

COLLEGE OF MICRONESIA-FSM  
BOARD POLICY No. 4901

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## **Sexual Harassment Policy for Students**

Date Adopted: 29 September 2010

Date Revised:

Date Reviewed: 24 March 2014

References:

### **1.0 Policy**

College of Micronesia-FSM Policy prohibits sexual harassment including unwelcome 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.