

**College Process: 401.3 – Investigation Process**  
**Discrimination and Harassment Complaint**

Policy Reference:	401 – Non-Discrimination in Employment Policy
Procedure Reference:	401.3 – Harassment
Responsible Department:	Human Resources
Approval Authority:	Cabinet
Process Owner:	Wes Fowler, Vice President, Human Resources
Effective Date:	07/29/2024

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### **Process Statement**

Any Kirkwood employee, student, applicant, or vendor who feels they have been discriminated against or harassed should file a complaint as soon as possible with Kirkwood Community College. The College assures that full cooperation will be provided to any individual filing a complaint with no threat of penalty or reprisal to the complainant. The Vice President, Human Resources, or designee, will advise the complainant of the necessary steps in the complaint process. If the complaint involves alleged discriminatory or harassing behavior by the Vice President, Human Resources, the Vice President, Academic Affairs, should be contacted in lieu of the Vice President, Human Resources wherever referenced in the following procedures.

### **Reason for Process**

To provide a format for employees, students, applicants, or vendors to report discrimination or harassment at Kirkwood Community College.

### **Process**

Employees who believe they have experienced or witnessed any type of discrimination or harassment should notify, verbally or in writing, their immediate supervisor, instructor, advisor or counselor as soon as possible following the date of occurrence of the event giving rise to the complaint.

The staff member contacted will report the incident to the Vice President, Human Resources immediately for purposes of documentation and advice regarding the next steps with the complaint process. If the complainant does not feel comfortable with going to any of the staff members listed above they may file a complaint directly with the Vice President, Human Resources.

Once the Vice President, Human Resources is notified an investigation will commence. Kirkwood's policy is to investigate all complaints thoroughly and promptly. To the fullest extent practical, Kirkwood will keep the complaint/investigation confidential. The investigation will be conducted per the following process:

- The Vice President, Human Resources or a designated representative will meet with the person who filed the complaint to obtain a statement as well as clarify any questions.
- The Vice President, Human Resources or designated representative will meet with the person against whom the complaint is made and provide them with the details of the complaint. At that time, the alleged perpetrator will have the opportunity to respond to the complaint.
- The Vice President, Human Resources or designated representative will interview individuals who may have witnessed the incident or been in the vicinity where the alleged behavior occurred.
- The Vice President, Human Resources or designated representative will provide a written summary/report to the complainant and alleged perpetrator, where appropriate, within 15 calendar days following the completion of the investigation. The summary will include a thorough and documented review of the circumstances under which the alleged discrimination or harassment occurred.
- If the complainant or perpetrator is not satisfied with the resolution, they will have ten calendar days to request in writing that the President of the college review and adjudicate the complaint. The President will review the complaint and respond within ten calendar days with their decision.

If an investigation confirms that a violation of the Discrimination and Harassment Policy has occurred, Kirkwood Community College will take appropriate corrective action.

Retaliation against persons filing a complaint, or for assisting in the investigation following the filing of a complaint, is strictly prohibited.

Any employee who purposely and knowingly makes a false allegation of discrimination or harassment against another employee, student, applicant, or vendor will be subject to corrective action up to and immediate termination of employment.