SEXUAL HARASSMENT POLICY

I. The New Mexico Junior College Sexual Harassment Policy covers all the employees of the College and all the students. The policy also extends to former employees and former students when sexual harassment has resulted in a change of the employee's or student's status to that of a non-employee or non-student prior to resolution of any alleged sexual harassment.

II. Discrimination on the basis of sex is a violation of the Civil Rights Act of 1964, the Civil Rights Act of 1991 and Title IX of the Educational Amendments of 1972. New Mexico Junior College prohibits sexual harassment activity, which is a form of sexual discrimination, by any of its employees or students. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

A. Submission to such conduct is made either explicitly or implicitly as a term or condition of employment or instructional service.
B. Submission to such conduct has the purpose or effect of interfering with an individual's work; or classroom performance; or creating an intimidating, hostile or offensive workplace, classroom or campus environment.
C. Submission to or rejection of such conduct by an individual is used as the basis for delivery to or withholding of the institution's services.

III. Unwelcome conduct of a sexual nature and a hostile work, classroom or campus environment includes, but is not limited to, the following:

A. Verbal or physical sexual advances, including subtle pressure for sexual activity; touching, pinching, patting or brushing against; flirtations or verbal abuse of a sexual nature; graphic comments regarding physical or personality characteristics of a sexual nature; displaying of sexually suggestive objects or pictures in the work place; and sexually oriented kidding, teasing, double-entendre and jokes.
B. Verbal or physical conduct of a sexual nature shall constitute sexual harassment when the allegedly harassed employee or student has indicated, by his/her direct communication or conduct, that it is unwelcome.

IV. Policy and Procedures for Employees

A. Any employee who believes that he/she is the object of sexual harassment or who has knowledge of any sexual harassment of any other employee or student shall immediately report it to a supervisor or the Director of

Administrative Services, or to any other administrator, or to the Human Resources Office. A prompt confidential investigation shall be conducted of any reported sexual harassment. Charges of sexual harassment shall be made no later than sixty (60) days after the alleged occurrence. Appropriate disciplinary action, up to and including dismissal or suspension of employment, shall be taken against any employee who is found to have been responsible for sexual harassment or for knowingly permitting a sexually hostile environment to exist.

B. Confidentiality shall be maintained within the limits of an investigation and no reprisals or retaliation shall be allowed to occur as a result of good faith reporting of charges.

C. Complaints of sexual harassment or unwelcome conduct of a sexual nature shall be formally pursued under the EEO discrimination grievance procedure.

V. Policy and Procedures for Students

A. Any student who believes that he/she is the object of sexual harassment or who has knowledge of any sexual harassment of any other student or employee shall immediately report it to the Vice President for Student Services or his/her appointed designee. A prompt confidential investigation shall be conducted of any reported sexual harassment. Charges of sexual harassment shall be made no later than sixty (60) days after the alleged occurrence. Appropriate disciplinary action, up to and including suspension or dismissal of a student, shall be taken against any student who is found to have been responsible for sexual harassment or for knowingly permitting a sexually hostile environment to exist.

B. Confidentiality shall be maintained within the limits of an investigation and no reprisals or retaliation shall be allowed to occur as a result of good faith reporting of charges.

C. Complaints of sexual harassment by students or unwelcome conduct of sexual nature by a student shall be formally pursued under the disciplinary procedure and/or the grievance procedure within the *Student Handbook*.