



# ADMINISTRATIVE PROCEDURES

No. 307.1

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MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

## SEXUAL HARASSMENT

Sexual harassment, a form of sex discrimination, is defined and prohibited by both State and Federal law and is a violation of the district's non-discrimination policy. Sexual harassment is prohibited in the workplace and in all programs and activities of the district between supervisors and employees; employees; employees and non-employees; employees and students; students; and non-students and students.

**Definition:** California Education Code, Section 212.5, defines sexual harassment as 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 work or educational setting, under any of the following conditions:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
2. Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding the benefits and services, honors, programs, or activities available at or through the educational institution.

**Examples:** For clarification, specific examples of sexual harassment include, but are not limited to:

1. Unsolicited written, verbal, physical, and/or visual contacts with sexual overtones such as suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, display of sexually suggestive objects, pictures, or cartoons.
2. Continuing to express sexual interest after being informed that the interest is unwelcome.
3. Coercive sexual behavior used to control, influence, or affect the career, salary, and/or work environment of an employee or the educational opportunities, grades, and/or learning environment of a student including promises or threats of reprisal following a rebuff of harassing behavior.
  - a. Within the work environment, examples of this type of sexual harassment would include implying or actually withholding support or an appointment, promotion, transfer, or change of assignment; suggesting a poor performance report will be prepared; or suggesting probation will be failed.

- b. Within the educational environment, examples of this type of sexual harassment would include implying or actually withholding grades earned or deserved, course admission, or performance evaluation; or the limitation of student benefits or services (e.g. scholarships, financial aid, or a work study job.)
- 4. The deliberate or careless creation of an atmosphere of sexual harassment or intimidation, or a hostile or offensive work or educational environment.
- 5. Offering favors or educational or employment benefits, such as grades or promotions, favorable performance evaluation, favorable assignments, favorable duties or shifts, recommendations, reclassification, etc., in exchange for sexual favors.

*Adopted: July 7, 1999*