

Chapter 15: Sexual Harassment

Key Terms You Need to Know for Chapter 16.

- **Sexual Harassment** - unwelcomed and repeated sexual advances, requests for sexual favors, physical contact, written or verbal communication of a sexual nature made by someone directed at or to another in the work or educational setting.
- **Non-retaliation** –not to intimidate or take action against an employee who files a complaint or reports sexual harassment.
- **Title IX Coordinator** –appointed individual to carry out duties and responsibilities to meet federal requirements and ensure sexual harassment complaints are addressed in a timely and appropriate manner. Current appointment is Warren Ching. Duties include but not limited to:
 - 1) Notification and education;
 - 2) Consultation, investigation, and Disposition;
 - 3) Institutional monitoring and compliance assurance;
 - 4) Advising president and other officials
 - 5) Writing Annual Report to the president and Board of Regents.

Frequently Asked Questions	
✓ Where do I report when I am a victim of sexual harassment by my supervisor?	✓ Report it to your supervisor’s boss and/or Title IX Coordinator.
✓ To whom will I report if I am a victim of sexual harassment?	✓ Report to your supervisor (if he/she is not the harasser and not related to your harasser) and/or the Title IX Coordinator.
✓ If I observe another employee being harassed, whom do I report it to?	✓ If the harasser is the employee’s supervisor, then report it to the supervisor’s boss.
✓ Is there a form I use to report a harassment?	✓ No. You are advised to include these in your report: <ul style="list-style-type: none"> • Date (s) and time(s) of harassment • Person (s) involved (harasser and harassed) • Brief description of the incident (s) observed or experienced. • Indicate if you wish to be named or anonymous
✓ I don’t want to discuss my sexual harassment complaint with my supervisor or the Title IX Coordinator. Can I file my report/complaint with another administrator?	✓ Yes.

Process for Filing Complaints

An employee may file a complaint formally or informally if he or she feels the victim of a sexual harassment. Likewise, an employee may also file a report if they observed or made aware of a sexual harassment being carried out against another employee or student by another employee.

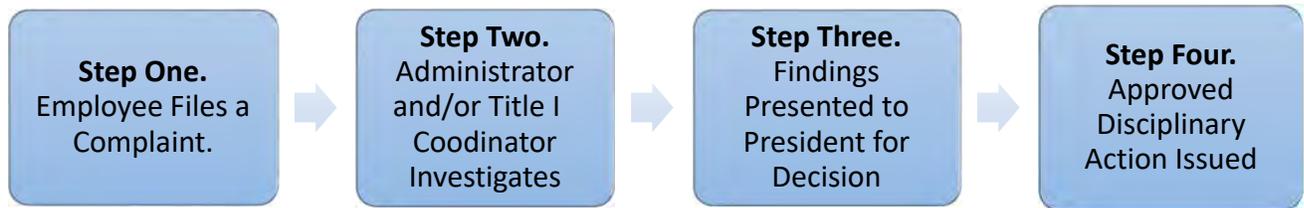


Figure 16.1. The Process for Filing a Sexual Harassment Complaint.

Step One initiates the process when an individual files a complaint or report of sexual harassment. When an individual feels that he or she has been the victim of sexual harassment, a written report shall be filed with the Title IX Coordinator noting the critical information listed below. If one feels more comfortable reporting this matter to the supervisor or other college administrator, it is okay to do so; but one must still provide the information below:

- ✓ Date (s) and time(s) of sexual harassment;
- ✓ Person (s) involved (harasser and harassed);
- ✓ Brief description of the incident(s) observed or experienced;
- ✓ Indicate wish to be named or remain anonymous;
- ✓ Provide any physical evidence of the harassment.

Please note that if you wish to remain anonymous, it may be difficult to apply disciplinary action against an alleged perpetrator. It may also impede the grievance process.

Step Two is the beginning of the report review and/or investigation into the complaint. The receiver of the complaint or report of sexual harassment will notify the president of the matter right away for awareness and other purposes. The administrator or Title IX Coordinator will request from president authorization for an investigation into the complaint and will also direct the employee filing the complaint to appropriate resources for counseling and related services available on island.

Step Three is the compilation of findings on the reported issue to the president for further action. If the employee who files the complaint indicated he/she wants a formal grievance at the time the file/report is made, the employee will be advised of the grievance policy and procedures (Board Policy No. 6021). From this point, the employee's report/complaint will be given to the president to initiate the formal grievance procedures and will simply follow the established steps and timelines in the policy.

Step Four is carried out when the president determines with sufficient information that the action reported warrants and supports an immediate disciplinary action. Notice and issuance of disciplinary action will follow the same procedures under the Termination and Disciplinary Action section.

When an Allegation of Sexual Harassment Proves False

When a complaint or report of sexual harassment is found to be false or brought for the sole purpose of vexation, the president or designee will impose appropriate discipline. The notice and issuance of disciplinary action will follow the same procedures under Termination and Disciplinary Action section. The disciplined employee has the option to grieve such discipline using Board Policy No. 6021.