



Policy Against Sexual Harassment

Loras College is committed to having a positive learning and working environment for its students and employees and will not tolerate sexual discrimination or sexual harassment. This principle is consistent with the mission of the College that “recognizes the human dignity of each individual and challenges men and women to grow with purpose and direction.” Sexual Harassment is demeaning, degrading, and can have a negative impact on a person’s performance at work or in class. Sexual harassment will not be tolerated. Disciplinary sanctions will be taken up to and including discharge for College employees and expulsion of students.

Academic presentations of the Catholic Church’s moral teaching regarding sexuality are very appropriate and consistent with the College’s mission, and may not be claimed as violations of this policy.

Sexual harassment is a form of sex discrimination which is illegal under Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. As defined by the Equal Employment Opportunity Commission, and in accordance with the 1986 landmark decision of the United States Supreme Court, [“Sexual Harassment”](#) includes, but is not limited to unwelcome: sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal, non-verbal, or physical conduct or communication of a sexual nature when:

1. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or education; or
2. submission to or rejection of that conduct or communication by and individual is used as a factor in decisions affecting that individual’s employment or education; or
3. that conduct or communication has the purpose or effect of substantially interfering with an individual’s employment or education, or of creating an intimidating, hostile, or offensive employment or educational environment.

Examples of sexual harassment include, but are not limited to the following examples of unwelcome acts:

- *Verbal:* insults, threats, jokes, or derogatory comments based on gender; sexual innuendo or suggestive comments; sexual propositions or advances; pressure for sexual favors.
- *Nonverbal:* posting of sexually suggestive or derogatory pictures, cartoons or drawings; making suggestive or insulting noises, leering, whistling, or making obscene gestures.
- *Physical:* touching, pinching, squeezing, patting, brushing against the body; impeding or blocking normal work or movement; coercing sexual intercourse or assault.

At Loras College, conduct or communication as described above will be regarded as sexual harassment irrespective of sexual orientation.

Additionally, retaliation against anyone reporting or thought to have reported sexual harassment behaviors or who is a witness or otherwise is involved in a sexual harassment proceeding is prohibited. Such retaliation is a serious violation of the policy and will be investigated as an independent act of sexual harassment. Encouraging others to retaliate also violates this policy. Examples of retaliation include, but are not limited to:

- Unfair grading, evaluation, or assignments
- Unfair changes to conditions of employment
- Information being withheld or made difficult to obtain
- Ridicule (public or private)
- Oral or written threats or bribes

The fact that someone did not intend to sexually harass an individual is not necessarily a defense to a complaint of sexual harassment. Regardless of intent, it is the duration, effect and characteristics of the behavior that determine whether the behavior constitutes sexual harassment. Harassing conduct may be disciplined even if the complaining person is not the intended target of the conduct.

The use of alcohol or other drugs by either party is not an extenuating circumstance and does not mitigate the responsibility of a person found to have committed sexual harassment.

This policy covers all members of, or visitors to, Loras College and those otherwise associated with the College to include, but not limited to: administrators, faculty, staff(administrative, professional and hourly), students, vendors, contractors, volunteers, and internship supervisors.

The College may impose discipline or sanctions if sexual harassment occurs on or off College premises if there is any connection with a person's participation in a College-sponsored organization, program or activity, or if the conduct poses a risk of harm to any member of the campus community.

False accusations of harassment can seriously injure innocent people. Initiating a false harassment complaint or initiating a harassment complaint in bad faith may result in disciplinary action. A finding for the accused does not constitute a finding that the complaint was in bad faith.

Consensual Amorous Relationship Policy

Employees should be sensitive to the fact that they have a professional responsibility for students in such matters as counseling, evaluating, supervising, advising, and providing services to students as a part of the school program.

Consensual relations are defined as amorous, romantic, or sexual relationships into which both parties have voluntarily entered. They become of concern to the College when one person in a relationship is in a position of authority over another. Examples of these situations include but are not limited to relationships between instructors and students, supervisors and employees, or administrators and students.

Consensual relationships of these types are prohibited. These relationships can violate the trust between instructors and students, administrators and students, or supervisors and employees. Most critically, they contain inherent potential for abuse of power and authority. Anyone who engages in a sexual relationship with a person over whom he or she has any degree of authority must understand that the degree to which such a relationship is truly mutually consensual may be questioned at any time. Even when both parties have apparently consented at the outset, such consent does not invalidate a subsequent charge of sexual harassment after one party withdraws his or her consent and communicates that decision to the other party.

Reporting Alleged Violations

Anyone who believes he or she has been the subject of, has been notified about, or has observed, sexual harassment as defined by this policy, should report the alleged conduct immediately to Sexual Harassment Complaint Advisors ("SHCA "). The SHCAs will be faculty and staff members recommended by the EEO Committee and approved by the President's Cabinet. A list of the names and contact information for SHCAs is available on the Loras College website and in the following offices: Vice President for Student Development, Human Resources, Counseling Center and Campus Safety and Security.

The Equal Employment Opportunity ("EEO") Officer shall be responsible for promoting understanding and acceptance of, and assuming compliance with local, State and Federal laws and this policy. The EEO Officer will ascertain that notice of this policy is circulated to the employees and students of Loras College. The policy will be incorporated into the Student Handbook, as well as the handbooks for faculty, salaried and hourly employees. Resource materials and educational programs on this policy and on the prevention of harassment shall be provided to employees and students. Information on this policy will also be distributed to volunteers, internship supervisors, vendors, and contractors.

Nothing contained within this policy shall be construed to change or modify the principles of Academic Freedom or Freedom of Expression expressed in sections VII and VIII of the Regent's Position Paper contained with the Loras College Faculty Handbook.

This policy shall become effective upon approval by the President and shall apply to all matters covered by this policy regardless of when the alleged violation occurred. This policy may be amended by the EEO Committee, subject to the approval of the President's Cabinet and Board of Regents.

¹¹ Meritor Saving Bank v. Vinson, 477 U.S. 57 (1986)