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## 2.10 HARASSMENT POLICY

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**Category:** Administration

**Responsible Office:** Human Resources

**Responsible Executive:** Assistant to the President, Human Resources and Organizational Development

**Date Established:** August 17, 2015

**Date Last Revised:**

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### Summary

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Harassment of any individual for any reason is not acceptable at Monroe Community College. Harassment is a form of prohibited discrimination and may arise on an individual basis or may involve a group or classification of students or staff members. In any case, harassment in any form is not permitted at the College and will not be tolerated.

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### Policy

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#### POLICY STATEMENT

Sexual harassment is the most commonly understood form of harassment, but it is important to note that harassment on any demographic basis – including age, color, disability, national origin, sex, gender identity, race, religion, veteran status, domestic violence victim status, marital status, class, institutional status, or sexual orientation – also can occur and is expressly forbidden. In all cases, harassment undermines the College’s commitment to excellence and diversity and is contradictory to the College’s policy of valuing and respecting all individuals and their contributions.

Administrative responsibility for implementing the Monroe Community College Harassment Policy rests with the Assistant to the President, Human Resources and Organizational Development. If you have any concerns or complaints regarding harassment in any form, please contact the Assistant to the President to share your complaint at:

Assistant to the President, Human Resources and Organizational Development  
Human Resources  
Monroe Community College  
1000 East Henrietta Road  
Rochester, New York 14623-5780  
Telephone: (585) 292-2106

Individuals who believe that they have been the victim of sexual harassment may also complete a Discrimination Complaint form; when a formal complaint is received, it will be investigated and addressed in accordance with the College’s Discrimination Complaint Procedure.

#### Definitions:

Harassment can take two forms:

- Unwelcome verbal or physical conduct nature –which may or may not be sexual in nature – that, because of its severity and/or persistence, interferes significantly with an individual’s work or education, or adversely affects an individual’s living conditions.

- Quid pro quo harassment, which occurs when a person in a position of authority uses that position to engage in unwelcome sexual advances, requests for favors, or other verbal or physical conduct of a sexual nature when:
  - Submission to such conduct is explicitly made a term or condition of an individual's employment or education; or
  - Submission to or rejection of such conduct is used as a basis for decisions affecting an individual's education or employment.

Complaints of harassment under this policy shall be evaluated from the perspective of a reasonable person similarly situated to the complainant and in consideration of the context of the behavior. Harassment must be distinguished from behavior that, even though it may be unpleasant or disconcerting, is appropriate to the carrying out of certain instructional, advisory, or supervisory responsibilities.

Examples of conduct that may constitute harassment include:

- Continued unwelcomed questioning about intimate or personal matters outside the scope of work or learning
- Unwelcome touching or physical acts outside the scope of work or learning
- Unwelcome comments or jokes of a sexual or explicit nature
- Unwelcome comments or conduct regarding an individual's race, color, religion, sexual orientation, gender identity, age, disability, etc.
- Sending e-mails that contain unwelcome, extreme or persistent message, images or language
- Persistently joking about an individual's age, disability, country of national origin, color, sexual orientation, religion, gender identity, etc.

The above list is not exhaustive; it is intended only to provide general examples of possible, prohibited conduct. In considering whether conduct has violated the harassment policy, the totality of the circumstances is examined. Members of the Monroe Community College community are encouraged to bring specific questions and concerns to the attention of the appropriate College administrator.

Allegations of student peer on peer physical sexual misconduct and/or harassment are addressed through the Monroe Community College Student Sexual Misconduct Policy and the Title IX Officer. Please refer to the "Sexual Harassment and Sexual Misconduct: Title IX Guide for Students" pamphlet or the College's website at [www.monroecc.edu/go/titleix](http://www.monroecc.edu/go/titleix).

**Retaliation:**

Any individual who believes that s/he has been subject to harassing conduct is encouraged and has the right to seek support, utilize available resources and come forward with his or her concern or complaint. Retaliation for filing a complaint, participating in the investigation of a complaint or exercising any other right under this policy is expressly prohibited and will be addressed. Any complainant, witness, or other individual who believes that s/he has been retaliated against is encouraged to report the retaliatory conduct.

**APPLICABILITY**

This policy applies to all members of the school community, visitors to the schools, and anyone else who conducts business with the College. All staff, students, and visitors are expected to respect the rights of others and to refrain from engaging in any offensive or harassing behavior.

**RESPONSIBILITY**

Assistant to the President, Human Resources and Organizational Development

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**Contact Information**

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Office of Human Resources

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**Related Information**

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**College Documents:**

Discrimination Complaint Procedure

Americans with Disabilities Act and Americans with Disabilities Act Amendments Act Policy

Equal Employment Opportunity and Affirmative Action Policy

**Other Documents:**

Americans with Disabilities Act and Americans with Disabilities Act Amendments Act

**Related Links:**

Equal Employment Opportunity Commission: [www.eeoc.gov](http://www.eeoc.gov)

United States Department of Education: [www2.ed.gov/about/offices/list/ocr/docs/tix\\_dis.html](http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html)