

# **SEXUAL HARASSMENT POLICY (Answer Book #IV-21A, March 1, 1994)**

## Commitment

West Virginia University at Parkersburg is committed to providing its employees and students with an environment free from implicit and explicit coercive sexual behavior used to control, influence, or otherwise affect the well-being of any member of the College community. Sexual harassment is regarded as misconduct which creates an offensive work and educational condition. Therefore, it is the responsibility of all College supervisors to take immediate and appropriate corrective action when sexual harassment is reported or becomes known to assure that problems are resolved promptly and efficiently.

## Legal Basis

Sexual harassment is prohibited under a policy statement issued by the Office for Civil Rights interpreting Title IX of the Education Amendments of 1972 and EEOC interpretative guidelines issued in March, 1980, and subsequent federal court decisions on the subject of sexual harassment.

## Definition of Sexual Harassment

Sexual harassment is intended to be defined consistent with Equal Employment Opportunity Commission and U.S. Department of Education guidelines. Sexual harassment is any “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is explicit or implicit a condition of employment; (2) submission to or rejection of such conduct is used as the basis for employment decisions; (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work or educational performance or creating an intimidating, hostile or offensive work or educational environment.”

## Filing of Complaints

Any WVU-P employee who believes himself/herself to be a victim of sexual harassment should immediately report such activity to his/her supervisor, or in cases involving the supervisor, to the next level supervisor. The appropriate supervisor is obligated to document the complaint and to request follow-up by the Director of Employee Development who has been trained to facilitate the informal resolution of sexual harassment complaints. The Director of Employee Development will assist the employee in evaluating and resolving the matter and, when warranted, will conduct inquiries and report to the executive level administration for further action.

Any student who has a complaint regarding alleged sexual harassment should contact the Dean of Students, who is obligated to document the complaint and to request follow-up by the Director of Employee Development. The Director of Employee Development will assist the student in evaluating and resolving the matter, and, when warranted, will conduct inquiries and report to the executive level administration for further action.

Any employee or student who is found, after appropriate investigation, to have engaged in the sexual harassment of another employee or a student will be subject to appropriate disciplinary action. Depending on the circumstances, sanctions may include termination or expulsion.