

VIRGINIA STATE UNIVERSITY

Section: Board of Visitors

Policy Number: 101

Policy Name: Prohibition of Sexual Harassment

Applicability: This policy governs the conduct of all University employees including faculty, administrators, staff and students when on the campus of Virginia State University, or on other University property, or in facilities, owned, or controlled by Virginia State University, or being used for a university-related event.

Effective Date: October 15, 1998

Revision Date: April 29, 1999 - Supercedes Board of Visitors Policy Number 101 issued on October 15, 1998 and entitled "Prohibition of Sexual Harassment"

Review: October 15, 1999

I. Purpose

It is the goal of Virginia State University to provide a productive and challenging educational environment, free from sexual harassment. It is the responsibility of all members of the University community to ensure that individuals are provided equal access to education, employment and services without being subjected to sexual harassment. Sexual harassment is a type of sex discrimination and is prohibited misconduct which undermines the mission of the University.

II. Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other conduct of a sexual nature, or action taken in retaliation for reporting such behavior, when:

- A. submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or participation in a university-sponsored educational program or activity, or;
- B. submission to, or rejection of, such conduct by an individual is used as a basis for decisions affecting that individual's employment, academic standing or other benefits, or;
- C. such conduct has the purpose or effect of unreasonably interfering with a person's work or academic performance or creating a hostile and offensive work or learning environment.

Sexual harassment may include, but is not limited to: (1) Sexually suggestive conduct or remarks about clothing, body, or sexual activities directed personally at a member of the University community; (2) whistling in a suggestive manner directed personally at others in the University community; (3) sexual propositions, invitations, or other unwanted pressures for sexual contact; (4) obscene gestures directed personally at other members of the University community; (5) patting, pinching, or any other sexually suggestive touching or feeling; (6) attempted or actual kissing or fondling; (7) coerced sexual acts; (8) assault; and (9) expressed or implied requests for sexual favors as a condition of employment, promotion or favorable academic performance.

III. **Policy**

Virginia State University will not tolerate any conduct by any member of the University community that constitutes sexual harassment as outlined in Title VII of Sect. 703 of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972, Virginia's Human Rights Act, or other applicable state or federal laws and regulations. Upon notification of a sexual harassment complaint, the University shall take prompt and appropriate action in response to the charge presented by the complainant. Any employee of the University being advised of a complaint of sexual harassment shall immediately refer the matter to the Human Resources Manager (EEO). All complaints under the policy should be filed within 30 days* from the date of the alleged harassment.

The University shall provide sexual harassment training each academic year for all faculty, administrators and staff. Each employee of the University is responsible for ensuring his/her attendance at such training by affixing his/her signature to the sign-in roster. The Office of Human Resources shall maintain an account of attendance at such training.

Students shall be made aware of the University's prohibition on sexual harassment through the Office of the Vice President for Student Affairs. Informational sessions shall be conducted minimally once, at the beginning of each semester.

This policy shall be distributed throughout the campus community, or made available to all members of the campus community through the Office of Human Resources, the Office of Student Affairs and the Office of the Provost. Additionally, this policy shall be made available by posting on a bulletin board in all dormitories and University buildings.

**The University reserves the right to accept and review complaints that are filed later than 30 days from the date of the alleged harassment if, upon preliminary review by the Human Resources Manager (EEO), the President or his designee determines that there is just cause for the delay in reporting the matter, or that it is in the best interest of the University to review the matter.*

APPROVED BY: *(Ronald C. Johnson)*
Ronald C. Johnson, Rector

DATE: *(April 29, 1999)*

