

**FACT:** Sexual harassment can happen to anyone, no matter how they dress. Many harassers who are told “NO” repeatedly, choose to read that as “YES.” If the harasser is in a position of power, such as being a teacher or an employer, the victim may be coerced or feel forced to accept the harassing behavior.

**MYTH:** If a person ignores sexual harassment, it will go away.

**FACT:** Generally, the harasser is a repeat offender who will not stop on his own. He is a bully for whom silence acts as encouragement. Therefore, although the victim may not wish to offend the harasser or may wonder whether actions have been misconstrued, it is important to call attention to behavior or language which is causing distress.

**MYTH:** Most charges of sexual harassment are false. Women use such charges as a way of “getting back” at a man with whom they are angry.

**FACT:** Charges of discrimination, including sexual harassment, are not made lightly. They will involve some risk and unpleasantness. Women have nothing to gain from making false charges. But victims of such harassment owe it to possible future victims of the harasser to discuss the problem with someone.

**MYTH:** Sexual harassment is harmless. Women who object have no sense of humor.

**FACT:** Harassment, verbal or otherwise, is humiliating and degrading. It undermines the educational careers of students and often threatens economic livelihood. No one should have to endure it.

## WHERE TO GET HELP

1. Go to the College’s Sexual Harassment Officer. Employees and students who believe they have been sexually harassed and would like to find out how to file complaints should contact **the Director of Student Support Services, Ruben Barato at 914-606-6777**. He performs initial fact-finding with regard to sexual harassment complaints. The results of this fact-finding are presented to the appropriate college official who can institute more formal procedures for resolving them. Such procedures are in accordance with collective bargaining agreements and established college complaint procedures.
2. Female students, or employees, may wish to seek advice from **Tiffany Kallhovd & Roxanne Santiago our social workers (Student Center, Room 224, 914-606-6721 or 914-606-7784)**.
3. Students also may feel comfortable approaching a guidance counselor or a faculty advisor to get advice and support or to make an initial complaint.

## PROCEDURES

Several steps may be suggested before the filing of a formal complaint. These may include contacting the department head of the faculty member or staff person involved, or the relevant Dean, with mediated discussion and/or hearings which ensure confidentiality.

1. All formal complaints will be handled in a timely and confidential manner within the time limits prescribed by college Procedures on Sexual Harassment Complaints. In no event will information concerning a complaint be released by the college to third parties, or to anyone within college employment who is not directly involved in the investigation.
2. Investigation of a complaint will normally include conferring with the parties involved, and with any named or apparent witness(es). The particular facts of the allegation will be examined individually, with a review of the nature of the behavior and the context in which the incident(s) occurred. No action will be taken without the knowledge of the person against whom the complaint has been made. The Sexual Harassment Officer will also investigate cases in which the supervisor requests or requires assistance.
3. Employees and students who believe that they have been unjustly charged with sexual harassment will have every opportunity to present information in their defense. Such information will be confidential.
4. An employee or student who is found to have committed an act of sexual harassment may be subject to disciplinary action. This may include suspension, employment termination or academic dismissal. A faculty member found guilty of sexual harassment will be subject to sanctions imposed by the hearing officer; these may include employment suspensions or termination.
5. Nothing in this policy should be construed in any way as limiting employees’ rights to utilize the grievance procedure, or to file complaints with the Westchester County Office of Affirmative Action, the New York State Division of Human Rights or the United States Equal Employment Opportunity Commission, or to take any legal action which they may deem advisable.

## SUMMARY

### Taking Action

Employees and students who feel they have been sexually harassed may seek assistance and guidance from:

- Director of Student Support Services  
Ruben Barato - Student Center,  
Room 223, 914-606-6777
- Director of Human Resources  
Sabrina Johnson-Chandler - Administration Building,  
Room 111, 914-606-6880
- Assistant Dean  
Saul Yanofsky  
914-606-8539
- Any counselor or faculty advisor on campus with whom they feel comfortable.

Keep in mind that:

- Everyone has the right to be heard and assisted.
- No one will be penalized for reporting any incident(s).
- The college has a moral and legal obligation to follow up fully on any complaint.
- College procedures ensure confidentiality and a fair hearing for all involved.

**For more information about college policies and procedures visit us online at [www.sunywcc.edu/sexualharassment](http://www.sunywcc.edu/sexualharassment).**

In accordance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and other Federal and New York State guidelines and regulations, Westchester Community College adheres to the policy that no person on the basis of race, color, creed, national origin, age, gender, sexual orientation or handicap is excluded from, or is subject to discrimination in any program or activity. Westchester Community College is an equal opportunity, affirmative action employer.



This brochure was prepared in 1990 by the President’s Ad Hoc Committee on Women’s Educational Opportunity. It was revised in 1996, 2002 and 2006 by the Westchester Community College Campus Rights and Advocacy Committee.

# Sexual Harassment



**Know Your Rights:  
Title IX and What  
You Can Do**



## From the President

As with other forms of discrimination and harassment, sexual harassment is primarily an issue of power. It can occur when a person in a position of power abuses that power, or it can occur within a peer relationship when one person tries to establish or demonstrate power over another.

On campus, sexual harassment destroys the trusting relationship that normally exists between students and others in the academic community — professors, advisors, teaching assistants, staff, administrators or maintenance workers. For employees who are its victims, it can put jobs in jeopardy as the power issue and discomfort threaten salaries, promotions and working conditions, and may force them to seek employment elsewhere. When students are sexually harassed by other students, even if such harassment is verbal and not physical, a hostile environment is created which can seriously hinder the learning process.

It is all too common for someone accused of sexual harassment to say “I didn’t realize she (or he) would be offended by that.” This particularly is true of verbal harassment.

The purpose of this brochure is to help all members of the Westchester Community College community become more knowledgeable about sexual harassment and sensitive to the impact their behavior can have on others. Those who supervise others have a special responsibility in this regard. By their actions and advice, they must help create an environment that actively discourages behavior which could be viewed as sexual harassment. Only by making it clear that such behavior is absolutely unacceptable from anyone in the Westchester Community College family will we have established an environment fully conducive to learning and academic freedom for all.

Dr. John F.M. Flynn  
Interim President

## WESTCHESTER COMMUNITY COLLEGE'S POLICY ON SEXUAL HARASSMENT

Westchester Community College prohibits discrimination on the basis of race, color, creed, national origin, age, gender, sexual orientation or handicap. Included in this prohibition is sexual harassment. Such prohibition not only is the will of the college but is its obligation by law. Therefore, Westchester Community College not only will but is obligated to take all steps necessary to prevent and stop the occurrence of sexual harassment in the workplace, in the classroom, and in any location on the college campus or involving college personnel.

1. All supervisory personnel are responsible for ensuring a work environment free from unsolicited, unwelcome and intimidating sexual overtures. Deans, department heads and other supervisors must take immediate and appropriate corrective action, when instances of sexual harassment come to their attention, to assure compliance with this policy.
2. Any employee who is found to have committed an act of sexual harassment may be subjected to disciplinary action. Retaliation against any employee or student who has filed a sex discrimination or sexual harassment complaint is illegal and may also result in disciplinary action. Intimidation, coercion, threats, reprisals or discrimination against any employee or student for complaining about harassment, as described in the policy, is prohibited.
3. Employees and students will be held responsible and accountable for avoiding or eliminating the prohibited conduct.

This sexual harassment policy applies to all college employees (faculty, administrators and staff) and students. It includes, but is not limited to, inappropriate forms of behavior described by the Equal Employment Opportunity Commission.

## WHAT IS SEXUAL HARASSMENT

Sexual harassment includes any unwanted verbal or physical sexual advance, requests for sexual favors, sexually explicit derogatory remarks and sexually discriminating remarks which are offensive or objectionable to the person at whom they are directed or which cause a person discomfort or humiliation.

Sexual harassment can be as subtle as a look or as blatant as rape. Women are most often, though not solely, its victims. Verbal harassment may include “humor” or “jokes” about women, sex or sexual orientation, or remarks connecting a person’s gender with intellectual or academic abilities. Whether verbal or physical, sexual

harassment is an act of aggression. It is a violation of both federal (Section 703 of the Civil Rights Act of 1964 and Title IX Education Amendments of 1972) and state (New York State Human Rights) law.

## TYPES OF SEXUAL HARASSMENT

Sexual harassment does not always take physical forms; it appears in a variety of verbal and non-verbal forms.

**Verbal harassment may include:**

- sexual innuendoes and comments and sexual remarks about clothing, body or sexual activities
- suggestive or insulting sounds
- sexual propositions, invitations or other pressure for sex
- implied or overt threats

**Non-verbal harassment includes:**

- abusive written language
- showing or displaying pornographic or sexually explicit objects or pictures
- graphic commentaries
- leering or obscene gestures that unreasonably interfere with an employee’s or student’s work performance, or create an intimidating, hostile or offensive working or academic environment.

**Physical harassment may include:**

- patting, pinching, or other inappropriate touching or feeling
- brushing against the body
- attempted or actual kissing or fondling
- coerced sexual intercourse

## EXAMPLES OF SEXUAL HARASSMENT

**Rita S.** is an honors student whose professor repeatedly asks her to go out with him throughout the semester. She repeatedly refuses. Now she finds her papers in his class getting very low marks, with real jeopardy to her grade for the semester.

**Sara V.** is one of the few women in her class in a field which is a non-traditional one for women. She has wanted to pursue this field because of its good job opportunities and salaries, but one of her professors frequently refers to female students in belittling and lewd terms, and encourages male students when they do the same. She decides against this major because she doubts she will be treated fairly.

**Will J.** a student in a large university who is taking a foreign language from a female instructor, finds her

frequently suggesting that dates with her would definitely improve his language skills. He feels forced to drop the course and start again with another instructor the following semester.

**Darlene S.** notices that each time she speaks individually to her professor he stands very close to her, touching her occasionally. When he speaks to her while she is sitting at her desk, he consistently presses his body against it so that his lower body is displayed before her.

**Marvin D.** has several appointments with his male faculty advisor about curriculum matters, with helpful results. During the last visit, however, the advisor suddenly grasps Marvin’s genital area. Marvin protests immediately, and feels forced to seek out another counselor for the curriculum advice he still needs.

**Mary K.** is a new employee who is anxious to establish good relationships with other employees with whom she will be working. Suddenly she finds that the supervisor of another department seems to have misunderstood her friendliness because, although he is married, he asks her to have dinner with him so they can get to know each other better. She refuses. He then threatens to make it difficult if not impossible for her to get any work done which involves his essential department.

**Diane T.** taking a course necessary for her degree, refuses the advances of a classmate after they go to the movies together. Afterwards, when she enters the classroom each day, he makes suggestive remarks and sounds and giggles with his friends. She feels intimidated and is considering dropping the course in order to eliminate this contact.

## MYTHS & FACTS

**MYTH:** Sexual harassment happens to only a few people.

**FACT:** Surveys on campuses across the country show that up to 30 percent of all female college students experience some form of sexual harassment. In the working world, studies have shown that as many as 70 to 88 percent of women have been sexually harassed in some way.

**MYTH:** Only young “attractive” women are sexually harassed.

**FACT:** It can happen to older students returning to school just as easily as it can to younger students, and to older employees as well as younger ones. It can happen to both men and women, from either male or female harassers.

**MYTH:** If a woman really wants to discourage attention, verbal or physical, based on sex, she can do so. If she is sexually harassed, she probably asked for it by dressing provocatively or in some other way. *(Continued on back panel)*