SEXUAL HARASSMENT AND DATE RAPE POLICY

Sexual harassment is a form of sex discrimination which is illegal under Title VII of the Civil Rights Act of 1964 for employees and under Title IX of the Elementary/Secondary Education Act of 1972 for students.

Date Rape is forced, unwanted intercourse with a person known to the victim. It is a violation of the victim’s body and trust. Date rape is an act of violence.

College Policy

Lane College prohibits sexual harassment and/or date rape by any faculty or staff member, or student. The College is committed to creating and maintaining an environment for all College personnel and students that is free of harassment, forced sexual activity, or any other unreasonable sexual communication or conduct that interferes with performance in the classroom or workplace. Persons found in violation of the LANE COLLEGE SEXUAL HARASSMENT AND DATE RAPE POLICY will be subject to disciplinary action that may include written warnings, suspension, transfer, demotion, dismissal, and/or arrest by local enforcement officials.

Sexual Harassment

Sexual harassment can be directed at a person of the same or opposite sex.

Behaviors that are considered as sexual harassment include:

a. unwelcome sexual advances;
b. requests for sexual favors;
c. language, graphic materials, or physical conduct commonly understood to be of a sexual nature;
d. other verbal or physical conduct of a sexual nature.

Such behaviors are offensive when:

1. it is either implied or clearly stated that submission to, or rejection of, the behavior will affect, or is a term or condition of, instruction, employment, educational statues, or participation in College activities; and
2. submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making academic or personal decisions affecting an individual.

Date Rape

Date rape can occur between persons of the same or opposite sex.

Date rape occurs when sex is forced on an individual without that person’s consent by someone the person knows. Force can range from intimidation, verbal threats, physical overpowering or violence, to the real or implied use of weapons.

Faculty and staff persons who believe that they have been sexually harassed by a member of the College community should contact one of the following persons immediately:
Students who believe that they have been sexually harassed by a member of the College community should contact one of the following persons immediately:

a. Faculty Advisor (student’s choice)
b. Director of Counseling
c. Vice President for Student Affairs

d. Vice President for Academic Affairs

e. The Jackson Police Department

Faculty and staff persons who have been sexually assaulted should contact one of the following persons immediately:

a. A trusted friend
b. Campus Security
c. Director of Personnel
d. Vice President for Academic Affairs
e. The Jackson Police Department

Procedures for Handling Inquiries

Inquiries about sexual harassment and/or date rape need not begin with a formal complaint nor necessarily result in such a complaint. Inquiries can be made without disclosing specific details such as names and places. Confidentiality will be respected for those making inquiries.

The administrative procedure for handling complaints of sexual harassment or date rape ensures that there is uniformity in the steps taken to resolve the matter even though more than one official is designated for receiving complaints or inquiries. Initial emphasis is placed on resolving the situation through informal mediation; however, there is also a formal complaint procedure allowing for formal investigations, hearings, and appeals.

Informal Review Procedures

If a complaint or charge is directed against any of the persons holding offices listed above, another person will be designated by the President.

1. The mediator will be the complainant’s choice of one of the persons listed above. The mediator will listen to the complaint and assist the complainant in clarifying his or her experiences or feelings.

2. The Mediator will advise the complainant of the option of the informal and formal hearing procedures.

3. At the request of the complainant, the mediator will talk to the accused without revealing the identity of the complainant in an attempt to work out a satisfactory solution.

4. If both parties are satisfied with the outcome of the mediation process, the matter ends there.
5. If the accused is not willing to participate in the mediation process, the mediator will inform him or her of the formal hearing procedures.

6. If the complainant is not satisfied with the informal hearing, he or she may take the matter through the formal grievance procedures.

**Formal Review Procedures**

A formal hearing may be requested by the complainant or by the administration, if a resolution cannot be reached informally.

1. If a College employee wishes to have a formal hearing, the standard grievance procedure listed in the *Staff Handbook* should be used.

2. If a student wishes to have a formal hearing, the procedure outlined in the *Student Handbook* should be used.

3. Permanent records of all formal complaints and their resolution are retained by the Personnel Office or the Office of Student Affairs. The privacy of all persons involved in a complaint will be protected.

**Protection Against Retaliation**

Retaliation against anyone seeking information on sexual harassment or date rape or serving as a witness is forbidden. If you feel that you are being retaliated against, you may report the matter to the persons listed above. Appropriate disciplinary action will be taken against anyone found to be taking retaliatory action.