# 000.330 DISCRIMINATION AND DISCRIMINATORY HARASSMENT POLICY

Wenatchee Valley College is committed to the policy that all persons shall have equal access to college programs, facilities, admission and employment. Furthermore, it is the policy of Wenatchee Valley College to maintain an academic and work environment free of discrimination, including harassment. The college prohibits discrimination and harassment against any person on the basis of race, creed, color, religion, national or ethnic origin, political affiliation, parental status or families with children, marital status, sex, sexual orientation, gender identity or expression, age, genetic information, being a victim of domestic violence, sexual assault, or stalking, or because of participation or lack of participation in union activities, disabled veteran or Vietnam era veteran, honorably discharged veteran or military status as required by Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, or the presence of any real or perceived sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability, or any other prohibited basis per [RCW 49.60.030](https://apps.leg.wa.gov/rcw/default.aspx?cite=49.60&full=true#49.60.030), [040](https://apps.leg.wa.gov/rcw/default.aspx?cite=49.60&full=true#49.60.040) and other federal and laws and regulations, or participation in the complaint process.

All college faculty, staff and students must comply with this policy and take appropriate measures to prevent discrimination or harassment. Faculty, staff or students who believe they are being discriminated against or harassed for one of the reasons listed above or who witness potential discrimination or harassment is encouraged to report the offending conduct. Prompt corrective measures will be taken to stop discrimination or harassment whenever and wherever it occurs.

Sexual harassment is addressed separately in the college’s sexual harassment/Title IX policy 000.340 and 1000.340, sexual harassment/Title IX procedure.

## A. DEFINITIONS

### 1. **Discrimination:** conduct of any nature that violates the policy set forth above by denying equal privileges or treatment to a particular individual because of the individual's race, creed, color, religion, national or ethnic origin, political affiliation, parental status or families with children, marital status, sex, sexual orientation, gender identity or expression, age, genetic information, being a victim of domestic violence, sexual assault, or stalking, participation or lack of participation in union activities, disabled veteran or Vietnam era veteran, honorably discharged veteran or military status, or the presence of any real or perceived sensory, mental or physical disability, or the use of a trained dog guide or service animal by a person with a disability, or any other prohibited basis.

### 2. **Discriminatory Harassment:** a form of discrimination consisting of physical or verbal conduct that (1) denigrates or shows hostility toward an individual because of the their race, creed, color, religion, national or ethnic origin, political affiliation, parental status or families with children, marital status, sex, sexual orientation, gender identity or expression, age, genetic information, being a victim of domestic violence, sexual assault, or stalking, participation or lack of participation in union activities, disabled veteran or Vietnam era veteran, honorably discharged veteran or military status, or the presence of any real or perceived sensory, mental or physical disability, or the use of a trained dog guide or service animal by a person with a disability, or any other prohibited basis; and (2) is sufficiently severe or pervasive so as to substantially interfere with the individual's employment, education or access to college programs, activities and opportunities.

These definitions are not intended to deprive an individual of the right of free expression or other civil rights.

Whether the alleged conduct constitutes prohibited harassment depends on the totality of the particular circumstances, including the nature, frequency and duration of the conduct in question, the location and context in which it occurs and the status of the individuals involved.

## B. EXAMPLES OF DISCRIMINATORY HARASSMENT

Examples of behaviors that may rise to the level of discriminatory harassment include but are not limited to the following:

### 1. Racial epithets, "jokes," offensive or derogatory comments, or other verbal or physical conduct based on an individual's race/color.

### 2. Ethnic slurs, workplace graffiti, or other offensive conduct directed towards an individual's birthplace, ethnicity, culture, or foreign accent.

### 3. Verbal or physical abuse, “jokes” or offensive comments based on an individual’s age, gender, disability, or sexual orientation.

### 4. Making, posting, e-mailing, or circulating demeaning or offensive pictures, cartoons or other materials in the workplace that relate to race, ethnic origin, gender or one of the other protected categories listed above.

A victim of harassment can be a man or a woman or a third party who witnesses inappropriate behavior. The victim can be of the same sex as the harasser. The harasser can be a supervisor, co-worker, other college employee, student, or a non-employee who has a business relationship with the college.

## C. REPORTING AND RESOLUTION OF DISCRIMINATION OR HARASSMENT COMPLAINTS

### 1. Anyone who believes they are a victim of discrimination or harassment should report it, as appropriate, to a WVC counselor, administrator, supervisor, coworker or the executive director of human resources.

### 2. Any WVC employee, faculty, or administrator that receives oral information from an employee or student that raises a concern that discrimination or harassment may have occurred, will refer the employee or student to the executive director of human resources or designee. The executive director of human resources or designee will speak with the employee or student and provide the complainant with options of pursuing either the informal or formal complaint resolution process.

### 3. A supervisor receiving information, in their capacity as a supervisor, that describe incidents of discrimination or harassment defined in this policy will:

#### Report the incident to the police if suspicion exists that a crime was committed; and

#### Report alleged incidents of discrimination or harassment to the executive director of human resources.

The human resources office has primary responsibility for resolving discrimination or discriminatory harassment complaints in accordance with this policy and the college’s discrimination and discriminatory harassment procedure 1000.330.

## D. DISCIPLINARY ACTIONS

Any individual in violation of this policy will be subject to disciplinary action up to and including expulsion from the college or termination of employment.

Persons who threaten or retaliate against an individual who makes a complaint of discrimination or harassment or cooperates in an investigation of such complaint constitutes a separate violation and may result in a disciplinary action independent of the outcome of a complaint.

## E. AMNESTY

The college considers the reporting and adjudication of discrimination or harassment cases on either campus to be of paramount importance. The college does not condone underage drinking or use of illegal drugs. However, the college will extend amnesty to complainants, third-party reporters, witnesses, and those assisting a potential victim of discrimination or harassment from punitive sanctioning for illegal use of drugs and/or alcohol when evidence of such use is discovered in the course of a discrimination or harassment investigation or while individuals are assisting a potential victim. Similarly, the college may in its discretion, provide amnesty for other minor conduct code violations that are discovered in the course of discrimination or harassment report or investigation.

## F. CONTACT INFORMATION

The following persons have been designated to handle inquiries regarding the non-discrimination policies and Title IX compliance for both the Wenatchee and Omak campuses:

### 1. To report discrimination or discriminatory harassment: Title IX Coordinator, Wenatchi Hall 2322M, (509) 682-6445, title9@wvc.edu.

### 2. To request disability accommodations: Student Access Coordinator, Wenatchi Hall 2133, (509) 682-6854, TTY/TTD: (509) 682-6853, sas@wvc.edu.

Supersedes 2.P.44; moved from the 1991 manual

Revised (combined 000.310 Nondiscrimination and changed title); approved by the president’s cabinet: 9/10/10, 12/15/15, 6/4/19, 8/18/20

Adopted by the board of trustees: 10/20/10, 1/20/16, 6/19/19, 8/18/20

Last reviewed: 8/11/20

Policy contact: Human Resources

Related policies and procedures

 000.050 [Formal Hearing Policy](https://www.wvc.edu/humanresources/policies-procedures/000-general/000.050-formal-hearing.html)

 000.190 [Expressive Activities Policy](https://www.wvc.edu/humanresources/policies-procedures/000-general/000.190-expressive-activities-policy.html)

 000.300 [Freedom of Inquiry and Expression Policy](https://www.wvc.edu/humanresources/policies-procedures/000-general/000.300-freedom-of-inquiry-and-expression.html)

 000.340 [Sexual Harassment/Title IX Policy](https://www.wvc.edu/humanresources/policies-procedures/000-general/000.340-sexual-harassment.html)

 400.100 [Student Rights and Responsibilities/Code of Student Conduct Policy](https://www.wvc.edu/humanresources/policies-procedures/400-student-services/400.100-student-rights-and-responsibilities.html)

 500.125 [Equal Opportunity/Affirmative Action Policy](https://www.wvc.edu/humanresources/policies-procedures/500-human-resources/500.125-equal-opportunity-aa.html)

 1000.330 [Discrimination & Discriminatory Harassment Procedure](https://www.wvc.edu/humanresources/policies-procedures/000-general/000.330-discrimination-and-discriminatory-harassment.html)

 1000.340 [Sexual Harassment/Title IX Procedure](https://www.wvc.edu/humanresources/policies-procedures/000-general/000.340-sexual-harassment.html)

 1000.345 [Sexual Harassment/Title IX Employee Disciplinary Procedure](https://www.wvc.edu/humanresources/policies-procedures/000-general/1000.345-sexual-harassment-title-ix-employee-disciplinary-hearing.html)

 1400.100 [Student Rights and Freedoms Procedure](https://www.wvc.edu/humanresources/policies-procedures/400-student-services/1400.100-student-rights-freedoms.html)

 1400.110 [Code of Student Conduct Procedure](https://www.wvc.edu/humanresources/policies-procedures/400-student-services/1400.110-code-of-student-conduct.html)