

Policy

Policy # 3.03.01

Effective Date _____

<p><i>(Impact Area - Dept Name)</i></p> <p>Employees</p>	<p><i>(General Subject Area)</i></p> <p>Non-Discrimination</p>	<p><i>(Specific Subject Area)</i></p> <p>Sexual Harassment</p>
	<p>Author:</p>	<p>Supersedes Policy #</p> <p>(See p. 2.103-2.107)</p>
<p>Relates to Procedure #</p> <p>3.03.1</p>	<p>Impact:</p>	
<p>Legal Citation (if any):</p>		
<p><i>North Idaho College</i></p>		

Policy Narrative

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POLICY ON SEXUAL HARASSMENT

PREAMBLE

The College Welfare Committee recommends that the policy and procedures on Sexual Harassment be instituted for an initial three-year period and reviewed by the College Welfare Committee at the end of that three-year experience.

1. Sexual harassment subverts the missions of North Idaho College and threatens, in both obvious and subtle ways, the careers of students, faculty, and staff.
2. Definition of Sexual Harassment
Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, other verbal or physical conduct of a sexual nature, and/or discrimination based on gender differences when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement.
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual.
 - c. 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 working or academic environment.
3. Sexual harassment is a form of sex discrimination. As such, it is recognized both by the Equal Employment Opportunity Commission as a violation of the Civil Rights Act of 1964, as amended, and by the Office of Civil Rights as a violation of Title IX of the Education Amendment of 1972.
4. Sexual harassment is primarily an issue of power. It exploits the power inherent in a faculty member's or supervisor's relationship to his/her students or subordinates. Through the manipulation of grades, wages, recommendations, job status, and the like, a teacher or a supervisor can have a decisive influence on a student's or employee's success and future career at the college and beyond.
5. While sexual harassment most often takes place in a situation of power differential between the persons involved, this policy recognizes that sexual harassment may occur between persons of:
 - a. The same college status (e.g. student-student, faculty-faculty, staff-staff).
 - b. Differing college status (e.g. student-employee, student-persons providing/receiving services to or from North Idaho College, employee-persons providing/receiving services to or from North Idaho College).
6. North Idaho College discourages consensual sexual relationships between employees and their subordinates.
 - a. Instructors especially are discouraged from involvement with students currently enrolled in their classes.
 - b. Persons in positions of power, authority, or control over others should be aware of and sensitive to problems which may arise from those relationships.

7. Implementation

- a. North Idaho College will use both informal and/or formal procedures to investigate in a prompt, timely, and confidential manner, each complaint of sexual harassment.
 1. Because complaints of sexual harassment might be brought that have no merit, procedures should be implemented so that students and employees are protected against false and mischievous complaints.
 2. North Idaho College requires that the rights and concerns of both complainant and accused be fully assured. The college shall make every effort to assure and protect these rights, and shall undertake no action that threatens or compromises them.
- b. Prompt, appropriate, corrective action will be taken against any employee or student of North Idaho College who violates this policy.
 1. Violation of this policy will lead to disciplinary action which is appropriate to the circumstances and which addresses the goal of prompt and effective action to stop sexual harassment. Such disciplinary action shall follow the principles of progressive discipline.

Depending on the circumstances, and following due process, the punishment may include, but is not limited to, verbal and written reprimands, suspension with pay, suspension without pay, demotion, expulsion, or dismissal.
 2. Persons with supervisor's responsibilities for employees/students are expected to report and/or to take appropriate supervisory action when they know of sexual harassment.