

EQUAL EMPLOYMENT OPPORTUNITIES SECTION 100

Smith College Affirmative Action Policy

Smith College affirms that diversity in all aspects of the educational environment is necessary for achieving the highest level of academic excellence. As a central element of this commitment to excellence, the college seeks to provide an environment that fosters the recruitment and success of a diverse student, faculty and staff community. The college aspires to create and maintain an educational, working, and living environment that is respectful of differences and free from harassing behavior.

It is the policy of Smith College to provide equal employment opportunities without regard to race, color, religion, religious creed, sex, national origin, ancestry, age, sexual orientation, gender identity or expression, disability, genetic information, military or veteran status, pregnancy or pregnancy-related conditions. This policy relates to all phases of employment including, but not limited to, recruiting, employment, placement, promotion, demotion or transfer, reduction of workforce and termination, rates of pay or other forms of compensation, professional development and training, the use of all facilities, and participation in all college-sponsored employee activities.

Smith College employees carry out this commitment by:

1. Lawfully administering all employment policies;
2. Addressing and not tolerating unlawful discrimination, including harassment, in the workplace;
3. Addressing and not tolerating unprofessional conduct in the workplace.
4. Making all employment decisions consistent with the principles underlying equal employment opportunity.
5. Making reasonable accommodations for employees with disabilities. See Section 102 for disability policy.

Consistent with its commitment to access and diversity and as a federal contractor, the college takes affirmative action as called for by applicable laws and executive orders to ensure that minorities, women, veterans, and individuals with disabilities are introduced into our workforce and considered for promotional opportunities as they arise.

It is the responsibility of each supervisor of the college to ensure implementation of these policies to avoid any discrimination in employment. All employees are expected to be familiar with these policies and cooperate with their implementation. Intentional violation of these policies is a basis for employee disciplinary action. Employees and applicants shall not be subjected to retaliation or intimidation because they have: (1) filed a complaint; (2) assisted or participated in an investigation, compliance review, hearing or any other activity related to the administration of any federal, state, or local law requiring equal employment opportunity; (3) opposed any act or practice made unlawful by any federal, state, or local law requiring equal

opportunity; or (4) exercised any other legal right protected by federal, state, or local law requiring equal opportunity.

The Vice President for Equity and Inclusion and Director of Equal Opportunity and Compliance in conjunction with Human Resources have been assigned to direct the establishment of and to monitor the implementation of personnel procedures to guide our affirmative action program throughout the college, and to oversee and coordinate all efforts of the College to achieve its goals in the attainment of campus diversity. This policy and related initiatives are posted on the [Office for Equity and Inclusion](#) website.

Commitment to Academic Freedom

As an academic institution, teaching, doing research, and learning are subject to the protections of 'academic freedom' as described in the college's policy on academic freedom. Actions or words used in the context of the academic curriculum and teaching environments that serve legitimate and reasonable educational purposes will not be evaluated as harassment or unlawful discrimination because of the principles underlying academic freedom.

Equal Opportunity Policy Complaint Procedure

The College has created the following guidelines and procedures for the resolution of complaints alleging violation of this Equal Opportunity Policy.

I. Pre-Complaint Resolution Strategies

In a diverse community, disagreements and conflicts of various degrees of seriousness are inevitable. Many issues are best resolved informally, by direct communication between the individuals involved, or with the help of mediation by a third party. However, such a strategy may be inappropriate when the conduct is severe or when the person responsible for the alleged behavior holds a position of authority. Under these circumstances, the complainant is encouraged to use the formal complaint procedure. The Equal Opportunity Complaint Filing form is found on [Office for Equity and Inclusion website](#).

The following members of the college community are available to discuss complaints or concerns under this policy: all supervisors or department heads, the VP for Equity and Inclusion, the Director of Equal Opportunity and Compliance, the Associate VP for Human Resources, the Assistant Director of Employee Relations, and the Dean of the School for Social Work (an option for employees within the School of Social Work).

These persons are prepared to assist with the assessment of a concern and to explain the options and resources available for resolving concerns. Questions are encouraged; merely discussing an incident in this way does not commit an individual to making a complaint.

After discussion with one or more of these persons, the complainant may: pursue the matter on their own; ask the Director of Equal Opportunity and Compliance to discuss the matter with the person who engaged in the conduct; inquire about the possibility of mediation; or proceed to the formal complaint process described below. The Director of Equal Opportunity and Compliance will provide information to the parties on the substantive issues involved and the means for

addressing the complaint and its possible resolution. Should one of these persons undertake to mediate, they will inform the Director of Equal Opportunity and Compliance.

The matter will be considered resolved when there is an agreed resolution acceptable to the parties. A written record of the resolution and any other relevant documents will be maintained by the Office for Equity and Inclusion and will not become part of a personnel file. Failure to respond to a complaint, or refusal to participate in informal mediation, shall not be introduced as a consideration during any formal proceedings that may arise.

Informal resolution may not be appropriate when the behavior complained of is so egregious as to constitute a violation of policy that could result in disciplinary action. After learning about a situation that could potentially fall under this policy, any of the above listed persons will consult with the Vice President for Equity and Inclusion and/or the Director of Equal Opportunity and Compliance regarding a course of action.

II. Formal Complaint Procedures

When the college receives a formal complaint under this policy it will promptly investigate the allegation in a fair and expeditious manner. Every effort will be made to proceed while maintaining confidentiality to the extent practicable under the circumstances. If it is determined that this policy has been violated, the college will act promptly to eliminate the offending conduct, and where appropriate will impose disciplinary action.

If a complainant believes the Equal Opportunity Policy has been violated and informal resolution is not appropriate, or has not been successful, they should report the incident promptly to their supervisor or department head, VP for Equity and Inclusion, the Director of Equal Opportunity and Compliance, the Associate VP for Human Resources, the Assistant Director of Human Resources, or the Dean of the School for Social Work (an option for employees in the School for Social Work). In order to aid in the fairness of this process, formal written complaints are "strongly encouraged" to be filed within 7 (seven) calendar days of the offending or questionable action or behavior.

This procedure does NOT cover allegations of gender-based and sexual misconduct that is covered by the college's [Gender-Based and Sexual Misconduct Policy](#), Section 105, in this handbook.

The following is an outline of the procedure generally followed once a complaint has been brought to the attention of the college:

- A prompt and impartial investigation of the complaint is conducted by the Director of Equal Opportunity and Compliance or their designee. The investigation will consist of gathering relevant information, including via interviews of the individual who made the complaint, the person or persons against whom the complaint was made and other individuals who may have witnessed the reported incident or incidents as well as reviewing relevant documentation.

- Upon completion of the investigation, the Director of Equal Opportunity and Compliance or their designee or the VP for Equity and Inclusion will meet individually with the person who made the complaint and the individual(s) against whom the complaint was made, to prepare the results of the investigation and, where a remedy is determined to be appropriate, to inform the parties of the steps that will be taken to remedy the situation.

DISCIPLINARY ACTION

In the event the investigation results in a finding that this policy has been violated, further action will be taken in consultation with the AVP of Human Resources and/or the Provost and Dean of the Faculty, or, the Dean of the School of Social Work (if the employee works in the School of Social Work) including disciplinary action such as but not limited to reprimand, change in work assignment, mandatory training or suspension and/or immediate termination.

CONFIDENTIALITY

All actions taken to investigate and resolve complaints through this procedure shall be conducted with as much privacy, discretion, and confidentiality as possible, without compromising the thoroughness and fairness of the investigation. All persons involved should treat the situation with respect. To conduct a thorough investigation, the investigator(s) may discuss the complaint with witnesses and those persons involved in or affected by the complaint, and those persons necessary to assist in the investigation or to implement appropriate disciplinary actions.

NO RETALIATION FOR FILING A COMPLAINT

Retaliation against an individual for making a complaint or for assisting in the investigation of such a complaint will not be tolerated. Any acts of retaliation will be subject to disciplinary action. If an individual involved in an investigation believes they have been retaliated against, they should contact one of the on-campus resources listed.

III. State and Federal Agency Complaints

In addition to the above, an individual who believes they have been subjected to illegal discrimination may file a formal complaint with the government agencies listed below. Using the College's complaint process does not prohibit an individual from filing a complaint with either of these agencies. Claims filed with MCAD or EEOC must be filed within 300 days from the date of the alleged violation.

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION (MCAD)

Boston Office:

One Ashburton Place, Room 601

Boston, MA 02108

(617) 994-6000

Springfield Office:

436 Dwight Street, Rm 220

Springfield, MA 01103
(413) 739-2145

U. S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)
John F. Kennedy Federal Building
25 Sudbury Street
Boston, MA 02222
Telephone: (617) 565-3200

Diversity: Our Vision Section 101

As a central element of its commitment to excellence, Smith College seeks to provide an environment that fosters the recruitment and success of a diverse student, faculty, and staff Community.

Diversity Principles

Power and privilege influence access to opportunities and resources, according to distinctions among people based on race, age, ethnicity, gender, sexual orientation, social class, religion, and disability. Within any given community, people will have multiple and complex social identities that both connect them to and differentiate them from others. Valuing diversity requires not simply an acknowledgement of differences, but a commitment to overcoming inequities and fostering a hospitable and respectful community.

Diversity Goals

Diversity initiatives at the college have three goals:

1. to enable all to recognize and learn about the varied traditions, backgrounds, and capacities that members of the community bring to the college, and to recognize that each member has something to teach and something to learn;
2. to foster critical thought about equality, inequality, power, and privilege in society;
3. and, finally, to reduce (as much as is possible) inequalities in the college community that are based on such differences.

See the Code of Conduct - Fair Employment Practices and Diversity for more information.

Americans with Disabilities Act (ADA) Compliance Section 102

Smith College is committed both philosophically and legally to assuring access to all college programs and services. The college pursues the goal of equal access through proactive institutional planning and barrier removal, as well as through the provision of reasonable and appropriate accommodations to students, staff, and faculty with documented disabilities.

Reasonable Accommodations

Smith College is prepared to modify or adjust a position or the work environment to make a reasonable accommodation to the known disability of an otherwise qualified employee to enable them to perform the essential functions of the job, unless:

1. the accommodation would impose an undue hardship on business operations, i.e., an accommodation would be unduly costly, extensive, substantial, or disruptive, or would fundamentally alter the nature or operation of the business, or
2. even with a reasonable accommodation, the individual would still pose a direct threat of substantial harm to the health or safety of him/herself or others.

Determining What Is Reasonable

In determining whether a requested accommodation is reasonable, the College, specifically Human Resources, in consultation with the Office of Disability Services and with the employee's supervisor as needed, will consider on a case-by-case basis whether such a request is feasible and effective, and does not create undue hardship and/or would fundamentally alter the nature of the college's operation of its business.

Accommodation Request Process

1. Meet with your supervisor, Human Resources, the Office of Disability Services, or the Associate Dean of Faculty to discuss the disability and resulting needs.
2. Complete a [Voluntary Request for Reasonable Accommodation form](#) Voluntary Request for Reasonable Accommodation form and submit it to Human Resources.
3. Have your healthcare provider submit the Attending Physician's Statement to Human Resources. Additional documentation may be needed if there is an ongoing need for the accommodation.
4. Human Resources will determine if a disability exists as defined under the American with Disabilities Act (ADA).
5. If a disability exists, Human Resources will gather additional information, as needed, to determine if the accommodation requested is reasonable.
6. Human Resources or the Associate Dean of Faculty will communicate the results of the inquiry to you.
7. If an accommodation is determined reasonable and necessary, Human Resources or the Associate Dean of Faculty will assist in either providing the requested accommodation or an equally effective alternative. Human Resources or the Associate Dean of Faculty will work with your supervisor or chair to facilitate the accommodation when appropriate. Reasonable accommodation does not negate requirements for good job performance or adherence to generally applicable standards of productivity or conduct.

8. In the event there is a dispute concerning the disposition of the requested accommodation, you may appeal the decision to the Associate VP of Human Resources, the Director of Equal Opportunity and Compliance, or to the VP of Equity and Inclusion.

The College will be unable to provide an accommodation if an individual with a disability does not disclose and provide documentation of a disability and/or does not make a request with enough time to provide the accommodation. Every effort will be made to provide for requests determined reasonable, but an alternative may also be provided.

Disability and Accommodation Issues Frequently Asked Questions

What is a workplace accommodation?

A workplace accommodation is a modification or adjustment to a job, the work environment, or the way in which a job is usually done that enables an individual with a disability who is otherwise qualified to perform a job to attain the same level of performance and to enjoy the same benefits and privileges of employment.

Generally speaking, accommodations are services, resources, adaptations, and restructuring which allow an individual with a disability to have equal access to something someone without a disability has access to. The umbrella term “accommodation” refers to auxiliary aids terminology often used for student accommodations) and employment-based services, resources, and adaptations. An institution is obligated to provide accommodations and/or auxiliary aids to individuals with disabilities as defined by the ADA. However, the accommodation must be reasonable. Although the ADA provides examples of different kinds of auxiliary aids and accommodations, all accommodations are determined on an individual basis after an examination of pertinent medical documentation or other appropriate documentation.

How will my requested workplace accommodation be evaluated?

You may initially meet with your supervisor, Human Resources or the Office of Disability Services to discuss your accommodation request individually and to gain an explanation of the process. Once you have submitted the appropriate forms and Human Resources receives the verification of the medical or psychological condition from your health care professional, we will determine whether the condition is a disability under the ADA. If the condition is protected by the ADA, Human Resources or the Office of Disability Services will then determine whether the requested workplace accommodation is appropriate and whether it will be effective in assisting you with your essential job functions. Supervisors and department chairs will be involved on an as-needed basis to assure implementation of proper accommodations. Accommodations cannot be provided retroactively.

The full Accommodation Request Process is posted on both the Disability Services and Human Resources websites.

What happens if I have no medical or other appropriate documentation?

Unfortunately, the college will not be able to guarantee either reasonable accommodations or auxiliary aids to anyone who is unable to provide necessary medical documentation. Please speak to Human Resources, the Office of Disability Services, or the Associate Dean of Faculty for advice on acquiring documentation of your disability. Documentation of a medical condition from a doctor does not automatically guarantee that you are covered by the ADA or that you will receive an accommodation. The determination of a disability and any reasonable accommodation under the law are made by the College.

What are my privacy rights regarding my medical information?

Disability-related information, including medical documentation, is treated as confidential and access is limited to protect an employee's privacy. Request for workplace accommodations and accompanying documentation will be kept in a confidential file separate from your personnel file.

Disability Services Section 103

Smith College is committed both philosophically and legally to assuring access to all college programs and services. The college pursues the goal of equal access through proactive institutional planning and barrier removal, as well as through the provision of reasonable and appropriate accommodations to students, staff, and faculty with documented disabilities.

Human Resources, in consultation with the Office of Disability Service, as needed assists faculty and staff with special needs or disabilities. Human Resources coordinates accommodations for employees, including physical modifications, special equipment, sign language interpreters, etc.

Questions about accommodations and services for faculty and staff should be directed to the Office of Human Resources.

Pregnancy Accommodation Policy Section 104

Requesting Pregnancy Accommodations

Staff or faculty who need a temporary change as to how, when, or where you work due to pregnancy or related conditions (childbirth, breastfeeding or pregnancy-related medical issues) may request an accommodation under this policy. Human Resources will provide written notice to all current employees of the right to be free from discrimination due to pregnancy or a condition related to pregnancy, and will provide written notice to all new employees.

Some examples of accommodations pursuant to pregnancy may include:

- More frequent or longer breaks
- Temporarily transferring to a less strenuous position
- Temporarily modifying a work schedule
- Temporarily refraining from heavy lifting more than 20 pounds

- Temporarily relocating to a different work area
- Assistance with manual labor
- Expressing breast milk

Pregnancy Accommodation Request Process

1. Meet with your supervisor, Human Resources, or the Associate Dean of Faculty to discuss your accommodation request(s) and resulting needs.
2. Complete a [Voluntary Request for Reasonable Accommodation form](#) and have your medical care provider complete the [Attending Physician's Statement](#) and submit to Human Resources. No written documentation is required for the following: (1) more frequent restroom, food, or water breaks; (2) seating; (3) limits on lifting more than 20 pounds; and (4) private, non-bathroom space for expressing milk.
3. Submit appropriate and current medical documentation or other documentation from a healthcare professional qualified to make an assessment of your condition to Human Resources. Additional documentation may be needed if there is an ongoing need for the accommodation.
4. If a disability exists, Human Resources will gather additional information, as needed, to determine if the accommodation requested is reasonable. Human Resources or the Associate Dean of Faculty will communicate the results of the inquiry to you.
5. If an accommodation is determined reasonable and necessary, Human Resources or the Associate Dean of Faculty will approve the requested accommodation or an equally effective alternative. Human Resources or the Associate Dean of Faculty will work with the requesting employee's supervisor or chair to facilitate the accommodation when appropriate. Reasonable accommodation does not negate requirements for good job performance or adherence to generally applicable standards of productivity or conduct.
6. In the event there is a dispute concerning the disposition of the requested accommodation, you may appeal the decision to the Associate VP of Human Resources or to VP for Equity and Inclusion or to the Director of Equal Opportunity and Compliance.

Related Policies

- Parental Leave (Section 512)
- Sick Leave Exempt (Section 505)
- Sick Leave Non-Exempt (Section 506)

Gender-Based and Sexual Misconduct Section 105

Smith College is committed to maintaining an environment free of discrimination, including harassment that interfere with the security, well-being, or academic or work experience of any member of the community. All employees are responsible for reading, understanding and abiding by the:

[Gender-Based and Sexual Misconduct Policy](#)

Sexual harassment on campus or in other settings related to college employment or enrollment, is unlawful, as well as unethical, and will not be tolerated. The college will respond promptly to complaints of sexual harassment, and, where it is determined that sexual harassment has occurred, will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate. This policy applies to all activities of the college, including Smith sponsored study abroad programs.

While this policy sets forth the College's goal of promoting a work and educational environment that is free from sexual harassment, the policy is not designed or intended to limit the College's authority to discipline or take remedial action for conduct that the College deems inappropriate or unacceptable, regardless of whether that conduct satisfies the legal definition of harassment.

Definition of Sexual Harassment

Both federal and state laws define and prohibit sexual harassment in employment and in the provision of educational services to students. In Massachusetts, the legal definition of sexual harassment is as follows: "sexual harassment" means sexual advances, requests for sexual favors and verbal or physical conduct of a sexual nature when:

1. submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or enrollment or is used as a basis for employment or educational decisions, placement services or evaluation of academic achievement; or
2. such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work or educational performance by creating an intimidating, hostile, humiliating or sexually offensive work or educational environment.

Under these definitions, direct or implied requests by a supervisor, professor, athletic coach or trainer, or other individual responsible for work or academic evaluations for sexual favors in exchange for actual or promised job or academic benefits constitutes sexual harassment. Benefits include grades, academic assignments, research opportunities, favorable reviews and recommendations, salary increases, promotions, increased benefits and continued employment or enrollment.

Sexual harassment can occur between individuals of the same gender and regardless of sexual orientation. The same standards that apply to harassment between individuals of the opposite sex apply to harassment involving individuals of the same sex.

The legal definition of sexual harassment is broad, and, in addition to the above examples, other sexually-oriented conduct may also constitute sexual harassment. Whether intended or not by the person engaging in the conduct, sexually-oriented conduct that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating or humiliating to another on the basis of sex may also constitute sexual harassment.

Commitment to Academic Freedom

As an academic institution, teaching, doing research, and learning are subject to the protections of 'academic freedom' as described in the College's policy on academic freedom. (See related matters at the end of this policy.) Actions or words used in the context of the academic curriculum and teaching environments that serve legitimate and reasonable educational purposes will not be evaluated as sexual harassment or other unlawful discrimination because of the principles underlying academic freedom.

Examples of Conduct

While it is not possible to list all circumstances that constitute sexual harassment, the following are some examples of conduct that may constitute sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances - whether they involve physical touching or not;
- Threats or insinuations that a person's employment, wages, academic grade, promotional opportunities, classroom work assignments or other conditions of employment or academic life may be adversely affected by not submitting to sexual advances;
- Dissemination of sexually explicit voicemail, email, text messages, graphics, downloaded material, forms of social media or web sites;
- Unwelcome sexual epithets, sexual jokes, written or oral references to sexual conduct, gossip regarding one's sex life;
- Unwelcome comments about an individual's sexual activity;
- Displaying sexually suggestive objects, pictures or cartoons;
- Unwelcome leering, sexual behavior, or sexual gestures;
- Unwelcome inquiries into another's sexual experiences;
- Unwelcome discussion of one's sexual activities;

Creating a hostile environment for others by engaging in harassing conduct that affects the workplace, or the teaching or research environment, or affects others' ability to compete for grades, research opportunities, academic or work assignments, compensation, and/or employment benefits. In addition to the conduct described above, romantic involvement (even if consensual) between supervisors and subordinates or between a faculty member and a student may create a hostile environment.

Depending on the totality of the circumstances and the nature of the complaint, the fact that a relationship began as a consensual relationship may NOT be a defense to a claim of sexual harassment.

Informal Resolution and Opportunities to ask Questions

An individual who believes they have been subjected to sexual harassment is advised to make it clear to the offender that such behavior is offensive. Early informal methods are often effective in correcting questionable behavior or resolving incidents of possible harassment.

By bringing the matter immediately to the attention of a supervisor, the Director of Equal Opportunity and Compliance, the VP for Equity and Inclusion, the Dean of Students, the Dean of the School for Social Work, the Associate Provost, the Associate VP for Human Resources,

or the Assistant Director of Human Resources the college can assure that prompt efforts will be made to help assess the situation, and determine what informal or formal steps are necessary.

Responding to a Complainant

If you have supervisory responsibilities, as do academic department chairs and managers, and possible harassment or other violations of this policy are reported to you, whether the person making the report is personally affected, you must immediately advise the Director of Equal Opportunity. This reporting will result in an evaluation of how best to respond and can include informal resolution, intervention, or filing of a formal complaint (see below).

If you are a faculty member who receives information from a person who believes that they are being or have been sexually harassed your obligation is to consult with the Director of Equal Opportunity and Compliance/Title IX Coordinator, The Provost, or the VP of Equity and Inclusion. Be aware that the complainant's interest in confidentiality and the reputation of the respondent are of equal importance at every stage of considering information shared. Depending on the totality of the circumstances and the nature of the complaint, and especially if the complainant is a student, information may have to be shared with the Director of Equal Opportunity/Title IX Coordinator.

Formal Complaint

An individual who believes that they have been subjected to harassment may file a formal complaint with the college. This may be done in writing or orally by contacting Amy Hunter, Director of Equal Opportunity and Compliance/Title IX Coordinator, (413) 585-2141 or ahunter65@smith.edu

If the Director is unavailable or if circumstances make it more appropriate, the complaint may be filed with the one of the following people:

- VP for Equity and Inclusion (413) 585-2141
- Associate VP for Human Resources (413) 585-2260
- Dean of Students (413) 585-4940
- Dean of the School for Social Work (413) 585-7977
- Associate Provost (413) 585-3000
- Director of Public Safety (413) 585-2490

These individuals are also available to discuss any concerns related to sexual harassment and to provide information about the college's policy on harassment and its complaint process.

Complaint Investigation

When the college receives a formal complaint, the Director of Equal Opportunity and Compliance/Title IX Coordinator or their designee will investigate the complaint allegations in a

prompt and thorough manner. The investigator will gather relevant information by interviewing parties, other witnesses and reviewing documentation.

All employees and students are expected to cooperate fully in efforts to investigate and enforce this policy. When the college has completed the investigation, the findings of the investigation will be shared with the complainant, the respondent, and others involved to the extent appropriate.

Confidentiality

The college recognizes that confidentiality is very important. All actions taken to investigate and resolve complaints shall be conducted with as much privacy, discretion, and confidentiality as possible without compromising the thoroughness and fairness of the investigation. All persons involved in an investigation are expected to treat the process with respect and to hold information confidentially. Information about individual complaints and their disposition will be shared only on a “need to know” basis.

However, even informal efforts to end harassment may require that an accused harasser learn of the identity of the complainant. The college will work closely with students or employees to ensure their ability to complete their academic program or continue to work during all stages of handling an informal or formal complaint of sexual harassment.

Disciplinary Action

If it is determined that an employee has engaged in sexual harassment or other inappropriate conduct, the College will take action appropriate under the circumstances. Such action may include written warnings, required counseling, probation, suspension, termination, or expulsion, and it may include such other forms of disciplinary action, as the College deems appropriate. Likewise, if it is determined that a complainant invoked the investigatory process in bad faith or knowingly presented false or misleading information, appropriate disciplinary action may be taken.

No Retaliation for Filing or Assisting with a Complaint of Sexual Harassment

Retaliation against any individual for making a good faith complaint formally or informally of sexual harassment or for assisting in good faith in the investigation of such a complaint is prohibited. All acts of retaliation are subject to disciplinary action. Individuals who believe they have been subject to retaliation should immediately report their concerns to the Director of Equal Opportunity and Compliance.

Commitment to Awareness and Response Training

The college provides regular sexual harassment awareness and response training programs for supervisors and individuals identified with responsibilities in this policy. Additionally, the college informs the community about what constitutes sexual harassment and our moral and ethical commitment to ending sexual harassment.

State and Federal Agency Complaints

In addition to the above, an individual who believes he or she has been subjected to harassment may file a formal complaint with government agencies with jurisdiction. Using the college's complaint process does not prohibit an individual from filing a complaint with any of these agencies. Claims filed with MCAD or EEOC must be filed within 300 days from the date of the alleged violation.

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