

PROCEDURE

SUBJECT	PROCEDURE: SEXUAL HARASSMENT AND RELATIONSHIPS	PAGE
		P2.011-1
LEGAL AUTHORITY	P6Hx23-2.011	1/31/23 Revision #23-1

P6Hx23-2.011 PROCEDURE: SEXUAL HARASSMENT AND RELATIONSHIPS

I. Purpose

To provide a procedure for the review, investigation and resolution of sexual harassment complaints related to applicants, faculty, staff, and students of the College.

II. Definitions

A. Sexual harassment is a form of sex discrimination and sexual misconduct which includes, but is not limited to, conduct in the form of unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature from any person where:

1. The submission to such conduct is made either explicitly a term or condition of an individual's employment or academic status in a College activity, or
2. The submission to, or rejection of, such conduct by an individual is used as the basis for decisions affecting the individual's employment, academic standing, or participation in a College activity, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance by creating an intimidating, hostile, or offensive employment or academic environment.

B. Gender-based harassment is a form of sexual harassment and may include acts of verbal, non-verbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

III. General Provisions

A. The Executive Director of Organizational Culture and Engagement/Title IX Coordinator serves as the College's primary resource on matters relating to alleged sexual harassment; however, some matters may be referred for review

PROCEDURE

SUBJECT	PROCEDURE: SEXUAL HARASSMENT AND RELATIONSHIPS	PAGE
		P2.011-2
LEGAL AUTHORITY	P6Hx23-2.011	1/31/23 Revision #23-1

and/or handling by the College administration, campus administrators, or Human Resources, as deemed appropriate.

- B. If an individual has a complaint he or she wishes to discuss without recourse to this Procedure, he or she is free to do so. The Executive Director of Organizational Culture and Engagement/Title IX Coordinator is available to informally discuss complaints or concerns to ascertain the best course of action in accordance with the College's policies and procedures.

Allegations concerning sexual violence or misconduct shall be promptly reported to Campus Safety, the College's Executive Director of Organizational Culture and Engagement/Title IX Coordinator, or any of the campus based designated reporting individuals for review and handling, as appropriate, under the College's Title IX, Sexual Harassment, and Sexual Misconduct Grievance Procedure, P6Hx23-4.332.

IV. Retaliation

It is a violation of this Procedure to retaliate against any person who has filed a complaint or complained about sexual harassment to any College employee or to any other person, entity or human rights agency. It is also a violation of this Procedure to retaliate against any person involved in the investigation, including witnesses, of a complaint. Any retaliatory actions taken will be investigated and dealt with through appropriate disciplinary action and steps will be taken to prevent the recurrence of sexual harassment or retaliation.

V. Reporting, Investigation and Resolution

All students and employees are responsible for promptly reporting sexual harassment. The College has established the following procedure for reporting, investigating and resolving complaints of sexual harassment and retaliation.

A. Reporting:

Complaints of sexual harassment are to be promptly reported to designated reporting individuals as published on the College's website. The complaint may be reported to any one of the

PROCEDURE

SUBJECT	PROCEDURE: SEXUAL HARASSMENT AND RELATIONSHIPS	PAGE
		P2.011-3
LEGAL AUTHORITY	P6Hx23-2.011	1/31/23 Revision #23-1

individuals designated, including the Executive Director of Organizational Culture and Engagement/Title IX Coordinator, regardless of what site the reporting person is associated with. The individual receiving the complaint shall promptly notify the Executive Director of Organizational Culture and Engagement/Title IX Coordinator.

B. Investigation:

Immediately upon receipt of a complaint, the Executive Director of Organizational Culture and Engagement/Title IX Coordinator will have the responsibility for and will direct each investigation of sexual harassment. In directing the investigation, the Executive Director of Organizational Culture and Engagement/Title IX Coordinator may designate other persons to conduct and aid in the investigation.

Upon completion of the investigation, the findings of the investigation will be provided to the Executive Director of Organizational Culture and Engagement/Title IX Coordinator for review and recommendation of additional steps or action that may be appropriate.

C. Resolution of a Complaint:

Resolution of a complaint may be accomplished in various ways including referrals and recommendations to campus administration in the case of allegations involving a student, or Human Resources in the case of employees, for appropriate remedial or disciplinary action. A complaint may be resolved by intervention, corrective action, or pursuant to disciplinary action. The range of remedial or disciplinary measures imposed will depend on the nature of the incident, and may include, but not be limited to, one or more of the following: counseling, sensitivity or sexual harassment training, written reprimand, suspension or dismissal.

As deemed appropriate, the Executive Director of Organizational Culture and Engagement/Title IX Coordinator shall refer an individual making an allegation of sexual harassment to the grievance process as outlined in the

PROCEDURE

SUBJECT	PROCEDURE: SEXUAL HARASSMENT AND RELATIONSHIPS	PAGE
		P2.011-4
LEGAL AUTHORITY	P6Hx23-2.011	1/31/23 Revision #23-1

College's Title IX, Sexual Harassment, and Sexual Misconduct Grievance Procedure, P6Hx23-4.332, for investigation and handling. In this case, the Executive Director of Organizational Culture and Engagement/Title IX Coordinator or designee shall provide the individual bringing a complaint or grievance under such Procedure with information regarding the investigative and adjudicative process, as well as access to information concerning the rights of victims of sexual violence and misconduct, and counsel such individuals concerning access to available College and community resources and social services.

VI. Inappropriate Relationships between Faculty, Staff and Students

- A. A romantic or sexual relationship between a faculty/staff member and a student, whether consensual or non-consensual, which occurs while the faculty/staff member is in a position to determine a student's grade or otherwise affect the student's academic progress or environment is inappropriate and may subject the employee to remedial or disciplinary measures.
- B. A romantic or sexual relationship between a supervisor and an employee he or she supervises, where occurring while the supervisor is in a position to affect the employee's career advancement or working conditions, shall be considered inappropriate and have the potential to undermine the professional environment of the workplace. Such behavior may be subject to remedial or disciplinary measures.

VII. False, Frivolous or Malicious Complaints

In the event that a claim of sexual harassment is found to be false, frivolous or malicious, the person making the false, frivolous or malicious complaint of sexual harassment or retaliation against another may be subject to disciplinary action, including dismissal.

History: 10/20/92. Filed - 10/20/92. Effective - 10/20/92; 10/18/94. Filed - 10/18/94. Effective - 10/18/94; 4/18/95. Filed - 4/18/95. Effective - 4/24/95; 5/21/96. Filed - 5/21/96. Effective - retroactive to 1/2/96; 6/18/96. Filed - 6/18/96. Effective - 6/18/96. Repealed 2/18/97. See Rule 6Hx23-2.011; 4/2/15. Adopted - 4/2/15. Effective - 4/2/15; Updated - 2/22/22; Updated - 1/31/23.