Atlanta Metropolitan State College
Harassment Policy and Plan for AMSC Employees and Students

POLICY GOVERNING PROHIBITION OF SEXUAL HARASSMENT

THE BOARD OF REGENTS/INSTITUTIONAL STATEMENT

A. CIVIL RIGHTS: The Board of Regents of the University System of Georgia and its two-year unit, Atlanta Metropolitan State College, shall comply with the provisions of the Title VII, Title VI of the Civil Rights Act of 1964, as amended – Executive Order 11426.

B. HARRASSMENT: Federal law provides that it shall be an unlawful discriminatory practice for any employer, because of sex of any person, to discharge without cause, to refuse to hire or to otherwise discriminate against any person with respect to any matter directly or indirectly related to employment or academic standing. Harassment of an employee on the basis of sex violates this Federal law.

Sexual Harassment of employees or students in the University System/Atlanta Metropolitan State College is prohibited and shall subject the offender to dismissal or other sanctions after compliance with procedural due process requirements.

Unwelcome sexual advancements, request for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission to such conduct is made explicitly or implicitly a term or a condition of an individual’s employment or academic standing; or

2. Submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting such an individual; or

3. Such conduct reasonably interferes with an individual’s work or academic performance or creates an intimidating, hostile, or offensive working or academic environment.

DEFINITION OF SEXUAL HARASSMENT

Sexual harassment takes many forms, from constant jokes to physical assault. It may involve threats that an employee will lose his/her job or that a student will fail in class.

Teachers, co-workers or fellow students may make the work, study or living environment uncomfortable through continuing comments, suggestions or pressures.
For purposes of this policy, sexual harassment is defined as:

a) Sexual conduct of any nature which is not freely and mutually agreeable to both parties.

b) Communications of a sexual nature, whether verbal, written or pictorial, which are made with the intent to intimidate the person(s) receiving such communication.

c) Solicitation of sexual conduct of any nature, when submission to or rejection of such conduct is intended to be the basis for implicitly imposing adverse of favorable terms and conditions or employment or academic standing.

Sexual harassment can occur in situations where one person has power or authority over another but it can also occur between equals. Both men and women can be sexually harassed, though women are most often victimized. Sexual harassment can be as blatant as rape or as subtle as a look. Harassment under the third part of the definition often consists of callous insensitivity to the experience of the women.

TWO MAJOR CATEGORIES OF SEXUAL HARASSMENT

a) “Quid Pro Quo” is when the behavior of a faculty or staff member or supervisor creates the perception in the mind of a student or subordinate that the granting or withholding of tangible academic or job benefits shall be based on the granting of sexual favors.

b) “Hostile Work or Learning Environment” consists of four levels.

1. SEX ROLE STEREOTYPING This level includes gender-discriminatory assignments of roles, functions, or duties of a demeaning nature, e.g. errand running, coffee making, requiring a female supervisor to take minutes of a meeting.

2. GENERALIZED GENDER HARASSMENT This level includes intentional behavior that is directed at a specific gender and may be visual or verbal. Examples include negative or sexual comments, jokes, suggestions or gestures about gender, sex nudity or pornography.

3. INDIVIDUALIZED TARGETED HARASSMENT This level includes intentional behavior predicated on gender that is targeted at an individual or a specific group adversely affecting the directed to an individual group’s gender or sex; or unwanted physical touching of a non-criminal nature are examples.

4. CRIMINAL TOUCHING The fourth level is behavior of a criminal sexual nature. Examples include forcible sexual abuse; intentional touching of buttocks of either gender, or the genitals of a male, or of the breasts of a female; or taking indecent liberties with another.

Sexual Harassment may occur in any of the following configurations:

- Male – Female
- Female – Male
- Male – Male
- Female - Female
PROCEDURES FOR FILING & HANDLING COMPLAINTS OF SEXUAL HARASSMENT

Any student, faculty member, or other employee who believes he or she is a victim of sexual harassment may report the complaint to his or her advisor, supervisor or to the supervisor of the person who is behaving objectionable; the individual who receives the complaint has the responsibility to refer the matter to the Affirmative Action Officer for assistance. The person receiving the complaint must treat it as confidential such that it is communicated only to the appropriate resources and/or authorities. In addition, all persons who believe they are victims of sexual harassment, including those who are reluctant to raise the matter with a supervisor, are encouraged to use other avenues within the college through which guidance and counseling can be obtained, formal, and informal complaints can be made, and corrective action as appropriate, can be taken.

Filing a grievance or otherwise reporting sexual harassment will not cause any reflection on the individual’s status as an employee or student, nor will it affect future employment, compensation or work assignments.

The right to confidentiality, both of the complainant and the accused, will be respected insofar as it does not interfere with the college’s legal obligation or ability to investigate allegations, and to take corrective action when it is found that misconduct has occurred.

The following college resources and grievance mechanisms are available.

The Office of Human Resources

Board of Review (Academic and Classified Staff)

All written charges of sexual harassment by employees and students requests for a formal hearing should be presented to the Affirmative Action Officer or Atlanta Metropolitan State College and copied to the immediate supervisor(s) of both parties to the complaint. The Mediation Coordinator appointed by the President will chair an impartial committee (Board of Review) to thoroughly investigate a written charge of sexual harassment.

For Internal Distribution Only

Atlanta Metropolitan State College
Office of Human Resources
1630 Metropolitan Parkway, S. W.
Atlanta, GA 30310
Sexual Harassment Awareness and Prevention
Online Training

A new online education training program is available to assist employees of Atlanta Metropolitan State College (AMSC) in recognizing and dealing with sexual harassment issues on campus.

"Harassment or discrimination, in any form, is antithetical to our common purpose of achieving excellence. In particular, sexual harassment should have no place at the college," "It is the responsibility of every member of the AMSC community to ensure that we maintain a harassment-free environment."

In keeping with the trend toward online, self-paced learning, this program is a convenient easy-to-use educational tool for faculty and staff. It provides a proactive approach to sexual-harassment prevention by clearly defining our mutual rights and responsibilities in the context of federal and state laws including the college policy. We encourage all members of the campus community to take this opportunity to increase your knowledge and understanding of sexual harassment in the workplace.

The online sexual harassment awareness training program provides information ranging from definitions of sexual harassment and instructions on how to file a complaint, to AMSC and Board of Regents policies and federal laws concerning sexual harassment. "It's intended to both let people know what conduct is expected and also help those who may be experiencing sexual harassment or problematic behavior so that they can know what their options are and where they can go" (for help). The online tutorial has different "editions," depending on whether the user is faculty and staff and whether the user has supervisory responsibilities.

Major topics covered include the definition of sexual harassment, objectives of the course, information about the laws governing sexual harassment, reporting procedures and campus contact information.

The program also addresses forms of discriminatory harassment other than sexual, such as discrimination based on race, color, religion, age, national origin and disability.

New Media Learning is the provider of this valuable program, and responsible for all updates. We will receive changes as new court decisions in sexual harassment cases are presented.

The program begins with "pretest" to evaluate users’ current understanding of the issues regarding sexual harassment, and concludes with a mastery test to evaluate knowledge gained through the program.

The program scores results immediately, so users know if their responses are correct or incorrect, and why. Users who answer at least 80 percent of the questions in the mastery test correctly can print a certificate of completion.
Each page of the tutorial features a “contact HR” box where users with questions or comments, or who are experiencing “problematic” situations can contact HR directly via a secure mailbox. That email is pshresults@atlm.edu.

Moreover, links within the tutorial provide more in-depth information about certain topics. The program currently is mandatory, and is a convenient and effective way to train everyone in a unit.

You may access the sexual harassment training online program by clicking here: http://training.newmedialearning.com/psh/atlantametroc/

This training is to be used by all employees including those who are newly hired at the beginning of each academic year.

Our office will be available for training session each semester for all employees if needed.