

Discriminatory Harassment Policy

Revised: November 2024

Previously Updated: October 2018

I. Statement of Policy

It is the policy of Fort Lewis College that all employees and students should be able to work and learn in an environment free from discriminatory harassment. Harassment of any person or group of persons on the basis of race, color, national origin, sex, pregnancy, age, disability, creed, religion, sexual orientation, gender identity, gender expression, veteran status, marital status, political affiliation, political philosophy, hair texture, hair type, protective hairstyles or any other protected class is a form of discrimination specifically prohibited in the Fort Lewis College community. Any faculty, staff, or student at Fort Lewis College who is found in violation of this policy will be subject to disciplinary action.

Discriminatory harassment includes conduct (verbal, gestures, written, graphic, physical, cyber-bullying) directed against any person or a small group of persons because of basis of actual or perceived race, color, national origin, sex, pregnancy, age, disability, creed, religion, sexual orientation, gender identity, gender expression, veteran status, marital status, political affiliation, political philosophy, hair texture, hair type, protective hairstyles or any other protected class that has the reasonably foreseeable effect of creating an offensive, demeaning, intimidating, threatening, or hostile environment for that person or a small group of persons.

In any grievance proceeding, a finding of discriminatory harassment must be based upon consideration of all the relevant facts and circumstances. The conduct generally must be of a sustained and pervasive nature such that it substantially disrupts the educational or work environment of the College; however, a single incident could amount to discriminatory harassment if found to be sufficiently serious.

Retaliation against any person who reports discriminatory harassment, files a complaint, or participates in the grievance process, is prohibited. Any such action shall be grounds for a separate complaint and disciplinary action under this policy.

II. Reporting Discriminatory Harassment

1. Any member of the College community who has observed or been a victim of discriminatory harassment is encouraged to discuss the matter with the Director of Compliance, Director of Human Resources or the Title IX Coordinator, and/or submit a form online at www.fortlewis.edu/tellsomeone.
2. Inquiries relating to this policy or the Grievance Procedure can be made at any time to the Title IX Coordinator or Director of Compliance; however, an inquiry alone does not constitute notification to the College of possible discriminatory harassment. The initial discussion regarding the complaint will be kept confidential to the full extent permitted by law. Complainants are advised that there are some instances in which the College has a responsibility to act even if the complainant requests that no action be taken,

such as when other members of the College community may be at risk or when it has reason to believe a crime has been committed. In those cases, the College may be required to report information to law enforcement, and/or investigate and take action on the basis of the facts it discovers.

3. Individuals who wish to anonymously report incidents may submit information using the College's online form with including the reporting party's identifying information. The form is available at www.fortlewis.edu/tellsomeone.

If an individual wishes to notify the College of possible discriminatory harassment and requires resolution, they may complete the College's complaint form. All complaints alleging discriminatory harassment will be resolved under the [Fort Lewis College Grievance Procedure](#)

III. Reason for Policy

To inform the Fort Lewis College community of conduct expectations regarding discriminatory harassment and how to report discriminatory harassment.

IV. Responsibilities

For following policy: All students and employees regardless of their employment classification

For enforcement of policy: Title IX Coordinator, Deputy Title IX Coordinators, Director of Compliance and Community Standards, Director of Human Resources

For oversight of policy: Director of Compliance and Community Standards and Director of Human Resources

For notification: Policy Librarian

For procedures implementing policy: *Title IX Coordinator, Deputy Title IX Coordinators, Director of Compliance and Community Standards, Director of Human Resources*

V. Cross-Referenced Policies

[Fort Lewis College Grievance Procedure](#)

Revision History

This policy was initially approved February 11, 2009. It was revised on December 6, 2013 to add that a single incident may be sufficient for a finding of discriminatory harassment, that retaliation against a person who reports discriminatory harassment is prohibited, that the Title IX Coordinator is a College official with whom discriminatory harassment inquiries and discussions may be held, and that the College has a responsibility to act even if the complainant requests no action be taken if the College has reason to believe a crime has been committed.

The revision also specified how to report anonymously through the Silent Witness Report form, specified the availability of support services, and renamed the "Grievance Procedure for the Resolution of Complaints of Unlawful Discrimination, Discriminatory Harassment and Sexual Harassment" as "Fort Lewis College Discrimination Grievance Procedure." The revision also omitted the requirement to consider whether an act of discriminatory harassment was protected speech under the First Amendment of the U.S. Constitution. The Vice President for Student Affairs authorized on March 11, 2015 the inclusion of "gender identity" and "gender expression" in the policy statement in alignment with the Board of Trustees' revision on October 17, 2014 of the Equal Opportunity and Affirmative Action Policy, as well as minor editorial changes needed to format the policy in the official policy template. On October 2, 2015, the Board of Trustees approved deletion of the following sentence from the end of Policy Statement I.B.: Such conduct includes, but is not limited to, slurs, epithets, pranks, teasing, taunting, demeaning depictions or treatment, and threatened or actual abuse or harm. On October 5, 2018 the Board of Trustees approved non-substantive, cosmetic or organizational changes.