

WGTC Non-Discrimination Policy and Reporting Procedure

West Georgia Technical College is in compliance with the rules and regulations for the administration of Title VI of the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972; Public Law 83-318, as amended by Section 3 of Public Law 93-568; Title VI, Section 504 of the Rehabilitation Act of 1973; and Public Law 101-336, The Americans with Disabilities Act of 1990.

The Technical College System of Georgia and its constituent Technical Colleges do not discriminate on the basis of race, color, creed, national or ethnic origin, gender, religion, disability, age, political affiliation or belief, genetic information, disabled veteran, veteran of the Vietnam Era, spouse of military member or citizenship status (except in those special circumstances permitted or mandated by law). This nondiscrimination policy encompasses the operation of all technical college-administered programs, programs financed by the federal government including any Workforce Investment Act of 1998 (WIA) Title I financed programs, educational programs and activities, including admissions, scholarships and loans, student life, and athletics. It also encompasses the recruitment and employment of personnel and contracting for goods and services. The Technical College System and Technical Colleges shall promote the realization of equal opportunity through a positive continuing program of specific practices designed to ensure the full realization of equal opportunity.

West Georgia Technical College is adamantly opposed to inappropriate workplace behavior, including unlawful harassment, discrimination, and retaliation, and will take effective measures to stop such behaviors. Since the College can take action to stop such behavior only if it is aware of such activities, it is crucial that employees seek assistance. Please seek assistance if you feel that you have been personally harassed, discriminated against, or have been retaliated against.

Reporting Procedure

The following procedure is to be used in reporting and settling grievances in regard to Unlawful Harassment and Discrimination

1. All persons are encouraged to report events of unlawful harassment, discrimination, and/or unlawful retaliation against themselves or others. A student may attempt to resolve any issue arising under this policy informally.
 - a. Complaints alleging action of a discriminatory nature shall be addressed, in writing, by telephone, or in person; to the appropriate coordinator listed below.
 - In regard to Race or Gender discrimination: Equity/Title IX Coordinator, 678.664.0532, Vice President for Student Affairs
 - In regard to the Americans with Disabilities Act (ADA): Section 504/ADA Coordinator, 678.664.0533, Vice President of Administrative ServicesAllegations or suspicions of unlawful harassment or unlawful retaliation may be reported by the complainant to any college employee, the President of the technical college, Legal Services at (404) 679-1605, the Commissioner's Office at (404) 679-1601, the Deputy Commissioner's Office at (404) 679-1706, or by email at UnlawfulHarassment@dtac.org.
 - b. Such reports can initially be expressed in writing, by telephone, or in person; however, the report will ultimately be required to be in writing.
 - c. After an allegation is made to a department employee that employee shall report the allegation to the President, or his designee, as soon as possible, not to exceed 48 hours.
2. Instructors/administrators who have reason to believe that unlawful harassment, discrimination, and/or retaliation may exist shall immediately inform their President or one of the persons listed above in 1(a).

3. The reporting individual should keep the information confidential unless release is approved, or unless final action has been approved pursuant to this procedure.
4. An affected President may suspend, transfer or reassign personnel or students involved, in order to prevent possible further harassment, discrimination, retaliation or to facilitate the investigation. In emergency situations of a severe nature a President or their designee may take appropriate actions to protect the complainant/alleged victim and/or to deter the alleged violator from any further harassment of the complainant/alleged victim. If the alleged harasser is an employee, the affected President shall report all actions of this nature and any subsequent change in status or assignment to the Human Resources Director.
5. Unless otherwise authorized by the Commissioner in writing, no disciplinary action shall be taken against the alleged violator until an investigation has been completed, a written report has been issued and action has been taken in accordance with this procedure.
6. Any allegation of unlawful harassment, discrimination, or retaliation may be referred by the President of a technical college to the Executive Director, Legal Services for investigation by the Compliance Officer. Investigations by the Compliance Officer may be done in conjunction with the local investigator at the President's request.

Investigation

1. All complaints of unlawful harassment, discrimination or unlawful retaliation shall be investigated thoroughly.
2. If a complaint does not specify facts sufficient to allege unlawful harassment or retaliation as prohibited by this procedure, the local investigator may determine that the allegations shall not be investigated. This will be done with joint approval by the local investigator and President. This decision will be made within 5 business days of receiving the complaint. Immediately following the decision, notice will be given to the complainant, and the complainant shall have the same rights of appeal as set forth below.
3. Where a complaint is investigated, the investigation shall commence within 5 business days of receipt of the complaint.
4. Investigations will be conducted by gathering relevant information and interviewing appropriate witnesses. All witnesses provided by the complainant will be interviewed.
5. The process from initial complaint to completed investigation should take no longer than 60 days. If additional time is needed, the complainant will be informed.
6. The local investigator/Compliance Officer who conducts the investigation will present facts in a written report to the President.
7. Reports concerning the unlawful harassment, discrimination, or retaliation of students will be processed and handled confidentially to the extent permitted by law.

Review and Disposition

1. After reviewing the final report, the President shall make a recommendation, based on a preponderance of the evidence, as to whether the facts support a finding that unlawful harassment, discrimination, or unlawful retaliation has occurred. The President shall make this recommendation within 5 business days of receipt of the completed investigation.
2. If the recommendation is that the facts **do not** support a finding of unlawful harassment, discrimination, or unlawful retaliation, and it is determined that no action should be taken, then the matter can be closed.
3. If the recommendation is that the facts **do** support a finding of unlawful harassment, discrimination, unlawful retaliation, or a policy violation, appropriate sanctions will be recommended and taken pursuant to the applicable disciplinary procedure (either student or employee).

4. The investigator will provide written notice to the complaining party and subject that the investigation is complete. Notice should be given within 5 business days, provided that if a disciplinary action is to be initiated, no parties will be notified until all disciplinary actions are served.

Appeal by Complainant

1. If the complainant wishes to appeal the recommendation by the President that the facts do not support a finding of unlawful harassment and/or discrimination, the complainant may do so in writing within 5 business days of receiving notice of the President's recommendation.
2. The complainant must send the appeal by regular mail, facsimile, or email to the following:

Executive Director, Legal Services
1800 Century Place NE, Suite 400
Atlanta, Georgia 30345-4304
(404) 679-1615 (facsimile)
UnlawfulHarassment@dtae.org