

# UNLAWFUL DISCRIMINATION AND RETALIATION POLICY

Broward College Policy 3.34 ([http://www.broward.edu/legal/policies-and-procedures/\\_docs/policy/6hx2-3.34.pdf](http://www.broward.edu/legal/policies-and-procedures/_docs/policy/6hx2-3.34.pdf))

## General Statement

Broward College ("College") recognizes its obligation to work towards a community in which diversity is valued and equal employment opportunities are provided free from unlawful discrimination, harassment and retaliation under federal, state and local laws. It is a violation of this policy for any member of the College community to engage in conduct prohibited by this policy toward any other member of the College community.

Consistent with Broward College's vision, mission, and core values, Broward College is committed to inclusive excellence and affirms its commitment to recruit, support, and retain a diverse and talented faculty and staff. As such, the College is committed to protecting all employees and students from discrimination, harassment and retaliation. This prohibited conduct undermines the integrity of the academic and work environment but also prevents its victims and their peers from achieving their full potential.

The College affirms its commitment to ensure that each member of the College community learns and works in an environment free from any form of discrimination (including harassment) based upon race, color, gender, national origin, religion, age, disability, marital status, sexual orientation, gender identity, genetic information or other legally protected classification.

The College strongly encourages any victim of discrimination (including harassment) to promptly report the matter. The College recognizes the unusual burden that harassing or discriminatory conduct places on the recipient and acknowledges the necessity for a thorough and careful resolution of all reported cases. Accordingly, it is also contrary to College policy for any individual to engage directly or indirectly in retaliation.

## Scope of Prohibited Conduct

1. **Discrimination and Harassment.** Conduct prohibited by this policy, if engaged in on the basis of race, color, gender, national origin, religion, age, disability, marital status, sexual orientation, gender identity, genetic information or other legally protected classification, includes (without limitation):
  - a. Disparity of treatment in employment, job placement, compensation, promotion, discipline, or other tangible benefits or terms and conditions of employment, including where premised on stereotypes or assumptions associated with any legally protected classification;
  - b. Limitations on access to educational, athletic, social, cultural or other activities, programs or facilities of the College on grounds other than bona fide occupational requirements or otherwise lawful distinctions;
  - c. Offensive, demeaning, or other unwelcome verbal, physical or other conduct that is intended to or does create an intimidating, hostile or offensive work or educational environment, or denies or interferes with the right of a member of the College community to participate on an equal basis in the academic or work environment of the College, including its programs or activities, including where submission to or rejection of such conduct is an explicit or implicit basis for participation (or limits on participation) in those programs or activities;
2. **Retaliation.** Conduct, including that prohibited above materially adverse to and directed against a person because that person made a complaint of discrimination or harassment, participated in the investigation or resolution of such a complaint, objected to or opposed a practice or conduct inconsistent with this policy or the federal, state or local laws upon which this policy is based, including the conduct has the intent or effect of discouraging or dissuading the assertion of rights under this policy or the federal, state or local laws upon which this policy is based.

## Obligations of the College Community

Any member of the College community who believes conduct inconsistent with this policy has been directed toward themselves or another member of the College community should report that conduct in the manner provided for the procedures accompanying this policy. Any administrator or supervisor who becomes aware of conduct which is or may be inconsistent with this policy (or a complaint thereof) must report that information in the manner provided for by the procedure accompanying this policy.

## Relationship to Other Policies

Consistent with Title IX of the Education Amendments of 1972, conduct which is or may constitute Sexual Harassment/Misconduct as defined by Policy 6Hx2-5.39 may be reported pursuant to this policy and addressed pursuant to Policy 6Hx2-5.39 and its accompanying procedures.