

STATEMENT OF NON-
DISCRIMINATION

Metropolitan Community College (MCC) is committed to providing an inclusive and welcoming environment for all members of our community, with access to courses, programs, employment, services, or extracurricular activities free from discrimination and harassment. MCC prohibits discrimination, including harassment, against any individual(s) on the basis of race, color, religion, sex (including pregnancy, sexual orientation and gender identity or expression including transgender status), age (40 or older), national origin, disability, genetic information (including family medical history) or any other class protected by law. MCC shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability and religious reasons unless it can demonstrate that making the modification would cause it undue hardship or fundamentally alter the nature of the service, program, or activity.

PURPOSE

The Metropolitan Community College Board of Trustees authorizes the Chancellor to develop, implement, and maintain uniform and consistent procedures regarding discrimination and harassment with regards to students as defined in this policy.

APPLICABILITY

The policy applies to MCC students to include currently enrolled and/or potential students who have applied for admission, and individuals who were students at the time of the alleged behavior or conduct in any aspect of MCC's educational programs, activities or employment that occur on MCC-controlled properties, as well as official offsite MCC-affiliated and sponsored events.

DISCRIMINATION

MCC prohibits discrimination. Discrimination against a student under this policy is defined as conduct directed at a student on the basis of race, color, religion, sex (including pregnancy, sexual orientation, and gender identity or expression including transgender status), age (40 or older), national origin, disability, genetic information (including family medical history) or any other class protected by law, that adversely affects the student's ability to participate and benefit from MCC's programs and/or activities.

HARASSMENT

MCC prohibits harassment. Harassment of a student under this policy is defined as physical, verbal, or nonverbal conduct based on a student's race, color, religion, sex (including pregnancy, sexual orientation and gender identity or expression including transgender status), age (40 or older), national origin, disability, genetic information (including family medical history) or any other class protected by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the student's participation in an educational program or activity;
2. Creates an intimidating, threatening, hostile, or offensive learning environment; or

3. Otherwise adversely affects the student's academic performance, environment, or opportunities or benefits thereof.

RETALIATION

MCC prohibits retaliation. Retaliation is defined as adverse treatment, including intimidation, reprisal, and harassment, against an individual because he/she/they has alleged to have experienced discrimination or harassment, or against another student who, in good faith files a complaint of discrimination or harassment or against any individual who participates in the investigation or resolution of a complaint of discrimination or harassment under this policy. Individuals who engage in retaliation are subject to disciplinary action including expulsion.

FALSE CLAIM

MCC encourages all good-faith complaints of discrimination, harassment and retaliation. It is a violation of this policy to intentionally make a knowingly false claim under this policy.

REPORTING

MCC hereby designates an appropriate department responsible for overseeing compliance with anti-discrimination laws. Further, this department shall be charged with reviewing, investigating, where applicable, and resolving all allegations of discrimination, harassment and retaliation.

MCC encourages students who believe they have been discriminated against, harassed or retaliated against or believe that that another student has been discriminated against, harassed or retaliated against to file a complaint with the below department and in accordance with applicable procedure.

Any employee who suspects and any employee who receives notice that a student(s) has experienced discrimination shall immediately notify the appropriate official listed:

Executive Director of Institutional Equity
Office of Institutional Equity
Broadway Plaza, Suite 150
3217 Broadway
Kansas City, MO 64111
Email: Institutional.Equity@mccckc.edu
Phone: (816) 604-1122

Complaints of discrimination and harassment under this policy against the Executive Director of Institutional Equity may be directed to the Chancellor:

Office of the Chancellor
3200 Broadway
Kansas City, 64111
Email: Chancellors.Office@mccckc.edu
Phone: (816) 604-1011

CONFIDENTIALITY	<p>MCC will protect the confidentiality of students who report discrimination, harassment or retaliation or participate in a discrimination, harassment or retaliation investigation to the greatest extent possible.</p> <p>MCC shall comply with all applicable privacy laws to the extent permitted including but not limited to the Family Educational Rights and Privacy Act (FERPA).</p>
PROMPT, THOROUGH AND IMPARTIAL INVESTIGATION	<p>MCC shall promptly, thoroughly, and impartially investigate all allegations of discrimination, harassment and retaliation in accordance with the applicable procedure. The complainant and respondent have the right and can expect to have reports taken seriously by MCC when reported, and to have those complaints resolved through the appropriate procedures.</p>
TIMELINES	<p>MCC will investigate claims within a reasonable timeline as outlined in the applicable procedure.</p>
CRIMINAL INVESTIGATION	<p>If a law enforcement or regulatory agency notifies MCC that a criminal or regulatory investigation has been initiated, MCC shall partner with the law enforcement or regulatory agency and where appropriate, proceed in accordance with applicable procedure.</p>
POLICY VIOLATION	<p>Consequences for violating this policy vary based on the facts and circumstances of each situation, using the preponderance of evidence standard. In determining the severity of discipline or corrective action, factors such as the frequency and severity of the offense and any history of past discriminatory, harassing, or retaliatory conduct are relevant. Discipline or corrective action includes but is not limited to written reprimand, suspension, required training, and expulsion.</p>
APPEAL	<p>An individual has the right to file an appeal in accordance with the applicable procedure.</p>
TRAINING	<p>The investigators, decision-makers, and any individual who facilitates an informal process or formal process will be appropriately trained.</p>
RETENTION OF RECORDS	<p>MCC shall maintain all records pertinent to this policy and all stages of the complaint process in accordance with applicable retention laws and procedures.</p>
ADOPTION	<p>This policy shall be effective as of the date of adoption by MCC's Board of Trustees. MCC shall publish the adoption of this policy on MCC's website at the direction of the responsible office as set forth in this policy.</p>
POLICY MODIFICATION	<p>This policy may be modified or revoked at any time at the sole discretion of MCC's Board of Trustees. The above-listed contact information for reporting and the below agency contact information may be updated as needed and without requiring the approval of MCC's Board.</p>

FILING WITH
AGENCIES

Individuals alleging discrimination, harassment or retaliation have the right to file a complaint with the appropriate government agencies.

Office for Civil Rights
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, 3rd floor, Suite 320
Kansas City, MO 64106

Telephone: 816-268-0550
FAX: 816-268-0599; TDD: 800-877-8339
Email: OCR.KansasCity@ed.gov

REFERENCE

7.30030 BP Non-Discrimination and Harassment - Student District Procedure