Nonretaliation Statement

It is critical that everyone feel free to come forward with complaints or concerns regarding inappropriate conduct. Retaliation against any person for making a complaint or for providing information concerning a complaint is prohibited.

Any acts of retaliation may result in a sanction including, but not limited to, expulsion, suspension or termination.

Complaint Procedure

Step 1: Informal Complaint Procedure

If appropriate and safe, anyone alleging a violation should meet with the person and ask them to stop the offensive behavior.

You might also write to the person, stating that you view the behavior as unlawful harassment/discrimination and that you will report these actions if they continue. Be sure to keep a copy.

OR
Consult with a member of the Harassment Network (see back page) to explore your options and begin to keep a record of the harassment/discrimination: track dates, times, places and statements.

OR
Conflict Resolution: Employees contact the college’s Human Resources Director/Affirmative Action Officer. Students contact the Executive Dean of Students.

(1) Students: See section V in Students’ Rights & Responsibilities. (2) Employees: See College Policy and Procedures, #1750, 1751, 1752, 1753.

Step #2: Formal Complaint Procedure

Employees may file a complaint with
1) Human Resources Director/Affirmative Action Officer
2) The College’s Title IX Coordinator
3) The Director of Legal Resources.
4) Public Safety Officer/Local Law Enforcement
5) Office of Civil Rights

Students may file a complaint with
1) The Executive Dean of Students
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Although Chemeketa encourages reports or complaints to be filed as soon as possible, all claims must be brought within statutory time frames.

If warranted, the Human Resources Director/Affirmative Action Officer or that official’s designee will conduct an investigation. The investigation will be done as promptly and impartially as possible.

Please Note: If you feel your personal safety is at risk or a crime is being committed, contact Public Safety immediately, 503.399.5023 or dial 911.

Common Types of Harassment

Sexual Harassment: sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature. The courts have defined two principle types of sexual harassment:
(1) Quid Pro Quo (something for something)
• Unwelcome sexual advances
• Inappropriate conduct directed toward an individual because of his/her sex
• Employment benefits being contingent upon sexual favors
(2) Hostile Environment (harassment)
• Inappropriate behavior that is sex related and creates an environment that is hostile, intimidating or offensive

Sexual Violence is a form of sexual harassment. It means physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. Examples include rape, sexual assault and sexual coercion.

Sex-Based Harassment: behavior that degrades, denigrates, ridicules, or is verbally or physically abusive to an employee or student because of his or her perceived sex.

Racial Harassment: behavior that degrades, denigrates, ridicules or is verbally or physically abusive to an employee or student because of his or her perceived race.

Sexual Orientation Harassment: behavior that degrades, denigrates, ridicules, or is verbally or physically abusive to an employee or student because of his or her sexual orientation.

Consensual Relationships Statement

The college has a responsibility to promote an atmosphere of professionalism, respect, and trust, and to prevent any appearance of impropriety. The decision-making processes must be seen by employees and students as fair and without favoritism.

A consensual relationship is a close personal relationship of a romantic or sexual nature between willing participants who both are of legal age and possess legal capacity.

College Policy and Procedure #1753 addresses consensual relationships between students and college employees, and supervisors and employees. Employees involved in a consensual relationship with another employee or student are prohibited from supervising or making grading decisions related to that person.

In consensual relationships involving employees, or employees and students, it is the responsibility of the person with the most power to make explicit arrangements to assure that the decision-making processes will be fair and without favoritism. Employees will work with their supervisor in making arrangements to comply with this policy.

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What is Harassment and What is Discrimination?

**Harassment** is any verbal, visual or physical behavior that meets the following criteria:

- Reasonably perceived by the receiver as conduct so severe, pervasive and objectively offensive, with the purpose or effect of unreasonably interfering with an individual’s work or academic performance; or creating an intimidating, hostile, or offensive work or academic environment.
- Protected Classes listed in 1–7 below

**Discrimination** is treating people unequally based on a protective class such as when:

- Submission to such conduct is made, either implicitly or explicitly, a term or condition of employment or academic performance; or
- Submission to or rejection of such conduct by an individual is used as a basis for employment or academic performance.
- Protected Classes listed in 1–19 below

Discrimination is prohibited when it is based on any of the following protected classes:

1. Race
2. Color
3. National origin
4. Religion
5. Age
6. Sex
7. Sexual orientation
8. Ethnic origin
9. Disability
10. Gender identification
11. Family relations
12. Marital status
13. Pregnancy and other related conditions
14. Citizenship status
15. Veteran status
16. Tobacco usage during non-working hours
17. Whistle blower
18. Victim of domestic violence
19. Genetic information

**Policy on Harassment/Discrimination**

Chemeketa is committed to providing everyone with an environment focused on learning and growth, free of harassment or discrimination. Such behaviors will not be tolerated and are against college policies.

Given these goals, the college is making every effort to notify students and employees of their rights and responsibilities under the college’s Harassment/Discrimination (Policy and Procedure 1750), Sexual Harassment (Policy and Procedure 1751), Respectful Workplace (Policy and Procedure 1752), and Consensual Relationships (Policy and Procedure 1753).