Sexual and Other Unlawful Harassment

It is the policy of the Board of Trustees to maintain an educational institution and working environment free from sexual and other unlawful harassment. Harassment, retaliation, coercion, interference, or intimidation of an employee or student due to his or her race, color, religion, sex, age, national origin, disability, veteran’s status, creed, political affiliation or any other legally protected status not listed herein, or that of any employee’s or student’s relatives, friends, or associates, is strictly forbidden and will not be tolerated of anyone associated with the College either at a campus facility or College sponsored event.

Scope

Employees, students, volunteers, interns, vendors, contractors or any visitor.

Definitions

Sexual Harassment: Sexual harassment includes physical contact and/or conduct that creates an unwelcome or hostile environment. It includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature when submission to the conduct is made a term or condition of an individual’s employment or academic performance (either implicitly or explicitly), when submission to or rejection of the conduct is used as the basis for employment or educational decisions affecting the individual, or when the conduct is sufficiently severe, persistent, or pervasive to interfere with an individual’s work or academic performance or to create an intimidating, hostile, or offensive working or learning environment. Occasional compliments of a socially acceptable nature do not constitute sexual harassment.

Sexual harassment may include but is not limited to:

- Physical assault, including rape, or any coerced sexual relations.
- Subtle pressure for sexual activity or for a relationship that takes on a sexual or romantic coloring, thereby exceeding the limits of healthy relation.
- Any demeaning sexual propositions.
- Unnecessary touching in any form.
- Sexually explicit or suggestive remarks about a person’s physical attributes, clothing, or behavior.
- Sexually stereotyped or sexually charged insults, humor, verbal abuse, or graffiti.
- Any sexually inappropriate behavior that prevents an individual from participating in their employment, academic performance, or in any functions of the College.

Other Unlawful Harassment: Other unlawful harassment may consist of verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, age, national origin, disability, veteran’s status, creed, political affiliation, or any other legally protected status not listed herein, or that of his or her relative, friends, or
associates, and has the purpose or effect of creating an intimidating, hostile, or offensive work or learning environment; has the purpose or effect of interfering unreasonably with an individual’s work or academic performance; or otherwise adversely affects an individual’s employment or educational opportunities.

Other unlawful harassment may include but is not limited to:

- Threatening or intimidating conduct directed at another because of the individual’s race, color, religion, age, national origin, disability, veteran’s status, creed, political affiliation, or any legally protected status not listed herein.

- Jokes, name calling, or rumors based upon an individual’s race, color, religion, age, national origin, disability, veteran’s status, creed, political affiliation, or any legally protected status not listed herein.

- Ethnic slurs, negative stereotypes and hostile acts based on an individual’s race, color, religion, age, national origin, disability, veteran’s status, creed, political affiliation, or any legally protected status not listed herein.

Employee: a person who is hired to provide services to the College on a regular basis in exchange for compensation and who does not provide these services as part of an independent business.

Volunteer: individual who is not an employee of the College, has no expectation of receiving compensation or benefits from the College, and receives no compensation or benefits of any type in exchange for services or work for the College.

Intern: a student who gains practical experience and earns college credit in his or her field of study prior to employment in the field. An intern receives no compensation or benefits in exchange for his or her internship.

Visitor: anyone other than an employee, volunteer, intern, vendor, or contractor who has a legitimate purpose to be at a campus facility or College sponsored event.

Vendor: an individual who is providing goods and/or services to the College.

Contractor: an individual who is providing goods and/or services to the College directly or through a sub-contractor.

References
Title VII of the Civil Rights Act of 1964
The Pregnancy Discrimination Act
The Equal Pay Act of 1963 (EPA)
Sections 102 and 103 of the Civil Rights Act of 1991
The Genetic Information Nondiscrimination Act of 2008 (GINA)
Title IX of the Education Amendments of 1972
Clergy Act, 20 U.S.C. § 1092 (f)
Reviewed by the Executive Leadership Team, November 29, December 5 and 12, 2012
Reviewed by the College Attorney, December 13, 2012
Reviewed by the Board of Trustees Executive Committee, January 17, 2013

Policy Owner
Vice President for Human Resources and Organizational Development
Ext.7113

Sexual and Other Unlawful Harassment Procedure