

SEXUAL HARASSMENT PREVENTION

1. POLICY

- a. Wake Forest University is committed to maintaining an educational and working environment free from sexual harassment. Sexual harassment by supervisors, co-workers, faculty, students or outside vendors will not be tolerated. Any sexual relationship between an employee (faculty or staff) and a student, whether consensual or not, will be regarded as a violation of this policy. Persons found to be in violation of this policy will be subject to disciplinary action which may include, but is not limited to, written warning, demotion, transfer, suspension, expulsion, dismissal, or termination.
- b. Individuals who, in good faith, report sexual harassment or present evidence in a sexual harassment investigation are protected from retaliatory personnel or academic action. Acts of retaliation are a violation of this policy.

2. DEFINITION OF SEXUAL HARASSMENT

- a. For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature (whether between members of the same or opposite genders) when:
 - (1) submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic success,
 - (2) submission to or rejection of the conduct by an individual is used as a basis for employment or academic decisions affecting the individual, or
 - (3) the conduct has the purpose or effect of interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive work or academic environment.
- b. Examples of sexual harassment include repeated and unwelcome conduct involving one or more of the following: sexual flirtations, advances, propositions, sexually explicit statements, questions or jokes, displays of sexually explicit pictures, physical contact or touching or other conduct of a sexual nature that is unwelcome and makes a reasonable person feel uncomfortable.

3. COMPLAINTS

- a. Any supervisor, faculty member, staff employee or student who believes that he or she has been sexually harassed or has observed or been subject to a violation of this policy should promptly bring the matter to the attention of an appropriate University official. Failure to raise such issues in a timely manner can impede the University's ability to resolve or investigate the issues. Students may direct complaints to the Vice President of Student Life, the Dean of their School, the Department Chair or supervisor of the person whose conduct is in question, or the Director of Equal Opportunity. Officials to whom staff employees may direct complaints are the Director of Equal Opportunity, or their

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supervisor. Faculty employees may direct complaints to their Department Chair, their Dean or the Provost, or the Director of Equal Opportunity.

- b. Complaints of sexual harassment will be promptly investigated with reasonable steps being taken to protect the confidentiality of the parties to the extent possible. Materials outlining the formal and informal complaint procedures and supervisory responsibilities for handling complaints are available on the Human Resources website or from the Human Resources department. The Director of Equal Opportunity is available to provide guidance and assistance in proper handling of any allegation.
- c. In determining whether conduct constitutes a violation of the sexual harassment policy, those entrusted with carrying out this policy will look at the record as a whole and at the totality of the circumstances, such as the nature of the offensive conduct and the context in which the alleged incidents occurred. The determination of the suitability of a particular action will be made from the facts, on a case-by-case basis.

Approved by the Reynolda Cabinet (August 23, 1999)