

Procedure for Resolving Discrimination and Harassment Complaints

Policy 233PRI

Because discrimination and harassment, a form of discrimination, are illegal practices, and because these actions can cause serious harm to the productivity, efficiency, and stability of all activities taking place at, or sponsored by, Northcentral Technical College, the District will take specific steps to investigate and eliminate discrimination and harassment. Complaints may be reported either formally or informally.

Discrimination shall mean any difference in treatment in any service, program, course, or facility of the Northcentral Technical College District because of the person's political affiliation, age, race, creed, religion, color, handicap (disability), marital status, parental status, sex, national origin, ancestry, sexual orientation, pregnancy, arrest record, conviction record, services in the armed forces, genetic testing, or use or non-use of lawful products off the District premises during non-working or non-class hours.

Informal Procedure:

1. *Reporting Complaints:* A person who believes he or she has been the victim of discrimination or harassment should feel free to discuss his or her concerns with the Affirmative Action Officer. The intent of the meeting is to provide a confidential way for the alleged victim to express his or her concerns and to discuss possible methods of resolving the conflict. No official action will be taken without the alleged victim's consent.
2. *Who to Contact:* A meeting may be scheduled with the Affirmative Action Officer by stopping by, calling, or writing:

Affirmative Action Officer
Northcentral Technical College
1000 W. Campus Drive
Wausau, WI 54401

Phone: (715) 675-3331, ext. 1064

Her office is located in Room C150, on the Wausau Campus. If she is not in when calling to schedule a meeting, the person answering the phone can schedule an appointment. The person requesting the meeting will not be required to give his or her name for the purpose of scheduling the meeting.

Formal Procedure:

1. *Reporting Complaints:* Whenever a student, employee or visitor (hereinafter referred to as the complainant) has reason to believe he or she has been subjected to a discriminatory or harassing environment at the District or at a District sponsored event, the complainant shall report such incidents by completing the following steps:
 - A. Reports must be made in writing and include a factual description of the incident(s) during which the alleged discrimination/harassment occurred. Whenever possible, the



Discrimination/Harassment Report Form should be used to provide the information requested.

- B. Reports must be filed with 300 calendar days from the date of the incident; however, a more immediate reporting of the incident will facilitate a prompt and thorough investigation of the facts and circumstances involved.
- C. Reports are to be sent directly to the District Affirmative Action Officer at the following address:

Affirmative Action Officer
Northcentral Technical College
1000 W. Campus Drive
Wausau, WI 54401

Phone: (715) 675-3331, ext. 1064

The filing of a report with the District Affirmative Action Officer does not restrict a person's right to seek redress through avenues outside the District.

The District prohibits and will not tolerate any harassment or retaliation against a person who files a report or against any person identified as a witness or otherwise involved in the report. The District will take immediate disciplinary action against any person engaging in this behavior.

Employees discriminating against students will be subject to discipline under appropriate District employment policies and, as applicable, collective bargaining agreements. Students discriminating against another student will be subject to discipline under the applicable student code of conduct. The District will take other necessary corrective action to remedy any instances where discrimination is determined to have occurred.

- 2. *Notification:* The Affirmative Action Officer shall notify the person(s) against whom a complaint has been filed (hereinafter referred to as respondent) and forward a copy of the complaint to such respondent(s).
- 3. *Preliminary Review:* Within ten (10) working or school days of the receipt of the written complaint, the District Affirmative Action Officer shall initiate the following, as needed:
 - A. Notify the President in writing that a complaint has been filed. This notification will not disclose details or identities of the persons involved.
 - B. Establish individual meetings with complainant(s), respondent(s), and witness(es).
 - C. Establish group meetings with persons involved.
 - D. If the complaint is resolved as a result of the above meetings, a written statement will be forwarded to both the complainant(s) and respondent(s). The President will be notified that the complaint has been resolved.



- E. If the complaint is not resolved, the Affirmative Action Officer will inform the President that a review committee will be established. The review committee will be appointed within ten (10) working or school days.
4. *Review Committee:*
- A. A review committee for complaints shall be selected from the Equity Committee.
 - B. The Affirmative Action Officer, as a non-voting member, will serve as the chair of this committee.
 - C. The committee shall consist of three (3) voting members selected randomly from the list of Equity Committee Members as follows:
 - 1. At least one (1) member from each gender.
 - 2. No more than one member from each employee category.
 - 3. A committee member may be replaced prior to the hearing date if the complainant or the respondent provides written justification for excluding a selected member. A committee member may also provide written justification for excluding himself or herself. Written justification must be provided to the Affirmative Action Officer.
 - D. The Review Committee shall serve as the President's hearing panel, the function of which shall be to review complaints, study the testimony, and make recommendations to the President.
5. *Review Committee Procedures:*
- A. The Review Committee shall convene within ten (10) working or school days of the notice of appointment.
 - B. The committee should consider whether or not special guidelines or ground rules need to be established for its review. In general, the process should be only as formal as the allegations under review are severe. In extreme situations, a review could effect the careers of the people involved as well as the District's reputation. At all times the committee needs to address its responsibilities with sensitivity, confidentiality, and an awareness of these considerations.
 - C. The committee should identify any people it would like to interview and advise them in writing of the date, time, and location at which the interview will take place, and of any guidelines or ground rules which may be used during the interview.
 - D. The committee shall hear testimony and study the evidence presented.
 - E. The committee shall make recommendations to the President as soon as possible, but not later than twenty (20) working or school days after the completion of the hearing.



6. *Decision:* The President shall review the recommendations and render a decision with twenty (20) working or school days from receipt of the Review Committee's recommendation. Notice of the action will be sent to the principal parties involved and the District Affirmative Action Officer. In the event that disciplinary action is taken against a District employee or student, notice of such action shall be disclosed to the complaining party on a confidential basis.

7. *Appeal:* Within ten (10) working or school days following notification of the action taken by the President, either of the principal parties involved may file an appeal with the District Board. The appeal must be made in writing and include a brief statement of the reasons why the decision should be reviewed.

The appeal will be placed on the agenda of the next regularly scheduled Board meeting. The District Board shall render a decision within thirty (30) working or school days after hearing the appeal.

Notice of the action taken by the District Board will be sent to the principal parties involved, the President, the District Board, and the District Affirmative Action Officer. In the event disciplinary action is taken against a District employee or student, notice of such action shall be disclosed to the complaining party on a confidential basis.

If the decision of the District Board does not resolve the complaint, the employee, student, or visitor may seek other avenues of redress outside the District.

8. *Restrictions:* No action relating to enrollment and/or employment can be taken for or against a person until the complaint of discrimination/harassment has been resolved, unless such action is deemed necessary to the well-being of the person(s) involved in the action or to the function of the District.

9. *Rights of the Individual:*

- A. Any employee, student, or visitor has the right to file complaints due to an alleged discrimination or harassment which is in violation of the Districts *Equal Opportunity Employment and Education Policy* or *Policy Prohibiting Harassment of District Employees, Students and Visitors*.
- B. All complaints of discrimination shall be investigated and a report filed with the President by the Affirmative Action Officer.
- C. Either party(ies) to a complaint shall have the right to call witnesses.
- D. No rights or benefits of an employee or student shall be denied because of a filed complaint.
- E. Nothing in these procedures shall preclude an employee's, student's, or visitor's rights to seek other avenues of redress outside of the District.



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Northcentral Technical College District Discrimination/Harassment Report Form

Name of Person(s) filing report: _____

Home Address: _____

Phone: _____

Are you a student, an employee, or a visitor? _____

What is your job title, program, or relationship with the College? _____

Where did the alleged incidents take place? _____

Please provide a detailed description of the incident. Include: date(s), time(s), names of people involved, witnesses, quotes, and any other information which would be helpful in investigating the incident. Please use the back of this form or attach other pages if necessary.

Signature(s)

Date

PLEASE COMPLETE, SIGN, AND RETURN TO:

Affirmative Action Officer
Northcentral Technical College
1000 W. Campus Dr.
Wausau, WI 54401
Phone: (715) 675-3331, ext. 1064
Email: lang@ntc.edu