

## BIAS & HARASSMENT PREVENTION POLICY

*Applying to all students, faculty, staff, administrators, trustees, volunteers and non-College of Idaho employees.*

The College of Idaho is committed to a diverse and inclusive campus. True breadth and vibrant academic discourse require that we not only create a diverse community with a broad range of backgrounds among students, faculty, staff, and trustees, but also create a culture in which we can learn from each member's unique experiences and differences. To that end, the College is committed to creating a campus community that is representative, inclusive, and equitable.

The College is also committed to supporting academic freedom and freedom of speech in an environment of open and vigorous dialogue within the reasonable limits of the law. Further, The College of Idaho is committed to the principles of free inquiry and free expression. Vigorous discussion and debate are fundamental to the College, and this policy is not intended to stifle teaching methods or freedom of expression generally, nor will it be permitted to do so. Bias, harassment and discrimination, however, are neither legally protected expression nor the proper exercise of academic freedom; such behavior compromises the integrity of the College, its tradition of intellectual freedom and the trust placed in its members.

It is a violation of the College's policy and may be a violation of both state and federal law for any employee, student, faculty, staff, administrator, trustee, volunteer, or non-College of Idaho employee to harass or discriminate against any other employee or student on the basis of sex, race, color, age, religion, disability, national origin, marital status, veteran status, sexual orientation, gender identity, gender expression, status with regard to pregnancy or any other basis protected by law ("Protected Class Bias/Harassment"). Incidents of bias and harassment include, but are not limited to: actions; words; flirtations; advances; propositions; verbal abuse; jokes; slurs; epithets; symbols; graffiti; exclusionary practices; physical threats; negative stereotyping; verbal commentaries or degrading words used to describe an individual based on an individual's sex, race, color, age, religion, disability, national origin, marital status, veteran status, sexual orientation, gender identity, gender expression, status with regard to pregnancy or any other basis protected by law. This could occur physically, verbally, in writing, via social media or other electronic means. An incident of bias or harassment can occur whether the act is intentional or unintentional, and may or may not be an unlawful act.

### SEXUAL MISCONDUCT & TITLE IX

With respect to harassment or discrimination on the basis of sex, sexual orientation, and gender identity, the following conduct is strictly prohibited by The College and under Title IX of the Education Amendments Act of 1972:

1. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:
  - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement within the College;
  - Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual;
  
2. Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature which has the purpose or effect of substantially interfering with an individual's work or academic performance or creating an intimidating, hostile, abusive or offensive work or academic environment. Examples of sexual harassment include, but are not limited to:
  - Demeaning and/or derogatory harassment toward one's gender;
  - Demeaning behavior, staring, pinching, touching and other physical contact, or blocking the movements of another person;
  - Unwelcome sexual comments, innuendoes, jokes, abusive personal remarks, etc.;
  - Sexually explicit displays or distribution of pictures, materials, or objects in the work area;

- Unwelcome amorous advances or propositions, physical conduct, obscene gestures;
- Obscene letters, phone calls, e-mails, or unwelcome words or comments with sexual or other discriminatory meanings;
- Unwelcome requests for sexual favors or repeated social contact; or
- Sexual assault or other unwelcome sexual contact.

For additional information, see The College's Sexual Misconduct Policy. The College's Title IX Coordinator is responsible for administering the Sexual Misconduct Policy and educating all students and personnel with respect thereto.

#### OTHER PROTECTED CLASS HARASSMENT

Any member of the College community who believes they or some other member of the College community is a victim of bias or harassment by any member of the Board of Trustees, administrator, member of the staff or faculty, employee, student, volunteer, non-College of Idaho employee or any other person in connection with the College shall promptly report the matter.

If a student believes they or some other member of the student community has been the victim of harassment by another student, the student should [report it online](#) (anonymously or non-anonymously) directly to The College's Bias Assessment & Response Team (BART) or to BART via email at [bart@collegeofidaho.edu](mailto:bart@collegeofidaho.edu). For more information regarding filing a formal complaint, see the General Student Conduct Procedures in the College's Student Handbook.

In all other cases, including instances in which the complaint involves conduct by a student who also is employed by the College and relates to that student's conduct as an employee, the individual should report it to their immediate supervisor and/or the Department of Human Resources, and/or [report it online](#) (anonymously or non-anonymously) directly to The College's Bias Assessment & Response Team (BART) or to BART via email at [bart@collegeofidaho.edu](mailto:bart@collegeofidaho.edu).

Every member of the Board of Trustees, administrator, member of the staff or faculty, employee, or student is covered by and subject to the provisions of this policy. This policy also applies to visitors, campus guests, tourists, vendors, contractors, repair people, sales people or clients.

If an investigation is initiated and conducted by or upon direction of the Department of Human Resources, the process and information will remain confidential to the extent reasonably possible and will be disclosed only on a need-to-know basis. If warranted by its investigation and based on the seriousness or repetitiveness of the offense, the Department of Human Resources will recommend appropriate discipline, sanctions or other action be taken in response to the report or complaint of harassment. If the subject of the recommended discipline or sanctions is a faculty member, the Department of Human Resources will make a recommendation to the Provost/Dean of the Faculty (unless the Provost/Dean of the Faculty is the subject of the report or complaint, in which case the recommendation will be made to the President). For reports or complaints against non-faculty members, the recommendation by the Department of Human Resources will be made to the President (unless the President is the subject of the report or complaint, in which case the recommendation will be made to the Chairman of the Board of Trustees).

Retaliation against any person who opposes harassment, complains of harassment, provides information related to a complaint of harassment or participates in an investigation of a complaint of harassment is strictly prohibited. Accordingly, individuals found to have engaged in acts of retaliation shall be subject to disciplinary action in accordance with this policy.

All volunteers, temporary, regular, part-time, full-time and adjunct employees will be required to sign an acknowledgment that they have received, will read and understand this policy.

For all students, the Department of Student Affairs, and for personnel and any other person in connection with the College, the Department of Human Resources is responsible for administering this Harassment Prevention Policy and educating the relevant constituents about the policy.

**ACKNOWLEDGED & AGREED**

By signing below, you are acknowledging and agreeing that you have read and understood the Harassment Prevention Policy, including the Sexual Misconduct Policy incorporated by reference, and that you will abide by all policies and procedures contained therein.

PRINT NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_