

# Polk State College District Board of Trustees Rule

Rule Number	Subject	Rule Making Authority	Statutory Reference	SBE Rule Reference	Effective Date
3.27	Discrimination, Harassment, and Sexual Harassment	FS 1001.64	FS 1001.64	6A-14.060(4) 6A-19.001-19.010	11/30/2020

## I. Purpose

The District Board of Trustees has adopted the following rule to direct the College's actions with regard to discrimination and harassment, including sexual harassment, such that the College complies with applicable state and federal laws. This document sets forth guidelines for handling violations of this rule and specifies the related complaint-handling procedures for different incidents.

## II. Scope

This rule applies to all employees, students, and non-employees and pertains to incidents at campus and center locations, as well as and at College functions. To the extent practical, non-employees (e.g., applicants, volunteers, vendors, contractors) on the College's premises should be made aware of this rule and are expected to comply.

## III. Policy

- A. Polk State College employees and students should be able to learn and work in an educational environment that is free from any form of discrimination or harassment, including sexual harassment and retaliation. Sexual harassment and harassment of any form that is based on race, color, national origin, ethnicity, sex, age, religion, sexual orientation, marital status, veteran status, genetic information, disability, or pregnancy (or any other factor protected under applicable federal, state, and local civil rights laws, rules, and regulations) is prohibited. This includes all forms of sexual intimidation and exploitation. In addition, Polk State College adheres to the requirements of the *Clery Act* and the *Violence Against Women Act (VAWA)*. Faculty, staff, and students should be aware that the College does not tolerate any conduct that constitutes discrimination or harassment. Complaints of discrimination or harassment are promptly and thoroughly investigated. Appropriate action, including disciplinary measures, are taken (when warranted) as detailed in *Polk State College Procedure 6076: Sexual Harassment, Procedure 6086: Harassment, Procedure 6091: Discrimination, Harassment, and Sexual Misconduct and District Board of Trustees Rule 4.01: Code of Conduct for Students and Student Organizations*.
- B. In compliance with *Florida Statutes*, the College refers all sexual harassment, sexual assault, sexual misconduct, sexual violence, dating violence, domestic violence, stalking, and suspected child abuse incidences (as well as other crimes of violence) that occur on its campuses, in its facilities, or at its functions, to local

and state law enforcement agencies and applicable governmental agencies, as required. The College cooperates fully in the enforcement of federal, state, and local laws. The College's disciplinary proceedings may continue before, during, or after criminal proceedings.

- C. The District Director of Human Resources; the Chief Diversity Officer/Title IX Coordinator of the Office of Equity, Diversity, and Inclusion; and the campus Deans of Student Services are designated as officers who handle discrimination, harassment, or sexual harassment complaints. Faculty and staff complaints are directed to the Human Resources Department or the Office of Equity, Diversity, and Inclusion. A student can file a complaint with any of the designated officers by following the specified process in *Polk State Procedure 6076*, *Procedure 6086*, *Procedure 6091* and *District Board of Trustees Rule 4.01: Code of Conduct for Students and Student Organizations*.

### **History**

Adopted: October 26, 1992.

Revised: May 23, 1994; July 23, 2007; Sept. 26, 2011; May 22, 2017; February 25, 2019; and November 30, 2020