

703 Harassment or Discrimination Procedure

Revision Date: 08/06/2020

The following steps are to be used in the event a student or employee wishes to file a discrimination or harassment complaint related to an individual's race, ethnicity, age, religion, or any other legally protected characteristic except sexual and gender-based misconduct. To file a complaint related to sexual and gender-based misconduct see 704 Sexual and Gender-Based Misconduct Policy and 705 Sexual and Gender-Based Procedures for the steps and practice.

Employees and students of the Cankdeska Cikana Community College are required to utilize the internal process prior to utilizing external sources for remediation. Failure to comply could result in disciplinary action.

Any employee or student who believes that the actions or words of any employee, faculty, student or fellow employee constitute unwelcome discrimination or harassment must complete the Discrimination Complaint Form and submit to the appropriate CCCC official listed immediately. The employee must first notify his/her supervisor in writing prior to submitting the form to the appropriate CCCC official. Forms are available at the Human Resource Office, Student Services, and/or the Title IX/Section 504/ADA Coordinator.

If the alleged harasser is:

Notify:

- | | |
|----------------------------------|-------------------------|
| a) Student or student group | Academic Dean |
| b) Faculty member | Academic Dean |
| c) Dean/Program Oversight | President |
| d) Staff member | Human Resource Director |
| e) Human Resource Director | President |
| f) Other (e.g. vendor or guests) | Human Resource Director |
| g) President | Board of Regents |

Upon receipt of an allegation of discrimination or harassment, a Compliance Committee of three members will be appointed by the President will begin a thorough investigation of the allegation within 5 working days. The investigation will include conducting of interviews and/or the obtaining of statements and supporting documents from both parties to ensure a clear understanding of the event has been achieved. The investigation must be completed within 10 business days from the date the investigation begins. Contact the HR Office for the Employee Harassment Complaint Investigation/ Determination Checklist form.

The Compliance Committee will submit a written report of the findings to the College President and notify the complainant and alleged harasser within five working days after completion of the report.

Enforcement:

Upon completion of its investigation the Compliance Committee will submit a written report with recommendations to the College President. Any employee, who is found, after appropriate investigation, to have engaged in harassment of another employee or student, will be subject to appropriate disciplinary action and may be subject to immediate termination or expulsion.

Grievance:

If the employee or student disagrees or is not satisfied with the decision or results of the Compliance Committee, the employee or student must submit their grievance in writing to the Board of Regents and providing a copy to the President within five business days from the date he/she is notified of the finding(s). A copy will be made for the other parties involved. The Board of Regents will hear the grievance and obtain statements from all parties involved. The Board will vote on the decision/action to remedy the grievance within five business days of the hearing.

What constitutes harassment?

It should be noted that ordinary teasing, offhand comments, or isolated non-serious incidents are not prohibited under federal law. Harassing behavior must be sufficiently frequent or severe to 1) create a hostile work environment, or 2) result in hiring, firing, promotion, demotion, or an undesirable work reassignment. A decision causing a significant change in benefits or compensation also might be interpreted as harassment.

Retaliation Prohibited

CCCC prohibits retaliatory behavior against any complainant or any participant in the complaint process. The initiation of a complaint of harassment will not reflect negatively on the employee who initiates the complaint nor will it affect the employees job assignment, status, rights, privileges, or benefits.

Questions or inquiries can be made to:

CCCC Title IX Coordinator/Section 504/ADA Coordinator
Phone: 701-766-1131

CCCC Human Resources, Director
Phone: 701-766-1333

CCCC Academic Dean
701-766-1138

A complaint or concern regarding discrimination or harassment may also be sent to the Office for Civil Rights (OCR) or the Equal Employment Opportunity Commission (EEOC).

A complaint or concern to OCR/EEOC may be sent to:

Office for Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Hotline: (800)-421-3481
Email: OCR@ed.gov

Equal Employment Opportunity Commission
131 M Street, NE
Washington, D.C. 20507
Hotline: (800)-669-4000
Email: info@eeoc.gov