

SEXUAL HARASSMENT**1575**

The policy of the San Luis Obispo County Community College District is to provide an educational and employment environment free from unwelcome sexual advances, requests for sexual favors, verbal or physical conduct or communications constituting sexual harassment. Employees, students, or other persons acting on behalf of the District who engage in sexual harassment as defined in this policy or by state or federal law shall be subject to discipline, up to and including discharge, expulsion, or termination of contract.

Authority: Cal. Code Regs., Title 5, § 59326; Ed. Code, § 66281.5; 20 U.S.C. § 1681 et seq.

Retaliation

It is unlawful for anyone to retaliate against someone who files a sexual harassment or other unlawful discrimination complaint, who refers a matter for investigation or complaint, who participates in an investigation of a complaint, who represents or serves as an advocate for an alleged victim or alleged offender, or who otherwise furthers the principles of this unlawful discrimination policy.

Authority: 20 U.S.C. § 1681 et seq.; 34 C.F.R. § 106; Cal. Code Regs., Title 5, § 59300 et seq.; *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX*, Office of Civil Rights, January 19, 2001.

SEXUAL HARASSMENT**R1575**Definition

“Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the workplace or in the educational setting, and includes but is not limited to:

1. Making unsolicited written, verbal, physical, and/or visual contacts with sexual overtones. (Examples of sexual harassment which appear in a written form include, but are not limited to: suggestive or obscene letters, notes, invitations. Examples of verbal sexual harassment include, but are not limited to: leering, gestures, display of sexually aggressive objects or pictures, cartoons, or posters.)
2. Continuing to express sexual interest after being informed that the interest is unwelcomed.
3. Making reprisals, threats of reprisal, or implied threats of reprisal following a rebuff of harassing behavior. The following are examples of this type of sexual harassment within the work place: implying or actually withholding grades earned or deserved; suggesting that a poor performance evaluation will be written; or suggesting that a scholarship recommendation or college application will be denied.
4. Engaging in explicit or implicit coercive sexual behavior within the work environment which is used to control, influence, or affect the employee’s career, salary, and/or work environment.
5. Engaging in explicit or implicit coercive sexual behavior within the educational environment that is used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.
6. Offering favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications in exchange for sexual favors.

Procedures

Procedures for investigating complaints shall be the same as those outlined in Board Policy 1565 Unlawful Discrimination Grievance Procedure.

Authority: Cal. Code Regs., Title 5, § 59311; *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX*, Office of Civil Rights, January 19, 2001.

(Approved: 7/31/81)

(Revised: 10/6/87, 5/4/88, 11/20/91, 10/3/01)