

Lakeland Community College

POLICY TITLE:	SEXUAL HARASSMENT OR HARASSMENT
POLICY NO:	3354:2-20-74
ORIGINALLY APPROVED DATE:	01/15/98
REVISED DATE:	01/22/26, 02/02/17, 03/06/03
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RELATED PROCEDURE:	HR20-74A
RESPONSIBLE OFFICE(S):	HUMAN RESOURCES
APPROVED BY:	BOARD OF TRUSTEES

This policy applies to all employees.

- A. It is the policy of Lakeland Community College, in compliance with Title VII of the Civil Rights Act, state law, and the Campus Safety Act, as amended, to provide an educational environment and workplace free of harassment of all kinds, including, but not limited to, sexual harassment:
1. Sexual harassment is defined as a form of sex discrimination which violates state and federal laws respecting both employees and students. The definitions used in this Policy will be interpreted consistent with such laws. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
 - a. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, of obtaining an education, or of obtaining educational benefits or opportunities; or
 - b. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, education, educational benefits or opportunities; or
 - c. Such conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment, education, educational benefits and/or opportunities, or creating an intimidating, hostile or offensive employment or educational environment. Any sexual harassment as defined herein is not limited to conduct or communication by someone in authority, but also includes any sexual harassment as defined herein when perpetrated on any student or employee by any other student, employee, or third party.
 - d. Sexual harassment is sexual conduct that is "unwelcome." It may include, but is not limited to:
 - i. Uninvited verbal harassment or abuse such as sexual name calling, jokes, spreading sexual rumors, leers, or overly personal conversations of a sexual nature;

- ii. Subtle pressure for sexual activity;
 - iii. Inappropriate patting, pinching or fondling, pulling at clothes, or intentional brushing against a student's or an employee's body;
 - iv. Demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status;
 - v. Demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status;
 - vi. Any sexually motivated unwelcome touching, cornering, or blocking an individual's movement;
 - vii. Conditioning a student's grade or academic progress on submission to sexual activity;
 - viii. Hanging or displaying inappropriate and sexually explicit pictures, posters, or drawings in the workplace or learning environment;
 - ix. A pattern of conduct intended to discomfort or humiliate, or both, a reasonable individual at whom the conduct was directed that includes one or more of the following: unnecessary touching or hugging, remarks of a sexual nature about an individual's clothing or body, or remarks about sexual activity or speculations about previous sexual experience.
 - x. Any act of sexual misconduct as defined in procedures related to this policy.
 - xi. Any act of sexual violence as defined in procedures related to this policy.
 - xii. Any act of sexual exploitation as defined in procedures related to this policy.
2. Discipline. Any student or employee who is determined to have engaged in sexual harassment or sexual misconduct in violation of this policy will be subject to appropriate disciplinary action up to and including suspension or expulsion in the case of a student, or termination in the case of an employee, in accord with the Student Conduct Code or applicable employee policies or handbooks.
 3. Retaliation. The College will not retaliate against any student or employee for reporting or participating in the investigation of a complaint of harassment.
 4. Filing a False Complaint. It is a violation of this policy for anyone to knowingly make false accusations of harassment or misconduct. Doing so may result in disciplinary action. Failure to prove a claim of sexual harassment or misconduct is not equivalent to a false accusation. If an investigation of a complaint demonstrates that the complaint was knowingly filed with false or malicious information, the Title IX Coordinator will refer the matter to the appropriate College office for further action.