

**SOUTH FLORIDA STATE COLLEGE
DISTRICT BOARD OF TRUSTEES POLICIES**

POLICY NO. 5.23

TITLE: PROHIBITED DISCRIMINATION

LEGAL AUTHORITY: TITLE VII (42 U.S.C. Sec. 2000 e-2)
TITLE IX (20 U.S.C. 1681)
FLORIDA STATUTES: 1000.05, 1001.64

OFFICE OF PRIMARY RESPONSIBILITY: VICE PRESIDENT FOR
ADMINISTRATIVE SERVICES/
HUMAN RESOURCES

South Florida State College is committed to providing an educational and work environment free from harassment and prohibited discrimination based on such factors as race, color, religion, gender, national origin, ethnicity, age, disability, marital status, political affiliation, sexual orientation, genetic information, or pregnancy.

The College will not tolerate prohibited harassment or discrimination of its applicants, employees or students by employees, students, or vendors and will attempt to protect its students and employees from non-student or non-employee harassment.

Each complaint of harassment or discrimination that is reported to a College official shall be investigated thoroughly, promptly, and with an emphasis on confidentiality. Retaliation against any applicant, employee or student for making a complaint or reporting harassment will not be tolerated.

The president is authorized to create and maintain procedures for prompt corrective action up to and including termination of employment for employees or dismissal from the educational program for students consistent with due process.

Harassment or discrimination includes:

- A. Any slurs, innuendoes, or other verbal or physical conduct reflecting on an individual's race, color, religion, gender, national origin, ethnicity, age, disability, marital status, political affiliation, sexual orientation, genetic information, or pregnancy which with respect to student on student is unwelcome; directed at an individual; and so severe, pervasive, and objectively offensive that it effectively bars the victim's access to an educational opportunity or benefit, or with respect to employment, has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of unreasonably interfering with the individual's work performance or participation; or otherwise adversely affects an individual's employment opportunities;

- B. The denial of, or the provision of, aid, benefits, grades, rewards, employment, faculty assistance, services, or treatment on the basis of sexual advances or requests for sexual favors; and/or
- C. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition on an individual's employment or education; submission to or rejection of such conduct is used as a basis for educational or employment decisions affecting the individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; or with respect to student on student is unwelcome; directed at an individual; and so severe, pervasive, and objectively offensive that it effectively bars the victim's access to an educational opportunity or benefit.

The president shall establish procedures for College personnel and students who wish to file a complaint dealing with alleged harassment and/or discrimination. The president will ensure that these procedures and any related notices include the name(s) or titles(s), complete telephone number, and mailing address of the individual(s) responsible for handling the concerns of applicants, students, or employees who feel they have been harassed or discriminated against.

Bad faith claims of illegal or improper harassment are claims made when the person making the claim knows the claim is false but makes it anyway. Persons who make bad faith claims under this subsection will be subjected to disciplinary action up to and including termination of employment or dismissal from the educational program.

HISTORY: Last Reviewed 11/12/19

Issued by District Board of Trustees: 5/20/90

Reviewed: 7/1/04, 7/1/07, 7/22/09, 6/27/12, 11/12/19

Revised: 12/19/01, 1/28/04, 5/22/13, 12/9/15, 5/23/18