

October 16, 2008

09-029

ADOPT REVISION TO BOARD POLICY B207 (NON-HARASSMENT) (SECOND READING)

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APPROVED BY: Dr. Preston Pulliams, District President

REPORT: The Oregon Office of Educational Improvement and Innovation conducted a comprehensive on-site review of PCC's compliance with applicable Civil Rights and Americans with Disabilities Act (ADA) rules and regulations in May 2008.

This review identified the importance of key Board policies having consistent language, so that the implementing College procedures and practices derive from the same policy-level expressions.

The attached revised policy ensures consistency of wording between Board policies B206 and B207, in keeping with the review's recommendations.

RECOMMENDATION: That the Board of Directors adopt Board Policy B207 Non-Harassment (second reading).

Non-harassment – B 207

The College's goal is to provide an atmosphere that encourages individuals to realize their potential. Therefore, it is against the College's policy for any manager, supervisor, faculty, staff, or student to engage in harassment or discrimination of any member of the College community

Portland Community College does not tolerate unlawful discrimination based on race, color, religion, ethnicity, use of native language, national origin, sex, marital status, height/weight ratio, disability, veteran status, age, or sexual orientation in any area, activity or operation of the District. In addition, the college complies with the Civil Rights Act of 1964 (as amended), related Executive Orders 11246 and 11375, Title IX of the Education Amendments Act of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, USERRA – Uniformed Services Employment and Reemployment Rights Act, and all civil rights laws of the City of Portland and the State of Oregon. Accordingly, equal opportunity for employment, admission, and participation in the college's benefit and services shall be extended to all persons, and the college shall promote equal opportunity and treatment through a positive and continuing affirmative action plan.

The prohibition against harassment or discrimination based on the use of native language does not require the College to offer classes in any language other than English. Under the College's policy harassing or discriminatory behaviors will not be tolerated. Therefore, it is the responsibility of every member of the College community to strictly comply with the policy and procedures directed by the District President to implement the policy.

This includes notifying each employee/student of his or her rights and responsibilities under PCC's Non-harassment Policy. Management staff will be held accountable for taking reasonable action to maintain work sections and educational environments free of conduct that causes, or reasonably could be considered to cause, intimidation, hostility, or discrimination.

Any person who believes he or she has been discriminated against or harassed by a College employee, representative or student is encouraged to file a complaint through the Affirmative Action Office. Non-affirmative action complaints are to be filed in accordance with the appropriate collective bargaining unit, if any, or through the student grievance procedure, or, the procedure in the Management/Confidential Handbook.

At any point in the procedure, the complainant may file a complaint with (1) the Equal Employment Opportunity Commission (EEOC); (2) the Oregon Bureau of Labor and Industries Civil Rights Division; or (3) the U.S. Department of Education, Region X. If the complainant chooses to file through any of these agencies or in court, the internal complaint procedure will be stopped.

The District President will establish procedures that implement this Policy consistently across the District.

(October 16, 2008)