Prince George’s Community College

Sexual and Discriminatory Harassment Policy

A. Policy
It is the policy of the Board of Trustees that no member of the college community shall be subject to the form of unlawful discrimination known as harassment or sexual harassment. The college is committed to maintaining an environment free from illegal discrimination and harassment. The college will not tolerate harassment whether verbal or physical, flagrant or subtle, related to any individual’s race, color, religion, gender, national origin, age, disability, sexual orientation or marital status. The college will not tolerate behavior that contributes to creating a hostile work or learning environment.

In addition, the college will not tolerate retaliation against any person who, in good faith, makes a complaint of harassment or participates in an investigation. Employees and students will be expected to report situations of any form of harassment, whether they are the subject of such behavior or whether they observe or know of a fellow employee or student, or group of employees or students, who are subjected to such behavior.

B. Delegation to the President
The president is authorized to make, promulgate, issue, rescind, and amend reasonable rules, regulations and procedures to carry out this policy.

C. Procedure
Actions considered to be a case of sexual harassment should be reported to the office of the vice president for Student Services, Kent Hall, Room 119 or by calling 301-322-0412.

Sexual and Discriminatory Harassment Procedure
Prince George's Community College has a policy that prohibits sexual and discriminatory harassment. As stated in our policy, the college is committed to maintaining an environment free from illegal discrimination and harassment, and will not tolerate behavior that contributes to creating a hostile work or learning environment. The procedures listed below are meant to support a harassment-free work and learning environment.

I. Identifying Harassment
A. Harassment
Harassment involves unwelcome verbal or physical conduct based upon gender, race, color, religion, national origin, age, disability, sexual orientation or marital status that has the purpose or effect of unreasonably interfering with an individual’s work performance or learning experience, or creating an intimidating, hostile or offensive working or learning environment. Conduct of this type between employees and/or students is prohibited regardless of where it occurs. Examples of prohibited racial harassment include derogatory comments, taunting, slurs, jokes, cartoons, or graffiti about or motivated by a person’s race.
Unprofessional actions and remarks become harassment when they are unwelcome. Individuals who believe they have been harassed by supervisors, co-workers, peers or students are encouraged to effectively address their concerns or objections regarding the incident directly with the person demonstrating the harassing behavior. In as professional a way as possible, make it clear that such behavior is offensive. If the unwelcome behavior continues, follow the process outlined in section IV under Complaint and Investigation Procedures in this document.

B. Sexual Harassment
Sexual harassment involves unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when submission of such conduct is made, either explicitly or implicitly, a term or condition of employment; a condition to receive a passing grade; or when submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting an individual; or when submission to or rejection of such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating
an intimidating, hostile or offensive working or learning environment. This conduct is prohibited regardless of whether it involves employees or students of the same or different genders.

**Sexual Harassment can include, but is not limited to:**

- Conversations with unwelcome sexual innuendo such as sexually suggestive comments or jokes, or comments of a sexual nature, or derogatory comments about gender;
- Improper questions about an employee’s/student’s private life; requests for sexual favors; or graphic, degrading or condescending comments about an employee’s/student’s appearance, dress or anatomy;
- Repeated social invitations when the invitee has previously indicated that he or she is not interested in accepting such invitations;
- Circulating material (by any method, electronically or otherwise) which ridicules a gender or which is sexually suggestive, or other forms of discriminatory ridicule or insults, regardless of whether the ridicule is directed at specific individuals;
- Undesired, intentional physical contact (e.g., embracing, touching, pinching), or any threats or suggestions of such contact;
- Display of sexually suggestive calendars, objects, cartoons, computer applications or similar displays;
- Abuse of familiarities or inappropriate behavior such as whistling or catcalling, offensive gestures or leering.
- The awarding of favorable grades, ratings, promotions or salary considerations based on sexual favors or acceptance of social invitations, regardless of whether the employee/student welcomes the invitations.

**C. In the Context of Academic Freedom**

Evaluation of perceptions of behavior as sexually harassing assumes special importance in the context of carrying out responsibilities in the classroom, laboratory, studio, library, office, and similar contexts in fulfilling our educational objectives as related to teaching, learning, and scholarship. Speech or expression of a sexual nature, which is professional and appropriate to a lesson or teaching strategy, may be disturbing without also being harassing. Such speech or expression may, however, depart so far from professional or appropriate behavior that it is not protected by academic freedom. The professional teaching of controversial issues shall not be construed as constituting such a departure. However, speech or expression that is determined to be too far from professional, or that is, upon investigation, determined to be inappropriate behavior is unacceptable, and is not protected by academic freedom.

**D. Hostile Environment**

A hostile work or learning environment is one in which unwelcome sexual or other harassing conduct unreasonably interferes with an individual’s job performance or ability to learn, or creates an intimidating or offensive work or learning environment. This harassment does not necessarily result in tangible or economic job consequences, such as the loss of pay or a promotion, or a lower grade. Employers, supervisors, co-workers and students can create a hostile environment. A hostile environment might include:

- Repeated requests for sexual favors
- Demeaning sexual inquiries and vulgarities
- Offensive language
- Other verbal or physical conduct of a sexual or degrading nature
- Sexually or otherwise offensive, explicit or sexist signs, cartoons, calendars, clothing, literature or photographs displayed in plain view
- Offensive or vulgar graffiti

**II. Retaliation**

The college will not tolerate retaliation against any person who, in good faith, makes a complaint of harassment or participates in an investigation. Employees and students will be expected to report situations of any form of harassment, whether they are the subject of such behavior or whether they observe or know of a fellow employee or student, or group of employees or students, who are subjected to such behavior.

**III. Complaint and Investigation Procedures**

(a) Any employee who believes he or she has been subjected to or has observed harassment
prohibited by this policy should promptly report it to the employee’s supervisor, department chair or department head, dean, vice president, the human resources officer, the dean of human resources, or the affirmative action officer. Students should report the prohibited harassment to any department chair or dean, the vice president for academic affairs, or the vice president for student services.

(b) Any employee who is advised of a harassment complaint, including any made anonymously, or who otherwise has reason to believe that a violation of this policy has occurred, should promptly notify the human resources officer, the dean of human resources, or the affirmative action officer. If a student is involved, the vice president for student services should be notified.

(c) Human Resources or the affirmative action officer is responsible for promptly investigating and resolving all employee complaints. The vice president for student services is responsible for promptly investigating and resolving all student complaints. Ordinarily this should include:

(i) Meeting with the complainant, documenting the complaint and explaining that the complaint will be investigated as confidentially as possible. Employees or students involved in the complaint may be asked to document their version of the incident.

(ii) Notifying the accused employee or student of the allegations and giving him or her an opportunity to respond.

(iii) Interviewing other potential witnesses, if necessary.

(iv) Advising all employees or students involved in the investigation, including the complainant, that the complaint and investigation should be treated as confidential.

(v) Informing both the complainant and the accused of the results of the investigation and ensuring that appropriate corrective action is taken if warranted; and

(vi) Maintaining a confidential record of the complaint, including a summary of the allegations and the accused’s response, and the manner in which the complaint was resolved.

(vii) Although anonymous complaints may be difficult to investigate, Human Resources, the affirmative action officer, or the vice president for student services, nevertheless, should investigate such complaints, to the best of their ability, and take appropriate corrective action if it is determined that a violation of this policy has occurred.

IV. Who To Contact

When the harassment is between Prince George’s Community College employees, the matter is to be investigated by the dean of human resources (HR) and the affirmative action officer (AAO), or their designee(s).

When the harassment is between Prince George’s Community College students, the matter is to be investigated by the vice president for student services and the attorney for the Board of Trustees, or their designee(s).

When the harassment is between a Prince George’s Community College student and an employee, the matter is to be investigated by the dean of human resources and the affirmative action officer, or their designee(s). The dean of HR and the AAO are to collaborate with the vice president for student services, or designee, as necessary.

V. Corrective Action

If, after an investigation, it is determined that this policy has been violated, corrective action designed to eliminate any form of prohibited harassment should be taken. This action may range from educating the employee or student on the inappropriateness of his or her behavior, to termination of employment or expulsion from the college. If the corrective action to be taken involves a change in an employee’s employment status (i.e. transfer, demotion, or termination), the Dean of Human Resources must be consulted. If the corrective action to be taken involves a change in a student’s status (i.e. suspension or expulsion), the vice president for student services must be consulted.

If the action taken is termination of employment, regular employees maintain the right to utilize the General Grievance Procedure. If the action taken against a student is expulsion, students may use the Student Grievance Procedure.

VI. Relation to Other Policies and Rules

This procedure is not intended to supersede other college policies and rules, such as Grievance/Review, which addresses Regulations on Nondiscrimination on the Basis of Handicap, Americans with Disabilities Act, as well as all Affirmative Action complaints pertaining to discrimination in employment on the basis of race, color, religion, sex, age, national origin, or sexual orientation.
Sex Offender Registry and Access to Related Information
The federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement
advising the campus community where law enforcement agency information provided by a State concerning
registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to
provide notice, as required under State law, of each institution of higher education in that State at which the person
is employed, carries on a vocation,