



# Walla Walla Community College

Policy: Policy Against Sexual Harassment

Adopted: January 21, 2004

## Policy Against Sexual Harassment

It is the policy of Walla Walla Community College that employees and students have the right to work and learn in an environment where mutual respect and consideration are demonstrated by all community members, male and female. No member of the college community may sexually harass another.

### Definition of Sexual Harassment

Sexual harassment does not refer to occasional compliments. It includes such behavior as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct when:

1. Submission to such conduct is made either explicitly (stated) or implicitly (implied) as a term or condition of an individual's employment or academic standing; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting an individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive environment.

Sexual harassment often involves relationships of unequal power and contains elements of coercion – as when compliance for sexual favors becomes a criterion for granting work, study, or grading benefits. However, sexual harassment may also involve relationships among equals, such as student to student, as when repeated sexual advances or demeaning verbal behavior have a harmful effect on a person's ability to study or work.

Sexual harassment may include, but is not limited to the following:

- Persistent, unwelcome flirtation, advances and/or propositions of a sexual nature
- Repeated, offensive, and unwelcome insults that are sexual in nature
- Jokes about gender-specific traits
- Repeated, unwelcome comments of a sexual nature about an individual's body or

clothing

- Deliberate and unwelcome touching, such as patting, pinching, hugging, or repeated brushes against an individual's body
- Pressure for dates or sex, if unwelcome and repeated
- Stating or implying to an employee or student that sexual relations are a condition of employment or grades
- Displayed offensive sexual graffiti, pictures, language, cartoons, or other materials

### **Responsibilities**

All members of the college community are responsible for ensuring that their conduct is not sexually harassing to any other member of the college community. Administrators and supervisors have the responsibility of helping to prevent and eliminate sexual harassment within the areas they oversee. If administrators or supervisors know sexual harassment is occurring, receive a sexual harassment complaint, or obtain other information indicating possible sexual harassment, they must report this information to their immediate supervisor or to the director of human resources, even if the problem or alleged problem is not within their area of oversight.

### **Institutional Resources**

Institutional resources are available to provide advice and assist in resolving incidents of sexual harassment. If you are an employee you may bring your concern to your supervisor, department administrator, or the human resources officer. If you are a student you may contact the instructional division administrator, the Student Development Center, the Title IX officer, the vice president of instruction, or the vice president of student services.

### **Complaint Procedures**

Any employee or student of Walla Walla Community College who believes s/he is being sexually harassed is encouraged to take steps to stop the harassing behavior. A copy of the College Grievance Procedure is attached to this policy statement, and includes steps which progress from an informal meeting to a presidential appeal. If an individual wishes, s/he may bypass the grievance procedure and file a claim directly with the Office of Civil Rights, the Equal Employment Opportunity Commission, or the Human Rights Commission, as provided in the attached Grievance Procedure.

When an allegation of sexual harassment progresses to the Official Hearing stage of the college Grievance Procedure, the presiding administrator will take immediate steps to:

1. Obtain a statement from the complainant regarding the times, dates, places, and circumstances surrounding the allegations;
2. Discuss the matter with the accused;

3. Obtain statements of witnesses or possible witnesses, if any;
4. Prepare a written report of the investigation.

Due to damage that could result to the career and reputation of any person falsely or in bad faith accused of sexual harassment, all investigations and hearings surrounding such matters will be confidential and designed to the maximum extent possible to protect the privacy of, and minimize suspicion toward, the accused as well as the complainant. Only those persons responsible for investigating and enforcing civil rights matters will have access to confidential communications as allowed by law.

If there appears to be no foundation to the allegation of sexual harassment, no record shall be made of the allegation in either the accused or the accuser's employee records. However, bad faith allegations may result in disciplinary action against the accuser.

If a foundation for the allegation exists and the complaint is resolved informally at Step 1 of the Grievance Procedure, no formal record need be made of the incident. An admission of guilt, an acknowledgement of a verbal warning, a promise not to commit such abuses again, and action taken to provide appropriate relief for the aggrieved party is sufficient. A record of informal resolutions will be kept in the office of the supervisor or human resources director participating in Step 1.

If the allegation cannot be resolved at the Step 1, Informal Meeting level, or if the accused does not follow through with the agreement reached at the Informal Meeting level, the complaint may be taken directly to Step 2, the Official Hearing level.

If it is determined at the Official Hearing that sexual harassment has occurred, disciplinary action may be taken. If the accused is a student, the Vice President of Student Services will proceed to Initiation of Disciplinary Action, item #(4) in the Student Code of Conduct. If the accused is an employee, existing procedures negotiated in faculty and classified staff collective bargaining agreements shall be used.