

# COLUMBIA COLLEGE HOLLYWOOD

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## UNLAWFUL HARASSMENT POLICY

Columbia College Hollywood is committed to upholding standards that promote respect and human dignity in an environment that fosters both academic and artistic excellence and professionalism. It is the policy of the college to maintain an educational and work environment free from all forms of unlawful discrimination and harassment.

To that end, the college prohibits and does not tolerate unlawful discrimination against or harassment of its employees, students, or applicants for employment or admission on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, age, physical disability, mental disability, or other characteristic protected by federal or state law, unless a particular characteristic is a bona fide requirement of the position.

All members of the college community are expected to uphold this policy. Engaging in unlawful discrimination or harassment will result in appropriate disciplinary action, up to and including dismissal from the college.

Harassment includes verbal, physical, or visual conduct when the conduct creates an intimidating, offensive or hostile working or educational environment, or unreasonably interferes with job or academic performance.

Verbal harassment may include but is not limited to epithets, derogatory comments, or slurs based upon one of the individual's characteristics noted above. Physical harassment may include, but is not limited to, assault, impeding or blocking movement, or any physical interference with normal work or movement, when directed at an individual because of the individual's protected characteristic. Visual forms of harassment may include but are not limited to derogatory posters, cartoons, or drawings based on an individual's protected characteristic.

### DISCRIMINATION & HARASSMENT COMPLAINT PROCEDURE

The college encourages any person who feels that he or she has been unlawfully discriminated against or harassed, or observes, or is otherwise aware of an incident of unlawful discrimination or harassment, to report the incident promptly. To assist in the investigation, the college may request that a complaint be made in writing with a detailed description of the facts giving rise to the complaint, the names of any individuals involved, including any witnesses, and copies of any documents that support or relate to the complaint. Although the college may request the submission of a written complaint, an oral complaint is sufficient to initiate the procedures set forth under this policy.

Student complaints regarding faculty, staff, or other students should be made to the Student Services Department staff. If for any reason the person making the complaint does not feel comfortable directly reporting the incident to the individual identified above, the complaint may be reported to any vice president or senior administrator. A college administrator who receives a complaint of unlawful discrimination or harassment or observes or is otherwise aware of an incident of unlawful discrimination or harassment, shall promptly inform the appropriate party. In cases involving potential criminal conduct, the college will determine whether appropriate law enforcement or other authorities should be notified.

### INVESTIGATION AND CORRECTIVE ACTION

The college will investigate every reported complaint of unlawful discrimination or harassment. The investigation will be conducted in a thorough, prompt and professional manner. If the conclusion of the investigation is that unlawful discrimination or harassment occurred, the college will initiate corrective action, as appropriate under the circumstances. For employees, the corrective action may range from verbal warnings up to and including termination from employment. For students, the corrective action will be imposed in a manner consistent with the college's Student Code of Conduct or other applicable procedures.

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If the individual found to have engaged in the unlawful discrimination or harassment is not an employee or student of the college, corrective action within the reasonable control of the college, and as appropriate under the circumstances, will be initiated. If termination of a faculty member is contemplated, the applicable rules governing dismissal for serious cause will be followed.

The student or employee who raised the complaint will be advised of the results of the investigation, unless doing so is prohibited by FERPA or other applicable law. Similarly, the student or employee who is accused of the unlawful discrimination or harassment will be advised of the results of the investigation.

## **UNLAWFUL RETALIATION**

The college prohibits and does not tolerate retaliation against any individual who in good faith files a complaint of unlawful discrimination or harassment or is involved as a witness or participant in the complaint or investigation process. Engaging in unlawful retaliation can result in disciplinary action, up to and including dismissal from the college.

The college encourages any individual who believes he or she has been subject to unlawful retaliation or observes or is otherwise aware of an incident of unlawful retaliation in violation of this policy, to report the incident promptly pursuant to the complaint procedure identified above. The investigation and corrective action procedures set forth above will similarly apply in the case of a complaint of unlawful retaliation in violation of this policy.

## **RIGHT TO APPEAL**

An employee or student who is found to have engaged in unlawful discrimination, harassment, or retaliation in violation of this policy shall have the right to appeal the decision. Similarly, a complainant may appeal the decision.

The appeal may address the decision of whether unlawful discrimination, harassment or retaliation occurred, and it also may address the corrective action imposed. If the decision was made pursuant to the procedures identified in the Student Code of Conduct, the appeal procedures identified in the Student Code of Conduct shall apply.

The appeal must be submitted in writing within ten (10) working days after written notification of the results of the investigation. The appeal should describe with specificity why the findings or corrective action imposed were not reasonably based upon the evidence and information made available to the investigator and/or the college official who made the decision regarding the corrective action. Additional information may be considered to aid in the review of the appeal. This right to appeal shall not entitle the appellant to a new or second investigation. The appeal should be granted only if the determination is made that the findings were not reasonably based upon the evidence and information available to the investigator or that the corrective action imposed was not reasonably based upon the evidence and information available to the college official who made the decision regarding the corrective action.

A decision will be rendered to the individual who submitted the appeal within 45 days of receipt of the written appeal. The decision regarding the appeal is final. During the time of the appeal and review, any corrective action taken as a result of the original complaint may be implemented and enforced.

## **OTHER RESOURCES**

In addition to the internal resources described above, individuals may pursue complaints with the government agencies that enforce the laws prohibiting discrimination, harassment, and retaliation, including the California Department of Fair Employment and Housing ([www.dfeh.ca.gov](http://www.dfeh.ca.gov)), the Equal Employment Opportunity Commission ([www.eeoc.gov](http://www.eeoc.gov)), or the United States Department of Education Office for Civil Rights ([www2.ed.gov/ocr](http://www2.ed.gov/ocr)).