



Anti-Harassment Policy Acknowledgement

I agree upon acceptance of position with South Georgia State College to abide by the Anti-Harassment Policy I am receiving at this time. The Board of Regents of the University System of Georgia has adopted the policy statement on sexual harassment and it is included in The Policy Manual of the Board (Section 8.2.16). The information I am receiving addresses the policy statement, definition of sexual harassment, examples of sexually harassing behavior, academic freedom and professional responsibility. I have also received the procedures for handling complaints of sexual harassment and I am aware that the Affirmative Action Office of South Georgia State College is Jamie Tanner, Director of Human Resources.

Signature

Print your name

Date



SOUTH GEORGIA STATE COLLEGE

ANTI-HARASSMENT POLICY

SEXUAL HARASSMENT

South Georgia State College is committed to maintaining a fair and respectful environment for living, working and studying. To that end, and in accordance with federal and state law, Board of Regents' policy, and College policy, the College prohibits any member of the faculty, staff, administration, or student body from harassing any other member of the College community because of that person's gender.

DEFINITION SEXUAL HARASSMENT

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment or status in a course, program or activity;
2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or
3. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from an educational program or activity.

Examples of sexual harassment may include, but are not limited to the following:

1. Physical Assault.
2. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, compensation, promotion, grades, or letters of recommendation.
3. Sexual advances, physical or implied, or direct propositions of a sexual nature. This activity may include inappropriate/unnecessary touching or rubbing against another, sexually suggestive or degrading jokes or comments, remarks of a sexual nature about one's clothing and/or body, preferential treatment in exchange for sexual activity, and the inappropriate display of sexually explicit pictures, text, printed materials, or objects that do not serve an academic purpose.

4. A pattern of conduct, which can be subtle in nature that has sexual overtones and is intended to create or has the effect of creating discomfort and/or that, humiliates another.
5. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history that does not serve a medical or academic purpose.

Sexual harassment can occur regardless of the relationship, position or respective sex of the parties. Same sex harassment violates this policy as does harassment by a student of a faculty member or a subordinate employee of his/her supervisor.

Sexual Harassment, Academic Freedom, and Professional Responsibility

Academic freedom is not a license for a single group or person to act without regard for another. True academic freedom requires an environment in which no person is intimidated, exploited, or coerced. Sexual harassment, in any of its guises, perverts academic freedom.

The relationship between a faculty member and a student should be considered one of professional and client, in which sexual relationships are inappropriate. Likewise, sexual relationships, even of a consenting nature, between supervisor and employee are inappropriate.

AFFIRMATIVE ACTION OFFICER

The Director of Human Resources (hereinafter referred to as the Affirmative Action Officer) is the individual designated by the President to be primarily responsible for providing education and training about sexual harassment to the University community, and for investigating reports and complaints of sexual harassment in accordance with this policy. The Affirmative Action Officer(s) can be reached at the Office of Human Resources.

SCOPE APPLICABILITY

The College's Anti-Harassment Policy applies to all faculty, staff, administration, and students.

OFF CAMPUS PROGRAMS AND ACTIVITIES

Students and employees who feel that they have experienced sexual harassment while participating in off-campus programs and activities should immediately report such incidents to the program director or the Affirmative Action Officer. Off-campus programs and activities include, but are not limited to, study abroad programs, internships, student teaching and applied learning experiences.

PROCESSING OF DISCRIMINATION REPORTS AND HARASSMENT REPORTS AND COMPLAINTS

REPORTS AND COMPLAINTS

TIMELINE FOR REPORTING

All reports and complaints of sexual harassment will be promptly investigated and appropriate action will be taken as expeditiously as possible. Complaints and reports of sexual harassment should be reported as soon as possible after the incident(s) in order to be most effectively investigated. Complaints of sexual harassment should be reported within fifty days of the incident. The College will make reasonable efforts to protect the rights of both the complainant and the respondent. The College will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses in a manner consistent with the College's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations required by law.

RESPONSIBILITY OF STUDENTS AND EMPLOYEES

No student or employee should assume that an official of South Georgia State College knows about his or her particular situation. The College encourages any person who feels he or she has been sexually harassed to report the incident to the Affirmative Action Officer. Administrators and supervisors must report to the Affirmative Action Officer in timely manner any and all incidents of discrimination and harassment which are reported to them.

INVESTIGATION AND RESOLUTION

COLLEGE ACTION/ RIGHT TO APPEAL

The College will take the appropriate remedial action based on results of the investigation and will follow up as appropriate to ensure that the remedial action is effective. Complainants are encouraged to report any reoccurrences of conduct which were found to violate the Anti-Harassment policy. The Affirmative Action Officer will notify the complainant and respondent, in writing, of the results of the investigation.

The complainant and respondent shall have the right to appeal the decision of the Affirmative Action Officer to the President pursuant to this policy. A written appeal must be made within ten (10) working days after written notification of the decision which is being appealed. A decision will be made within a reasonable time and the Affirmative Action Officer, the complainant, and the respondent will be notified of the decision.

PROHIBITION AGAINST RETALIATION

Students and employees who, in good faith, report what they believe to be sexual harassment, or who cooperate in any investigation, will not be subjected to retaliation. Any student or employee who believes he or she has been the victim of retaliation for reporting sexual harassment or cooperating in an investigation should immediately contact the Affirmative Action Officer.

Procedures for Handling Complaints of Sexual Harassment

I. Procedures-Faculty, Staff & Students

A. Informal Processes

Conduct that is perceived as sexual harassment by the offended party may result from a lack of awareness of the offended person's sensitivities or from an attitude of general indifference toward the sensitivities of others. If lack of awareness or insensitivity is a factor, the simplest solutions to sexual harassment may be for the offended party to advise the other party that, while he/she might not be aware of this, the offended party finds the other party's conduct (touching, language, graphics, etc.) to be offensive (intimidating, hostile, etc.) and is asking that the other party refrain from this conduct. A repetition of this or similar offensive conduct is a basis for complaint, even where no conditions regarding employment or academic standing have been implied or expressed.

B. Filing of a Complaint

1. A complainant wishing to make a formal complaint and have it pursued should file it in writing with the Affirmative Action Officer who will consult with the appropriate administrative officer (Vice President of Academic Affairs, Vice President of Student Affairs, or Vice President of Business Affairs) to determine the method by which an investigation will be conducted. If the complaint is against the Affirmative Action Officer, it should be filed in writing with the Vice President for Business Affairs (for Staff), Vice President for Academic Affairs (for Faculty), or the Vice President for Student Affairs (for Students). Sexual harassment between students, neither of whom is employed by South Georgia College, should be treated as disciplinary matters which, if such conduct violates College regulations for students, should be reported to the Vice President of Student Affairs.
2. To be considered for review, formal complaints of sexual harassment must be filed within 60 calendar days of the last alleged incident of harassment.
3. The purpose of the investigation is to establish whether there is a reasonable basis for believing that the alleged violation of this policy has occurred. In conducting the investigation, the appropriate administrator may interview the complainant, the accused, and other persons believed to have pertinent factual knowledge. At all times, the administrator conducting the investigations will take steps to insure confidentiality.
4. The investigation will afford the accused a full opportunity to respond to the allegations.
5. Possible outcomes of the investigation are: a judgment that the allegations are not warranted; a negotiated settlement of the complaint; or the initiation of further action

C. Board of Review

If the administrative officer is unable to effect an administrative resolution of the complaint, the administrative officer or complainant may request the President to appoint a Board of Review to hear the complaint.

The Board of Review shall consist of three South Georgia College faculty/staff members, selected randomly by the Affirmative Action Officer, with the Affirmative Action Officer selecting a chairperson. Students will serve on the Board of Review only in instances where a student is the complaining party and he/she requests student representation on the Board of Review. Those two student representatives will be selected randomly by the Affirmative Action Officer from the list of currently enrolled full-time students. In all cases, if the complaint is against the Affirmative Action Officer, the appropriate Vice President will oversee the selection function. The Board of Review will conduct its business according to the procedures outlined in Section IV (L) of the South Georgia College Faculty Handbook.

II. Sanctions

Depending upon the nature of the offense, South Georgia College sanctions imposed for sexual harassment may range from reprimand to dismissal. Nothing in this policy is intended to foreclose criminal complaint through judicial channels. Reprisal against any person for good faith use of internal or external channels of dispute resolution is expressly prohibited and is subject to similar sanctions.

III. Plan for Educating Institutional Community to Prevent Sexual Harassment – Faculty, Staff & Students

A copy of this policy statement will be distributed to each member of the South Georgia College faculty and staff. Copies for South Georgia College students are available in the Office of Student Affairs or from the Human Resources Office.