

SEXUAL HARASSMENT

POLICY

Hillsborough Community College will maintain a workplace and educational setting free from harassment of any kind and from any source including but not be limited to supervisors, co-workers, administrators, students, faculty, consultants and visitors to the College.

Each administrator, faculty member, professional-managerial employee, classified employee and student should pursue assignments and responsibilities at the College with a total commitment to basic ethical principles and professional codes of conduct.

The College believes sexual relationships between teachers and students or superiors and subordinates are ill advised as they might adversely affect the academic or workplace environment or relationships. Such relationships between superiors and subordinates or between teachers and students are unethical because the consent of students or subordinates may not in fact be voluntary given the “power imbalance” in such relationships.

DEFINITIONS

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment.

Speech of the following nature also constitutes sexual harassment:

- is persistent, pervasive, and not germane to the subject matter;
- is abusive or severely humiliating; and
- persists despite the objection of the person or persons to whom it is directed.

Harassment exists when another student or a school employee explicitly or implicitly condones student participation in activities or programs, bases educational decisions on students submitting to unwelcome sexual advances, request for sexual favors, or makes other verbal comments, non-verbal communication, or physical conduct of a sexual nature.

Conduct is unwelcome if students or employees did not request or invite it and if they regard the conduct as undesirable or offensive. Acquiescence in the conduct or the failure to complain does not always mean that the conduct was welcome. Also, the fact that students or employees willingly participated in conduct on one occasion does not prevent them from indicating that the same conduct has become unwelcome on subsequent occasions.

A hostile or abusive environment exists when sexually harassing conduct is sufficiently severe, persistent, or pervasive that it limits students participating in or benefiting from an education program or activity. A hostile environment might exist even if there is no tangible injury to students. For example, students might have been able to keep up their grades and continue to attend school even though it was more difficult for them to do so because of the harassing behavior.

A hostile environment can occur even if the harassment is not targeted specifically at individual complainants. For example, if a student or group of students regularly directs sexual comments toward a particular student, a hostile environment may be created not only for the targeted student, but also for others who witness the conduct.

An individual or a group may commit sexual harassment. In some cases, verbal comments or other conduct by one person might not be sufficient to create a hostile environment, but the same behavior if committed by a group could create a hostile environment.

DISCIPLINARY ACTIONS

Among the factors the College will consider in arriving at the appropriate disciplinary action to impose when a member of the college community is found to have engaged in harassing behavior are:

- the nature of the conduct and the relationship of the perpetrator to the victim, including the degree of influence, authority, or control the perpetrator had over the victim; and
- whether the victim was legally or practically unable to consent to the sexual conduct in question.

Employees or students of the College who are found to have sexually harassed other members of the college community will be subject to disciplinary action. The penalties that could be imposed for sexual harassment include expulsion or termination within the provisions of applicable current administrative rules and procedures.

DESIGNATION OF PERSON TO RECEIVE COMPLAINTS

The Assistant to the President is the person to whom students and/or employees should direct sexual harassment complaints. Each complaint will be investigated promptly and thoroughly.