

**Northern New Mexico College  
HUMAN RESOURCES POLICY**

<b>Subject:</b>	Sexual Harassment
<b>File Reference:</b>	3.7
<b>Date Approved By Board of Regents:</b>	August 23, 1991
<b>Replaces Policy Approved On:</b>	

**Purpose:** To provide guidelines to prevent sexual harassment in the work place and to provide procedures for investigating incidents of alleged sexual harassment.

**Policy:** Northern New Mexico Community College is committed to providing a work environment and student environment which is free of sexual harassment and will not tolerate sexual harassment activity by any of its employees or students. This also applies to individuals conducting business within the college.

**Procedures:**

Conduct of Sexual Nature

Conduct of sexual nature may include, but is not limited to, verbal or physical sexual advances, including subtle pressure for sexual activity; touching, pinching, patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; sexually-oriented "kidding," "teasing," "double-entendres, and jokes," and any harassing conduct to which an employee or student would not be subjected but for such individual's sex.

Unwelcome Conduct of a Sexual Nature

1. Verbal or physical conduct of a sexual nature may constitute sexual harassment when the allegedly harassed employee or student has indicated, by his or her conduct, that it is unwelcome.
2. An employee or student who has initially welcomed such conduct by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome.

Sexual Harassment Prohibited

For the purposes of this policy, unwelcomed sexual advances or requests for sexual favors, and other unwelcomed conduct of a sexual nature constitute prohibited sexual harassment if:

1. Submission to the conduct is made either as an explicit or implicit condition of employment;
2. Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; or the conduct substantially interferes with an employee's work performance, or creates an intimidating, hostile, or offensive work environment.

### Procedure for Complaints

If an employee believes that he/she had been sexually harassed, that employee should report the alleged incident to his/her supervisor within the time frame as specified in the grievance procedure, and follow the progress as outlined in the internal grievance.

If the immediate supervisor is part of the alleged conduct, or if for some legitimate reason the employee feels uncomfortable about making a report to the supervisor, the employee may directly contact the Affirmative Action Officer and proceed through the steps as outlined in the internal grievance procedure.

If any student believes that he/she has been sexually harassed, that student should report the alleged incident to the Dean of Student Services. The Dean of Student Services and the Affirmative Action Officer will conduct a thorough investigation and submit the investigation report and their recommendation to the President for action. The decision of the President is final.

The college is committed to thoroughly investigate complaints of alleged sexual harassment and take whatever action is deemed appropriate.

Any investigation related to a complaint under this policy will be conducted with confidentiality and respect for the rights of all individuals involved. Information related to the investigation will be released only on a need to know basis or to any external investigative agency who is investigating a complaint under their jurisdiction. The President will be the final authority on releasing any information or documents as they pertain to a specific case.

The investigative file will be maintained and controlled by the Affirmative Action Officer.

Both Federal and state law prohibits anyone from retaliating against anyone who has opposed an unlawful discriminatory practice or has filed a complaint, testified or participated in any proceedings under Federal or state law.

### **Cross Reference:**