

**Sussex County Community College**

**Policy No.: 200.1**

**Area: Human Resources**

**Adopted: April 23, 2013**

**200.1 Policy Against Sexual Harassment**

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Sexual harassment is illegal. Both state and federal law prohibit harassment of any employee, student, agent or member of the College community by any executive, supervisor, employee, student or visitor on the basis of sex or gender. Sexual harassment is defined under federal law as:

“...unwelcome sexual advances, requests for sexual favors, and 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 an individual’s employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.”

29CFR Sec. 1604.11(a)

Any employee or student who sexually harasses another employee, student, agent or member of the College community will be subject to disciplinary action, up to and including termination of employment, consistent with terms of collective bargaining agreements, as applicable, or expulsion of the student.

The purpose of this policy is to ensure a positive work and learning environment for all employees and students free from the effects of sexual harassment which may produce a hostile, unproductive work environment.

**Consensual Relationships:**

This policy also prohibits consensual amorous relationships or physically intimate relationships between a faculty or staff member and a student whenever the faculty or staff member is in a position of professional or supervisory responsibility with respect to the student.\* This includes, but is not limited to, faculty and student, staff and student, coach and player and supervisor and student worker.

If, despite the existence of this policy, an amorous, physically intimate relationship should develop between an instructor and a student or between an employee and a student, the instructor or employee shall report the matter immediately to their division dean or the supervisor.

In addition, the College strongly discourages consensual amorous or physically intimate relationships between a faculty or staff member and a student even in the absence of a current professional or supervisory responsibility with respect to the student. Such relationships may subject an employee to disciplinary action, up to and including termination, if it violates this policy.

All members of the College community are responsible for ensuring that their conduct does not violate this policy.

The College President shall implement this policy.

\*A faculty or staff member has a professional or supervisory responsibility when he or she is currently in a position to make or influence a decision or to confer or withhold a benefit relating to the student's education, employment or campus-sponsored activity.