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- b) Remedy any adverse effects suffered by the complainant as a result of prohibited harassment or discrimination
- c) Ensure that the complainant is not subjected to further harassment or retaliation based on his or her complaint of prohibited conduct

These procedures do not replace the right of the complainant to pursue other options or remedies available under applicable law.

Disciplinary Actions

Anyone who is found to have engaged in harassing behavior will be subject to appropriate administrative and/or disciplinary action, including termination, expulsion, and/or dismissal.

Furthermore, anyone who is found to have knowingly and purposely filed a complaint known to be false will also be subject to appropriate administrative and/or disciplinary action, including termination, expulsion, and/or dismissal.

A respondent who wishes to appeal a disciplinary action imposed upon him/her as result of the investigation may file a written appeal with the President of Gordon State College within ten (10) working days from the date the respondent is notified of the intended action.

Cooperation and Non-Retaliation

All employees, including the complainant and the respondent, are required to cooperate with an investigation. Persons who are asked to provide information are expected to cooperate fully and truthfully, and to maintain the confidentiality of the investigation. Employees who fail to cooperate or who provide false testimony will be subject to appropriate penalties, which may include termination, expulsion, and/or dismissal.

Gordon State College prohibits anyone from retaliating against an individual who reports harassment or discrimination or cooperates with a investigation of harassment or discrimination. Such retaliation may result in administrative and/or disciplinary action, up to and including termination.

Anyone who becomes aware of, or experiences, retaliation in violation of this policy should immediately report that retaliation using the reporting procedure set forth above.