

Davis Applied Technology College: A Utah College of Applied Technology Campus Anti-Harassment/Discrimination Policy

Effective Date: 22 April 2004

CDMT Approval: 16 March 2004

President's Council Approval: 23 March 2004

Board Approval: 22 April 2004

1. Purpose

The purpose of the Davis Applied Technology College: A Utah College of Applied Technology College Campus (College Campus) Anti-Harassment/Discrimination Policy is to create a work environment that is supportive of the College Campus objectives, partners, and employees by striving to create and maintain a work environment in which people are treated with dignity, decency and respect. The environment of the College Campus should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Employees should be able to work in a safe, yet stimulating atmosphere. The accomplishment of this goal is essential to the mission of the College Campus and the College Campus is committed to this objective through enforcement of this policy and through awareness of employees. The College Campus seeks to prevent, correct and discipline behavior that violates this Policy.

2. References

2.1. Family Educational Rights and Privacy Act (FERPA).

2.2. Titles IV, VI and VII of the 1964 Civil Rights Act

2.3. Title IX of the Education Amendments of 1972.

2.4. Utah Code Annotated, Section 34A-5-106, Utah Anti-discrimination Act.

2.5. Utah Code Annotated, Section, 62A-4a-403, Reporting Requirements

2.6. Utah Code Annotated Section 63-2, Government Records Access and Management Act (GRAMA).

3. Policy

3.1. No individual may engage in conduct that constitutes unlawful harassment or discrimination as defined under applicable law or policy. This prohibition pertains to, but is not limited to, any illegal or unwelcome act or omission that is based on race, color, creed, religion, national origin, sex, age, disability, or other legally protected category. It also pertains to conduct in violation of other applicable state or federal law, or regulation, or internal policy.

3.2. Violators shall be subject to disciplinary action including termination or referral for criminal prosecution where appropriate.

3.3. Any employee who has reason to believe that a child has been subjected to sexual abuse, or physical abuse, shall immediately notify a designated complaint officer, Title IX officer, or law enforcement agency.

3.4. College Campus employees with supervisory responsibility who know, or have reason to know, of a harassment or discrimination violation must take immediate action to correct the situation.

3.5. The initial notice of complaint or inquiry may be submitted either orally or in writing.

3.6. Individuals who believe they are victims, or are witness to such acts, may utilize one or more of the following:

3.6.1. Seek advice from a designated complaint officer, Title IX officer, or employee representative (others).

3.6.2. Seek to resolve issue(s) directly with the accused.

3.6.3. Seek to resolve issue(s) through supervisory personnel.

3.6.4. File a complaint with the appropriate external agency.

3.7. Retaliation. Retaliation against any person who has filed a complaint, testified, assisted or participated in any manner in an investigative proceeding or hearing is prohibited. Individuals found guilty of retaliation may face disciplinary action, up to and including termination.

3.8. Records. Records of harassment or discrimination complaints are to be maintained by the Human Resource Office as required by law and regulation. The records will be kept in a separate and confidential file as required by the applicable law and regulation. Information gathered, developed and documented in an investigation will be regarded as a “protected” record.

3.9. Outside Reporting Procedures. Nothing in this policy shall prohibit a person from filing an employment discrimination claim directly with the appropriate external agency.