

III. A. 1. TCSG Harassment Policy

In accordance with its Statement of Equal Opportunity, the Department and its Technical Colleges prohibit sexual harassment and harassment on the basis of race, color, creed, gender, national or ethnic origin, religion, disability, age, or citizenship status.

Sexual harassment is a form of gender discrimination and is a violation of State and Federal law.

Sexual harassment is defined to include unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Such conduct is prohibited when the behavior is directed to an individual because of his or her gender and (1) when submission to such conduct is made either explicitly or implicitly a term or condition of instruction, employment or otherwise full participation in department or college life; (2) submission to or rejection of such conduct is considered in evaluating a person's academic work or job performance or (3) such conduct has the purpose or effect of interfering with a person's academic or job performance; creating a sexually intimidating, hostile, or offensive working or educational environment; or interfering with one's ability to participate in or benefit from an educational program or activity. Examples of conduct that may constitute sexual harassment may be found in the accompanying procedures.

All persons who believe that they are or may have been victims of improper harassment are encouraged to seek resolution promptly through the established informal and formal procedures of the Department and Technical Colleges. Those who have been witness to sexual harassment or other improper harassment should report their observation to an appropriate official whose offices are listed below.

- o The Commissioner or any Assistant Commissioner of the Technical College System of Georgia
- o The President of the Technical College
- o The Technical College Equal Opportunity (Title IX) Coordinator: Athens Technical College Human Resources Director

All employees of the Technical College System of Georgia are expected to make every effort to ensure that students and co-workers are not subjected to any form of sexual or other improper harassment. (This effort may be formal or informal depending on the circumstances.) However, all students and employees should report any sexual or other improper harassment that they experience, observe or believe may be occurring to the Sexual Harassment Coordinator at the Technical College. Employees at the Central Office should report such information to the Director of Human Resources.

Other violations of this policy include (1) retaliating against a person who reports alleged harassment or participates as a witness in a harassment investigation; (2) disregarding, failing to investigate adequately or delaying investigations of harassment allegations when responsibility or report and/or investigation harassment complaints comprises part of one's supervisory responsibilities; or (3) deliberately making a false allegation of sexual or other improper harassment. However, failure to prove a claim of harassment does not constitute proof of a false accusation.

Violations of this policy by employees will constitute grounds for disciplinary action up to and including immediate termination.

Students who engage in sexual or other improper harassment on college premises or off college premises at a college-sponsored activity will be subject to discipline in accordance with the college's student disciplinary process.

In most circumstances, it is best for all parties that complaints of harassment be resolved at the lowest possible organizational level with a minimum of formality. Sexual harassment complaints shall be handled in accordance with the sexual harassment procedure. Confidentiality and privacy of those involved will be respected during all complaint procedures to the degree the procedure and the law will allow. If an employee or student wishes to bring a complaint and remain anonymous, the ability of the Department or Technical College to respond will be limited. To the extent permitted by law, information shared in confidence shall be maintained as confidential.

All employees and students should be informed of this policy and reporting procedures. Examples for distribution include, but are not limited to, providing a copy of the policy to each employee or student, discussing the policy at student or employee orientation sessions, conducting staff development, including information in student or employee handbooks, newsletters, or announcements.