

**Manhattan Area Technical College
Institutional Policy and Procedure Manual**

Policy No. 3.7.2

Title: Sexual Harassment	
Originated by: President	
Signature	Date
Approved by:	
Signature	Date
Reviewed on:	Revised on:

Policy Statement: Manhattan Area Technical College is committed to providing a positive and productive learning and working environment, free from discrimination on the basis of sex, including sexual harassment. Sexual harassment shall not be tolerated in the College. Sexual harassment of employees or students of the College by board members, administrators, faculty, support personnel, students, vendors, and any others having business or other contact with the College is strictly prohibited.

Rationale: Sexual harassment is unlawful discrimination on the basis of sex under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination. All forms of sexual harassment are prohibited on MATC's campus, on any property being used by the College, and at all College-sponsored activities, programs, or events. Sexual harassment against individuals engaged in College-directed activities is prohibited, whether or not the harassment occurs on College-owned grounds.

Procedure:

1. It shall be a violation of this policy for any student, employee, or third party (visitor, vendor, etc.) to sexually harass any student, employee, or other individual associated with the College. It shall further be a violation for any employee to discourage another individual from filing a complaint, or to fail to investigate or refer for investigation any complaint lodged under the provisions of this policy.
2. Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other inappropriate oral, written or physical conduct of a sexual nature when made by a member of the College staff to a student or when made by any student to another student or MATC employee or third party engaged in an MATC-related

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activity when: (1) submission to such conduct is made, explicitly or implicitly, a term or condition of the individual's education or employment; (2) submission to or rejection of such conduct by an individual is used as the basis for decisions affecting that individual; or (3) such conduct has the purpose or effect of interfering with an individual's academic or professional performance, or creating an intimidating, hostile or offensive academic or employment environment.

3. Sexual harassment may result from verbal or physical conduct or written or graphic material. Sexual harassment may include, but is not limited to: verbal harassment or abuse; pressure for sexual activity; repeated remarks to a person with sexual or demeaning implication; unwelcome touching; and/or suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning a student's grades, participation in extra-curricular activities, etc., or an employee's employment status.
4. The College encourages all victims of sexual harassment and persons with knowledge of such harassment to report the harassment immediately to the MATC President, the President's designee, or the MATC equity representative. The College will promptly investigate all complaints of sexual harassment and take appropriate and timely corrective action to end the harassment.
5. If the President is the alleged harasser, the complaint shall be reported to the College Board of Directors. The Board of Directors shall discuss the complaint with the individual to determine if it can be resolved. Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes sexual harassment under the definition outlined above. Unacceptable conduct may or may not constitute sexual harassment, depending on the nature of the conduct and its severity, pervasiveness and persistence. Behaviors which are unacceptable but do not constitute harassment may provide grounds for discipline under the code conduct contained in the Employee Handbook.
6. An employee who witnesses an act of sexual harassment shall report the incident to their supervisor or appropriate administrator. Employees who fail to report complaints or incidents of sexual harassment to appropriate College officials may face disciplinary action. College administrators who fail to investigate and take appropriate corrective action in response to complaints of sexual harassment may also face disciplinary action.
7. When a complaint contains evidence of criminal activity or child abuse, the President shall report such conduct to the appropriate law enforcement authorities.
8. To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be balanced with the College's obligation to conduct a thorough investigation, to take appropriate corrective action, or to provide due process to the accused.

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9. The filing of a complaint or otherwise reporting sexual harassment shall not reflect upon the individual's status or grades. Any act of retaliation against any person who has filed a complaint or testified, assisted, or participated in an investigation of a sexual harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including expulsion for a student or termination of employment for an employee.

10. False or malicious complaints of sexual harassment may result in corrective or disciplinary action against the complainant. Such harassment, or the false reporting of harassment, may be grounds for disciplinary action, including termination of employment at MATC.

11. A summary of this policy and related materials shall be posted in each College facility. The policy shall also be published in student and employee handbooks as directed by the College compliance coordinator.

(Note: This revised version of the Sexual Harassment policy will appear in the student handbook. The current policy will be made available for display in classrooms and common areas upon approval of the policy.)