

SECTION III: COLLEGE ENVIRONMENT

Policy 3 - 01: STUDENT RIGHTS AND RESPONSIBILITIES

As a microcosm of a democratic society, a college has many responsibilities to its community. Not the least of these should be the development of an understanding and appreciation of our representative form of government, the rights and responsibilities of the individual, and the procedures whereby necessary changes are brought about through an orderly process.

The College itself is a community, and must abide by the rights and regulations of the community and the laws by which it is governed. All those who enjoy the rights of participation in that community must also accept the responsibilities of its membership. A basic responsibility of those who enjoy the rights of citizenship is to respect the rights and regulations of the community.

The faculty has the responsibility to maintain an intellectual, fair, and safe environment for learning and the administration the responsibility for overseeing and facilitating education, social and public service programs. The president may suspend students for cause. The faculty may send a student to an appropriate college official for cause.

The student is encouraged to participate in some form of student government that provides all students a voice in college affairs. All students are eligible to participate, as well as hold office.

A. Students have a right to:

1. Write, publish, and disseminate their views, provided such forms of expression do not interfere with or disrupt the educational process or the rights of others.
2. Assemble and voice their views peacefully on college property with prior administrative approval. The use of slander and obscenity is prohibited. The expression of such opinions will not interfere with the rights of others, will not interfere with the freedom of others to express themselves, and will not interfere with the operations of the College.
3. Enjoy privacy and confidentiality as members of the college community. No information in the student's record will be released to any source without the student's written consent, other than directory information, as required by law.
4. Review their college record with reasonable notice in the presence of a faculty member or administrator.
5. Belong to or refuse to belong to any organized group within the college.
6. Have representation and voice on all committees of the college having to do with academic standards, student affairs, and curriculum matters.
7. Obtain an education of the highest available quality.
8. Participate in all financial aid programs available at the college, providing eligibility requirements are met.
9. Receive fair and equal treatment by faculty, staff, and the administration in all college matters such as instruction, evaluation, and services.
10. Receive due process in any grievance or disciplinary procedure.

B. Students have the responsibility to:

1. Be knowledgeable of and comply with the policies and procedures of the College and the Student Government.
2. Be knowledgeable of and comply with the regulations and laws of duly constituted civil agencies within the community of which the College is a part.

3. Met course requirements. Students are free to take reasoned exception to views expressed.
4. Dress and behave in an appropriate manner that does not present safety hazards or cause disruptions.
5. Carry and be prepared to show official identification card at all times on college grounds.
6. Conduct themselves in a responsible fashion at off-campus events/learning activities.
7. Obey lawful instructions of college personnel.

Policy 3 – 02: EQUAL OPPORTUNITY AND NON-DISCRIMINATION

I. POLICY:

Quincy College is committed in spirit as well as in action, to not only meet, but also to exceed all federal, state and local statutes governing equal opportunity and inclusion. The College is an academic community dedicated to openness, tolerance and respect. Our doors are open to all students and employees, and it is our policy to guarantee equal employment and educational opportunities without regard to age, race, creed, color, religion, gender, marital or parental status, national origin or ancestry, veteran status, sexual orientation, or disability, which can be reasonably accommodated.

The College is committed to maintaining and promoting a policy of non-discrimination and does not discriminate in its education programs or in admissions to, access to, treatment in its educational programs, or employment in its programs and activities. Furthermore, the College will act in good faith, to affirmatively recruit and consider for promotion individuals in protected categories. Age, race, creed, color, religion, gender, marital or parental status, national origin or ancestry, veteran status, sexual orientation, or disability are not factors in employment, promotion, transfer, compensation, lay-off, disciplining and terminations.

All Quincy College employees have the right to equal opportunity in hiring, training, promotion, transfer, and reasonable accommodation to an individual's disability, in accordance with the Rehabilitation Act of 1973 and the Americans Disability Act of 1990. Employees have the right to work in an environment free of any form of discrimination. In addition to these rights under applicable laws, all College employees (including student employees) have the responsibility to:

- ensure that his/her conduct does not discriminate against other employees, students, applicants for employment, applicants for admission or any other individuals in the workplace;
- confidentially and thoroughly cooperate in any investigation of alleged discrimination by providing any/all information they possess concerning the matter being investigated;
- not retaliate against any individual who puts forth a claim of discrimination or cooperates with an investigation of an allegation of discrimination;
- actively participate in the College's efforts to prevent and eliminate discrimination in the workplace and learning environment.

This policy applies to all services, education programs, employment practices and employment programs sponsored by the College and incorporates by reference and where applicable, the requirements of Federal Executive Orders 11246 and 11375 as amended; the Civil Rights Act of 1964 as amended; the Civil Rights Restoration Act of 1988; the Civil Rights Act of 1991; Title IX of the Higher Education Amendments of 1972, as amended; Sections 503 and 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990, Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974 and the Family and Medical Leave Act of 1993.

II. PROCEDURES:

The College shall review, investigate, and where necessary, initiate changes in its processes relative to facilities and programs accessible to the public including for the provision of reasonable accommodation for persons with disabilities. In keeping with these regulations, the same procedures as outlined under the Sexual Harassment Policy shall apply. The College's Affirmative Action Officer is responsible for implementing all elements of this Affirmative Action/Equal Employment Opportunity program. Quincy College is committed to a strong and effective Affirmative Action/Equal Employment Opportunity program.

All employee questions, concerns, or complaints regarding Sections 503 and 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990 or regarding the College's Affirmative Action/Title VI or Sexual Harassment/Title IX policies should be forwarded to Lorri Mayer, Executive Director of Human Resources, 24 Saville Avenue, Saville Hall, room 211, Quincy, MA 02169 or by calling 617-984-1768 or at lmayer@quincycollege.edu.

Inquiries regarding services for students with disabilities or student concerns or complaints regarding Sections 503 and 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990 or Sexual Harassment/Title IX policies should be forwarded to Susan Bossa, Executive Director of Student Support Services/ADA Coordinator, 150 Newport Ave Ext., Newport Hall, room 252, Quincy, MA 02171 or by calling 617-984-1656 or at sbossa@quincycollege.edu.

Policy 3 – 03: SEXUAL HARASSMENT POLICY AND HARASSMENT-FREE WORKPLACE

1. POLICY:

It is the policy of Quincy College to provide a learning and working environment free of harassment, including sexual harassment. Quincy College expects all members of its community to treat each other with dignity and respect. Sexual harassment in the workplace is unlawful, and it is unlawful to retaliate against an employee or student for filing a complaint of sexual harassment or for cooperating in an investigation of such a complaint. Sexual harassment is a form of discrimination and a violation of Title VII of the Civil Rights Act of 1964 and Title XI of the Educational Amendments of 1972. In accordance with applicable federal and state laws and the Board of Higher Education's approved Affirmative Action Plan, the College subscribes to the guidelines outlined below concerning sexual harassment and has adopted them as College policy. Moreover, as part of the College's overall non-discrimination policy, the College prohibits all forms of harassment of others because of race, color, religion, sex, age, national origin, ancestry, sexual orientation, physical or mental disability, veteran, or other protected status. In particular, sexual harassment does not belong in our workplace and learning environment. Sexual harassment of a student, an employee, or any other person in the College is unacceptable, impermissible, and will not be tolerated.

Please note that while this policy sets forth our goals of promoting an environment that is free of sexual harassment and otherwise prohibited harassment, the policy is not designed or intended to limit our authority derived from any other source to discipline or take action for workplace conduct that we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment because of race, color, religion, national origin, gender, age, sexual orientation or disability, set forth herein.

II. DEFINITION:

Sexual harassment occurs in a variety of situations that share a common element: the inappropriate introduction of sexual activities, conduct or comments into the work or learning situation. Often sexual harassment involves relationships of unequal power and contains elements of coercion, as when compliance with requests for sexual favors become a criterion for granting work, study, or grading benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances, or demeaning verbal behaviors have a harmful effect on a person's ability to study or work in the academic setting.

Harassment is defined as verbal, written, or physical conduct for the purpose of intimidation because of a person's race, color, religion, national origin, gender, age, sexual orientation, or disability which intimidates or creates an intimidating, hostile, humiliating, or offensive educational environment, affects educational decisions, or interferes with a student's educational experience, or an employee's working Environment.

For purposes of this policy, sexual harassment is defined as any type of sexually-oriented conduct, whether intentional or not, that is unwelcome and has the purpose or effect of creating a work or learning environment that is hostile, offensive or coercive to a reasonable woman or man, as the case may be. The following are examples of sexually-oriented conduct that, depending upon the circumstances, may constitute sexual harassment:

- unwelcome and unwanted sexual jokes, language, epithets, advances or propositions;
- written or oral abuse of a sexual nature, sexually degrading or vulgar words to describe an individual;
- the display of sexually suggestive objects, pictures, posters or cartoons,
- unwelcome and unwanted comments about an individual's body, sexual prowess or sexual deficiencies;
- asking questions about sexual conduct;
- unwelcome touching, leering, whistling, brushing against the body, or suggestive, insulting or obscene comments or gestures; and
- submission to such conduct or sexual favors is made, either explicitly or implicitly, a term or condition of an individual's employment or education or in exchange for favorable reviews, assignments, promotions, or continued employment, or promises of the same; or
- submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
- such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance and creating an intimidating, hostile, or demeaning employment or educational environment.

III. PROCEDURES:

If an employee or student believes that he/she has been the subject of sexual harassment, or subjected to any form of harassment, or a hostile, offensive or coercive work or learning environment, or if you are not sure whether certain behavior is sexual harassment or whether it is actionable under this policy, he/she is strongly encouraged to immediately notify the Executive Staff Team (EST) member of his/her program and the Director of Human Resources so that the College may have the opportunity to provide a resolution, or to provide an opportunity to discuss the concern with a College Executive Staff Team member of the same sex, if desired, or to put forth an investigation and deal promptly with the complaint, in accordance with the College's current grievance procedures.

The grievance process is a formal mechanism for redress. Please refer to Section VI - find Policy 14 Grievance Procedures which shall apply for any/all formal grievances put forth in writing.

Members of the Executive Staff Team (EST) and the Director of Human Resources can be reached at the following numbers:

Robert Baker, Esq.
Dean, Business and Public Service
617-984-1642

Lorri Mayer
Executive Director, Human Resources
617-984-1768

Kenneth Bindseil, Ph.D.
Dean, Liberal Arts
617-984-1643

Assistant Dean, Sciences
617-984-1748

Patricia A. Vampatella, R.N., Ed.D.
Vice President, Academic Affairs
617-984-1640

Tom Pham
Executive Director, Information Technology
617-984-1699

Martha Sue Harris
President, Quincy College
617-984-1776

Paula Smith
Registrar and Executive Dean, Enrollment Services
617-984-1654

Dean, Allied Health
617-984-1695

Anna Williams Coté, Esq.
Dean, Plymouth Campus
508-747-8156

Pushap Kapoor
Vice President,
Administration & Enrollment Management
617-984-1775

If the complaint is against a member of the Executive Staff Team, the employee or student should notify the Director of Human Resources at the above location and telephone number.

If the complaint is against the Director of Human Resources, the employee or student should notify the President of the College at the above location and telephone number.

Persons alleging that they have been the victim or sexual of other prohibited harassment may have the right to file a complaint with either or both the following government agencies set forth below.

Using the College's complaint process does not prohibit the filing of a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOX-180 days; MCAD – six months). This list is not to be considered an exhaustive list of available state and/or federal remedies. Quincy College is not responsible for providing legal advice regarding state and/or federal claims of sexual or discriminatory harassment.

The Massachusetts Commission Against Discrimination (MCAD) is responsible for investigating and handling complaints of sexual harassment filed in the Commonwealth. The MCAD is located at:

Massachusetts Commission Against Discrimination
One Ashburton Place, 6th Floor
Boston, MA 02108
617-727-3990

Equal Employment Opportunity commission (EEOC) is charged with investigating and handling complaints of sexual harassment filed under Title VII of the 1964 Civil Rights Act and Title IX of the 1972 Educational Amendments. The EEOC is located at:

Equal Employment Opportunity Commission
One Congress Street, 10th Floor
Boston, MA 02114-2023
617-565-3200

IV. INVESTIGATIVE PROCESS:

Sexual Harassment is expressly forbidden under federal and state regulations and is actionable under the provisions of Title VII of the Civil Rights Act of 1964 and Title XI of the Educational Amendments of 1972. In keeping with these regulations, a concerted effort will be made to protect employees, students, and others from sexual harassment as defined. The College will take reasonable measures to prevent sexual harassment and will act positively to investigate alleged harassment of any kind and to effect remedy when an allegation is determined to be valid.

All information will be handled with the highest degree of confidentiality to the extent practicable under the circumstances and with due regard for the rights and wishes of all parties. Information regarding the complainant shall only be released on a need-to-know basis. However, once a complaint is made, the College will proceed to investigate, regardless of whether the complainant desires to proceed with such investigation.

The response to and resolution of complaints will be guided by the following goals:

- Focus on educating and changing behavior rather than simply punishing the offender.
- Engage students and staff in dialogue so that they may understand the impact of behavior and attitudes.
- Maintain the confidentiality of victims and offenders by involving as few people as possible.
- Protect the complainant from retaliation.
- Insure prompt and thorough attention to all complaints.

The investigation will include confidential interviews with the persons making the complaint, with the witness and with the person or persons alleged to have committed such harassment. Retaliation against any person who has alleged harassment, testified, or participated in an investigation is unlawful and strictly forbidden. Any allegation of reprisal will be subject to the same kind of investigation and disciplinary action as described above. When the investigation is complete, the College will inform the person making the complaint and the person(s) alleged to have committed the conduct of the results of the investigation to the extent appropriate. A complaint may be determined to be:

- A. Founded: The incident occurred as charged;
- B. Unfounded: The incident is not harassment, discrimination or retaliation; or
- C. Inconclusive: There is insufficient evidence to make a ruling either way.

If, upon completion of an investigation, it is determined that inappropriate conduct has occurred in the workplace or learning environment, the College will take such action as appropriate under the circumstances. Any employee or student of Quincy College who is found, after an investigation, to have harassed and or discriminated against another individual, said employee or student will be subject to disciplinary action up to and including termination.

Policy 3 – 03A: POLICY ON RACIAL HARASSMENT

1. POLICY:

Quincy College is dedicated not only to learning, but also to the development of ethnically sensitive and responsible programs and persons. Because the College prepares individuals for participation in an increasingly diverse world, the climate of college life must be one in which academic freedom prevails along with respect for and tolerance of cultural, ethnic, racial, and religious differences. The College seeks to achieve these goals through sound educational programs and conduct policies that encourage effective collaborations, productive individual contributions and professional responsibility. Racial harassment, clearly in conflict with the general mission of this College, is strictly prohibited.

II. DEFINITION:

Racial harassment includes, but is not limited to, verbal, physical, or written abuse directed towards an individual or group on the basis of race or racial affiliation. While some examples of racial harassment such as physical and verbal assaults are easily identified, more frequent and generalized instances such as blatant or subtle graffiti and insensitive use of language, including epithets and humor, often go unacknowledged. Both types, however, can be equally damaging and depending on the circumstances can be considered by definition to be a form of discrimination.

As a public institution, the College policies must be consistent with existing state and federal constitutions and civil rights laws. In keeping with the College's role as an educational institution, however, the College policy regarding racial harassment is stringent in defining unacceptable behavior.

Beyond state law and college regulations, Quincy College sees as part of its educational mission the responsibility for creating an open environment which develops and nurtures respect for cultural and linguistic differences, and seeks to educate its members of the need for all types of diversity within its community.

III. PROCEDURES:

If an employee feels that he/she has been a victim of racial harassment he/she is encouraged to contact the Executive Staff Team Member of his/her program or department and the Director of Human Resources. In keeping with the applicable federal and state regulations, the same procedures as outlined under the Sexual Harassment Policy shall apply.

Policy 3 – 04: DRUG-FREE WORKPLACE POLICY

I. POLICY:

It is the policy of Quincy College to maintain a drug-free and alcohol-free workplace and learning environment. Quincy College seeks to maintain an environment that is safe and secure and that promotes productivity for all students and employees. Since the inappropriate and/or illegal use of alcohol and other drugs on college property or at college activities may impair the health and safety of students and employees, inhibit the personal and academic growth of students, lower productivity and the quality of work performed by employees, and undermine the public's confidence in the College, a strong policy prohibiting such use has been established.

An employee of the College (including student employees) shall not unlawfully use, possess, manufacture, distribute, dispense, or sell illegal drugs or controlled substances (as defined in the Controlled Substance Act, 21 U.S.C. Section 812) or alcohol while on duty or on Quincy College's premises or while conducting company business off the premises. Such action is absolutely prohibited in accordance with the College policy, and state and federal law.

It is the policy of Quincy College to enforce all state and federal laws pertaining to controlled substances and to prosecute individuals who violate those laws on College property.

II. PROCEDURES:

Any employee who violates this policy will be subject to disciplinary action up to and including termination, and may have legal consequences. For unit employees, this disciplinary action will be in accordance with the relevant provisions of the applicable collective bargaining agreement. Disciplinary action may include suspension from employment, mandatory participation in an alcohol/drug abuse assistance or rehabilitation program as a condition of continuing employment, or termination of employment. Violations of criminal law will also be reported to the appropriate law enforcement agency.

Any employee who is convicted of a workplace violation of any criminal drug statute must notify the Director of Human Resources of that conviction in writing no later than five days after such conviction. If the employment of an employee so convicted is partially or fully federally funded, the College will notify the federal agency providing those funds of the conviction.

Quincy College recognizes drug and alcohol dependency as an illness and a major health problem. Drug abuse is also a potential health, safety, and security problem. Employees (including student employees) needing assistance in dealing with such problems are encouraged to find the appropriate help. Employees who are enrolled in any of the health insurance plans offered through the Quincy College Group Insurance Plan should consult their plan booklets or service offices to determine which programs may be paid through their health insurance. The Human Resources Department can provide information regarding Employee Assistance Programs (EAP). This matter will be held in the strictest confidence. All members of the College community are urged to carefully and seriously reflect on their personal responsibility to remain drug and alcohol free, and to demonstrate care and concern for others who may be experiencing a substance abuse problem through timely intervention and referral.

Policy 3 – 05: SMOKING POLICY

I. POLICY:

Quincy College recognizes the medical evidence that indicates that smoking is a serious health hazard. In our effort to consider the needs and concerns of smokers and non-smokers, and to provide a healthful working environment, the College has adopted the following policy:

- If an employee or student must smoke, he or she may do so only in those areas where smoking is permitted or marked appropriately. The College prohibits smoking within 25 feet of any College building or within the confines of any College building. Smoking in public buildings is a violation of state law and a hazard to the health of others as determined by the Surgeon General.
- The sale of tobacco products on campus is prohibited.
- The College will continue to emphasize the dangers of smoking to the College community through various programs.
- Successful implementation of this policy requires a cooperative effort and all members of the College community are urged to assist in this regard.

II. PROCEDURES:

If an employee or student is found to be acting in violation of the College Smoking Policy he/she will be subject to appropriate disciplinary action up to and including termination, depending upon the circumstances of the situation.

Policy 3 – 06: PERSONA NON GRATA

In matter of clear and present possible physical harm by any Quincy College student, employee or visitor toward another individual at the College, the College President has authority to declare an individual, or individuals, persona non grata at the College. Such individuals are immediately suspended from classes and from employment and, if on campus, will be escorted off campus, and shall not return to the campus without permission and escort unless and until such status is removed by the President or as a result of a special hearing board.

Each individual declared as persona non grata shall have such status communicated to him/her by the College President in writing. Such written communication shall state the reason for such actions and indicate that within five class or business days a special hearing board will be assembled to hear and review this matter. Each student, employee or visitor shall also be informed of his/her right to counsel at such hearing, to present information or evidence and to make written and/or verbal statements.

In all such cases the individual(s) will have the right to a special College hearing within five class days of the persona non grata notification. A special hearing board shall be appointed consisting of three members including one administrator, one contract faculty member appointed by the College President, and one student appointed by the College President, with two members present being a quorum. By majority vote of a quorum the special hearing board will recommend to the President that the assigned persona non grata be removed or continued. If the persona non grata is removed and the individual is allowed to return, the individual may then be charged through the regular Administrative Disciplinary Procedure for any offenses committed. A student who has been declared persona non grata has no right to a refund as a result of their being placed on that status.

The President of the College has the option of having any case heard by the Board of Governors in lieu of the special review (hearing) board cited above.