



*Pegasus CDL, Inc., 4722 Pacific Hwy, Bellingham, WA 98226 Phone 360/318-7617 email: alfred@pegasuscorp.us*

**Title: Pegasus CDL, Inc. Student Code of Conduct Policy**

**Applies To: All Enrolled Students**

**Information Contact: Pegasus CDL, Inc. Human Resources**

**Effective: January 27, 2015**

**Purpose:** This policy identifies and prohibits behaviors that are inconsistent with a safe and harassment-free learning environment.

**Scope:** This policy applies to all currently enrolled students.

**Definitions:**

**Discrimination:** Unfavorable or unfair treatment of a person or class of persons in comparison to others who are not members of the protected class because of race, creed, sex, color, religion, national origin, age, disabled veterans status, disability, Vietnam Era veterans status, sexual orientation, marital status, use of a trained guide dog or service animal by a person with a disability, and/or any other protected class; or retaliation for complaints related to these categories.

**Workplace (Classroom) violence:** any physical assault, threatening behavior or verbal abuse occurring in the work setting. This includes, but is not limited to beatings, stabbings, suicides, suicide attempts, shootings, rape, psychological traumas such as threats, obscene phone calls, an intimidating presence, and harassment of any nature such as being followed, sworn at, or shouted at.

**Harassment:** Verbal, nonverbal, or physical conduct that threatens, intimidates, coerces, or taunts another person (including sexual, racial or ethnic slurs) that interferes with the student's ability to learn.

**Hostile Learning Environment:** Includes harassment on the basis of gender, or lack of appreciation and respect for diversity in the workplace based on race, creed, color, religion, national origin, sex, disabled veterans status, Vietnam Era veterans status, disability, age (over 40), sexual orientation, marital status, use of a trained guide dog or service animal by a person with a disability or any other protected class.

**Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's performance evaluation;
- Submission to or rejection of such conduct is used as the basis for performance decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's educational performance or creating an intimidating, hostile, or offensive learning environment.

Two types of sexual harassment are:

1. "Quid pro quo" harassment involves harassment that is linked to some performance evaluation.
2. "Hostile learning environment" involves harassment that creates an offensive and unpleasant learning environment. A hostile learning environment can be created by anyone. Hostile learning environment can involve verbal conduct of a sexual nature, unwelcome sexual materials, or unwelcome physical contact. Cartoons or posters of a sexual nature, vulgar or lewd comments or jokes, or unwanted touching or fondling all fall into this category.

### **Policy:**

Pegasus Corporation will not tolerate discrimination or harassment of any kind. Through enforcement of this policy and by education of employees and students, Pegasus Corporation will seek to prevent, correct, and discipline behavior that violates this policy.

#### **A. Discrimination**

Discrimination of this kind is strictly prohibited. Discrimination of this kind may also be strictly prohibited by federal, state, and local laws, including Title VII of the Civil Rights Act of 1964; the Age Discrimination Act of 1975; the Americans with Disabilities Act of 1990; and the Washington Law Against Discrimination. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

It is a violation of this policy to:

1. Create discriminatory learning conditions
2. Use discriminatory evaluative standards in CDL training if the basis of that discriminatory treatment is, in whole or in part, based on membership in a protected class, or retaliation for assisting in the investigation of a complaint.

#### **B. Harassment**

1. Harassment, including sexual harassment or creating a hostile learning environment is prohibited. Pegasus Corporation will take appropriate and swift action up to and including dismissal to address any violation of this policy.

2. Examples of harassment include, but are not limited to:

- a. Verbal: Inappropriate, unwarranted and/or unwelcome comments regarding a person's race, creed, color, religion, national origin, sex, disabled veterans status, Vietnam Era veterans status, disability, age (40 or over), sexual orientation, marital status, or use of

- a trained guide dog or service animal by a person with a disability; epithets, slurs, or negative stereotyping.
- b. Nonverbal: Distribution or display of any written or graphic material that, ridicules, denigrates, insults, belittles, or shows hostility or aversion toward an individual or group because of membership in a protected class.
  - c. Physical: Any unwelcome, unwanted physical contact, including but not limited to, touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, forced sexual intercourse or assault.
3. Examples of behavior or actions that could be perceived by others to create a hostile learning environment include, but are not limited to:
- a. Racial or ethnic epithets
  - b. Discriminatory verbal intimidation, ridicule and insults
  - c. Yelling, verbal intimidation, ridicule or insults by an Instructor directed at any Student.
  - d. Jokes directed at Students in a protected class that are unwelcome or offensive.

### **C. Sexual Harassment**

1. Sexual harassment is a form of discrimination and prohibited under this policy. Sexual harassment includes unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when such conduct:
- a. Is made explicitly or implicitly a term or condition of enrollment
  - b. Is used as a basis for an employment decision
  - c. Interferes with an student's work performance or creates an intimidating, hostile, or otherwise offensive environment
2. Examples of conduct that may constitute sexual harassment include, but are not limited to:
- a. Verbal: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, threats, requests for any type of sexual favor (this includes repeated, unwelcome requests for dates), verbal abuse or "kidding" which is oriented towards a prohibitive form of harassment, including that which is sex oriented.
  - b. Nonverbal: The distribution or display of any written or graphic material that is sexual in nature, including calendars, posters and cartoons that are sexually suggestive, or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; or sexual content in letters and notes, facsimiles and e-mail.
  - c. Physical: Unwelcome, unwanted physical contact, including but not limited to touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, forced sexual intercourse or assault.

3. Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is unwelcome and/or personally offensive which lowers morale and interferes with work effectiveness.
4. Normal, courteous, mutually respectful, pleasant, non-coercive interactions between students that are acceptable to and welcomed by both parties are not considered harassment.

#### **D. Retaliation**

Retaliation or attempted retaliation is prohibited. No penalty may be imposed on an student as punishment for one or more of the following:

1. Filing or responding to a bona fide complaint of discrimination or harassment
2. Appearing as a witness in the investigation of a complaint
3. Serving as an investigator

Any student or employee who initiates or participates in retaliation will be subject to disciplinary action, up to and including, dismissal.

#### **E. Roles and Responsibilities**

1. Pegasus Corporation employees shall model appropriate behavior and are responsible to:
  - a. Provide each Student with a copy of the policy
  - b. Assure all students will review and sign this policy
  - c. Pegasus Corporation management will take appropriate corrective or disciplinary action when harassment and/or discriminatory.
2. CDL students are responsible for reporting harassment or discrimination to Pegasus Corporation management.
3. Students are responsible for following all Pegasus Corp. policies and maintaining daily attendance logs.

#### **F. Smoking Policy:**

- Smoking is prohibited within 25ft. of trucks, inside the trucks and building. There is a designated smoking area 25 ft. from the building.

#### **G. Communication with Instructors:**

- Students will be accountable to sign-up for drive times and notify their instructor by calling the office at (360) 318-7617 or email at [pegasuscorp@usa.net](mailto:pegasuscorp@usa.net) if you are unable to attend.

#### **H. Consequences for violating Pegasus Corp. Policies:**

- Failure to comply with all polices listed above will be subject to expulsion from the school.



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**I have reviewed and agreed to abide by Pegasus Code of Conduct Policy**

X

Signature of Student

**Date**