

PENSACOLA STATE COLLEGE
MANUAL OF PROCEDURES

Procedure Title:	Sexual Harassment	<u>Number</u> 125
Related Policy:	Equal Access/Equal Opportunity – 6Hx20-1.007	<u>Page</u> Page 1 of 2

I. Purpose

To indicate actions which can be construed as having sexual harassment connotations and to outline the process employed for lodging complaints of sexual harassment.

Harassment includes but is not limited to student-to-student harassment, staff/faculty-to-student harassment, third party harassment (student or employee), employee-to-employee harassment, supervisor-to-employee harassment, and harassment based upon sexual orientation.

II. Caveat

The Supreme Court has ruled that the most important factor in determining the merit of a sexual harassment case is whether the conduct was “welcomed.” However, the defense of consent is not viable when one partner in the relationship has power over the other. Sexual relationships, even though welcome, which may be appropriate under other circumstances, may not be appropriate when they occur between a faculty member and student or a supervisor and employee. Even in situations where no negative consequences arise for the individuals involved, such relationships can create potential conflicts of interest. Sexual relationships viewed by the parties as mutual may still raise questions of favoritism as well as abuse of trust and power. This is particularly the case where a student is enrolled in a course taught by the involved faculty member.

III. Procedure

A. Harassment includes:

1. Any slurs, innuendos, or other verbal or physical conduct which has the purpose or effect of creating an intimidating, hostile, or offensive educational or work environment; has the purpose or effect of unreasonably interfering with the individual’s work or school performance or participation; or otherwise adversely affects an individual’s employment or education opportunities.
2. The denial or the provision of aid, benefits, grades, rewards, employment, faculty assistance, services, or treatment on the basis of sexual advances or request for sexual favors.
3. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or educational career; when submission to or rejection of such conduct is used as a basis for

educational or employment decisions affecting the individual; or when such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational environment.

B. Process

1. Any employee having a complaint of harassment should notify his or her immediate supervisor. If the complaint is against the immediate supervisor, the higher level supervisor should be contacted. Employees may call the Associate Vice President, Institutional Diversity, for counseling and advice (484-1759). The Associate Vice President is located on the Pensacola campus, Administration building, room 705.
2. Students should notify the Associate Vice President, Institutional Diversity, or the Director, Student Conduct (484-2128).
3. Deans, directors, and department heads must take appropriate steps to disseminate this procedure for lodging complaints.

Responsible Official	Associate Vice President, Institutional Diversity
President's Signature:	Date: 02/21/2017
	