

SEXUAL HARASSMENT

Policy:

Pearl River Community College is committed to maintaining a learning and work environment free from all forms of unlawful sexual harassment. The College will not ignore, tolerate, or condone sexual harassment of students or employees as defined by law.

Procedure:

Title VII of the Civil Rights Act of 1964 prohibits sex discrimination in the workplace. Subsequent court cases have ruled that sexual harassment constitutes discrimination. Title IX of the Education Amendments of 1972 prohibits sexual harassment of students.

Sexual harassment of a student may include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by an employee, by another student, or by a third party that is sufficiently severe, persistent, or pervasive so as to limit a student's ability to participate in or benefit from an education program or activity, or to create a hostile or abusive educational environment.

Sexual harassment of an employee may include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature such that (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

A student who feels that he or she has been or is being subjected to sexual harassment should inform the Dean of Student Services. If the student is uncomfortable in informing the Dean of Student Services, another person in a position of administrative responsibility may be informed.

An employee who feels that he or she has been or is being subjected to sexual harassment should inform his or her immediate supervisor. If the employee is uncomfortable in informing his or her immediate supervisor, another person in a position of administrative responsibility may be informed.

Any student or employee who is determined to have engaged in sexual harassment in violation of this policy is subject to appropriate disciplinary action, which may include dismissal from the College, in the case of a student, or termination, in the case of an employee. Due process will be followed for any student or employee subjected to disciplinary action.

For purposes of this Policy and Procedure, the following terms are defined:

Employee: An employee is any person employed by Pearl River Community College as a faculty or staff member, whether full-time or part-time. Adjunct instructors are considered, for the purposes of this policy and procedure, to be employees of the College.

Student: A student is any person enrolled full-time or part-time in any instructional program offered by Pearl River Community College.