



## POLICY

Title: EQUAL OPPORTUNITY, HARASSMENT, AND NON DISCRIMINATION	Code: C0200
Authority: Board Minutes: 5/30/73; 6/15/83; 6/23/87; 5/18/92; 5/23/94; 2/21/95; 3/26/97; 8/25/98; 11/27/07; 10/26/10; 10/22/13; 8/25/20	Original Adoption: 5/20/73 Revised/Reviewed: 4/26/22 Effective: 4/26/22

Milwaukee Area Technical College (MATC) affirms its commitment to promote the goals of equity and inclusion in all aspects of the educational enterprise. MATC is committed to breaking down barriers that stand between students and their academic and career success by providing a safe place where differences are valued and celebrated. We promote awareness, training, and crucial conversations to move beyond our individual biases, whether unconscious or implicit, to create an inclusive environment that welcomes, accepts, and respects all students and employees while serving the unique needs of each individual. This resonates through the attitudes and behaviors of all those who work and learn at the College. These goals are set forth in the MATC Strategic Plan: Transformation 2025.

All concerns arising under this policy are subject to resolution using the procedures set forth in Administrative Regulation and Procedure CC0202 (for employees). This policy is applicable regardless of the status of the parties involved, who may be members or non-members of the campus community, students, student organizations, faculty, administrators and/or staff. The college reserves the right to act on incidents occurring on-campus. The college also reserves the right to act on incidents occurring off-campus, when the off-campus conduct could have an on-campus impact or impact on the educational mission of the college.

This policy applies to behaviors that take place on the campus, at college-sponsored events and may also apply off-campus and to actions online when the Vice President of Human Resources, Title IX Coordinator, or Deputy Title IX Coordinator determines that the off-campus conduct affects a substantial college interest. A substantial college interest is defined to include, but is not limited to:

- a) Any action that constitutes criminal offense as defined by federal, state or local law. This includes, but is not limited to, single or repeat violations of any local, state or federal law committed in any municipality where MATC is located;
- b) Any situation where it appears that the accused individual may present a danger or threat to the health or safety of self or others;



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- c) Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- d) Any situation that is detrimental to the educational interests of the college.
- e) Any online postings or other electronic communication, including cyber-bullying, cyberstalking, cyber-harassment, etc. occurring completely outside of MATC's control (e.g. not on college networks, websites or between college email accounts) will only be subject to this policy when those online behaviors can be shown to cause a substantial on-campus disruption. Otherwise, such communications are considered speech protected by the 1<sup>st</sup> Amendment.

Inquiries about this policy may be made internally to:

For employees:

Director, Labor Relations  
Milwaukee Area Technical College  
700 West State Street, Room M254  
Milwaukee, WI 53233-1443  
414-297-6576

Inquiries may be made externally to:

Office for Civil Rights (OCR)  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Customer Service Hotline #: (800) 421-3481  
Facsimile: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>



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Equal Employment Opportunity Commission (EEOC)  
131 M Street, NE  
Washington, DC 20507  
Phone: 1 (800) 669-4000  
TTY: 1 (800) 669-6820  
ASL: 1 (844) 234-5122  
Email: [info@eeoc.gov](mailto:info@eeoc.gov)  
Website: <http://www.eeoc.gov>

**1. College Policy on Nondiscrimination**

MATC adheres to all federal and state civil rights laws prohibiting discrimination in public institutions of higher education. MATC will not discriminate against any employee, applicant for employment, student or applicant for admission on the basis of race, color, sex, pregnancy, political affiliation, source of income, place of business, residence, religion, creed, ethnicity, national origin (including ancestry), citizenship status, physical or mental disability, age, marital status, family responsibilities, sexual orientation, gender, gender identity, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, domestic violence victim status or any other protected category under applicable local, state or federal law, including protections for those opposing discrimination or participating in any complaint process on campus or within the Equal Employment Opportunity Commission or other human rights agencies.

This policy covers nondiscrimination in employment and in access to educational opportunities. Therefore, any member of the campus community, guest or visitor who acts to deny, deprive or limit the educational, employment, and/or social access, benefits and/or opportunities of any member of the campus community on the basis of their actual or perceived membership in the protected classes listed above is in violation of the college's policy on nondiscrimination. When brought to the attention of the college, any such discrimination will be appropriately remedied by the college in accordance with Administrative Regulation and Procedure CC0202.



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**2. College Policy on Discriminatory and Bias- Related Harassment**

Students, staff, administrators, and faculty are entitled to a working environment and educational environment free of discriminatory harassment. MATC’s harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters. The sections below describe the specific forms of legally prohibited harassment that are also prohibited under college policy.

Harassment constitutes a form of discrimination that is prohibited by law. MATC’s harassment policy explicitly prohibits any form of harassment on the basis of actual or perceived membership in a protected class, by any member or group of the community, which creates a hostile environment, both objectively and subjectively.

A hostile environment may be created by oral, written, graphic, or physical conduct that is sufficiently severe, persistent or pervasive so as to interfere with, limit or deny the ability of an individual to participate in or benefit from educational programs or activities or employment access, benefits or opportunities. Merely offensive conduct and/or harassment of a generic nature not on the basis of a protected status may not result in the imposition of discipline under college policy, but may be addressed through remedial actions, education and/or effective conflict resolution mechanisms established by the college.

MATC condemns and will not tolerate discriminatory harassment against any employee, student, visitor or guest on the basis of any status protected by college policy or law.

The Wisconsin Technical College System District Board prohibits and will not tolerate the harassment of any employee or student by supervisory personnel, co-workers, students, or visitors.

MATC will provide annually to the Wisconsin Technical College System District Board, a report of complaints alleging violations of this policy and disposition of such complaints.



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**3. Other Possible Violations of Law or Policy When the Act is Based upon the Status of a Protected Class**

- Threatening or causing physical harm, extreme verbal abuse or other conduct which threatens or endangers the health or safety of any person on the basis of their actual or perceived membership in a protected class;
- Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of their actual or perceived membership in a protected class;
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another on the basis of actual or perceived membership in a protected class;
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the college community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the hazing policy) on the basis of actual or perceived membership in a protected class; hazing is also illegal under Wisconsin Statute 948.51 and prohibited by college policy;
- Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally on the basis of actual or perceived membership in a protected class;
- Any other College rules, when a violation is motivated by the actual or perceived membership of the victim in a protected class, may be pursued using this policy and process

**4. Retaliation**

Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for alleging discrimination and/or harassment, supporting a complainant or for assisting in providing information relevant to a claim of discrimination and/or harassment, is a serious violation of MATC policy and will be treated as another



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possible instance of harassment or discrimination. Acts of alleged retaliation should be reported immediately to the Director of Labor Relations & Deputy Title IX Coordinator or designee and will be promptly investigated. MATC is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

**5. Remedial Action**

MATC will implement initial remedial and responsive actions upon notice of alleged harassment, retaliation and/or discrimination, and will take additional prompt remedial and/or disciplinary action with respect to any member of the community, guest or visitor who has been found to engage in harassing or discriminatory behavior or retaliation. Procedures for handling reported incidents are fully described in Procedure CC0202. Deliberately false and/or malicious accusations of harassment, as opposed to complaints which, even if erroneous, are made in good faith, are just as serious an offense as harassment and will be subject to appropriate disciplinary action.

**6. Confidentiality and Reporting of Offenses under This Policy**

MATC officials, depending on their roles at the college, have varying reporting responsibilities and abilities to maintain confidentiality. In order to make informed choices, one should be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, trained counselors acting in a crisis counseling role and EAP resources may maintain confidentiality, offering options and advice without any obligation to inform an outside agency or individual unless the reporting individual requested information to be shared.

**A. Formal Complaint**

Formal complaints of discrimination, harassment or retaliation can be made in accordance with the reporting procedure set forth in Administrative Regulation and Procedure CC0202 using the designated reporting system. Complainants have the right, and can expect, to have complaints taken seriously by the college when formally reported, and to have those incidents investigated and properly resolved through these procedures.



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Formal reporting ~~still~~ affords privacy to the complainant during the investigation and the college will endeavor to keep personal information confidential to the extent possible to preserve the complainant's rights and privacy under applicable laws, including Wisconsin Public Records Law, Wisconsin Statutes s. 19.21 et seq.

### **B. Informal Complaint/Concern**

Individuals who do not want to file a formal complaint may refer an informal complaint or concern a MATC Human Resources Ombudsperson at [insert information]. In addition, complaints or concerns regarding violations of college policies can be reported informally and/or anonymously through [Speak Up For Safety](#).