POLICY AGAINST PROHIBITED CONDUCT

a. Introduction

The mission of the Community Colleges is to educate, train and prepare our students to live and work in our increasingly global and diverse workforce. It is our commitment to take all possible steps to provide an inclusive and diverse learning, living, and work environment that values diversity and cultural tolerance and looks with disfavor on intolerance and bigotry. Any condition or force that impedes the fullest utilization of the human and intellectual resources available represents a force of destructive consequences for the development of our Commonwealth and ultimately, our nation.

b. Definitions

Prohibited Conduct includes: Discrimination, Discriminatory Harassment, Gender-Based Harassment, Sexual Harassment, Sexual Violence and Retaliation. These terms and all Protected Class(s)/Classification(s) are defined under the “Definitions” section of this Policy.

c. Policy Prohibitions

The Policy prohibits all conditions and all actions or omissions, which deny or have the effect of denying to any person their rights to equity and security on the basis of their membership in or association with a member(s) of any protected class. This policy reaffirms the values of civility, appreciation for racial/ethnic/cultural/religious pluralism and pre-eminence of individual human dignity as preconditions to the achievement of an academic community, which recognizes and utilizes the resources of all people.

In order to promote an atmosphere in which diversity is valued and the worth of individuals is recognized, the Colleges will distribute policy statements and conduct educational programs to combat all Prohibited Conduct.

The prohibition on Prohibited Conduct contained in this Policy shall apply to and be enforced against all members of the College community, including, but not limited to, faculty, librarians, administrators, staff, students, vendors, contractors and all others having dealings with the institution.

d. Conduct That is Not Prohibited

The Community Colleges are committed to protecting, maintaining and encouraging both freedom of expression and full academic freedom of inquiry, teaching, service, and research. Nothing in this policy shall be construed to penalize a member of the College community for expressing an opinion, theory, or idea in the process of responsible teaching and learning. Accordingly, any form of speech or conduct that is protected by the principles of academic freedom or the First Amendment to the United States Constitution is not subject to this policy.
e. **Complaint Procedures**

The Community Colleges have established a specific internal Complaint Procedure to help resolve claims and complaints of violations of this Policy on their campuses (see Section E). Any applicant for employment or admission, any student or employee, and any other member of the College community who believes that he or she has been subjected to Prohibited Conduct may initiate a complaint as outlined in the Policy’s Complaint Procedures. Further advice or information may be obtained by contacting the Affirmative Action Officer or Title IX Coordinator.

f. **Duty to Cooperate**

Every faculty member, librarian, administrator, staff member and College employee has a duty to cooperate fully and unconditionally in an investigation conducted pursuant to this Policy’s Complaint Procedure, subject to the provisions of any relevant collective bargaining agreements.

This duty includes, among other things, speaking with the Affirmative Action Officer, Title IX Coordinator or other authorized personnel or investigator and voluntarily providing all information and documentation which relates to the claim being investigated. The failure and/or refusal of any employee to cooperate in an investigation may result in disciplinary action up to and including termination.

g. **Duty to Report**

- **General Responsibility to Report Prohibited Conduct**

No member of the College community who receives a complaint of Prohibited Conduct can ignore it; he or she should give to the person making the complaint as much assistance in bringing it to the attention of the Affirmative Action Officer or Title IX Coordinator as is reasonably appropriate given his or her position at the College and relationship with the person making the complaint. Therefore, all students, faculty, staff, and administrators are strongly encouraged to report to the Affirmative Action Officer or the Title IX Coordinator any conduct of which they have direct knowledge and which they in good faith believe constitutes a violation of this Policy.

- **Reporting of Title IX Offenses by Responsible Employees**

Allegations involving Title IX Offenses shall be reported by all “Responsible Employees” to the Title IX coordinator or official designee as soon as the employee becomes aware of it. A Responsible Employee includes any College employee: who has the authority to take action to redress Title IX Offenses; who has been given the duty of reporting Title IX Offenses to the Title IX Coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty. Responsible Employees shall include, but are not be limited to, College trustees, administrators, department chairs, program coordinators, campus police, club/activity advisors, coaches, managers or supervisors.
Mandatory Reporting of Abuse Under State Law

Children (a person under the age of 18) may be students at the College, or may be engaged in activities sponsored by the College or by third-parties utilizing College facilities. In such instances, where an employee has reasonable cause to believe that a child is suffering physical or emotional injury, resulting from among other causes, sexual abuse, the employee and the College may be obligated to comply with the mandatory reporting requirements established at M.G.L. Chapter 119, Section 51A-E. In such cases, the employee is directed to immediately report the matter to the College’s Affirmative Action and/or Title IX Coordinator, who, in consultation with other officials, shall contact the Commonwealth’s Department of Children and Families and/or law enforcement. An employee may also contact local law enforcement authorities or the Department of Children and Families directly in cases of suspected abuse or neglect. State law also maintains mandatory reporting requirements for certain occupations where elderly and disabled abuse or neglect is suspected. For more information on these reporting requirements please contact the College’s Affirmative Action Officer.

Any member of the College community who has a question about his or her responsibilities under this Policy should contact the Affirmative Action Officer or Title IX Coordinator.