

## NON-DISCRIMINATION, ANTI-HARASSMENT AND EQUAL OPPORTUNITY

### [INTERIM POLICY]

#### I. Policy Section

6.0 Human Resources

#### II. Policy Subsection

6.2 Non-Discrimination, Anti-Harassment and Equal Opportunity

#### III. Policy Statement

Consistent with its mission and values, Grand Rapids Community College (“GRCC” or “College”) is committed to creating an inclusive learning and working environment that recognizes the value and dignity of each person.

To that end, it is GRCC’s policy and practice to provide equal educational, employment and other opportunities to all individuals. This policy specifically prohibits unlawful discrimination and harassment on the basis of age, race, color, ancestry, national origin, religion, marital status, familial status, sex, gender, pregnancy, pregnancy-related conditions, sexual orientation, gender identity, gender expression, height, weight, disability, political affiliation, veteran status, genetic information or any other characteristic protected by applicable federal, state and/or local laws, rules or regulations (“applicable laws”).

This policy’s prohibition against discrimination and harassment applies to all GRCC education programs or opportunities, activities, services and employment.

Further, GRCC expressly prohibits any form of retaliation against any person for engaging in any activity protected under this policy or any applicable law, rule or regulation (including reporting or making a complaint regarding a potential violation of this policy, or participating in an investigation related to this policy).

#### IV. Reason for This Policy

GRCC is committed to maintaining an equitable and inclusive environment for all students, employees, and members of its campus community. That commitment includes prohibiting unlawful discrimination, harassment and retaliation.

In addition to clearly stating and affirming these core values and commitments, this policy also serves to: define relevant terms; clarify what conduct may violate this policy; and provide direction and information regarding reporting potential policy violations, and how to access investigatory procedures and available resources.

V. Entities Affected by This Policy

All employees  
Board of Trustees  
Independent contractors  
Applicants  
Students  
Vendors  
College guests  
Community and constituencies accessing services  
Volunteers  
Members of the public

VI. Who Should Read This Policy

All employees  
Board of Trustees  
Independent contractors  
Applicants  
Students  
Vendors  
College guests  
Community and constituencies accessing services  
Volunteers  
Members of the public

VII. Related Documents

A. Related GRCC Board of Trustees policies include the following:

1. Treatment of People.

B. Related GRCC policies include the following:

1. Non-Discrimination on the Basis of Disability (Policy 3.2);
2. Free Speech and Expressive Activity (Policy 3.9);
3. Transgender and Non-Binary Equal Opportunity (Policy 6.1);
4. Title IX (Policy 6.5);
5. Conflict of Interest (Policy 6.7);
6. Administrator Code of Ethics (Policy 6.21);
7. APSS Code of Ethics (Policy 6.22);
8. Misconduct Policy (Policy 6.23);
9. Faculty Code of Ethics (Policy 7.12); and
10. Student Code of Conduct (Policy 8.30);

C. Related GRCC webpages include the following:

1. [Ethics Monitoring System](#);
2. [Rights, Options and Resources](#);
3. [Title IX](#);
4. [Get Help Resources](#);
5. [Board of Trustees Policies](#); and
6. [College Operational Policies](#).

D. Equal opportunity and non-discrimination statements on the College's website contained within College documents.

E. Posted notices regarding federal and state laws prohibiting discrimination.

## VIII. Contacts

Policy Owner: Director of Equal Opportunity Compliance & Title IX Coordinator  
Vice President for People, Culture and Equity  
Executive Director of Human Resources  
General Counsel  
Labor and Equal Opportunity Generalist

## IX. Definitions

A. **Applicable Law(s):** Any federal, state or local law, rule, regulation, ordinance, order or other legally binding authority which prohibits any form of discrimination or harassment based upon any protected characteristic; or which prohibits retaliation related to any report, complaint, investigation participation, or other protected activity regarding a potential violation of any applicable law. Applicable laws, include, but are not limited to:

Federal Laws:

1. Civil Rights Act of 1964 (including Title VI and Title VII);
2. Title IX of the Education Amendments of 1972;
3. Americans with Disabilities Act;
4. Age Discrimination Act of 1975;
5. Age Discrimination in Employment Act of 1967;
6. Rehabilitation Act of 1973;
7. Equal Pay Act of 1963;
8. Pregnant Workers Fairness Act of 2023;
9. PUMP for Nursing Mothers Act of 2022;
10. Pregnancy Discrimination Act of 1978;
11. Genetic Information Nondiscrimination Act of 2008;
12. Vietnam Veterans Readjustment Assistance Act of 1974; and

13. Uniformed Services Employment and Reemployment Rights Act of 1994.

State Laws:

1. Elliott-Larsen Civil Rights Act;
2. Persons with Disabilities Civil Rights Act; and
3. Equal Pay Act.

**B. Complainant:**

1. A student or employee who is alleged to have been subjected to conduct that could constitute discrimination, harassment or retaliation prohibited under this policy; or
2. A person other than a student or employee who is alleged to have been subjected to conduct that could constitute discrimination, harassment or retaliation prohibited by this policy and who was participating or attempting to participate in the College's education program or activity at the time of the alleged discrimination, harassment or retaliation.

**C. Complaint:** An oral or written request to the College that can objectively be understood as a request for the College to investigate and make a determination about violation(s) of this policy.

**D. Confidential Employee:** An employee with confidentiality bestowed by law or professional ethics who is exempt from mandatory reporting requirements when functioning within the scope of their duties to which privilege or confidentiality applies. GRCC employees designated as "confidential employees" are specifically identified below within this policy.

**E. Conduct Prohibited by this Policy:**

1. **Discrimination** is conduct based upon an individual's actual or perceived protected characteristic(s) that: limits or denies an individual the opportunity to participate in, or benefit from, a College education program or activity; or otherwise adversely affects a term or condition of an individual's employment or education.
  - a. Discrimination may include conduct which meets the above-stated definition involving:
    1. Intentional differential treatment based upon an individual's actual or perceived protected characteristic, including harassment based upon a protected characteristic.

2. Unintentional differential treatment relating to policies or practices that appear neutral, but which result in a disproportionate impact on a protected group or individual; or
3. Failure to provide reasonable accommodation(s) or modifications as required by law or policy, such as for disability or religion.

2. **Harassment** is unwelcome conduct based upon an individual's actual or perceived protected characteristic(s) that is sufficiently severe or pervasive that it substantially interferes with an individual's employment, education or access to College programs, activities or opportunities and would detrimentally affect a reasonable person under the same circumstances.

- a. Harassment may include, but is not limited to: verbal or nonverbal communications (including electronic communications); physical attacks; graphic or written statements; the use of slurs, insults, epithets or other derogatory language; and other conduct that is threatening, intimidating, hostile, abusive or isolating;
- b. Harassment, for purposes of this policy, is not conduct that is simply incivility or rudeness, but conduct that violates the protections afforded to a protected class under applicable laws.
- c. Because freedom of expression and academic freedom are fundamental to GRCC's academic mission and must be protected even when the views expressed are unpopular or controversial, GRCC will take both into account when considering whether harassment has occurred and what type of remedy, if any, is appropriate. Whether alleged conduct constitutes prohibited harassment depends on the totality of the particular circumstances, including: the nature, frequency and duration of the conduct in question; the location and context in which it occurs; and the status of the individuals involved.

More information about freedom of expression is available in GRCC's Free Speech and Expressive Activity Policy (Policy 3.9).

3. **Sex Discrimination** is a form of discrimination prohibited under this policy. Sex discrimination includes sex-based harassment. Sex discrimination and sex-based harassment include prohibited conduct on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation and gender identity.

Prohibited conduct constituting sex-based harassment includes sexual harassment and other harassment on the basis of sex, such as quid pro quo harassment, hostile environment harassment any form of sexual assault, dating violence, domestic violence, and stalking.

Sex discrimination is prohibited under Title IX, and GRCC's Title IX Policy (Policy 6.5) provides additional information and definitions regarding sex discrimination and sex-based harassment.

4. **Retaliation** is any adverse action taken against an individual because of their participation in a protected activity. Retaliation includes intimidation, threats, coercion or discrimination by the College, a student, or an employee or other agent of the College, against any individual for the purpose of interference with any right or privilege secured by law or this policy, or because that person has made a report or complaint, testified, assisted, or participated or refused to participate<sup>1</sup> in an investigation, proceeding, or hearing under this policy.

The exercise of rights protected under the First Amendment does not constitute retaliation. It is also not retaliation for the College to investigate or pursue policy violations against those who make materially false statements in bad faith in the course of grievance, investigation and/or complaint resolution procedures under this policy. However, the determination of responsibility, by itself, is not sufficient to conclude that any individual has made a materially false statement in bad faith.

F. **Education Program or Activity:** Locations, events or circumstances where GRCC exercises substantial control over the context in which the alleged prohibited discrimination, harassment and/or retaliation occurred, including any building owned or controlled by a student organization officially recognized by GRCC.

G. **Party:** A complainant or respondent (collectively, the "parties").

H. **Respondent:** A person who is alleged to have engaged in conduct that could constitute discrimination, harassment, retaliation or other conduct prohibited by this policy.

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<sup>1</sup> It is not retaliation for the College to require an employee or other agent of the College to participate as a witness in, or otherwise assist with, an investigation or other proceeding related to this policy.

- I. **Protected characteristic(s):** Age, race, color, ancestry, national origin, religion, marital status, familial status, sex, gender, pregnancy, pregnancy-related conditions, sexual orientation, gender identity, gender expression, height, weight, disability, political affiliation, veteran status, genetic information or any other characteristic protected by applicable laws.

X. Procedures

- A. **Jurisdiction:** This policy applies to conduct occurring under the College's education programs and activities, within any building owned or controlled by a student organization recognized by GRCC or under any circumstances where the College maintains disciplinary authority.

This policy may also apply to the effects of off-campus misconduct that limit or deny a person's access to the College's education program or activities.

For disciplinary action to be issued under this policy, the respondent must be a GRCC student or employee at the time of the alleged incident. If the respondent is unknown or is not a member of the campus community, the Director of Equal Opportunity Compliance & Title IX Coordinator (or designee), will offer to assist the complainant in identifying appropriate institutional support and local resources and support options, and will implement or facilitate the implementation of appropriate supportive measures and/or remedial actions (e.g., the issuance of a "no-trespass order").

- B. **Mandatory Reporting Requirements:** All GRCC employees (including student-employees), other than those deemed "confidential employees," are mandated reporters and are expected to promptly report all known details of actual or suspected discrimination, harassment, sex-based harassment and/or retaliation to appropriate College officials.

Mandatory reporting requirements apply whenever any employee receives a disclosure of conduct that that violates this policy or becomes aware of information that would lead a reasonable person to believe that prohibited discrimination, harassment, sex-based harassment and/or retaliation has occurred.

A mandated reporter who is themselves subject to any conduct prohibited by this policy is not required to report their own experience, though they are encouraged to do so.

Employees who have an obligation to report under this policy should still treat this information as private and only share with individuals as necessary under this policy.

Corrective action may be taken against any employee who has a duty to report and who fails to respond in a timely manner consistent with this policy.

1. **Confidential Employees<sup>2</sup>:** Reports to individuals designated as confidential employees shall only be considered confidential when they are in a confidential relationship with the person reporting, such that they are within the scope of their licensure, professional ethics, or confidential role at the time of receiving a report. In such circumstances (which may not encompass all reports), such individuals will maintain confidentiality except where disclosure is required by applicable law or court order.

**Designated Confidential Employees** include the following: Licensed Professional Counselors employed in GRCC's Counseling and Career Development Department.

### C. Internal Reporting Options:

1. **Discrimination, Harassment or Retaliation:** Reports regarding alleged violations of this policy (including all circumstances where mandatory reporting requirements exist) should be provided to the Director of Equal Opportunity Compliance & Title IX Coordinator:

Director of Equal Opportunity Compliance & Title IX Coordinator  
Bostwick Office Suites  
140 Bostwick Avenue NE  
Grand Rapids, MI 49503  
[titleix@ggcc.edu](mailto:titleix@ggcc.edu)  
(616) 234-4999

2. **Sex Discrimination and Sex-Based Harassment:** Reports regarding alleged violations of GRCC's Title IX Policy and/or this policy (including all circumstances where mandatory reporting requirements exist) which involve sex discrimination, including sex-based harassment, should be provided to the Director of Equal Opportunity Compliance & Title IX Coordinator or any Deputy Title IX Coordinator.
3. **Anonymous Reporting:** Anonymous reports may be provided to GRCC's Ethics Hotline by calling: (616) 234-3169.

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<sup>2</sup> Additional information regarding confidential employees is contained within GRCC's Title IX Policy.



4. **Criminal Reporting:** Safety of the campus community is of the utmost importance to Grand Rapids Community College; and the GRCC Police Department has been established to serve and protect members of the GRCC campus community.

In addition to violating College policy, conduct that constitutes discrimination, harassment, retaliation or sex-based harassment may also violate applicable criminal laws. Criminal behavior should be reported to the GRCC Police Department or other local law enforcement authorities. GRCC administrators are available to assist complainants with notification of complaints to law enforcement on- or off-campus.

The GRCC Police Department is located at 25 Lyon St NE, Grand Rapids, MI 49503, and may be contacted as follows:

In Emergencies:

- Dial 911 (off-campus); or
- (616) 234-4911 (off-campus); or
- Ext. 4911 (on-campus).

In Non-Emergency Circumstances:

- (616) 234-4910 (off-campus); or
- Ext. 4911 (on-campus); or
- Via email at [police@grcc.edu](mailto:police@grcc.edu).

5. **Other Reporting Resources:**

- Human Resources:
  - (616) 234-3971;
  - [hr@grcc.edu](mailto:hr@grcc.edu).
- Office of Student Life and Conduct:
  - (616) 234-4160;
  - [studentlife@grcc.edu](mailto:studentlife@grcc.edu).
- ADA/Section 504/Section 508 Coordinator:
  - (616) 234-3134;
  - [ada@grcc.edu](mailto:ada@grcc.edu).
- Disability Support Services:
  - (616) 234-4140;
  - [disability@grcc.edu](mailto:disability@grcc.edu).

- Free Student Counseling Services:
  - (616) 234-4130;
  - [counseling@grcc.edu](mailto:counseling@grcc.edu).
- Employee Assistance Program:
  - (800) 442-0809.
- Woodrick Center of Inclusion and Multicultural Affairs:
  - (616) 234-3850;
  - [odei@grcc.edu](mailto:odei@grcc.edu).

**D. External Complaint Resolution:** GRCC takes seriously its responsibility to provide an educational environment free from unlawful discrimination, harassment and retaliation. To that end, the College has established this policy and other policies prohibiting such conduct. The College has also established grievance procedures, referenced further below, for investigating alleged violations of this and other policies; and the campus community is encouraged to use those procedures to address complaints of discrimination, harassment or retaliation occurring within the campus community. External resources are also available at the state and federal level to investigate and assist in the resolution of complaints. The following resources may be utilized concurrently with, or separate from, a complaint pursuant to GRCC's grievance procedures:

Michigan Department of Civil Rights

MDCR Service Center  
 Cadillac Place  
 3054 West Grand Blvd, Ste 3-600  
 Detroit, MI 48202  
 Phone: (313) 456-3700  
 Fax: (313) 456-3701  
 Web: [www.michigan.gov/mdcr](http://www.michigan.gov/mdcr)

U.S. Department of Education, Office for Civil Rights

Cleveland Office  
 1350 Euclid Ave, Ste 325  
 Cleveland, OH 44115-1812  
 Phone: (216) 522-4970  
 Fax: (216) 522-2573  
 Email: [OCR.Cleveland@ed.gov](mailto:OCR.Cleveland@ed.gov)  
 Web: <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

U.S. Equal Employment Opportunity Commission

Detroit Field Office  
 Patrick V. McNamara Bldg  
 477 Michigan Ave, Rm 865  
 Detroit, MI 48226

Phone: (313) 774-0020

Fax: (313) 226-4610

Web: <https://www.eeoc.gov/field-office/detroit/location>

E. **Grievance, Investigation and Complaint Resolution Procedures:** GRCC's grievance, investigation and complaint resolution procedures regarding alleged violations of this policy and violations of its Title IX Policy are set forth in a separate policy document, entitled: "**Procedures for Responding to Reports of Discrimination, Harassment and Retaliation.**" All reported violations of this policy will be promptly investigated in accordance with the procedures set forth in that policy document.

In addition, GRCC provides grievance, investigation and complaint resolution procedures relating to alleged violations of other College policies in accordance with the procedures set forth in those policies, or in accompanying policy documents. These policies include GRCC's Student Code of Conduct.

Investigations relating to other alleged policy violations may be conducted by an appropriate administrator (or, where appropriate, an external investigator), including a representative of the College's Human Resources Department.

XI. Forms

N/A

XII. Effective Date

Original date: September, 2004

XIII. Policy History

September 23, 2004

November, 2011

September, 2014

October, 2016

October, 2017; changes made to update definitions and clarify process, as well as provide more detail re: compliance with bargaining agreements and possible outcomes.

May, 2018: changes made to add contacts and reference to Ethics Hotline, clarify appeal process, explain role of the Office of General Counsel and investigation process, provide information about investigation reports.

February, 2020: Clarified when external investigator would be used, consistent with Harassment policy

October, 2020: Updated grammatical and formatting errors

October, 2022: Revised links and definitions and updated related documents

August, 2024: Interim revisions

XIV. Next Revision Date

July, 2026