

# Non-Discriminatory Environment

A nondiscriminatory environment is essential to the mission of The Alabama College System. A sexually abusive environment inhibits, if not prevents, the harassed individual from performing responsibilities as student or employee. It is essential that the institutions maintain an environment that affords equal protection against discrimination, including sexual harassment. The institutions of the Alabama College System will take all the necessary steps to ensure that harassment, in any form, does not occur. Employees and students who are found in violation of this policy will be disciplined as appropriate to the severity of the offense.

Employees and students of The Alabama College System will strive to promote a college environment that fosters personal integrity where the worth and dignity of each human being is realized, where democratic principles are promoted, and where efforts are made to assist colleagues and students to realize their full potential as worthy and effective members of society. Administrators, professional staff, faculty, and support staff will adhere to the highest ethical standards to ensure professionally functioning institutions and to guarantee equal educational opportunities for all students.

For these purposes, the term "harassment" includes, but is not necessarily limited to: Slurs, jokes, or other verbal, graphic, or physical conduct relating to an individual's race, color, gender, religion, national origin, age, or disability. Harassment also includes unwelcome sexual advances, requests for sexual favors, and other verbal, graphic, or physical conduct of a sexual nature.

Harassment of employees or students by non-employees is a violation of this policy. Any employee or student who becomes aware of any such harassment should report the incident(s) to the appropriate college official. Sexual harassment is a form of sex discrimination which is illegal under Title VII of the Civil Rights Act of 1964 for employees and under Title IX of the Education Amendments of 1972 for students. Sexual harassment does not refer to occasional compliments; it refers to the behavior of a sexual nature which interferes with the work or education of its victims and their co-workers or fellow students. Sexual harassment may involve the behavior of a person of either sex against a person of the opposite sex or the same sex, and occurs when such behavior constitutes an unwelcome sexual advance, unwelcome requests for sexual favors, or other unwelcome 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 the individual's employment or educational opportunities;
2. Submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting that individual;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creates an intimidating, hostile, or offensive work or educational environment.

Any incident of sexual harassment will be reported to the grievance officer as promptly as possible after the harassment occurs.

The employees of the institutions within The Alabama College System determine the ethical and moral tone for these institutions through both their personal conduct and their job performance. Therefore, each employee must be dedicated to the ideals of honor and integrity in all public and personal relationships. Relationships between college personnel of different ranks which involve partiality, preferential treatment, or the improper use of position will be avoided. Consensual amorous relationships that might be appropriate in other circumstances are inappropriate when they occur between an instructor or any student for whom he or she has a responsibility, between any supervisor and an employee, or between a college employee and a student where preferential treatment results. Further, such relationships may have the effect of undermining the atmosphere of trust on which the educational process depends. Implicit in the idea of professionalism is

the recognition by those in positions of authority that in their relationships with students or employees there is always an element of power. It is incumbent on those with authority not to abuse the power with which they are entrusted.

All personnel will be aware that any amorous relationships (consensual or otherwise) or any otherwise inappropriate involvement with another employee or student makes them liable for formal action against them if a complaint is initiated by the grieved party in the relationship. Even when both parties have consented to the development of such a relationship, it is the supervisor in a supervisor-employee relationship, the faculty member in a faculty-student relationship, or the employee in an employee-student relationship who will be held accountable for unprofessional behavior.

This policy encourages faculty, students, and employees who believe that they have been the victims of sexual harassment to contact the grievance officer or other appropriate official at the institution where the alleged incident occurred. Any reprisals will be reported immediately to the grievance officer or other appropriate official.

This policy will be distributed, communicated, and implemented in a manner which provides all interested parties the opportunity to be informed of this policy. A system-wide educational program will be utilized to assist all members of the college community to understand, prevent, and combat harassment. The Chancellor will issue guidelines to ensure the adherence to, implementation of, and enforcement of this policy.

#### **A. Definition of Sexual Harassment**

Sexual harassment can be verbal, visual, or physical. It can be overt, as in the suggestions that a person could get a higher grade or a raise by submission to sexual advances. The suggestion or advance need not be direct or explicit; it can be implied from the conduct, circumstances, and relationship of the individuals involved. Sexual harassment can also consist of persistent, unwanted attempts to change a professional or educational relationship to a personal one. Sexual harassment is distinguished from consenting or welcome sexual relationships by the introduction of the elements of coercion; threat; unwelcome sexual advances; unwelcome requests for sexual favors; other unwelcome sexually explicit or suggestively written, verbal, or visual material; or unwelcome physical conduct of a sexual nature. Examples of verbal or physical conduct prohibited within the definition of sexual harassment include, but are not limited to:

1. Physical assault;
2. Direct or implied threats that submission to or rejection of requests for sexual favors will affect a term, condition, or privilege of employment or a student's academic status;
3. Direct propositions of a sexual nature;
4. Subtle pressure for sexual activity;
5. Repeated conduct intended to cause discomfort or humiliation, or both, that includes one or more of the following: (i) comments of a sexual nature; or (ii) sexually explicit statements, questions, jokes, or anecdotes;
6. Repeated conduct that would cause discomfort and/or humiliate a reasonable person at whom the conduct was directed that includes one or more of the following: (i) touching, patting, pinching, hugging, or brushing against another's body; (ii) commentary of a sexual nature about an individual's body or clothing; or (iii) remarks about sexual activity or speculations about previous sexual experience(s);
7. Intimidating or demeaning comments to persons of a particular sex, whether sexual or not;
8. Displaying objects or pictures which are sexual in nature that would create a hostile or offensive employment or education environment, and serve no educational purpose related to the subject matter being addressed.

#### **B. Reporting Acts of Sexual Harassment**

Harassment against another student, faculty member, staff member, or administrator should be reported to the Dean of Students. If the student experiences sexual harassment from a person who is not a WCCS

student or employee, the student should contact the College Security Office and the Dean of Students. Wallace Community College Selma is committed to providing a positive, discrimination-free educational environment.