

**POLICY AGAINST
SEXUAL HARASSMENT
AND
DISCRIMINATORY
HARASSMENT**



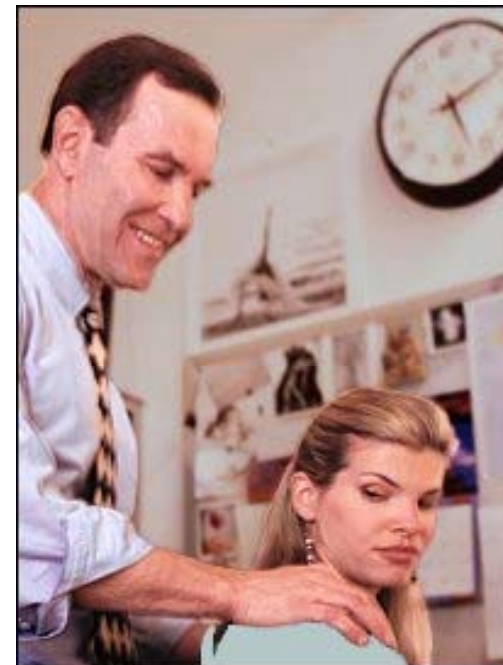
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Bristol Community College is committed to a policy of affirmative action, equal opportunity, equal education, non-discrimination and diversity. We are committed to providing a learning and working environment that values the diverse backgrounds of all people.

Sexual Harassment is a form of discrimination on the basis of sex.

Sexual harassment of a student, an employee or any other person in the College is unacceptable, impermissible and intolerable. Sexual harassment occurs in a variety of situations that share a common element: the activities or comments into the work or learning situation. Often sexual harassment involves relationships of unequal power and contains elements of coercion as when compliance with requests for sexual favors becomes a criterion for granting work, study or grading benefits. However, sexual harassment may also involve behaviors among equals, as when repeated sexual advances or demeaning verbal behaviors have a harmful effect on a person's ability to study or work in the academic setting.



Sexual harassment may be described as unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- 1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
- 2) Submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting that individual; or
- 3) Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance and creating an intimidating, hostile, humiliating or sexually offensive learning or working environment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a hostile, offensive, intimidating, or humiliating workplace or academic environment to male or female workers or students may also constitute sexual harassment.

Any employee or student who believes he/she has been a victim of discrimination may initiate an informal claim or formal complaint in accordance with the College's Grievance Procedure.

Bristol Community College's Policy Against Sexual Harassment and Discriminatory Harassment

Policy Against Retaliation

The College prohibits retaliatory action taken against persons who file claims, complaints or charges under its Grievance Procedure or under applicable state or federal non-discrimination statutes, who are suspected of having filed such claims, or who have assisted or participated in an investigation or resolution of such claims. Retaliation, even in the absence of provable discrimination constitutes a violation as serious as proved discrimination under this policy and applicable statutes. Any person who believes he/she has been retaliated against in this manner may file a claim or complaint under the College's Grievance Procedure.

Examples of Inappropriate Conduct

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances—whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comments on an individual's body; comments about an individual's sexual activity, deficiencies or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and
- Discussion of one's sexual activities.

It is not enough for the harasser to say he/she did not know that the conduct complained of was unwelcome. The victim is not required to communicate this to the harasser. The fact that a person may have accepted or consented to the conduct does not necessarily mean that it was welcome. The conduct is unwelcome if the person did not request or invite it and regarded the conduct as undesirable or offensive.

Consensual Relationships

Consenting romantic and sexual relationships between faculty and student, librarian and student, administrator and student, classified staff member and student are deemed unprofessional. Because such relationships interfere with or impair required professional responsibilities and relationships, they are looked upon with disfavor and are strongly discouraged.

Codes of Ethics for most professional associations forbid professional-client sexual relationships. In this context the professor-student relationship is properly regarded as one of professional and client. The respect and trust accorded to faculty by students,



as well as the power exercised by the faculty in giving praise or criticism, grades, recommendations for further study and employment, and other benefits or opportunities diminish the student's actual freedom of choice such that relationships thought to be consensual may, in fact, be the product of implicit coercion. Many elements of the relationships between other staff and students are similar to those of the faculty-student relationship because of a similar imbalance of power and a similar need for trust.

Grievance Procedure

When employees or students feel their equal opportunity rights have been breached, the grievance process is a mechanism for resolution. Grievants are encouraged to use the informal process to clarify and/or resolve their concerns. When a complaint cannot be resolved through the informal process, a grievant may file a complaint in accordance with the formal Grievance and Hearing Procedure. More information about the College's Grievance Procedure is available from the College's Director of Human Resources and Affirmative Action Officer .