

## STUDENT SERVICES AND ACTIVITIES

### STUDENT HOUSING

The College of Micronesia-FSM has two residence halls at its National Campus which can accommodate 212 students. The residence halls are two-story buildings with restrooms and showers, TV lounges, computer labs, study rooms, and laundry rooms. Each dormitory room is shared by four students and is furnished with two bunk beds. The College provides a mattress for each resident, but each resident must provide his/her own pillow, pillowcase, sheet and blanket.

Rooms are available on a space-available basis to full-time students. Students from off island are given priority to live in the residence halls. Students are required to complete an application and pay a \$50.00 security deposit. The deposit may be refunded at the end of the resident's stay upon written request and assessment by the Residence Hall Manager.

Upon acceptance into the residence halls, students sign a housing agreement in which they agree to pay room charges for the entire semester regardless of whether he/she moves out of the residence halls at any time during the semester.

The residence halls are staffed by a residence hall manager, residence hall advisors, resident assistants and custodians under the leadership of director of student/campus life. Residents participate in the operation of the Residence Hall Resident Association (RHRA). The RHRA is made up of residents who are concerned about the well-being of residents.



### HEALTH SERVICES

The National and Pohnpei Campuses maintain a well-equipped dispensary on campus with pharmacy and examination rooms. A full-time registered nurse is available during regular working hours from Monday to Friday at National Campus and a full-time nurse at Pohnpei Campus. The dispensary provides services in acute, chronic, and preventive health care. It also provides hospital referral services, family planning, personal health counseling and educational/reference materials on diseases and health issues. The National Campus dispensary also plans and organizes activities for the Health Fair, World Diabetes & Hypertension Day, the World Aids Day and the World TB & Leprosy Day. The dispensary charges \$15.00 per semester for these services. Chuuk, Yap, and Kosrae campuses have recently established dispensaries with full time nurses.

### STUDENT ACTIVITIES AND FACILITIES

At National Campus there are two facilities on campus to serve the leisure, recreation and sports needs of our dorm and off-campus students. Pohnpei Campus has a multi-purpose gymnasium and a recreation center for students. All other campuses use the state facilities for their sports programs.

**Sports and Recreation Center:** The FSM-China Friendship Sports Center located at the National Campus is the largest building in Pohnpei and serves as a multi-purpose facility. The Sports Center houses two complete basketball courts; the main court has a seating capacity of up to 1,300 spectators and the practice court with a stage at one end can be used for a variety of activities. Because of its size, the Sports Center can accommodate conferences and meetings and is sometimes referred as the "convention center" for the Nation and the surrounding community.

The Sports Center also has rooms for television, pool, and ping pong for student recreation. The Recreation Office located in the Sports Center has a variety of equipment, the usual such as volleyballs and basketballs and the unusual such as frisbees and wiffle balls, for student to check out and many activities for students to sign up.



Adjacent to the Sports Center, the COM-FSM Fitness Center has a variety of free weights and exercise machines which is available to students daily.

National & Pohnpei Campus has local huts, locally known as “Nahs”, where students socialize, and hold other activities and meetings.

## STUDENT GOVERNMENT

All full-time students are members of the Student Body Association (SBA), which is led by a student council. The council includes the president, vice-president, secretary, treasurer, and delegation representatives. This decision-making body meets every two weeks. The delegations, which represent geographical areas of the FSM, and other entities, also meet on alternate weeks to discuss student concerns. Every student is a member of a delegation of his choice and has the opportunity to participate in student government. The new SBA office is located at the FSM-China Friendship Sports Center at National Campus.

## STUDENT CONDUCT AND DUE PROCESS

The College of Micronesia-FSM is a community of scholars. Students, as members of this community, are expected to assume responsibility for their personal conduct. It is assumed that each student voluntarily associates with the College and enrolls for serious educational pursuits, thereby not only enjoying the freedom to learn but also sharing responsibility in exercising that freedom. Students are expected to conduct themselves in a way which will bring credit to the individual, the institution, and the community. When students fail to carry out these responsibilities and are charged with misconduct, the following policies and procedures will be followed in order to protect students' rights and the College's interests.



Disciplinary action may be imposed on students for violation of criminal law or violation of College rules and regulations. Provisions related to disciplinary action shall be published and distributed to students, faculty, and staff. Student conduct may result in disciplinary action by the College or criminal prosecution or both, as they are not necessarily related. It is the policy of the College to impose disciplinary action for misconduct occurring on or off campus which adversely affects the functioning of the College.

Students are subject to disciplinary action, including suspension, for any of the following reasons:

1. Violation of criminal laws which adversely affects the College;
2. Unauthorized entry into or use of College facilities;
3. Theft of, damage to, or unapproved use of property belonging to the College community or campus visitors;
4. Dishonesty such as cheating, plagiarism, furnishing false information to the College, forgery, alteration or mis use of College documents, records or identifications.
5. Violation of College policies;
6. Public inconvenience, annoyance, alarm, recklessness, or creating a risk thereof;
7. Fighting or other violent or tumultuous behavior or threat;
8. Public abuse; verbal or physical;
9. Obstruction or disruption of teaching, research, administration, disciplinary procedures or other College activity;
10. Physical or threat of physical abuse; or conduct which threatens or endangers the health or safety of persons on campus;
11. Disruptive, disorderly, or unbecoming behavior; or lewd, indecent or obscene conduct or expression on campus;
12. Failure to identify oneself when requested to do so by College faculty, administrators, staff members or other authorized persons; and
13. Violation of the Drug and Alcohol Workplace and College Premises Policy.

The above list of offenses is not intended to be exhaustive. Students who display any other conduct which is contrary to the best interests of the College or its students will be subject to disciplinary action.

Student disciplinary action may be imposed by:

1. An instructor: who may warn or temporarily exclude the student from the instructor's class room or from any other College sponsored or supervised activity for the duration of the activity, not to exceed one day;
2. An administrator: who may warn or temporarily exclude the student from a classroom or College sponsored or supervised activity for the duration of the activity, not to exceed one day;
3. The Student Conduct Board: which may impose a warning, fine, temporary exclusion, probation or recommend suspension; and
4. The President of the College: who may impose a warning, fine, temporary exclusion, probation and who alone may suspend.

Procedure: An instructor or administrator may immediately impose one day exclusion. Such discipline must be reported in writing to the Vice President for Student Services or the State Campus Director explaining why the discipline was imposed. For such cases, and any other discipline, the following procedure applies:

1. The Vice President for Student Services/State Campus Director receives a report or otherwise is made aware of an allegation that a student has committed an act that is subject to discipline.
2. The Vice President for Student Services/State Campus Director conducts an investigation of the report. If, based on the investigation, the Vice President/ State Campus Director feels that disciplinary action is warranted, a Student Conduct Board hearing will be called as soon as practicable. The Student Conduct Board is composed of five members: two students and three staff/faculty members all appointed for one academic year by the President. A student may waive his/her right to a Student Conduct Board hearing.
3. At the investigative hearing, which is taped on audiocassette, the student may be represented by counsel of his/her own choosing and will also have the right to question any witness and to present witnesses. The Vice President for Student Services/State Campus Director, or his/her designee, will present evidence in support of the Vice President's/ State Campus Director's report. The Vice President/State Campus Director may call witnesses, including the student requesting the hearing. If that student refuses to respond to questions asked, an adverse inference will be drawn against the student. Within 48 hours after the investigative hearing, the Student Conduct Board shall issue a written report of the facts regarding the incident. The Board's factual conclusion findings shall be agreed to by a majority of the Board and shall suggest that the matter be concluded by dropping the matter entirely, issuing a warning to the student, or disciplining the student.
4. If either the student or the Vice President for Student Services/State Campus Director objects to the action of the Board, an appeal may be made to the President. The appeal notice should be in writing and delivered to the Office of the President within one business day of the Board's decision. Any appeal of the Student Conduct Board's decision will be based strictly on the taped proceedings of the hearing and any documents admitted as evidence. No further evidence shall be elicited. The disciplinary action will stand while the President is considering the matter. The standard in regards to an appeal is whether there was any credible evidence supporting the facts found by the Board. If the President finds that there was no credible evidence supporting the facts found by the Board, the President may then either drop the matter entirely or appoint the original Board for rehearing.
5. If the President is the person who reports the act or acts to the Vice President for Student Services/State Campus Director, which is alleged to justify discipline, or otherwise has a conflict in impartially exercising the duties described in these procedures, the President will notify the Student Conduct Board of the fact. The Student Conduct Board will then appoint one member of the faculty or staff of the College to exercise the authority of the President regarding discipline for that particular case.

## **POLICIES ON BETELNUT, TOBACCO, ALCOHOL AND ILLICIT DRUGS, THE PROHIBITION OF VIOLENCE, SEXUAL HARASSMENT**

### **Introduction:**

The College of Micronesia-FSM (COM-FSM) Board of Regents adopted a policy in 1981 that was amended in 1998 prohibiting the unlawful manufacture, distribution, dispensing, possession or use of alcohol and illicit drugs on college campus. This policy remains in force and has been expanded for clarification. COM-FSM students are not permitted to be under the influence of, possess, distribute, purchase or sell alcohol or illicit drugs on the COM-FSM campuses, at

COM-FSM approved or sponsored events, on COM-FSM property or in the buildings, vehicles or boats used by COM-FSM for its educational or recreational programs.

### **1.0 Alcohol Policy:**

COM-FSM students are not permitted to possess, distribute, consume, sell, or purchase alcohol nor are they permitted to be under the influence of alcohol on COM-FSM Campuses, at COM-FSM approved or sponsored events on COM-FSM properties or in buildings, vehicles, or boats used by COM-FSM for its educational or recreation programs.

This policy will be evaluated every three (3) years.

Any violation of the alcohol policy will result in a referral to the Disciplinary Committee. Penalties for violations will range as described below:

#### **Violations:**

##### **A. First Offense**

1. A written reprimand with not less than two (2) hours and not more than six (6) hours of work detail to be completed within one month.
2. Not less than two (2) hours and not more than ten (10) hours of drug/alcohol education/ counseling; this must be completed within three (3) months of the decision by the disciplinary committee.
3. Any other restrictions reasonably necessary to enforce the goals implicit in this policy.

**B. Second Offense:** A second violation of the alcohol policy in one that occurs within the same semester as the first offense. Penalties will range up to the following:

1. Written notice of probation for up to one year. The restrictions for probation will be determined by the Disciplinary Committee and can involve the following restrictions:
  - a) The student cannot hold any student office in any association or club during the period of probation, and must resign such an office upon a finding by the Disciplinary Committee.
  - b) If the student boards at COM-FSM, the student must remain on campus between the hours of 6:00 pm and 6:00 am, unless exempted by a counselor or an administrator.
  - c) A notice of probation is placed in the student's permanent academic record.
  - d) Student's parents will be notified only when in compliance with FERPA regulations. (See Section 5 of the procedures.)
  - e) A notice that any further violations of College policy will result in even more harsh sanctions, including suspension.

2. Referral for not less than ten (10) hours and not more than twenty (20) hours of drug/alcohol education/ counseling, which must be completed within three months of the decision by the Disciplinary Committee.
3. Any other restrictions reasonably necessary to enforce the goals implicit in this policy.

**C. Third Offense:** A third violation of the alcohol policy is one that occurs within the same school year of the previous offenses. Penalties will range up to the following:

1. Disciplinary suspension for up to one (1) year. Suspension will be initiated at the discretion of the Disciplinary Committee.
2. Referral for not less than twenty (20) hours and not more than thirty (30) hours of drug/alcohol education/ counseling, which must be completed prior to reinstatement after suspension, or completed within three (3) months of the decision by the Disciplinary Committee, if the penalty prescribed is less than suspension. The College is not responsible to provide the drug/alcohol education/counseling while the student is suspension. Documentation of the drug/alcohol education/counseling must be provided by the student upon reinstatement.
3. Any measure short of disciplinary suspension if, in the view of the Disciplinary Committee, such measures will reasonably enforce the goals of the alcohol policy.

D. More Than Three Offenses: In the event any student commits and is to be disciplined for more than three (3) offenses during a school year, the Disciplinary Committee will impose immediate suspension.

E. Failure to Comply with Assigned Disciplinary Actions. Non-compliance by the student of any of the above assigned disciplinary actions will result in the withholding of grades and/or transcripts until written notice of compliance has been filed with the Vice President for Student Services or the Campus Director, who will be responsible to provide the appropriate lists to the Office of Admissions and Records. The withholding of grades can interfere with the ability of the student to obtain future financial aid for his/her schooling. Failure to complete counseling and other requirements inside the given time constraints under any discipline imposed may result in the denial of the student to register for continued classes.

F. Violations of the alcohol Policy Involving Violence. If any violation of the alcohol policy involves violence, the discipline imposed and penalties prescribed will be those found under the Prohibition of Violence Policy.

G. Violations of the Alcohol Policy Involving a Minor. If any violation of the alcohol policy involves a minor, the Disciplinary Committee will also weigh this factor in considering the appropriate discipline for the offense. Referral of the matter to local law enforcement authorities will also be made, if appropriate.

### **2.0 Purpose:**

The purpose of this policy is to define the college's expectations regarding the use of alcohol on campus or at COM-FSM sponsored events.

### **3.0 Application:**

This policy applies to all students attending COM-FSM.

### **4.0 Responsibility:**

The Vice President for Student Services or his/her designee is responsible for enforcing this policy.

The Director of Student Life at the National Campus and the Student Services Coordinators at the State Campuses will monitor reporting of violations of this policy and follow-up reporting from counseling, security, and dorm managers.

### **5.0 Procedures:**

1. Student will be reported to the Director of Student Life or Student Services Coordinator (SC) at the state campuses for confirmation of violation and referral to the disciplinary committee.

- A Disciplinary Committee of five (5) members (1 counselor, 1 security office, and 3 others) shall be appointed by the Vice President for Student Services at the National Campus and the Director at the state campuses. Members shall serve for a period of one academic year.

2. The Chair of the Disciplinary Committee shall forward the details of the disciplinary action to the Director of Student Life or Student Services Coordinator at the State Campuses who will forward the information on community service work to the dorm manager for dorm students or security office for off-campus students at National Campus, and to the security office at the state campuses. The Director of Student Life or Student Services Coordinator shall also provide details for counseling to the counseling office at the respective campus.

3. The person supervising the community service work or counseling shall report back to the Director of Student Life or Student Services Coordinator on the student's compliance or non-compliance with the disciplinary action.

4. In the case where disciplinary action results in suspension, the student may appeal this decision to the Student Conduct Board, specifically for clemency purposes. See Student Conduct Procedure and Due Process (pgs. 32-33 of 2007-2009 Catalog).

5. While the student is going through the appeal process, he or she shall be referred by the Disciplinary Committee to Counseling Center for counseling assistance. On a case by case basis, the Disciplinary Committee shall decide on the number of counseling hours/days. Parents will be notified when:

- a. Student poses a threat to safety of self or other students/faculty/staff/visitors (FERPA)

- b. Student is under the legal age of drinking. Legal age is 21 years. (FERPA)
- c. Student is arrested for alcohol related crime
- d. Student is undergoing disciplinary actions as a result of alcohol related violations

6. While the student is going through the appeal process, any further violation of the alcohol policy will result in immediate suspension from the College.

7. The Director of Student Life at the National Campus and the Student Services Coordinator at the state campuses shall submit a monthly report on the implementation of this policy.

## **POLICIES ON PROHIBITION OF VIOLENCE**

**Introduction:** It is the goal and policy of the College of Micronesia-FSM to have zero tolerance for violence on campus, at all college events, and during college related activities. This policy will apply on all COM-FSM campuses, at COM-FSM approved or sponsored events on COM-FSM properties, in the buildings, vehicles or boats used by COM-FSM for its educational or recreational programs or in actions against other COM-FSM students wherever the act of violence may take place.

**Policy on Banned Weapons:** Student may not possess a banned weapon on any COM FSM campus, at any COM-FSM approved or sponsored event, on any COM-FSM property or in the buildings, vehicles or boats used by COM-FSM for its educational or recreational programs. Any violation of the banned weapons policy will result in a referral to the Disciplinary Committee.

**Policy on Threats of Violence:** Students may not utter a threat of violence on any COM-FSM campus, at any COM-FSM approved or sponsored event on COM-FSM property, in the buildings, vehicles or boats used by COM-FSM for its educational or recreational programs or against any member of the COM-FSM community wherever the threat of violence may take place. Any violation of the policy on threats of violence will result in a referral to the Disciplinary Committee.

**Policy on Acts of Violence:** Student may not commit an act of violence on any COM-FSM campus, at any COM-FSM approved or sponsored event, on any COM-FSM property, or in any COM-FSM building, vehicle or boat used by COM-FSM for its educational or recreational programs, or against members of the COM-FSM community wherever the act of violence may take place. Any violation as described above will result in a referral to the Disciplinary Committee.

**Policy on Being an Accessory to Violence:** Students may not be an accessory to an act of violence on any COM-FSM campus, at COM-FSM approved or sponsored events on COM-FSM property, or in the buildings, vehicles or boats used by COM-FSM for its educational or recreational programs, or against members of the COM-FSM community wherever the act of violence may take place. Any violation of this of policy will result in a referral to the Disciplinary Committee.

**Policy on Use of a Banned Weapon Together with any Other Forms of Violence:** The Disciplinary Committee may consider the range of options for a second offense under this policy, including referral to law enforcement authorities, if appropriate.

**Use of Alcohol in the Commission of the Act of Violence:** The use of alcohol by the student is to be considered by the Disciplinary Committee in assessing the appropriate punishment for the offense. The use of alcohol by the student is to be considered an excuse for violent behavior.

## **SCOPE AND PROCEDURES OF DISCIPLINARY HEARINGS**

**Right to Disciplinary Hearing:** All students have a right to a disciplinary hearing for violations under this policy unless the maximum penalty is a written reprimand and two hours or less of supervised work detail. For discipline greater than the above, a Disciplinary Committee Hearing will be scheduled by the VPSS or the Campus Director. For violation under this policy the following procedure applies:

- Any member of the college community (faculty, staff and/or student) may initiate a complaint against a student under the College of Micronesia-FSM Policies on Betelnut, Tobacco, Alcohol and Illicit Drugs and the Prohibition of Violence. All complaints will be made to the Vice President for Support and Student Affairs or the Campus Director.

- A report of an alleged violation should consist of a clear, concise written statement that contains the following information:

- A list of any and all parties against whom the complaint is being filed.
- A description of the alleged misconduct, the date or period of time during which it occurred, and the location where the incident(s) allegedly occurred.
- The name, address and phone number of the person making the report.
- All complaints are considered to have been made in good faith. Any information to the contrary may be grounds for College action against the initiating party.

- The Vice President for Student Services or the Campus Director will review the complaint to determine how to handle the case. When proceeding with the disciplinary process, the accused student will be provided written notification of the allegation, information on the disciplinary process, and a deadline for responding to the notice. If the student fails to respond to the written notice then the VPSS or the Campus Director will place a hold on the student's account.

- The VPSS or the Campus Director will meet with the accused student to discuss the incident. At that meeting, the student will have an opportunity to present any information regarding the incident. Failure by the student to meet the VPSS or the Campus Director will result in a decision by the VPSS or Campus Director without input from the student.

- The VPSS or the Campus Director will then determine if the offense warrants a Disciplinary Hearing. The decision whether to refer the matter to a Disciplinary Committee is at the sole discretion of the VPSS or the Campus Director. This decision will be based on the information presented by the student and according to the sanctions identified in this policy. If the offense warrants a Disciplinary Hearing, the student is to be informed in writing about the process. The VPSS or the Campus Director will also inform all parties about the process. This includes members of the Disciplinary Committee, witnesses, and those who may participate in the appeals process.

**Timing of Disciplinary Hearing:** Due to the need for prompt decision-making a Disciplinary Hearing shall be scheduled within five days of the event giving rise to the discipline. The hearing may be continued by agreement of all parties. Failure by a student to attend a Disciplinary Hearing, without reasonable excuse, will result in a decision by the Disciplinary Committee without input from the student. Each student is entitled to an individual hearing; however, for the convenience of the parties, there may be an agreement to hold a hearing involving multiple students at the same time, when it arises from the same events upon which the discipline is based.

**Composition of the Committee:** The Disciplinary Committee will be comprised of three members of the college community. An employee of the college will be selected by the student, an employee of the college will be selected by the VPSS or Campus Director, and a third committee member will be chosen by the first two committee members. In situations requiring an urgent response, the VPSS or Campus Director may take immediate action and consult with the Committee as soon as possible.

**Conduct of the Hearing:** Formal rules of evidence will not apply. Witnesses will provide testimony under oath. The student may be represented by an attorney, if he or she so chooses. The Committee has the power to compel students and staff to appear before it. The Disciplinary Committee will hear the cases of both the complainant and the student. And will determine the outcome of the hearing. The Disciplinary Committee shall make its decision based on the preponderance of evidence put before it. The standard of proof for deciding against the accused student shall be such evidence that, when weighed against that opposed to it, has the more convincing force and the greater probability of truth. The burden of proof shall at all times rest upon the complainant.

**Decision of the Disciplinary Committee:** The decision of the Disciplinary Committee shall be in writing and issued within five days of the conclusion of the hearing. The Disciplinary Committee shall set out its factual findings, along with its determinations concerning the appropriate discipline to be imposed. A decision must be adopted by a majority of the committee.

**Appeal of the Decision of the Disciplinary Committee:** A student may appeal in writing the decision of the Disciplinary Committee to the President of the College of Micronesia-FSM within thirty days of the decision of the Disciplinary Committee being personally served upon him or her. Personally served the decision means personal service on the student, personal service on a close relative of the student, or by leaving a copy at the residence of the student. The discipline remains in effect during the entire appeal time period unless the President specifically grants a stay of the execution of the discipline.

The President shall review the findings of the Disciplinary Committee on the basis that discipline imposed by the Committee was an abuse of discretion, or that the factual findings of the Committee are unsupported by the evidence in the record. The President, based on his/her review, may affirm the decision of the Committee, modify the discipline imposed



by the Committee, or send the matter back to the Committee for further review. The President shall make his/her decision within thirty days of the appeal by the student. Failure to appeal by the student within the time frames designated results in a waiver of the right to appeal the discipline imposed.

**Appeals to the Board of Regents:** A student may appeal the decision of the President of the College of Micronesia-FSM, in writing, to the Board of Regents of the College of Micronesia-FSM by delivery of a written appeal to the Office of the President of the College, within thirty days of the written decision of the President being served upon the student as outlined in the above section.

The Board of Regents shall review the findings of the Disciplinary Committee and the President, on the basis that discipline imposed by the Committee or the President was an abuse of discretion, or that the factual findings of the Committee or the President are unsupported by the evidence in the record. The Board of Regents, based on this review, may affirm the decision of the President, modify the discipline imposed by the President, or send the matter back to the President for further review. The Board of Regents shall make its decision within ninety days of the appeal by the student. Failure to appeal by the student within the time frames designated results in a waiver of the right to appeal the discipline imposed. The decision of the Board of Regents is final.

**Responsibilities:** Members of the College community (faculty, staff and/or students) are responsible for reporting violations of the College policies on betelnut, tobacco, alcohol and illicit drugs and the prohibition of violence to the VPSS or the Campus Director.

The VPSS or the Campus Director will be responsible for facilitating the process until it is finalized including notifying all parties of hearing, educating all parties about the standard of proof, documenting all proceedings and decisions, and issuing statements in writing to all parties. This process may require the follow-up of the VPSS and the Campus Director through the final appeal process.

The student will be responsible for immediate follow-up to all written notices, for appointing a member of the Disciplinary Committee and for maintaining consistent contact with the VPSS or the Campus Director. The student is also responsible to present his/her case and to offer evidence in support of that case and to comply with the disciplinary decision.

Disciplinary Committee will be responsible for following the established timeline and to being impartial and fair.

It is the President's responsibility to hear first appeals. If the decision of the President is appealed, it will go to the Board of Regents. The BOR is responsible for the final appeal decision.

## **THE DECISION OF THE BOARD IS FINAL**

Note: Saturdays, Sundays, and holidays shall be excluded in the computing of all time limits set forth in the policy.

For more detailed information, students should consult the Student Handbook.

## **SEXUAL HARASSMENT POLICY**

### **1.0 Policy**

College of Micronesia-FSM Policy prohibits sexual harassment including unwelcomed behavior or remarks of a sexual nature which limit or deny a student's right to education benefits (learn, achieve, work, study), or participation in any activity at any venue used for College sponsored/sanctioned event or an educational activity, program in a safe and supportive environment.

OR retaliation against any COM-FSM student for

- raising an allegation of sexual harassment
- filing a complaint alleging sexual harassment, or
- participating in a proceeding to determine if sexual harassment has occurred.

Such retaliation shall be considered a serious violation of this policy and shall be independent of whether a charge or informal complaint is substantiated. Encouraging others to retaliate also violates this policy. Examples of retaliation include, but are not limited to, unfair grading, unfair evaluation, public or private ridicule, or threats of any kind. Sexual harassment is illegal under the state and local laws and will not be tolerated within any college setting.



## 2.0 Definitions

Sexual harassment can take many forms, but it generally falls into three categories: verbal, written/pictorial or physical. Defining characteristics of sexual harassment are that the behavior is unwanted and tends to be repetitive in nature. Under COM-FSM policy sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical contact of a sexual nature.

**Examples of sexual harassment include, but are not limited to, the following:** Slurs, epithets, threats, derogatory comments and unwelcome jokes that would make a reasonable student experiencing such harassment or conduct uncomfortable in an academic environment or which would interfere with a student's academic performance.

## 3.0 Purpose

This policy is intended to protect students from sexual harassment and to provide guidelines to assure that the Sexual Harassment Policy is applied fairly and equitably, and in accordance with Title IV requirements.

## 4.0 Application

This policy applies to all college students and other students participating in or accessing college sponsored programs and activities in all aspects of their relationship with the college.

## 5.0 Responsibilities

The Vice President for Student Services or his designee should be responsible for enforcing this policy. The Director of Student Life at the National Campus and Student Services Coordinators at the State Campuses will work with student services staff to implement this policy at all campuses.

The Director of Student Life at the National Campus and Student Services Coordinators at the State Campuses will work with staff to inform students of this policy and monitor records and reports for compliance with the policy.

### 5.1 Reporting Sexual Harassment

To report incidents of sexual harassment or retaliation, students may have the option to contact the Vice President for Student Services, Director of Student Life, Security office, or a Counselor at the National Campus or the Student Services Coordinator, or a Counselor at the State Campuses or a local Law Enforcement Agency. If a COM-FSM employee observes sexual harassment of a student, he/she should report it to the Vice President of Student Services or Campus Director. All members of the COM-FSM community are required to cooperate in any investigation of a sexual harassment complaint. Additionally, there are alternate outlets for reporting in the event any individual is uncomfortable in reporting a complaint. Persons who report incidents of sexual harassment shall not be harassed or retaliated against in any manner by any member of the college community.

### 5.2 Specific Responsibilities of Management

Upon receipt of a complaint of sexual harassment by a student, or on behalf of a student, the relevant supervisor or contact person must immediately convey this information to Director of Student Life at National Campus or Student Services Coordinator at the State Campuses, who initiate an appropriate investigation based on the complaints made.

If the result of the investigation upholds the complaints made, then appropriate disciplinary action will be taken against the person involved, which can include but is not limited to termination of employment or expulsion from the college.

False accusations for an improper motive may also be subject to disciplinary action.

In situations where it is reasonably believed that imminent danger of serious bodily harm will occur, or that a crime has been committed, it is important to immediately notify campus security or the National or State Police.

### 5.3 Confidentiality

All complaints under this policy will be treated seriously and respectfully. It is important that any complaints be truthful and not brought about by ill will or bad intentions. The College will investigate all complaints received. The amount of investigation will depend on the facts presented and the extent the complaints can be substantiated. A complainant may wish to remain anonymous. The College will respect the confidentiality to the extent that it does not impede any appropriate investigation or is not required by law to be disclosed to relevant authorities.