

Prohibition of Discrimination and Sexual Harassment Policy

(See full policy and also the related policy "Reporting Responsibilities for Discrimination, Harassment, and Abuse" in Appendices B and C.)

The College is committed to the goal of providing an environment free of discrimination, harassment or abuse of any kind for students and employees. Sexual harassment and/or harassment of students or employees (whether faculty or members of the staff or administration) based on sex, gender, age, race, color, religion, national origin or disability are prohibited as defined by law and contradictory to the College's policy and philosophy. The Uniformed Services Employment and Reemployment Rights Act (USERRA) also provides certain protected status rights arising from past or present membership or obligation to serve in the uniformed services under circumstances provided by the Act. As to students under age 18, abuse, as defined below and under state law, may or may not overlap with harassment; additional legal protections and requirements are provided under state law. Also inherent in the College's belief in respect for the individual is the principle that each student and employee is due appropriate respect and freedom from harassment in any form; therefore, harassment as defined in this policy may or may not be based upon a legally protected status.

Sexual harassment can occur in a variety of contexts. In relationships of unequal power, it contains an element of coercion, as when compliance with requests for sexual favors becomes a criterion for granting work, study, or grading benefits. In relationships among equals, sexual harassment may have a harmful effect upon a colleague's ability to study or work in the academic setting.

Definition of Sexual/Gender Harassment (Protected Status)

- Sexual/gender harassment is defined consistent with sexual harassment law to include unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature, whether or not such conduct is legally actionable. Undesired physical contact, repeated, unwelcome requests for social engagements, and questions or comments about sexual behavior or preference are included in this definition.
- Additionally, sexual harassment is behavior directed at an employee (whether faculty, staff or administration) or student because of his or her sexual orientation or sex/gender when (i) submission to such conduct is made either explicitly or implicitly a term or condition of academic or other college related benefits or employment; (ii) educational or other college related opportunities/academic benefits, job benefits or other decisions affecting an individual's employment or educational or other college related opportunities are explicitly or implicitly granted or withheld based on submission to, or rejection of, unwelcome requests or conduct, based on sex/gender; or (iii) the academic or other college related and/or work environment is hostile, in other words, oppressive and/or has the purpose or effect of unreasonably interfering with a student's academic performance or an employee's job performance by creating an intimidating, hostile, or offensive academic, work, or student living environment. Such harassment may also be based upon gender, despite lack of sexual advances.

Responsible Administrators

The Director of Human Relations and Minority Affairs will be responsible for disseminating information to educate the College community about sexual harassment and will be available to provide information. Our legal counsel, Associate Provost or Dean of Students also may be consulted concerning this area.

Other Remedies

The procedures outlined herein provide only for an internal resolution of sexual harassment complaints. Sexual harassment also is a violation of state and federal law and, therefore, other remedies may be available.

Procedures for Resolution of Complaints Made by Students

Any student or employee who has experienced or witnessed protected status discrimination, harassment or abuse by a student or employee has a responsibility to report the situation immediately to one of the Designated Recipients listed in the "Reporting Responsibilities for Discrimination, Harassment, and Abuse" in Appendix B. In general respect for the dignity and worth of all individuals is essential to an appropriate college environment. Actions which come within the definition of sexual harassment provided herein will be grounds for disciplinary action even resulting in termination.