South Texas College assumes an affirmative posture to prevent and eliminate sexual harassment in any division, department, or any work unit by any employee. It is the policy of the college that any practice or behavior that constitutes sexual harassment will not be tolerated.

Sexual harassment of employees or students at South Texas College is strictly forbidden. Any employee who is found to have engaged in such conduct shall be subject to appropriate disciplinary action, up to and including dismissal. This policy shall be applied without regard to the gender of the employee involved.

Sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature."

Such conduct is a violation when:

1. The employee's or student's submission to such conduct is an explicit or implied condition of employment or academic efforts; or
2. The employee's or student's response to such conduct becomes a basis for employment or academic decision; or
3. The conduct produces an intimidating, hostile, or offensive work or study environment.

Nothing in this policy should be interpreted to prohibit or restrict speech that is permitted by the Texas or the U.S. Constitutions.

It is the policy of South Texas College that supervisors and faculty shall not enter into any type of romantic or sexual relationship with staff under their supervision or with students enrolled in their courses.

Such relationships will be looked upon as potentially detrimental to the working and learning environment, considered inappropriate and unacceptable, and grounds for disciplinary action including termination for all appropriate parties involved.
SOUTH TEXAS COLLEGE
GUIDELINES FOR ADMINISTRATORS IN HANDLING COMPLAINTS OF SEXUAL HARASSMENT

Any inquiry or complaint, especially regarding sexual harassment, must be taken seriously and dealt with promptly and with sensitivity to the parties involved. Liability for the improper handling of these cases can be individual as well as institutional.

I. TAKING ACTION TO STOP SEXUAL HARASSMENT

The following guidelines are recommended for administrators handling complaints of sexual harassment. A letter should be written which addresses: 1. The facts without evaluation; 2. The effects of the harassment; and 3. What you want to happen next.

Writing a Letter

<table>
<thead>
<tr>
<th>The Facts without Evaluation</th>
<th>The Effects of the Harassment</th>
<th>What do you want to happen next</th>
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<tbody>
<tr>
<td>Dates</td>
<td>Describe how you feel about the events that occurred</td>
<td>Make it clear that you want the behavior to stop</td>
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<td>Places</td>
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On 9/2/95 you… "I am very uncomfortable… "I do not want you…

Advantages of writing a letter:

1. It avoids formal charges and a public confrontation
2. It helps victims gain a sense of control
3. It keeps the incident confidential
4. It gives the harasser a new perspective on the behavior
5. It may minimize retaliation against the victim

II. DETERMINATION OF PROPER PERSON TO DEAL WITH COMPLAINT

Employees who believe they have been sexually harassed or discriminated against should contact their supervisor or the administrator at the next higher level. Students who believe they are victims of sexual harassment or discrimination may contact the alleged offender's Division Director or the Vice President of Instruction and Student Development.
III. HANDLING ACTUAL COMPLAINT

Listen carefully to the complaint, taking notes of the specific event. Go back over the information to make sure you have the facts. If the complaint is about sexual harassment, give the complainant a copy of the policy on sexual harassment and ask if the complainant feels that this specific complaint is sexual harassment as defined by the policy. Explain that sexual harassment is against the law and is unacceptable behavior at the College.

Ask the complainant what specific relief or remedy he/she is seeking. The complainant may expect formal action or may desire only that the offensive behavior stop.

Explain that in order for the College to conduct any formal investigation, make a determination of actual sexual harassment, or discrimination, and if appropriate, take formal disciplinary action, the complainant must complete a written complaint (form attached).

Dissemination of information relating to the case should be limited, in order that the privacy of all individuals involved is safeguarded as fully as possible.

FORMAL COMPLAINTS

The complainant will complete and sign the official form or provide the same information on paper and submit it to the supervision administrator.

Upon receipt of the signed statement of the complainant, the supervising administrator will advise his/her supervisor and the Vice President of Instruction and Student Development if a student is involved.

A meeting will be arranged by the supervising administrator and Dean with the accused. The Vice President of Instruction and Student Development may be present.

At this meeting, the accused will be advised of the complaint which has been filed against him/her and the name of the individual filing the complaint. A copy of the written complaint will be given to the alleged offender.

The accused will be asked for his/her explanation of the event or events. He/she will be required to respond to the complaint in writing by a specified date. (A week is the maximum response deadline).

Every effort should be made to protect the complainant from retaliatory action from the individual named in the complaint. If the accused confesses to the behavior, he/she will be told that the behavior is unacceptable and that discipline, to be determined by his/her supervisor, will be taken. Written charges shall be prepared and policies and procedures for disciplinary action will be followed.
If the accused denies the behavior, then the administrator will initiate an investigation. In any event, the accused is required to respond to the complaint in writing by the specified date.

1. THE INVESTIGATION

The administrator will interview parties involved to hear testimony pertaining to the matter and to gather any pertinent information and evidence.

ALL PARTIES INTERVIEWED MUST BE ADVISED THAT THE INTERVIEW IS CONFIDENTIAL AND DISCUSSION OF THE MATTER MAY BE GROUNDS FOR DISCIPLINARY ACTION.

Upon completion of the investigation, the supervising administrator will make a recommendation to the appropriate administrator regarding action to be taken.

2. RESOLUTION OF COMPLAINT

If the investigation reveals that the complaint is without merit, then the complainant may appeal in accordance with grievance procedures. If the investigation reveals sexual harassment occurred, the disciplinary action shall be recommended. Appeals of disciplinary action will be handled in accordance with institutional policy and procedure.

Both the complainant and the accused shall receive in writing the manner in which the complaint has been resolved. Copies shall also be sent to the appropriate Vice President and the President.

INFORMAL COMPLAINT

If the complainant does not wish to put his/her complaint in writing, the College will take informal action.

COMPLAINANT SHOULD BE ADVISED TO TELL THE HARASSER THAT HIS/HER ACTIONS AND BEHAVIORS ARE OBJECTIONABLE AND REQUEST HIM/HER TO STOP.

It would be appropriate to make notes of the informal complaint, the date, the name of the complainant, and the informal action to be taken. If possible, asking the complainant to sign a statement saying that no formal action is requested would be beneficial but not required. A copy of documentation for your own record would be advised.

IV. ATTEMPT OF RESOLUTION

The administrator may meet with all personnel in the department in which the accused works and review the sexual harassment or discrimination policy. Or the supervisor may advise the individual that a verbal complaint of sexual harassment or discrimination has
been made. The supervisor will explain to the alleged offender that the matter will be handled informally and confidentially. The supervisor may review the policy, describe examples of sexual harassment and advise the individual to examine his/her behavior, cautioning him/her to be sure that the behavior is not a violation of policy. The administrator will not allege guilt or innocence of the individual.

If informal action by administration does not resolve the harassment or discrimination, the complainant must put the complaint in writing so that formal action may be taken.

V. RETALIATION

Any attempt to penalize or retaliate against a person for filing a complaint of sexual harassment will be treated as a separate and distinct, additional charge of sexual harassment.

VI. EXAMPLE OF SEXUAL HARASSMENT

Specific examples of sexual harassment include: sexual innuendoes or jokes about a person's anatomy, attempts to kiss, leering or ogling of an individual's body, verbal harassment or abuse, subtle pressure for sexual activity, unnecessary touching, patting or pinching, direct propositions, displays of derogatory images of women/men, inappropriate and offensive, but essentially sanction-free sexual advances, generalized sexist remarks or behavior, or sexual assault.
COMPLAINT FORM

COMPLAINT SPECIFICATIONS: All claims and/or complaints by individuals shall specify the time, the place, and the exact nature of the alleged discrimination; shall identify in specific terms, the individual, group, organization, or office believed by the complainant to be responsible for the alleged discrimination and shall specify the remedy being sought by the complainant.

COMPLAINT INFORMATION:

Claimant: ____________________________________________________________
Address: ____________________________________________________________
Telephone: ____________________________________________________________

Respondent: ____________________________________________________________
Address: ____________________________________________________________
Telephone: ____________________________________________________________

Date of Alleged Violation: ________________________________________________

CLAIMANT’S STATEMENT OF ALLEGED VIOLATION:

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SPECIFIC RELIEF OR REMEDY SOUGHT:________________________________
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Date       Claimant

____________________________________
Witness