

WISCONSIN INDIANHEAD TECHNICAL COLLEGE



ADMINISTRATIVE POLICY: G-113 & J-121

TITLE: **Unlawful Discrimination/Harassment/Sexual Harassment/ Sexual Misconduct/Sexual Violence Complaints**

CROSS REFERENCE(S):

G-111 (Administrative Policy – Disability Accommodation)
G-111A (Administrative Procedure - Disability Accommodation)
G-112 & J-120 (Administrative Policy – Non Discrimination/Non Harassment Compliance)
G-113A & J-121A & J-220A (Administrative Procedure – Unlawful Discrimination/Harassment/Sexual Harassment/Sexual Misconduct/Sexual Violence Complaints)
G-113B (Administrative Procedure - Unlawful Discrimination/Harassment/Sexual Harassment/Sexual Misconduct/Sexual Violence Complaints Grievance Procedure)
G-114 & J-114 (Administrative Policy – Sexual Violence Elimination Commitment)
G-115 (Administrative Policy – Timely Warning Notice and Immediate Notification)
G-115A (Administrative Procedure – Timely Warning Notice and Immediate Notification)
J-220 (Administrative Policy – Student Relations)
Title VI and VII of the Civil Rights Act of 1964
Title IX of the Education Amendments Act of 1972, as amended
Section 504 and Section 508 of the Rehabilitation Act of 1973
Title II of The Americans with Disabilities Act of 1990, as amended
The Americans with Disabilities Act Amendments Act of 2008
Wisconsin Fair Employment Law, Section 111.31-39
1993 Wisconsin Act 427, effective May 7, 1994
Equal Pay Act of 1963, as amended
Age Discrimination in Employment Act
Higher Education Act of 1965, §485(f) (20 U.S.C. 1092 (f))
Clery Act, as amended, Sexual Violence Elimination Act (SaVE Act) as authorized by Violence Against Women Reauthorization Act
Unlawful Discrimination/Harassment/Sexual Harassment/Sexual Misconduct/Sexual Violence Complaint Form (see WITC Forms Database)

Wisconsin Indianhead Technical College (WITC) (College) prohibits and will not tolerate unlawful discrimination, harassment or sexual harassment/sexual misconduct/sexual violence including domestic violence, dating violence, stalking, and/or unwelcome conduct determined to deny a person equal access to the College's educational programs or activities by or against any student, employee, student/employee applicant, vendor/customer, anyone associated with WITC or other members of the public.

To Make a Claim of Unlawful Discrimination, Harassment, or Sexual Harassment/Sexual Misconduct/Sexual Violence/Unwelcome Conduct:

Any student, employee, or student/employee applicant who believes that he/she has been unlawfully discriminated against or harassed or sexually harassed or a victim of sexual misconduct/sexual violence including domestic violence, dating violence, stalking, and/or unwelcome conduct determined to deny a person equal access to the College's educational programs or activities in violation of College policy is urged to report the incident.

The following position has been designated to oversee compliance with federal and state statutory and regulatory requirements related to equal employment and equal educational opportunities including Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, as amended, Section 504 and Section 508 of the Rehabilitation Act of 1973, Title II of The Americans with Disabilities Act of 1990, as amended, and The Americans with Disabilities Act Amendments Act of 2008, Clery Act, as amended, Sexual Violence Elimination Act (SaVE Act) as authorized by Violence Against Women Reauthorization Act, Higher Education Act of 1965, §485(f) (20 U.S.C. 1092 (f)) and the guidance supplied by Department of Education, Office of Civil Rights and to handle inquiries, investigations and resolve complaints regarding the College's equal opportunity and non-discrimination/non-harassment policies for students, employees and student/employee applicants: Director, Human Resources, Administrative Office, 505 Pine Ridge Drive, Shell Lake, WI 54871, (715) 468-2815, ext. 2240. Employees and students may also report complaints to any member of the College Leadership Team or to law enforcement as appropriate. If any member of the College Leadership Team is alleged to have engaged in unlawful discrimination/harassment/retaliation, the complaint must be filed directly with the President. If the President is alleged to have engaged in unlawful discrimination/harassment/retaliation, the complaint must be filed directly with the Board Chair. All allegations/complaints will be investigated promptly according to

College procedures and both the complainant and accused will be afforded equitable rights during the investigative process.

All complaints or reports of alleged acts or charges of unlawful discrimination/harassment/sexual harassment/sexual misconduct/sexual violence including domestic violence, dating violence, stalking, and/or similar unwelcome conduct determined to deny a person equal access to the College's educational programs or activities reported to the College will be handled under developed procedures that include, but may not be limited to, taking immediate action to eliminate the unlawful action, preventing its recurrence, addressing its effects, publishing a notice of non-discrimination/non-harassment/non-retaliation, adopting and publishing complaint procedures and ensuring College employees are trained to respond to issues/complaints promptly and equitably. Prompt and remedial action will be taken, if necessary, to ensure appropriate behavior in the academic/work environment.

Conduct or actions that arise out of a personal or social relationship that are not intended to have an unlawful discriminatory effect may or may not be viewed as a violation of this policy. WITC will determine whether such conduct constitutes a violation of this policy based on a review of the facts and circumstances of each situation.

For more information on types of unlawful discrimination/harassment/sexual harassment/sexual misconduct/sexual violence examples, rights, responsibilities and the complaint procedure, please contact the College's Director, Human Resources/Equal Opportunity/Affirmative Action Officer and Title IX Coordinator.


Reference: This policy requires **Board approval** per Wisconsin Technical College System Methods of Administration requirements and the regulations promulgated by the authority of Title VI and VII of the Civil Rights Act of 1964
Title IX of the Education Amendments of 1972, as amended
Section 504 of the Rehabilitation Act of 1973
Title II of The Americans with Disabilities Act of 1990, as amended
The Americans with Disabilities Act Amendments Act of 2008
Higher Education Act of 1965, §485(f) (20 U.S.C. 1092 (f))
Clery Act, as amended, Sexual Violence Elimination Act (SaVE Act) as authorized by Violence Against Women Reauthorization Act

Questions regarding this policy should be directed to Human Resources.

Policy Adopted: April 19, 1982

Policy Revised: October 3, 1994
January 1, 2000
April 5, 2005
March 12, 2007 (Revisions Provided by Legal Counsel)
August 7, 2012
August 19, 2013 (Revisions reviewed by Legal Counsel)
August 18, 2014
August 17, 2015
August 17, 2020 (revisions made in conjunction with legal counsel on 8/3/20)

Policy Reviewed: November 16, 2010
August 15, 2016
August 21, 2017
August 20, 2018
July 8, 2019



PRESIDENT
WISCONSIN INDIANHEAD TECHNICAL COLLEGE