

WAC 132B-310-020 Definitions. Sexual harassment is unwelcome verbal or physical conduct of a sexual nature, unwelcome or unsolicited sexual advances or requests for sexual favors when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing; or

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

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive working or educational environment.

Harassment based on any of the above violates the policies of the board of trustees of Grays Harbor College and may violate federal and state laws.

Application to students. Where students are involved, such behavior is considered harassment whenever such conduct has the purpose or effect of interfering with the student's learning or learning performance or when the learning environment becomes intimidating, hostile, or offensive to the student involved.

In addition, the unwelcome behavior is considered harassment when: Submission to such conduct is made either explicitly or implicitly a term or condition of the student's grade, receipt of a grade or status as a student; or the student's submission to or rejection of such conduct is used as a basis for a decision affecting that student.

Further, it includes behavior that overtly or covertly uses the power inherent in the status of instructor or other employee to affect a student's educational experience or career opportunities by intimidating, threatening or coercing the student to accept the unwelcome behavior or risk reprisal in terms of a grade, a recommendation, an opportunity for professional growth, or a job.

Application to employees, volunteers, and applicants. In the case of employees, volunteers, or applicants, such behavior is considered harassment whenever such conduct has the purpose or effect of unreasonably interfering with the person's work or work performance, or creating an intimidating, hostile, or offensive environment.

Additionally, harassment of an employee, volunteer, or applicant is defined as unwelcome or offensive verbal or physical conduct when: Submission to such conduct is made either explicitly or implicitly a term or condition of the person's employment, promotion, or status as an employee or volunteer; the person's submission to or rejection of such conduct is used as a basis for a decision affecting that person.

Examples. Examples of behaviors that may constitute harassment include, but are not limited to, the following:

- * Repeated, offensive and unwelcome insults and/or jokes;
- * Repeated, unwelcome comments about an individual's body or clothing;
- * Unwelcome and offensive displays of objects or pictures;
- * Persistent unwelcome flirtation, advances, and/or propositions of a sexual nature;
- * Deliberate and unwelcome touching, such as patting, pinching, hugging, or repeated brushing against an individual's body;
- * Pressure for dates or sex, if unwelcome and repeated;
- * Pressure for dates or sex in exchange for grades, promotions, salary increases or benefits;

* Stating or implying to an applicant that he or she will be hired with sexual relations as a condition of employment.

[Statutory Authority: RCW 28B.50.140(13). WSR 94-20-073, § 132B-310-020, filed 10/3/94, effective 11/3/94.]