
Prohibited Harassment

POLICY STATEMENT

Yavapai Community College is committed to maintaining a harassment free environment, for employees, students, and patrons. Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's status protected under federal or state law or College policy including sex, color, race, religion, national origin, age, sexual orientation, disability, veteran status, citizenship status, or other legally protected status.

Yavapai College will not tolerate harassing conduct which affects tangible job or educational benefits, which interferes unreasonably with an individuals' work or educational performance, or which creates an intimidating, hostile or offensive working or learning environment. Necessary action will be taken to prevent and correct harassment, and if needed, discipline persons whose behavior violates this policy. Disciplinary action may result in measures up to and including termination of employment or expulsion from enrollment.

SCOPE

All Employee Groups and Students

PROCEDURE

The College is committed to creating a harassment free environment for all employees and students. Necessary action will be taken to prevent, correct, and if needed, discipline persons whose behavior violates this policy. Disciplinary action may result in measures up to and including termination of employment or expulsion from enrollment.

Harassment is defined as unwanted behavior toward another person that is offensive, demeaning, insulting, hostile, or persecuting. Harassment may occur in the form of unwelcome conduct, whether verbal, physical or visual, based upon a person's status protected under federal or state law or College policy, including sex, color, race, religion, national origin, age, sexual orientation, disability, veteran status, citizenship status, or other legally protected status.

Sexual harassment is defined as unwanted sexual advances or visual, verbal or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser.

The following is a partial list of sexual harassment examples:

- Unwanted sexual advances.
- Offering employment or educational benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures or displaying of sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes or invitations.
- Physical conduct that includes touching, assaulting or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors or other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment or academic success; (2) submission or rejection of the conduct is used as a basis for making employment or academic decisions; or (3) the conduct has the purpose or effect of interfering with work or academic performance or creating an intimidating, hostile or offensive work or learning environment.

Consensual Amorous Relationships – Procedure to Avoid Conflict of Interest

Faculty members, supervisors, athletic coaches, advisors, and other members of the College community who have professional responsibility for other individuals should be aware that any romantic or sexual involvement with a student or employee for whom they have a responsibility may raise questions as to the mutuality of the relationship and may lead to charges of sexual harassment. For this reason, the College prohibits any consensual amorous relationship involving a college employee and student, supervisor and employee, or tutor/counselor and student where the faculty, supervisor, or tutor/counselor has direct authority, influence, or responsibility with respect to that student or employee.

Authority, influence, or responsibility includes, but is not limited to: in the employment setting, carrying out assignments, evaluations and promotions or disciplinary decisions; and in the instructional setting, being responsible for a student's evaluation and grading, awarding of financial aid, academic progress, or employment offers.

In the event the prospect of a consensual amorous relationship develops, the supervisor, tutor/counselor, or faculty member must immediately inform his/her supervisor so that steps can be taken to remove the relationship of authority of the supervisor, tutor/counselor, or faculty over the employee or student for all purposes.

Supervisors, tutors/counselors, or faculty members who engage in such consensual relationships and do not resolve the conflict of interest will be subject to disciplinary action up to and including termination

In determining whether harassment has occurred, the facts will be reviewed from the viewpoint of whether an objective “reasonable person” would find the circumstances to have created a hostile environment.

Procedure for Complaints/Grievances Involving Harassment

Any applicant, student or employee who believes they have suffered harassment in violation of this Policy should file a complaint/grievance as described in Policy 10.05 Student and Employee Grievances Based on Discrimination, Harassment, Sexual Misconduct or Retaliation.

POLICY HISTORY

Formerly Policy 2.4.1: Workplace & Sexual Harassment, Adopted 1/25/2000

Revised 11/10/2009 and renamed Sexual & Other Prohibited Harassment

Revised 7/10/2012

Renumbered to 2.22 in 10/2014

Renumbered to 10.8 in 2/2017

Renumbered to 10.08 in 05/2018
