



# Operating Protocol & Procedure

## Details:

Number: 904

Title: Prohibition of Discrimination, Harassment, or Retaliation

Category: Safety and Security

Office of Primary Responsibility: Human Resources

Approval Date: 8/1/24

Effective Date: 8/1/24

Revised: N/A

***This emergency protocol will expire on 2/1/25 unless adopted as a permanent protocol before this date.***

## Purpose:

To establish the processes by which Pueblo Community College responds to a complaint of discrimination, harassment, or retaliation.

## Applicability:

Any individual who believes they have been subject to discrimination, harassment, or retaliation by an employee or student of Pueblo Community College, or by a contracted vendor working on property owned or leased by the college.

## Definitions:

**Discrimination:** Any distinction, preference, advantage, or detriment given to a person based on one or more actual or perceived protected classes.

**Harassment:** A form of discrimination that involves unwelcome physical or verbal conduct or any communication directed at an individual or group because of their membership or perceived membership in a protected class, which conduct is subjectively offensive to the Complainant, and objectively offensive to a reasonable individual who is a member of the same protected class. It need not be severe or pervasive, but petty slights, minor annoyances, and lack of good manners do not constitute harassment. Types of harassment include quid pro quo and hostile environment. Factors to consider include the degree to which the conduct affected the Complainant's ability to access the education program or activity; parties' ages; roles within the education program or activity; previous interactions; and other factors about each party that may be relevant to evaluating the effects of the alleged unwelcome conduct. With respect to harassment based upon sex, types of harassment also include sexual assault (e.g., rape, fondling, incest, statutory rape), dating violence, domestic violence, and stalking.

**Retaliation:** Any adverse employment or educational action taken against a person because of the person's participation or perceived participation in a complaint or investigation of discrimination and/or harassment.

Retaliation also includes any act to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege provided by applicable civil rights laws, policies, and procedures.

A complete list of definitions applicable to this protocol is in System Procedure 19-60a, Civil Rights and Sexual Misconduct Resolution Process, Appendix A.

### References:

Board Policy 3-70, Ethics

<https://cccs.edu/about/governance/policies-procedures/bp-3-70-ethics/>

Board Policy 19-60, Prohibition of Discrimination, Harassment, or Retaliation

<https://cccs.edu/about/governance/policies-procedures/bp-19-60-prohibition-of-discrimination-harassment-or-retaliation/>

System Procedure 19-60a, Civil Rights and Sexual Misconduct Resolution Process

<https://cccs.edu/about/governance/policies-procedures/sp-19-60a-civil-rights-and-sexual-misconduct-resolution-process/>

### Attachments or Related Documents (list and send as separate documents):

A – Filing a Complaint

B – Employee/Student Employee Requirements Under Title IX

### Operating Protocol:

Individuals affiliated with Pueblo Community College shall not discriminate, harass, or retaliate based on any protected class or category under applicable local, state, or federal law, in connection with employment practices or educational programs and activities.

The Vice President of Human Resources is the college's Title IX/Equal Opportunity Coordinator. Deputy Coordinators are designated as necessary.

This protocol shall be provided electronically or by hardcopy to new employees and students. Notice of this protocol and relevant Title IX/EO contact information shall be disseminated annually to employees and students.

Employees and student employees have an ethical obligation to report known or suspected incidents of discrimination, harassment, or retaliation to the Title IX/EO Coordinator. Failure to report is considered a violation of BP 3-70, Ethics, and could result in employee or student discipline.

PCC reserves the right to change this protocol at any time to reflect changes to federal regulations, to Board Policy, and/or to System Procedure. The change may be effective immediately.

### Procedure:

Any individual may file a complaint as outlined in Attachment A – Filing a Complaint.

The Title IX/EO Coordinator shall address complaints as prescribed in BP 19-60, Prohibition of Discrimination, Harassment, or Retaliation, and SP 19-60a, Civil Rights and Sexual Misconduct Resolution Process.

**ATTACHMENT A**  
**Filing a Complaint**

A complaint of discrimination, harassment, or retaliation may be filed by:

Telephone: PCC Human Resources, 719-549-3220

Email: PCC Human Resources, [pcchr@pueblocc.edu](mailto:pcchr@pueblocc.edu)

Fax: PCC Human Resources, 719-549-3127

Mail: Pueblo Community College (Human Resources)  
900 W. Orman Avenue  
Pueblo, CO 81004

In person: Pueblo Campus  
Central Administration Building, Human Resources, Room 111  
900 W. Orman Avenue

Fremont Campus  
51320 Highway 50, Cañon City

Mancos Campus  
33057 Highway 160, Mancos

Web: Discrimination/Harassment Complaint Form  
([https://cm.maxient.com/reportingform.php?PuebloCC&layout\\_id=12](https://cm.maxient.com/reportingform.php?PuebloCC&layout_id=12))

Reporting a Concern or Incident (<https://pueblocc.edu/Concerns>)

In addition to reporting as above, any person has the right to file a police report. Complainants requiring assistance with this should contact the Title IX/EO Coordinator.

Students also have the right to make inquiries and/or file a complaint with:

Office for Civil Rights (OCR)  
U.S. Department of Education  
Cesar E. Chavez Memorial Building  
1244 Speer Boulevard, Suite 310  
Denver, CO 80204-3582  
Telephone: (303) 844-5695  
Facsimile: (303) 844-4303  
Email: [OCR.Denver@ed.gov](mailto:OCR.Denver@ed.gov)  
Web: <http://www.ed.gov/ocr>

Employees also have the right to make inquiries and/or file a complaint with:

Colorado Department of Regulatory Agencies (DORA)  
Colorado Civil Rights Division (CCRD)  
1560 Broadway, Suite 825  
Denver, CO 80202  
Telephone: (303) 894-2997  
Facsimile: (303) 894-7570  
Email: [dora\\_CCRD@state.co.us](mailto:dora_CCRD@state.co.us)  
Web: <https://www.colorado.gov/pacific/dora/civil-rights>

United States Equal Employment Opportunity Commission (EEOC)  
950 17th Street, Suite 300  
Denver, CO 80202  
Telephone: (800) 669-4000  
Facsimile: (303) 866-1085  
Web: <https://www.eeoc.gov/field-office/denver/location>

Contact information for Title IX / Civil Rights / Equal Opportunity staff:

Dana Moss, Title IX/EO Coordinator (all campuses)  
[dana.moss@pueblocc.edu](mailto:dana.moss@pueblocc.edu)  
719-549-3474  
Central Administration Building, Human Resources, Room 111  
900 W. Orman Avenue, Pueblo, CO 81004

Michael Trujillo, Deputy Coordinator (Pueblo, Fremont)  
[michael.trujillo@pueblocc.edu](mailto:michael.trujillo@pueblocc.edu)  
719-549-3223  
Central Administration Building, Human Resources, Room 111  
900 W. Orman Avenue, Pueblo, CO 81004

Diana Barela, Deputy Coordinator (Pueblo, Fremont)  
[diana.barela@pueblocc.edu](mailto:diana.barela@pueblocc.edu)  
719-549-3221  
Central Administration Building, Human Resources, Room 111  
900 W. Orman Avenue, Pueblo, CO 81004

Lisa Molina, Deputy Coordinator (Mancos/Durango)  
[lisa.molina@pueblocc.edu](mailto:lisa.molina@pueblocc.edu)  
970-564-6228  
33057 Highway 160, Mancos, CO 81328

**ATTACHMENT B**  
**Employee/Student Employee Requirements Under Title IX**

**Reporting**

PCC employees (including student employees), unless deemed a confidential resource by law, have an ethical obligation to promptly report any incidents they are aware of concerning civil rights violations. Reports should be made within 24 hours, unless there is reasonable justification for a delay. Employees unsure of the scope of this requirement may direct their questions to the Title IX/EO Coordinator. Failure to report will be considered a violation of BP 3-70, Ethics, and may result in discipline, up to and including termination.

**Pregnancy**

PCC employees (including student employees), when informed by a student of their pregnancy or their need for a pregnancy-related accommodation, are required to provide the student with contact information for the Title IX Coordinator and the Accessibility Center staff:

Dana Moss, Title IX/EO Coordinator

[dana.moss@pueblocc.edu](mailto:dana.moss@pueblocc.edu)

719-549-3474

Central Administration Building, Human Resources, Room 111

900 W. Orman Avenue, Pueblo, CO 81004

Bonnie Clark, Accessibility Center

[bonnie.clark@pueblocc.edu](mailto:bonnie.clark@pueblocc.edu)

719-549-3449

Academic Building, Room 120B

900 W. Orman Avenue, Pueblo, CO 81004