

ANTI-DISCRIMINATION AND HARASSMENT POLICY

Section I. Statement of Policy

Columbia College Chicago is committed to maintaining an environment which respects the dignity of all individuals. Accordingly, Columbia will not tolerate harassment or discrimination based on religion, race, sex, sexual orientation, national origin, age, disability or ethnicity by or of its students, faculty, or staff. This conduct may also be illegal under state, local and federal law. To the extent practicable, Columbia will attempt to protect the Columbia community from harassment and/or discrimination by vendors, consultants, and other third parties who interact with the Columbia community. Columbia is promulgating this policy to reaffirm its opposition to harassment and discrimination and to emphasize that learning opportunities and employment opportunities must not be interfered with by such behavior.

No member of the Columbia community shall engage in discrimination or harassment in any program, activity or place over which the College exercises control. It is expected that every member of our community will take responsibility for refraining from any form of discrimination or harassment, reporting any incident that is made known, cooperating in preventing such behavior and assisting with corrective measures when, despite our serious commitment, these acts occur.

Recipients of discrimination or harassment often fear reprisals for reporting such conduct. To address this concern, Columbia will investigate any allegation of retaliation for reporting or assisting in the investigation of a complaint of any form of discrimination or harassment. Columbia will discipline those found to have engaged in retaliation.

The purpose of this policy includes:

- prevent harassment and discrimination
- prohibit harassment and discrimination
- encourage good faith complaints if such conduct has occurred
- provide multiple options for addressing and resolving complaints of harassment or discrimination

Columbia will attempt to take prompt corrective action against any harassment or discrimination by or of its students, faculty, or staff. This policy is designed to encourage persons who believe that they have been harmed by discrimination or harassment to bring the conduct to the attention of appropriate individuals within the College so that the College can take prompt corrective action. All managers/supervisors, are directed to implement the procedures outlined in this policy.

All complaints will be taken seriously and no one reporting harassment or discrimination will suffer retaliation or reprisal. Complaints of harassment and/or discrimination will be treated in confidence to the extent feasible, given the need to conduct a thorough investigation and to take corrective action. If it is determined through an appropriate and prompt investigation that harassment or discrimination has

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occurred, effective corrective action will be taken to stop the conduct and to attempt to ensure that it does not reoccur. Depending on the circumstances and the severity of the conduct, corrective action could range from an oral/written warning to dismissal or expulsion.

Section II. Responsibilities of Community Membership

It is the responsibility of each Columbia community member to be knowledgeable about discrimination and harassment, its negative impact and the means by which it can be effectively addressed. Every member has a role in the implementation of this policy. All members of the community who serve in a supervisory capacity, such as deans, managers, directors, chairs and administrators are responsible for reporting all complaints of harassment or discrimination to the appropriate office as outlined below. A person who engages in discrimination or harassment must reform his or her behavior or be subject to disciplinary action up to and including termination or expulsion from the College. A person who witnesses or learns of any form of discrimination or harassment is expected to cooperate in the College's efforts to address this conduct.

Section III. Academic/Artistic Freedom

Academic/artistic freedom protects the presentation and discussion of ideas and artistic works. It does not include demeaning or intimidating individuals because of a personal characteristic. As is stated in the College's Academic Freedom Policy, "The concept of academic/artistic freedom is accompanied by an equally demanding concept of academic/artistic responsibility," and this requires "responsible service, consistent with the faculty member's obligation to the College."

In considering what are appropriate statements or conduct, a faculty member should consider 1) whether the statements or conduct advance a valid educational objective related to the subject matter of the academic experience, and 2) whether they are made or occur in an academically appropriate manner as part of a valid educational objective. Similarly, while in the normal course of student-faculty exchange it may sometimes be of value to discuss or present a controversial matter or experience that has no direct relation to the immediate academic subject, nevertheless the faculty member must also be cognizant that under the College's Academic Freedom Policy that he or she may not have a right to discuss such a matter.

Section IV. Consensual Relations

Under Columbia's Academic Freedom Policy, a faculty member is expected to adhere to his or her proper role as an intellectual or artistic guide and avoid any exploitation of his or her students. Additionally, the Policy states that a faculty member has the responsibility to assure that his or her

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evaluation of students reflects the true merit of each student. Because it may easily involve or appear to involve a conflict of interest, an amorous or sexual relationship between a faculty member and a student entails serious ethical concerns when the faculty member has professional responsibility for the student, such as when the student is in the faculty member's class.

Therefore, faculty members or other instructional staff shall not initiate, pursue or be involved in any amorous or sexual relationship with any student whom they are in a position to evaluate or supervise by virtue of their teaching, research, or administrative responsibilities. Such a relationship is a violation of this policy, and consent by a student to such a relationship will not be a defense against a later sexual harassment charge by the student.

Likewise a supervisor shall not initiate, pursue or be involved in any amorous or sexual relationship with any subordinate employee. A supervisor will be prohibited from assessing, determining or influencing another person's employment, performance progress or potential, entitlement to or eligibility for institutionally conferred rights, benefits or opportunities with an individual with whom the supervisor has or has had an intimate relationship. Such a relationship is a violation of this policy, and consent by the subordinate employee to such a relationship will not be a defense against a later sexual harassment charge by the subordinate employee.

Section V. Definition of Discrimination

Discrimination is unequal favorable or unfavorable treatment of an individual based on race, national origin, ethnicity, sex, age, disability, religion or sexual orientation. It can include the failure to recognize the contributions of work in class, the failure to provide appropriate academic support, or inequities in salary, benefits, accommodations, office space, hiring, promotion or appointment to college-wide committees and to administrative roles on the basis of the above outlined protected characteristics.

Section VI. Definition of Harassment

Discriminatory harassment is physical conduct or other expressive behavior that has the purpose or effect of interfering with an individual's work or academic performance or creates an intimidating, hostile or abusive environment, and that is based upon the individual's characteristics of race, national origin, ethnicity, sex, age, disability, religion or sexual orientation.

Discriminatory harassment includes but is not limited to invectives, threats, slurs, epithets, pranks, teasing, taunting, and other conduct or expressive behavior that tends to belittle, degrade, demean, deride, disparage, ridicule or threaten a person on the basis of the foregoing characteristics. It is in the nature of a personal attack that injures a specific individual, as distinguished from the civil expression or discussion of an offensive idea.

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Not all situations in which an individual is offended or uncomfortable will be violations of this policy. Personality clashes, clashes of beliefs or lifestyles alone will not be violations of this policy nor will conduct that reflects socially and academically acceptable comradeship.

Section VII. Definition of Sexual Harassment

Sexual harassment is one form of discriminatory harassment. It can occur between a man and a woman or persons of the same sex. Sexual harassment includes: Unwelcome sexual advances, or requests for sexual favors or sexually-oriented conduct when:

- (a) Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment or academic experience; or
- (b) An employment or academic decision affecting an employee or student is made based on that individual's acceptance or rejection of such conduct; or
- (c) A pattern of unwelcome verbal or physical conduct of a sexual nature is directed toward another that unreasonably interferes with that individual(s)' work or class performance or creates an intimidating, hostile or abusive working or learning environment.

Examples of behavior which may constitute sexual harassment include, but are not limited to, the following: unwelcome verbal or physical advances of a sexual nature; requests or subtle pressure, overt or implied, for sexual favors; abusive or threatening behavior directed at a person; remarks, jokes, comments or observations of a sexual nature which demeanor offend individuals on the basis of their sex, provided, however, that such expressions will not be considered sexual harassment if uttered for a valid academic purpose; gestures or other nonverbal behavior of a sexual nature if based upon a valid academic purpose; and display or distribution of offensive materials of a sexual nature provided, however, that such expressions will not be considered sexual harassment if used for a valid academic purpose.

VIII. Sexual Assault

Criminal sexual assault is an extreme form of sexual harassment and is a violation of this policy. In addition, it is a criminal act that violates Illinois state law. If a sexual assault has occurred, the victim should contact Columbia campus security. College staff have been directed to give the assaulted person immediate comfort and support. A victim should contact the Office of Human Resources to learn more about options for further assistance.

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Section IX. Sanctions

A single violation of this policy may result in a disciplinary action including, termination or expulsion from Columbia. Sanctions may also include suspension (with or without pay in the case of faculty or staff), reprimand, reassignment, and/or mandatory education or counseling.

Section X. Retaliation

It is a violation of this policy to retaliate in any way against someone who has complained about discrimination or harassment, participated in any manner in proceedings under this policy, or opposed the alleged discrimination or harassment. Retaliation subjects the retaliator to disciplinary sanctions.

Knowingly making false allegations of harassment or discrimination or providing evidence with the knowledge that it is false is also a violation of College policy and will subject a person to disciplinary action up to and including termination or expulsion.

PROCEDURES FOR ADDRESSING DISCRIMINATION AND HARASSMENT COMPLAINTS

The following procedures are designed to provide flexibility in reporting for the person complaining of the harassment or discrimination, while balancing the interests of the accused party and the College's need to obtain the information necessary to resolve these issues in its community.

Any Columbia student, staff, faculty member, guest or any other non-student or non employee who believes that he or she is being or has been subjected to discrimination or harassment has informal and formal options, which are not exclusive of one another, or mandatory. However, a person's selection of an option will affect the College's ability to respond to the discrimination or harassment. In addition, the timeliness of reporting an incident is often critical to appropriate action and resolution. The College is committed to a prompt and thorough investigation and resolution when its procedures are used. Those persons responsible for consulting about, investigating and resolving complaints of harassment or discrimination will make reasonable efforts to protect the privacy of both the complainant and the respondent.

Section I. Procedures for Students

a. Informal Remedy

Columbia encourages a person subjected to discrimination or harassment to talk directly with the alleged discriminator or harasser if the person subjected to discrimination or harassment feels

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comfortable doing so. If direct communication is selected, the person should tell the alleged discriminator or harasser to stop his or her behavior as soon as the behavior occurs and make it clear that the behavior is unwelcome. The person then should share this information with the **Office of Human Resources**, Dean of Students' Office, a faculty member, the Residence Life Staff, a counselor, an advisor, or any Columbia supervisor, so the situation can be monitored.

b. Formal Remedy

All incidents of harassment or discrimination should be reported by the complainant to the Office of Human Resources. However, a complaint of discrimination or harassment can be made either orally or in writing to the Office of Human Resources, Dean of Students' Office, a faculty member, the Residence Life staff, a counselor, an advisor or any Columbia supervisor. In addition, all members of the community who serve in a supervisory capacity, such as deans, managers, and chairs are responsible for reporting all complaints of harassment or discrimination to the Office of Human Resources. A complainant is encouraged to make a written complaint as it may increase the College's ability to take appropriate action to stop the alleged discrimination or harassment. A complaint should be as specific as possible providing the name of the injured party, the name of the alleged discriminator or harasser, a chronology of the events that constitute the behavior, detailing dates, places, and times, a description of the behavior, and the names of any witnesses to the behavior, or persons with knowledge of the behavior.

Whether the complainant wishes to proceed with the investigation or not, a formal investigation of the complaint will be undertaken. The process is confidential to the extent possible and applies to the accused wrongdoer, the complainant and witnesses. In the course of the investigation, however, absolute confidentiality cannot be guaranteed. If the alleged conduct appears to violate both the anti-discrimination and harassment policy and another College policy such as the student code of conduct, this policy will take precedent over the competing policy. However, any sanction to be imposed against a tenured faculty member shall be subject to the procedures outlined in the Statement of Policy on Academic Freedom, Faculty Status, Tenure, and Due Process.

Section II. Procedures for Faculty and Staff

a. Informal Remedy

Columbia encourages a person subjected to discrimination or harassment to talk directly with the alleged discriminator or harasser if the person subjected to discrimination or harassment feels comfortable doing so. If direct communication is selected, the person should tell the alleged discriminator or harasser to stop his or her behavior as soon as the behavior occurs and make it clear that the behavior is unwelcome. The person then should share this information with the Office of

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Human Resources or with anyone who serves in a supervisory capacity, such as a dean, manager, director, chair or administrator, so that the situation can be monitored.

b. Formal Remedy

All incidents of harassment or discrimination should be reported by the complainant to the Office of Human Resources. However, a complaint of discrimination or harassment can be made either orally or in writing to any Columbia supervisor. All members of the community who serve in a supervisory capacity, such as deans, managers, directors, chairs and administrators, are responsible for reporting all complaints of harassment or discrimination to the Office of Human Resources. A complaint of discrimination or harassment can be made either orally or in writing. A complainant is encouraged to make a written complaint as it may increase the College's ability to take appropriate action to stop the alleged discrimination or harassment. A complaint should be as specific as possible providing the name of the injured party, the name of the alleged discriminator or harasser, a chronology of the events that constitute the behavior, detailing dates, places, and times, a description of the behavior, and the names of any witnesses to the behavior, or persons with knowledge of the behavior.

Whether the complainant wishes to proceed with the investigation or not, a formal investigation of the complaint will be undertaken. The process is confidential to the extent possible and applies to the accused wrongdoer, the complainant and witnesses. In the course of the investigation, however, absolute confidentiality cannot be guaranteed. If the alleged conduct appears to violate both the anti-discrimination and harassment policy and another College policy such as the Statement of Policy on Academic Freedom, Faculty Status, Tenure, and Due Process, this policy will take precedent over the competing policy. However, any sanction to be imposed against a tenured faculty member shall be subject to the procedures of the Statement of Policy on Academic Freedom, Faculty Status, Tenure, and Due Process.

The College reserves the right to modify or amend the Anti-Discrimination and Harassment Policy at any time.

Modified 09/10