SEXUAL HARASSMENT OF STUDENTS

The College prohibits the sexual harassment of its students. Employees or students who violate this policy are subject to disciplinary action. Visitors or agents of another employer who violate this policy are subject to being barred from further interaction with the College. This policy applies to sexual harassment on College property and/or at any College activity. It also applies to sexual harassment at any time in any location when such sexual harassment can be shown to affect the College educational process or the College instructional or social environment.

The College is committed to the uninhibited, robust, and open pursuit of ideas. Great care must be taken to ensure that this pursuit is not stifled by a multitude of rules. At the same time, however, every member of the College community must recognize that sexual harassment compromises the integrity of the College and its tradition of intellectual and personal freedom.

This policy is intended to ensure that students will experience a living and learning environment free from intimidation, hostility, discrimination, interference, abuse, or offensive behavior related to gender.

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Definition
Sexual harassment may be overt and unambiguous or may be more subtle and indirect. Overt forms of sexual harassment include sexual advances or requests for sexual favors accompanied by an offer of reward or threat of reprisal, for example, when submission to such conduct is used or threatened to be used as the basis for academic or other College decisions. Such behavior constitutes serious misconduct, and a single incident establishes grounds for complaint.

Less overt forms of sexual harassment include sexually-directed remarks or other forms of communication concerning an individual or group that are repeated despite being specifically rejected by that individual or group, and subject that individual or group to demeaning stereotypes or insult. Such communication can create an intimidating, hostile, or offensive environment.

All forms of sexual harassment constitute unacceptable behavior.

Administering the Policy and Procedure
The Vice President for Student Success Services will administer and answer any questions about this policy and procedure. When the accused is a College employee or a visitor or agent of another employer doing business with the College, the Vice President for Administrative Services shall also be involved to administer and answer questions about the policy/procedure.

Each administrator, division chairperson, or supervisor has a responsibility for familiarizing themselves with this policy and procedure and for preventing incidents of sexual harassment, or if they occur, ensuring they are reported, investigated and dealt with in a timely manner.

Resolving a Complaint Informally
The College’s approach to handling incidents of alleged sexual harassment places an emphasis on resolving complaints informally. These complaints are unwritten. It is important to note that this emphasis on an informal approach does not preempt the use of formal procedures available to the complainant should the complainant wish to use those formal procedures.

Without feeling constrained by specific definitions, any student who believes that his or her educational or social experience is being compromised by sexual harassment is free to pursue one or more of the following avenues:

1. Discuss the complaint with the alleged perpetrator and attempt to obtain an agreement that the perceived harassment will cease.
2. Discuss the complaint with an employee or other College student and ask that person to speak with the alleged perpetrator.
3. Discuss the complaint with the Vice President for Student Success Services and request that the Vice President speak informally with the alleged perpetrator.

4. Discuss the complaint with a Complaint Advisor. Complaint Advisors are volunteers who receive special training in sexual harassment matters. Their role is to help the complainant determine how best to proceed. No records are kept by the Complaint Advisors and all matters discussed are confidential. A listing of Complaint Advisors is available from the office of the Vice President for Student Success Services.

If this informal approach does not resolve the matter, or if the complainant prefers, he or she reserves the right to make use of any or all of the formal procedures for resolution.

Formal Complaint Resolution

The Vice President for Student Success Services (when the accused is a student) or the Vice President for Administrative Services (when the accused is a College employee or a visitor or agent of another employer doing business with the College) will investigate confidentially and quickly (within 30 days unless the time period is extended for good reason) any formal sexual harassment complaint. If the accused is a College employee, the employee's direct supervisor and other supervisory personnel shall participate with the Vice President for Administrative Services in the investigation. The Vice President for Student Success Services will be kept informed of the investigation and will assist in maintaining communication with the complainant.

Since persons falsely accused of sexual harassment could suffer severe damage to their reputations and to their careers, all investigations must be kept confidential and private to the maximum extent possible. Therefore, only those investigating and/or enforcing this policy will have access to confidential communications, and these persons may only discuss the matter with other persons involved in the investigation or enforcement of the policy and procedure.

The appropriate investigator(s) will promptly obtain a written statement from the complainant describing the offensive behavior and stating the times, dates, places, circumstances, and any witnesses. The investigator(s) will also obtain written statements from any possible witnesses. Subsequent to this action, the investigator(s) will discuss the complaint with the accused. At the request of either the complainant or the accused, the investigator(s) may bring both parties together to discuss the complaint.

The determination of sexual harassment will be made from the facts, on the basis of each individual case. If the investigator(s) cannot find reasonable grounds for the complaint, then the records of the complaint will be sealed and,
after all opportunities for appeal or further investigation have passed, will be destroyed.

**Taking Disciplinary Action**

After completing the investigation, and if reasonable grounds are fund for the complaint, then disciplinary action will be taken by the appropriate supervisor or other administrator. The disciplinary action will depend on the severity and scope of the occurrence.

**Disciplinary Action if the Alleged Perpetrator is A College Employee, or a Visitor or Agent of Another Employer Doing Business with the College**

If the alleged perpetrator is a College employee, discipline may include required counseling, oral or written reprimands, restrictions on activities, suspension, transfer or dismissal. If the alleged perpetrator is a visitor or an agent of an employer doing business with the College, the Vice President for Administrative Services will discuss the complaint with the visitor or the agent and employer of the alleged perpetrator. Corrective action may include warnings, restrictions on activities, or being barred from further interaction with the College.

**Right to Appeal**

Should disciplinary actions be taken against a College employee, the employee has the right to appeal such actions through the employee Grievance Procedure (Policy and Procedure 4430B).

If the alleged perpetrator is a visitor or agent of another employer, the visitor or agent or the employer may appeal to the President of the College. The decision of the President is final.

**Disciplinary Action If the Alleged Perpetrator is A Student**

If the alleged perpetrator is a WWCC student, disciplinary action may include required counseling, warnings, probation, restrictions on activities, suspension or dismissal from the College.

**Right to Appeal**

Should disciplinary actions be taken against a student, the student has the right to appeal such actions through the student Non-academic Grievance Procedure (Policy and Procedure 5430C).
Protection from Retaliation

The College will discipline any individual who retaliates against any person who presents a good-faith complaint alleging sexual harassment, or who retaliates against any person who testifies, assists, or participates in an investigation, proceeding, or hearing related to a sexual harassment complaint made in good faith. Retaliation includes but is not limited to any form of intimidation, reprisal, or harassment.

Informing the Complainant of Actions Taken

To the extent allowed by law, the complainant will be advised of any disciplinary actions taken against the perpetrator, should the complainant desire to know this information.

Review by the College President

A complainant has the right to request a review by the College President of the administrative actions taken or not taken. The President will inform the complainant of his/her findings. The President shall determine whether the investigation was conducted fairly and in conformity with prescribed procedures, whether the decision reached was based on adequate information, and whether the sanctions imposed were appropriate for the violation.

The President may, at his/her discretion, require additional information and/or investigation, uphold the actions taken or not taken, or reverse actions taken or not taken.

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