

## SEXUAL HARASSMENT POLICY

It is the policy of Alabama Institute for Deaf and Blind to provide a work and educational environment for students/clients, faculty, and staff which is free of illegal discrimination, including all forms of sexual harassment, intimidation, and exploitation. Harassment on the basis of sex is a violation of Title IX of the Education Amendments of 1972 and of Title VII of the Civil Rights Act of 1964. Neither employees nor students/clients shall engage in conduct constituting sexual harassment. Sanctions against employees for violation of this policy may include verbal or written warning, reprimand, transfer, suspension, or termination of employment. Any actions taken against an employee or student/client will be subject to the applicable grievance procedure rights of the employee or student/client as stated in the AIDB Policies and Procedures Manual or appropriate student handbook. Sanctions against students/clients will be outlined in the appropriate student/client handbook. The AIDB Human Resources Director is the Title IX Coordinator.

Sexual harassment is defined to include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. The advances, requests, or conduct have the effect of interfering with performance of duties or creating an intimidating, hostile, or otherwise offensive work environment;
2. Submission to such advances, requests, or conduct is explicitly or implicitly a term or condition of employment or education; or
3. Submission to or rejection of such advances, requests, or conduct is used as a basis for employment or educational decisions affecting the individual.

To help prevent sexual harassment, AIDB will distribute this policy to all units of the institution, including staff and student handbooks and will process complaints of sexual harassment in the following manner:

Any student/client or staff member who feels that he/she is being sexually harassed should follow these procedures:

1. In circumstances in which the student/client or employee thinks that he/she will not be jeopardizing his/her personal safety, job, or academic standing, he/she should communicate clearly to the offender that the behavior is not welcomed and should cease immediately. If the student/client or employee does feel jeopardized by such a confrontation, he/she should go to step 2.
2. If the harassment does not cease, the student/client or employee shall report the complaint to his/her supervisor or Principal/Dean of the school. A student/client will discuss the incident with his/her counselor or supervising teacher. If the offender is a Supervisor/Principal/Dean, or if the individual is uncomfortable in talking with the Supervisor/Principal/Dean, the student/client or employee shall report the complaint to the Director of Human Resources.
3. The supervisor receiving the complaint of sexual harassment shall initiate the process for an immediate investigation. The completed investigation shall be reviewed by the Principal/Dean and the President or his designee for prompt and appropriate action, if warranted.
4. A written response to the employee's or student/client's complaint will be provided to the complainant by the supervisor within 45 days of the date of the complaint. The report will be placed in a confidential file in the Human Resources Department.

The right of confidentiality of all parties will be respected insofar as it does not interfere with the institution's legal obligation or ability to investigate the complaint or to take corrective action when it has been established that misconduct has occurred.

Reference: Minutes-Board of Trustees Meeting, May 19, 1994; Minutes – Board of Trustees Meeting, May 29, 2002.

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## AIDB ANTI-DISCRIMINATION POLICY

It is the policy of the Alabama Institute for Deaf and Blind (AIDB) to provide a work and educational environment for students/consumers, faculty, and staff that is free from discrimination against any individual or group. This is a “zero tolerance” policy, and prohibits all forms of discrimination because of race, disability, ethnicity, religion, gender, sexual orientation, national origin, age, color, socio-economic status, or marital/family status. Discrimination is a violation of Title IX of the Education Amendments of 1972 and of Title VII of the Civil Rights Act of 1964. Neither employees nor students/consumers shall engage in conduct constituting discrimination. Disciplinary action may be up to and including termination and will be in accordance with applicable laws.

Any actions taken against an employee or student/consumer will be subject to the applicable grievance procedure rights of the employee or student/consumer as stated in the AIDB Policies and Procedures Manual or appropriate student/consumer handbook. The AIDB Human Resources Director is the Title IX Coordinator.

Discriminatory conduct or practices include but are not limited to:

- Prejudice or prejudicial outlook, action, or treatment.
- Harassment on the basis of race, disability, ethnicity, religion, gender, sexual orientation, national origin, age, color, socio-economic status, or marital/family status.
- Retaliation against an individual for: filing a charge of discrimination, participating in an investigation of discrimination, or opposing discriminatory practices.
- Employment decisions, particularly the denial of promotion or hiring, based on stereotypes or assumptions about the abilities, traits, or performance of an individual of a certain race, disability, ethnicity, religion, gender, sexual orientation, national origin, age, color, socio-economic status, or marital/family status.
- Denying employment opportunities to a person because of marriage to or association with a person of a particular race, disability, ethnicity, religion, gender, sexual orientation, national origin, age, color, socio-economic status, or marital/family status.

Discrimination may be defined to include but is not limited to the withholding or granting of rights or privileges based on race, disability, ethnicity, religion, gender, sexual orientation, national origin, age, color, socio-economic status, or marital/family status. Discriminatory behavior may include but is not limited to any unwelcome verbal or physical conduct when:

- That conduct has the effect of interfering with performance of duties; or
- That conduct creates an intimidating, hostile, or otherwise offensive work environment.

Non-discriminatory practices that may help to ensure diversity of the workforce may include but are not limited to:

- Considering all qualified applicants for employment without regard to race, disability, ethnicity, religion, gender, sexual orientation, national origin, age, color, socio-economic status, or marital/family status.
- Writing job descriptions so that all qualified individuals have equal opportunity to apply.
- Providing all employees with the resources (training, funding, tools, equipment, etc.) that are required to do their jobs, regardless of their race, disability, ethnicity, religion, gender, sexual orientation, national origin, age, color, socio-economic status, or marital/family status.

To help prevent discrimination, AIDB will distribute this policy to all units of the institution, including putting it in staff and student/consumer handbooks and wherever AIDB policies are posted, and will process complaints of discriminatory behavior in the following manner:

Any student/consumer or staff member who feels that he/she is being discriminated against should follow these procedures:

1. In circumstances in which the student/consumer or employee thinks that he/she will not be jeopardizing his/her personal safety, job, or academic standing, he/she should communicate clearly to the offender that the behavior is not welcome and should cease immediately. If the student/consumer or employee does feel jeopardized by such a confrontation, he/she should go to step 2.
2. If the discrimination does not cease, the student/consumer or employee shall report the complaint to his/her Supervisor or the Principal/Executive Director of the school. A student/consumer shall discuss the incident with a person in authority. If the offender is a Supervisor/Principal/Executive Director, the student/consumer or employee shall report the complaint to the Director of Human Resources.
3. The person in authority receiving the complaint of discrimination shall initiate the process for an immediate investigation. The completed investigation shall be reviewed by the Principal/Executive Director and the President or his/her designee, for prompt and appropriate disciplinary action, if warranted, up to and including termination.
4. A written response to the employee's or student's/consumer's complaint will be provided to the complainant by the supervisor within 45 calendar days from the date of the complaint. The report will be placed in a confidential file in the Human Resources Department.

The right of confidentiality of all parties will be respected insofar as it does not interfere with the institution's legal obligation or ability to investigate the complaint, or to take corrective action when it has been established that misconduct has occurred.

Reference: Board of Trustees, November 15, 2005 (Corrected 7/9/2019)

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## **Title IX**

Prohibition of Discrimination - In accordance with Title IX of the Education Amendments of 1972 (20 U.S.C. §1681, et seq.), AIDB strictly prohibits discrimination on the basis of sex or gender in its education programs and activities, including sexual harassment as defined by law and AIDB policy. This prohibition of discrimination extends to employment and admissions policies and procedures. Sexual harassment reports or complaints should be filed and reviewed under AIDB's student sexual harassment policy. All other complaints of sex or gender discrimination under Title IX will be filed and reviewed according to the AIDB's applicable complaint and grievance procedures. Inquiries about Title IX or its implementing regulations may be referred to AIDB's Title IX Coordinator, or the U.S. Department of Education's Office for Civil Rights.

Title IX Coordinator - The President is authorized and directed to designate a Title IX Coordinator, whose duties will include, but not be limited to, receiving and responding to Title IX inquiries and complaints.

Reference: Board of Trustees Meeting, February 21, 2023.