

NO HARASSMENT POLICY

Donnelly College is committed to providing an environment that is free of unlawful harassment, including, but not limited to, sexual harassment. Accordingly, Donnelly College strictly prohibits and will not tolerate any unlawful harassment based on factors such as gender, sexual orientation race, religion, creed, color, national origin, ancestry, age, pregnancy, marital status, veteran status, disability, or any other status, condition or characteristic protected by applicable law, to the extent the status, condition or characteristic is protected by applicable law. This policy covers all Donnelly College students, faculty, staff, visitors, volunteers and vendors.

The term "harassment" includes, but is not limited to, actions, slurs, jokes and other offensive verbal, graphic, visual or physical conduct (both overt and subtle) relating to a legally protected status, condition or characteristic that creates an intimidating, hostile or offensive environment or that unreasonably interferes with a person's educational performance. The term "sexual harassment" includes unwelcome or unwanted sexual advances, requests for sexual favors, or visual, verbal or physical conduct of a sexual nature when such conduct has the purpose or effect of unreasonably interfering with the individual's educational performance or creates an intimidating, hostile or offensive environment. It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females.

While it is impossible to anticipate every type of behavior which may constitute harassment in a particular situation, the following types of behavior come within this prohibition :

- unwelcome touching, impeding or blocking movements;
- offering employment benefits in exchange for sexual favors;
- making or threatening reprisals after a negative response to sexual advances;
- offensive facial expressions, leering, sexual gestures or movements;
- displaying sexually suggestive objects, pictures, cartoons, calendars or posters;
- graphic advances or propositions;
- graphic comments about another employee's body or clothes;
- use of derogatory names, slurs, epithets or comments, especially of a sexual nature;
- unwelcome discussion of sexual experience, activity or jokes;
- sexually degrading words used to describe another employee; and
- suggestive or obscene letters, notes or invitations including emails and texts.

Such behavior, and any other harassing or discriminatory activity, is unacceptable at Donnelly College. Remember that it is not always possible to tell whether jokes or suggestive comments are "welcome" to another person. It is also important to understand that a third party can be offended by jokes or comments that are overhead.

VIOLATORS OF THIS POLICY WILL BE SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING IMMEDIATE DISCHARGE, EXPULSION FROM ACADEMIC PROGRAMS, AND BAN FROM CAMPUS.

Students who believe they have been subjected to or witnessed any unlawful harassment should immediately report the matter to the Title IV Coordinator.

Employees who believe they have been subjected to or Witnessed any unlawful harassment should immediately report the matter to their immediate supervisor, the Vice President of Business Affairs, or the President. Employees are not required to complain first to any supervisor who they believe has engaged in or condoned the harassment.

Any supervisor who receives a complaint or report of any alleged unlawful harassment must immediately refer the matter to the Vice President of Business Affairs, or the President. Further, any supervisor who knows or has reason to know that any employee is being subjected to unlawful harassment is instructed and required to immediately take appropriate corrective action to stop any ongoing harassment, regard less of whether the supervisor has received a complaint or report regarding the harassment, and must immediately thereafter report the matter to the Vice President of Business Affairs, or the President. Any supervisors or managers who fail to abide by this policy will be subject to disciplinary action, up to and including immediate discharge or removal from office.

Donnelly College will protect the confidentiality of harassment complaints to the extent possible, except as necessary to conduct a thorough investigation or to take an appropriate action. Please do not assume that Donnelly College management is aware of any incidents of sexual or other unlawful harassment. It is your responsibility to bring any such incidents to our attention so that we can promptly investigate and attempt to resolve the matter.

Donnelly College will promptly commence a thorough, impartial and objective investigation of all incidents of alleged sexual or other unlawful harassment that are reported to management. Upon completion of the investigation, Donnelly College will make a determination as to whether unlawful harassment has occurred, and to the extent appropriate will provide an explanation of the results of the investigation to the individual(s) who made the complaint or report and to the accused harasser(s). If Donnelly College makes a determination that unlawful harassment has occurred, Donnelly College will promptly take appropriate remedial action commensurate with the circumstances. Appropriate disciplinary action will be taken against anyone who Donnelly College determines has violated this policy, up to and including immediate discharge of employment, expulsion from all academic programs, or ban from campus. Appropriate remedial measures will also be taken to correct the effects of the harassment and to deter any future harassment. To the extent appropriate, whatever remedial action is taken by Donnelly College will be communicated to the individuals involved in the matter.

Donnelly College strictly prohibits and will not tolerate, any retaliation or retribution, directly or indirectly, against anyone who in good faith: (1) makes a complaint of harassment; (2) reports the harassment of another employee or student; (3) opposes any prohibited discrimination or harassment; or (4) participates in, provides information in connection with, or otherwise assists in the investigation of any incidents of alleged sexual or other unlawful harassment conducted by Donnelly College or by any governmental agency. Any student, volunteer, employee or vendor who engages in or encourages any such retribution or retaliation, directly or indirectly, will be subject to disciplinary action, up to and including immediate discharge, expulsion, and ban from campus. Further , anyone who knowingly and intentionally provides false or misleading information regarding any complaints or reports of alleged sexual or other unlawful harassment will be subject to disciplinary action, up to and including immediate discharge, expulsion, and ban from campus.