

**CLOVER PARK TECHNICAL COLLEGE  
PROCEDURE**

CHAPTER	SECTION	TITLE	HISTORY		
2	30P	HARASSMENT, INTIMIDATION, BULLYING, and RETALIATION	Adopted 2024	Campus Forum	Reviewed
			Revised		Next Review

**Reporting:**

The college encourages timely reporting of incidents of harassment, intimidation, bullying and/or retaliation (HIBR). Individuals are advised to submit reports of unwanted behavior in writing, but can also submit them verbally.

To submit reports in writing, individuals should document the unwanted behavior using the college’s referral system known as “Better CPTC.” The “Better CPTC” webpage documents all college concerns around safety and security. The webpage link is: [www.cptc.edu/better-cptc](http://www.cptc.edu/better-cptc). Once on the webpage, individuals can click on a link that best describes their concern and fill out a referral form that will be routed to the appropriate administrative persons in Human Resources and Equity, Diversity, and Inclusion office to address. If individuals prefer a paper copy of the report form, it will be available in the following offices: Human Resources, Advising/Counseling, EDI office, and the VP for Student Services office. Forms can be turned into Human Resources for investigation.

If an individual wants to verbally report unwanted behavior, they should do so with the Associate Vice President of Human Resources and Culture (AVP-HRC), or the Associate Vice President of Equity, Diversity, and Inclusion (AVP-EDI). If the unwanted behavior is related to someone in Human Resources or EDI, it should be filed with the President’s office. Receipt of an online or verbal behavior will result in an investigation as detailed below. CPTC will seek to respect the right to privacy and confidentiality of all parties involved consistent with legal obligations, federal/state law, and CPTC policies and union agreements.

**Resolution Process:**

It is up to the employee to determine if they desire an informal or formal resolution. Each employee may also utilize their collective bargaining agreements, if existing and as appropriate, to provide union representation during the investigation process. If the employee is dissatisfied with the informal process, seeking a formal resolution is the next step in the process.

**Informal Process:**

We have a desire to build and nurture a well-functioning community where all members can seek resolution when conflict occurs. This informal process is encouraged to be utilized

as a method for addressing and repairing harm that has been done. There are expected steps to find a resolution. The order is intentional and center healthy communication among all impacted. Each step should occur in this sequence outlined below. We want the process to work as early as possible and at the lowest level of resolution. Disciplinary action should be the last resort unless the incident is determined as egregious requiring immediate disciplinary action.

- 1) Try to resolve the concern with all individuals impacted.
- 2) Bring your concern to your supervisor and request a mediated conversation among all individuals impacted. If outside of a single department, more than one supervisor would coordinate to provide this mediation.
- 3) Elevate your concern to a Dean, Associate Vice President, or Vice President of your division.
- 4) Elevate your concern Human Resources
  - a. Recommended mediation questions to ask all involved:
    - i. What was the harm that was done?
    - ii. Is there a way to resolve the harm at this level of the resolution process?
    - iii. How can all parties be made whole during this process? This involves a written agreement that both parties agree to that allows for moving forward and working together again.
  - b. Institutional responsibility to provide education:
    - i. Teach-ins on restorative practices
    - ii. Document the behavior in an employee handbook and identify topics for staff/faculty training.
    - iii. Supervisors participate in annual mediation training and refresher courses on HIBR topics.
    - iv. Add the expectation during New Employee Orientation “this is what it means to be a part of CPTC and this is how we approach it when we fall short of this ideal”
      - We want a policy and process that is both aspirational and legally and ethically defensible
      - Community conversations around community expectations
      - Create a unifying agreement “bring us back to a communal state of mind”
      - At the root: How do we care for the community in a meaningful way

If you are experiencing retaliation in the workplace after having engaged, in good faith, in a formal or informal resolution process for harassment, intimidation or bullying in the workplace, you are encouraged to document and report your experience with the AVP-HR and AVP-EDI.

#### **Formal Resolution Process:**

#### **Investigation:**

Upon receiving reports of unwanted HIBR behaviors, an initial screening will take place by the AVP-HRC and the AVP-EDI. As Co-leads of the investigation, they will determine which person(s) will lead a more complete investigation. Investigations of student behavior will use the process outlined in the Student Code of Conduct. The AVP-HRC and AVP-EDI shall be responsible for coordinating and overseeing all investigations involving staff/faculty with the assistance of a safe advocate team. The safe advocate team is a group of individuals who have received specific training in investigating HIBR related cases.

**Interim measures.** The AVP-HRC, AVP-EDI, and the Student Conduct Officer may impose interim measures to protect the complainant and/or respondent pending the outcome of the investigation. Interim measures may include, but are not limited to, imposition of no contact orders, rescheduling classes, temporary work reassignments/workstation, referrals for counseling or medical assistance, and imposition of summary discipline on the respondent consistent with the college's student conduct code or the college's employment policies and collective bargaining agreements. Please note that these measures are taken to reduce potentially harmful incidents and are not considered retaliation under this policy.

**Protocol.** Complaints shall be thoroughly and impartially investigated by the safe advocate team as assigned by the AVP-HRC and AVP-EDI. The investigation shall include, but is not limited to, interviewing the complainant and the respondent, relevant witnesses, and reviewing relevant documents. The investigation shall be concluded within a reasonable time, typically sixty working days barring unforeseen circumstances. If an investigation period is extended, the complainant and respondent shall be notified within a reasonably prompt timeframe. At the conclusion of the investigation the safe advocate team shall set forth findings and recommendations in writing to the AVP-HRC and AVP-EDI. The AVP-HRC and AVP-EDI shall consider the findings and recommendations and determine, based on a preponderance of the evidence, whether a violation of the Harassment, Intimidation, Bullying, and/or Retaliation policy occurred, what steps will be taken to resolve the complaint, remedy the effects on any victim(s), and prevent its recurrence. The AVP-HRC and AVP-EDI will issue a decision in writing to each party and to the appropriate administrator or appointing authority. Possible remedial steps may include, but are not limited to, referral for voluntary training/counseling, restorative justice initiatives, development of a remediation plan, limited contact orders, and/or referral and recommendation for formal disciplinary action. Referrals for disciplinary action will be consistent with the student conduct code or college employment policies and collective bargaining agreements.

**Notification and Reconsideration.** The complainant shall be informed in writing of the decision and of actions taken or recommended to resolve the complaint. The complainant may be notified generally that the matter has been referred for disciplinary action. The respondent shall be informed in writing of the decision and of actions taken or recommended to resolve the complaint and shall be notified of referrals for disciplinary action. Both the complainant and the respondent are entitled to review any final findings, conclusions, and recommendations, subject to any FERPA confidentiality requirements. If

the findings reveal a larger community impact has occurred, the AVP-HRC and AVP-EDI will issue a statement to campus to reaffirm our commitment to a workplace free of HIBR.

**Appeal.** For faculty and staff, either the complainant or the respondent may seek reconsideration of the decision by the AVP-HRC and AVP-EDI. Requests for reconsideration shall be submitted in writing to the AVP-HRC and AVP-EDI within seven working days of receiving the decision. Requests must specify which portion of the decision should be reconsidered and the basis for reconsideration. If no request for reconsideration is received within seven working days, the decision becomes final. If a request for reconsideration is received, the AVP-HRC and AVP-EDI shall deliver the appeal to the President of CPTC to review. The President will have ten working days to review the appeal and provide a final decision. Any appealed decision is final and no further reconsideration is available.

APPROVAL:	
By: 	Date: <u>5/6/24</u>
Vice President signature	