

**NORTH GEORGIA
COLLEGE & STATE UNIVERSITY
POLICY AND PROCEDURE MANUAL**

SUBJECT: ANTI-HARASSMENT POLICY

North Georgia College & State University is committed to maintaining a working and study environment free of objectionable and disrespectful conduct. All members of the university community must be able to pursue their goals, educational needs, and working lives without intimidation or injury generated by intolerance and harassment. This policy addresses harassment in all forms, covering those with legally protected status for reasons of race, gender, religion, color, age, national origin, ancestry, or disability, as well as those who are harassed for other reasons such as sexual orientation.

NGCSU reaffirms its commitment to freedom of speech as guaranteed by the First Amendment to the United States Constitution, as well as its commitment to academic freedom. The university's policies and procedures regarding harassment issues have been designed to ensure the academic freedom of everyone while protecting the rights of all.

DEFINITIONS

Harassment is conduct towards another person or identifiable group of persons that has the purpose or effect of:

1. creating an intimidating or hostile educational environment, work environment, or environment for participation in a university activity;
2. unreasonably interfering with a person's educational environment, work environment, or environment for participation in a university activity; or
3. unreasonably affecting a person's educational or work opportunities or participation in a university activity.

Racial Harassment

Racial harassment is conduct that demonstrates hostility towards another person (or identifiable group of persons) on the basis of race, color, national origin, or ancestry, and that has the purpose or effect of:

1. creating an intimidating or hostile educational environment, work environment, or environment for participation in a university activity;
2. unreasonably interfering with a person's educational environment, work environment, or environment for participation in a university activity; or
3. unreasonably affecting a person's educational or work opportunities or participation in a University activity.

Sexual Harassment

Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other written, verbal, or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic standing, or participation in a university activity;
2. submission to, or rejection of, such conduct by an individual is used as the basis for, or a factor in, decisions affecting that individual's employment, academic standing, or participation in a university activity; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's employment or academic performance or creating an intimidating, offensive, or hostile working or academic environment.

Consensual Amorous Relationships

Consensual amorous relationships are those in which both parties willingly engage in a romantic partnership.

POLICY PROVISIONS

- It is the policy of North Georgia College & State University to maintain the campus as a place of work and study for faculty, staff, and students free from all forms of harassment. Harassment of faculty, staff, students or visitors to the campus will not be tolerated.
- Dating or consensual amorous relationships between an employee and the employee's immediate supervisor are strongly discouraged. Such conduct presents serious concerns about the validity of consent and could result in allegations of favoritism or impropriety, or adversely impact the morale of others. In the event of a charge relating to sexual harassment, NGCSU will give critical scrutiny to any defense based upon consent when the facts establish that a power differential existed within the relationship.
- Romantic relationships between faculty and students are strongly discouraged as they are particularly susceptible to exploitation. The respect and trust accorded a member of the faculty by a student, as well as the power exercised by faculty in giving grades or recommendations for future study and employment, make voluntary consent by the student suspect.
- This policy applies to all faculty, staff, and students with respect to activities occurring on any university property and university-related activities occurring off-campus. This policy also applies to the activities of recognized student organizations including fraternities and sororities.
- The university will not tolerate harassment of its faculty, staff, or students by persons conducting business with or visiting the campus, even though such persons are not directly affiliated with NGCSU.

RETALIATION PROHIBITED

Retaliation against faculty members, staff members, or students for reporting or complaining of harassment or enforcing this policy is strictly prohibited. Overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or group for exercising rights under this policy will be subject to appropriate and prompt disciplinary action.

SANCTIONS

Individuals who are found to have violated this policy will be subject to disciplinary action, up to and including termination of employment or expulsion from the university.

FALSE CHARGES

This policy shall not be used to bring knowingly false or malicious charges against any faculty, staff, students, or recognized student organizations, including fraternities, sororities, and/or cooperatives. Disciplinary action will be taken against any person or group found to have brought a charge of harassment in bad faith, or any person who, in bad faith, is found to have encouraged another person or group to bring such a charge.

INTITIATING A COMPLAINT

While problems or questions can be brought to and discussed with anyone in a supervisory position, other members of the faculty or staff may provide assistance:

Student complaints may also be directed to:

Resident Advisor or Cadet Officer
Faculty Advisor
Student Counselor
Commandant of Cadets
Dean of Students

Vice President for Student Affairs
Vice President for Academic Affairs
Director of Human Resources

Faculty complaints may also be directed to:

Department Head
Director of Human Resources
Vice President for Academic Affairs

Staff complaints may also be directed to:

Department Head
Director of Human Resources
Vice President for Business and Finance

OTHER DISCRIMINATORY CONDUCT

This anti-harassment policy augments, but does not supersede, other university policies covering discrimination. Although harassment as described and prohibited by this policy includes a wide range of behavior, it does not include certain discriminatory conduct, even though that conduct may be otherwise unlawful, offensive, or prohibited by other university policies.