

REGULATION on Student Harassment and Sexual Harassment

Definitions

“*College Representative*” means the College president, or other holder of any executive office on the administrative staff of the College, and any member of the faculty of the College, including but not limited to a dean or associate dean or assistant dean, a professor or associate or assistant professor, and a full or part time instructor or visiting professor, including a graduate assistant or other student who is employed on a temporary basis of less than full time as a teacher or instructor of any course or program of academic, business or vocational instruction offered by or through the College.

“*College Personnel*” means College employees who do not meet the definition of “College Representative” set forth above, volunteers, contractors, or persons subject to the supervision and control of the College.

“*Third Party*” means persons who do not meet the definition of College Representative or College Personnel and who are participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the College.

Harassment of Students Prohibited

No College Representative, College Personnel or Third Party shall harass or intimidate a student based upon a student’s sex, color, race, religion, creed, ancestry, national origin, physical or mental disability, sexual orientation, or other protected group status. Harassing conduct is conduct whether verbal, physical, or visual, which is sufficiently severe and pervasive that it affects tangible benefits of an educational program or activity, that unreasonably interferes with a student’s educational performance or learning opportunities, or that creates an intimidating, hostile, or offensive educational environment.

Sexual Harassment of Students Prohibited

The College prohibits sexual harassment of students. Sexual harassment includes any unwelcome sexual advances or requests for sexual favors made by a College Representative to a student, or any conduct of a sexual nature exhibited by a College Representative toward a student, when such conduct has the purpose of substantially interfering with the student’s educational performance or creating an intimidating, hostile or offensive educational environment; or when the College Representative either explicitly or implicitly makes the student’s submission to such conduct a term or condition of, or uses the student’s submission to or rejection of such conduct as a basis for determining:

1. Whether the student will be admitted to the College;
2. The educational performance required or expected of the student;
3. The attendance or assignment requirements applicable to the student;

4. To what courses, fields of study or programs, including honors and graduate programs, the student will be admitted;
5. What placement or course proficiency requirements are applicable to the student;
6. The quality of instruction the student will receive;
7. What tuition or fee requirements are applicable to the student;
8. What scholarship opportunities are available to the student;
9. What extracurricular teams the student will be a member of or in what extracurricular competitions the student will participate;
10. Any grade the student will receive in any examination or in any course or program of instruction in which the student is enrolled;
11. The progress of the student toward successful completion of or graduation from any course or program of instruction in which the student is enrolled; or
12. What degree, if any, the student will receive.

Sexual harassment may also include circumstances in which a student, College Personnel, or Third Party engages in sexual harassment by making sexual advances, requesting sexual favors, or engaging in other verbal or physical conduct of a sexual or sex-based nature, imposed on the basis of sex toward a student that:

1. denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or
2. has the purpose or effect of:
 - a. substantially interfering with a student's educational environment;
 - b. creating an intimidating, hostile, or offensive educational environment;
 - c. depriving a student of educational aid, benefits, services, or treatment; or
 - d. making submission to or rejection of such conduct the basis for academic decisions affecting a student.