



ACKNOWLEDGMENT OF SEXUAL HARASSMENT TRAINING

I acknowledge that on _____, I completed the on line training for “Lines of Reasoning: *Perspectives on Harassment in Higher Education.*” and I understand that: (1) every employee has the right to work in an environment free from sexual and other harassment, (2) I have a responsibility not to engage in behaviors that constitute sexual harassment; and (3) if I feel I am being harassed, I have the right and responsibility to either communicate this directly to the harasser or to a non-involved supervisor; and (4) as an employee of Southern West Virginia Community and Technical College, I am responsible for preventing and reporting all forms of harassment including sexual harassment in the workplace according to policy and for taking prompt effective action if I know or have reason to know of harassment in the workplace.

I have read/viewed the following documents/video and have had the opportunity to contact Human Resources to ask questions.

- Lines of Reasoning Introduction
- Lines of Reasoning Presentation Video
- “Responsibility for Dealing with Sexual Harassment” Handout/Download
- “Guide for Recognizing and Understanding Sexual Harassment” Handout/Download
- SCP-2843 Sexual Harassment Policy
- SCP-7720 Security of Information Technology Policy
- “Managers’ Myths about Sexual Harassment” Handout/Download
- “Increasing Employee Awareness Quiz” Handout/Download

(Print Name)

(Sign)

(Date)

Send completed Acknowledgment Form to Human Resources.

Quiz Answers: Sexual Harassment: Increasing Employee Awareness

1. True or false. One definition of sexual harassment is any unwelcome verbal or physical conduct of a sexual nature.

Answer: True

2. The two types of sexual harassment are:

- a. Quid pro quo and workplace submission.
- b. Quid pro quo and hostile environment.
- c. Hostile environment and workplace submission.
- d. None of the above.

Answer: b. Quid pro quo and hostile environment.

3. Actions are considered sexual harassment if they are:

- a. Unwelcome.
- b. Not asked for.
- c. Rejected.
- d. All of the above.

Answer: d. All of the above.

4. When the EEOC investigates a claim of sexual harassment it looks at:

- a. The nature of the harassment.
- b. The context in which the alleged incidents occurred.
- c. Both a and b
- d. None of the above.

Answer: c. Both a and b.

5. If an employee claims sexual harassment, the supervisor should

- a. Ignore the claim.
- b. Let the employee know he will proceed with the claim.
- c. Ask the employee to rethink the issue.
- d. All of the above.

Answer: b. Let the employee know he will proceed with the claim.

6. The purpose of remedial action is to:

- a. Stop the harassment.
- b. Correct its effect on the employee.
- c. Ensure the harassment does not recur.
- d. All of the above.

Answer: d. All of the above.

7. True or False. If the guilty party has been appropriately reprimanded, the victim will feel a sense of being in a safe and secure workplace.

Answer: False.

8. If the supervisor or manager is aware of an occurrence of sexual harassment, and does nothing, the courts may:
- a. Hold the employer liable for the lack of response.
 - b. Fire the supervisor.
 - c. File charges against the supervisor.
 - d. All of the above.

Answer: a. Hold the employer liable for the lack of response.

9. A company sexual harassment policy should include:
- a. A non-retaliation policy.
 - b. A repercussion policy.
 - c. Procedures for filing a claim.
 - d. All of the above.

Answer: d. All of the above.

10. Sexual harassment training should be conducted:
- a. For all new employees.
 - b. For all employees when the laws change.
 - c. Every two years as required by law.
 - d. Both a and b.

Answer: d. Both a and b.

RESPONSIBILITY FOR DEALING WITH SEXUAL HARASSMENT

The answer to the question “Who is responsible for addressing and preventing sexual harassment at Southern West Virginia Community and Technical College?” is very simple. We are all, as members of the community, responsible for making sure that sexual harassment does not exist on our campus. However, we all have different types of responsibilities when it comes to addressing the issue of sexual harassment.

Anyone who has been a victim of sexual harassment should:

- Understand what your rights are under the law and under the institution’s policy;
- If possible, confront the harasser immediately and tell him/her that you find that type of attention offensive.
- If you feel uncomfortable confronting the harasser face to face, consider writing a letter to the harasser, making sure that you keep a copy for your records.
- If possible, tell the harasser that the behavior affects you negatively and has the potential of negatively affecting your work or classroom performance.
- Understand that it is not your fault that this happened (no one asks to be harassed or encourages this type of behavior).
- Document all incidents of sexual harassment, being as detailed as possible. Record the date and time of the incident or incidents, the location, the individuals involved and any eyewitnesses to the act. Save any written correspondence from the harasser, such as notes, letters, e-mail messages, etc., or other documents that can verify that sexual harassment took place.
- If you are unable to resolve the situation on your own, contact your supervisor, manager, department head or the Human Resources Administrator for assistance.

Supervisors, managers and department heads are responsible for assuming an active role in the prevention of sexual harassment on campus. According to guidelines issued by the Equal Employment Opportunity Commission (EEOC), employers are held liable for sexual harassment when their supervisors or agents create a hostile environment, or when the employer (or supervisor or agent) knew or should have known of the sexual harassment and failed to take immediate and appropriate action. According to the EEOC, employers are usually deemed to know of sexual harassment if it is openly practiced in the workplace, well known among the employees, or brought to the employer’s notice by a victim’s filing a charge. It is Southern’s obligation to have an explicit policy prohibiting sexual harassment which is distributed to all employees and students and to have a reasonable, available avenue by which victims of sexual harassment can complain to someone with the authority to investigate and remedy the problem.

Specific responsibilities of supervisors, managers and department heads are to:

- Know Southern's **SCP-2843 Sexual Harassment Policy** and make employees aware that you will take immediate and appropriate action if an incident of sexual harassment is brought to your attention;
- Emphasize to your employees or students that you have an open-door policy and that anyone who has been harassed or who has witnessed harassment can seek your advice and assistance;
- Conduct regular sexual harassment awareness and prevention training with your employees;
- Immediately consult with the appropriate office when allegations of sexual harassment are brought to your attention, or when you observe behavior which might be considered to be harassment;
- Personally exhibit the type of behavior that you expect of your employees and students.

Employees and students must also assume an active role in preventing sexual harassment on campus by:

- Being familiar with the law and Southern's policy on sexual harassment;
- Making sure that their behavior is in keeping with the law and the institution's policy;
- Being aware and conscious of engaging in behaviors which might potentially be considered sexual harassment at work, in the classroom, in institution-sponsored residences or at institution-sponsored events or activities;
- Being sensitive to individuals who may be offended by the verbal and nonverbal behaviors of others;
- Not assuming that employees, co-workers, or students enjoy or want to hear "risqué" jokes or sexually oriented comments about their appearance, or be touched, stared at, flirted with or propositioned for dates or sexual favors.

If you know someone who is harassing others, tell him/her about the negative effects of harassment on the recipient and to others who witness and are subjected to the behavior; that this behavior is unprofessional and unethical; and that the behavior could be a violation of Southern's sexual harassment policy and the law. If the behavior continues, you have a responsibility to talk to the Human Resources Administrator about the situation. Human Resources will take action to educate and modify the person's behavior.

Managers' Myths about Sexual Harassment

1. Topic: [Harassment](#)

Seems like managers would have gotten the message about sexual harassment, but many are still confused. Here are the facts about some of the most prevalent myths, taken from BLR's *Total Training Resource: Sexual Harassment*.

Myth--Harassment is something supervisors do to subordinates.

*Fact--*Any employee can commit sexual harassment, including supervisors, subordinates to supervisors, and co-workers. Therefore, unlawful sexual harassment can travel up, down, and sideways in any organization.

Myth--Supervisor means only the employee's direct boss.

*Fact--*True, a supervisor is generally defined as someone who has immediate or successively higher authority over another employee. More specifically, however, an individual will be considered to be a supervisor if he or she has the authority to undertake or recommend important employment decisions such as hiring, firing, or transfer, or he or she has the authority to direct the daily activities of another. That definition broadens the number of "supervisors" substantially.

Myth--Harassment must be by someone employed by the company.

*Fact--*Clients or customers of an employer can also commit sexual harassment against your employees. For example, a restaurant customer can commit an act or repeated acts of sexual harassment against an employer's waitress.

Myth--Sexual harassment is about men harassing women.

*Fact--*Although acts of sexual harassment must be grounded in discrimination that is based on sex, the sex of the offender and victim is not controlling. Therefore, females can commit sexual harassment against males, males can commit sexual harassment against other males, and females can commit sexual harassment against other females.

Myth--Harassment can only be charged by the person harassed, not by witnesses.

*Fact--*Some courts have held that bystanders, or mere witnesses to unlawful acts of sexual harassment, may also be victims. As a result, an employee who bears witness to sexual harassment that is directed toward another employee may also find protection under the law.

Myth--If the harasser didn't intend to offend, there's no harassment.

*Fact--*Intent doesn't matter. It's the reaction of the person who is harassed that counts. "I was just kidding" won't hold up in court.

Myths and Realities

Sexual harassment just won't go away. The headlines prove it daily. And experts say that training is the key to preventing those expensive and embarrassing lawsuits.

GUIDE FOR RECOGNIZING AND UNDERSTANDING SEXUAL HARASSMENT

Sexual harassment is a type of sex discrimination covered under Title VII of the Civil Rights Act of 1964, Title IX of the 1972 Educational Amendments and Executive Order 11246 (as amended).

SEXUAL HARASSMENT DEFINED

Sexual harassment involves unwelcome sexual advances, requests for sexual favors or verbal or physical conduct of a sexual nature. It is often imposed upon a person in an unequal power relationship through the abuse of authority. Central to this concept is the use of implied reward or threat of deprivation that interferes with the academic or work effectiveness of the victim.

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical behavior of a sexual nature constitutes harassment when:

- Submission to, or rejection of, such conduct by an individual is made explicitly or implicitly a term or condition of an individual's employment or participation in academic activities;
- Submission to, or rejection of, such conduct by an individual is used as the basis for employment or academic decisions affecting such individual;
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or of creating an intimidating, hostile or offensive working or study environment.

Sexual harassment can take different forms and the determination of what constitutes sexual harassment will vary according to the particular circumstance. Examples of sexual harassment include, but are not limited to:

- Seeking sexual favors or relationships in return for the promise of a favorable grade or other academic opportunity;
- Conditioning an employment related action (such as hiring, promotion, favorable work assignment, salary increase, or performance appraisal) on a sexual favor or relationship;
- Intentional and undesired physical contact, sexually explicit language or writing, lewd pictures or notes and other forms of sexually offensive conduct by individuals in positions of authority, or by co-workers, students, clients, contractors or visitors that unreasonably interferes with the ability of a person to perform his/her employment or academic responsibilities.

Federal law recognizes two different sets of legal grounds for claiming sexual harassment under Title VII. In the **quid pro quo** (this for that) form of harassment, a person in authority, usually a supervisor or instructor, demands a sexual favor of a subordinate or a student as a condition of getting or keeping a job or getting a good grade in a course. In quid pro quo cases, the offense is directly linked to the individual's terms of employment or academic success, or forms the basis for employment or academic decisions affecting the individual.

A **hostile work environment** occurs when a co-worker, supervisor, instructor, contractor, visitor, customer or vendor engages in unwelcome and inappropriate sexually based behavior which is severe or pervasive enough to render the workplace or academic atmosphere intimidating, hostile or offensive. Usually a pattern of this sort of behavior is required, but one incident can be enough, if it is severe or outrageous.

The Supreme Court clarified the definition of hostile environment by specifying that conduct that does not cause psychological injury can also be considered sexual harassment. The Court stated "Certainly Title VII bars conduct that would seriously affect a reasonable person's psychological well-being, but the statute is not limited to such conduct. So long as the environment would reasonably be perceived as hostile or abusive ... there is not need for it to be psychologically injurious."

Sexual harassment can be exhibited using three types of behaviors: **verbal behaviors, non-verbal behaviors and gestures,** and **unwanted physical contact.** Some types of **verbal behavior** that might constitute sexual harassment are:

- Continuous idle chatter of a sexual nature and graphic sexual descriptions;
- Sexual slurs, sexual innuendoes and other comments about a person's clothing, body and/or sexual activities;
- Offensive and persistent risqué jokes or jesting and kidding about sex or gender-specific traits;
- Suggestive or insulting sounds such as whistling, wolf calls or kissing sounds;
- Sexually provocative comments or compliments about a person's clothing or the way their clothes fit;
- Comments of a sexual nature about weight, body shape, size or figure;
- Comments about the sensuality of a person, or his/her spouse or significant other;
- Distribution of written or graphic materials that are derogatory and are of a sexual nature;
- Repeated unsolicited propositions for dates and/or sexual relations;
- Asking about sexual fantasies, preferences or history.

Examples of **gestures or non-verbal behaviors** that might be considered sexual harassment are:

- Sexual looks such as leering and ogling with suggestive overtones;
- Licking lips or teeth, winking or throwing kisses;
- Holding or eating food provocatively;
- Lewd gestures, such as hand or sign language to denote sexual activity;
- Persistent and unwelcome flirting;
- Staring at an individual or looking a person up and down (elevator eyes);
- Giving personal gifts;
- Displaying sexually suggestive pictures, calendars, posters, statues, etc.

Unwanted physical contact can range from offensive behavior to criminal acts. While some might dismiss some of these behaviors as an annoyance, others will consider them to be sexual harassment. It should be stressed that all of these behaviors are inappropriate in the workplace. Some examples of unwanted physical contact that might be considered sexual harassment are:

- Touching that is inappropriate in the workplace or classroom, such as patting, pinching, stroking or brushing up against the body;
- Cornering or mauling;
- Invading another's "personal space;"
- Attempted or actual kissing or fondling;
- Physical assault;
- Coerced sexual relations;
- Attempted rape or rape;
- Giving a massage around the neck or shoulders;
- Touching or rubbing oneself sexually around another person;
- Pranks such as exposing underwear or parts of the body;
- Intentionally blocking someone's path.

It should be stressed that while some behaviors may be offensive, unprofessional and/or against Southern's policy, they may not necessarily be considered sexual harassment. For example, general use of profanity and vulgar language may not be sexual harassment unless it is sexually oriented or overused to the point that a hostile work environment is created.

In addition, sexual harassment is generally not the rare or singular occurrence of minor behaviors such as a comment/innuendo, a joke or a story, asking for a date, or a compliment about appearance or attire. However, frequent occurrences of these types of minor behaviors may rise to the level of harassment if they happen frequently and if it

is reasonable to assume that the behavior might be unwelcome, or if a single incident is particularly egregious.

SEXUAL HARASSMENT IS ABOUT POWER

There is not a typical harasser. A harasser can be male, female, young, old, and from any ethnic background. One thing that harassers generally have in common is that they have some sort of power over an individual or individuals and they use that power in a negative way to help them feel “in control.” Harassers generally look for “victims” who are weaker and less likely to have the ability or the inclination to fight back. This is generally because victims fear retaliation in the form of loss of employment, economic loss, loss of benefits, loss of status, loss of promotional or advancement opportunities, or, in some cases, fear of physical or emotional harm.

We generally see this type of behavior in supervisor/subordinate relationships, but it can also happen within work groups or student groups as well, if a member (female, person of color, etc.) causes the harasser to believe that he/she could directly impact his or her job or status within the group.

CONSENSUAL RELATIONSHIPS

The exchanging of gifts, dating, living with and/or other actions suggestive of a romantic relationship between supervisor and subordinate, senior and junior faculty, or between faculty or other staff, and students, are not unlawful. *However, such sexual or romantic relationships are potentially exploitive and should be avoided.* Even when both parties have consented to the development of the relationship, serious concerns may be raised about the validity of the consent, conflict of interest, and/or unfair treatment of others. Acquiescence to requests for sexual favors — or even voluntary participation in sexual activities — does not necessarily mean that the favors or activity were welcomed.

Some institutions’ policies specifically state that individuals are prohibited from evaluating the work performance of others with whom they have a familial relationship, or from making hiring, salary or similar financial decisions concerning such persons. The same principles apply to staff-student or faculty-student relationships in the context of work or academic evaluations. Thus, consensual romantic or sexual relationships between members of the faculty or staff, or between members of either group with a student, must be disclosed to the appropriate administrative supervisor so that arrangements can be made for objective evaluations and decision making.

In the event of a complaint of sexual harassment, when the facts establish that a faculty-student, staff-student or supervisor-subordinate power differential existed within the relationship, a defense based upon consent will generally be viewed unsympathetically by the institution.

SEXUAL HARASSMENT – PERCEPTION vs. INTENT

An individual's perception of what is, or is not, sexual harassment, adds greatly to the complexity of the sexual harassment issue. Well intentioned gestures such as a pat on the shoulder, touching, lewd remarks, jesting comments of a sexual nature or physical contact may be interpreted as acts of sexual harassment by one recipient, while another may dismiss them as merely annoying. Likewise, some individuals may perceive leering or ogling as sexual harassment, while others may perceive the same behavior as looking or staring and may attribute no meaning to it.

Often people accused of sexual harassment may not realize that they have committed acts of harassment. Accused harassers may have intended only to be funny or even complimentary, and may believe that their conduct is not only appropriate and acceptable, but also appreciated. They are often truly shocked when they are told that someone considered their behavior to be sexual harassment.

In determining whether behavior is to be considered sexual harassment, the courts generally use the **“reasonable person” standard**. Using this standard, the court asks whether a reasonable victim of the same sex as the plaintiff would consider the comments or actions sufficiently severe or pervasive enough to create an abusive working environment. Another way to look at the issue — and your own behavior — is to ask whether you would want your spouse/partner, child or parent to be subjected to the same type of behavior.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE
BOARD OF GOVERNORS
SCP-2843**

SUBJECT: Sexual Harassment Policy

REFERENCE: WV Code Section 18B-1-6; West Virginia Human Rights Act; Title VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972.

ORIGINATION: June 1, 1984

EFFECTIVE: September 1, 2000

REVIEWED: January 11, 2011

SECTION 1. PURPOSE

1.1 This policy emphasizes Southern West Virginia Community and Technical College's strong opposition to sexual harassment. The policy defines sexual harassment, provides guidelines for filing sexual harassment complaints, and explains what action will be taken against those found to have engaged in sexual harassment.

SECTION 2. SCOPE AND APPLICABILITY

2.1 This policy is without limitation in scope or application. Southern will not tolerate, condone or allow sexual harassment whether engaged in by employees, students or visitors. All employees, students and visitors are expected to act in a positive manner and contribute to a productive work and academic environment that is free from sexual harassment.

SECTION 3. DEFINITIONS

- 3.1 State and federal laws define and prohibit sexual harassment.
- 3.2 For purposes of this policy, sexual harassment is defined as unwelcome and unwanted conduct (verbal or physical) either of a sexual nature, or based upon a person's sex when:
- 3.2.1 Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's continuing employment or a student's ability to participate in or to receive benefits, services or opportunities in a course, program, or activity, or
 - 3.2.2 Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the employee or the basis for academic or other decisions affecting the student; or
 - 3.2.3 Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or a student's educational experience or of creating an intimidating, hostile or offensive work or academic environment
- 3.3 Some examples of sexual harassment include, but are not limited to, the following:

- 3.3.1 Demanding sexual favors in exchange for favorable treatment, grades, reviews, assignments, promotions, continued employment or promises of the same;
- 3.3.2 Unwelcome leering, whistling, touching, patting, or pinching, purposely rubbing up against or brushing another's body, and insulting, abusive or obscene comments or gestures;
- 3.3.3 Verbal comments of a sexual or sex-based nature, including continued or repeated jokes, epithets, flirtations, advances or propositions;
- 3.3.4 Graphic or suggestive verbal commentary about an individual's dress, body, sexual prowess or sexual deficiencies;
- 3.3.5 Sexually degrading vulgar words to describe an individual;
- 3.3.6 Displays in the workplace, classroom or other Southern property of sexually suggestive objects, photographs, posters, cartoons or graffiti;
- 3.3.7 Name calling and relating stories, gossip, comments or jokes that have a sexual connotation;
- 3.3.8 Sexual or sex-based assault or coerced sexual acts; and
- 3.3.9 Retaliation against an employee or student for complaining about such behavior.

SECTION 4. POLICY

- 4.1 It is Southern's policy to provide a productive work and educational environment where faculty, staff and students can work and study free from sexual harassment. Southern will take action to prevent and eliminate verbal or physical conduct by any employee or student that harasses, disrupts, or interferes with another's work or academic performance or that creates an intimidating, or offensive or hostile environment.
- 4.2 Conduct that constitutes sexual harassment is unacceptable and illegal. Southern will not tolerate any sexual harassment of its students or employees on Southern property, in other Southern-related settings or at Southern-related events.
- 4.3 If sexual harassment allegations are not substantiated, all reasonable steps shall be taken to protect the reputation of the accused. Moreover, if the complainant is found to have intentionally or maliciously been dishonest or frivolous in making the allegations, the complainant shall be subject to appropriate disciplinary action.

SECTION 5. BACKGROUND OR EXCLUSIONS

- 5.1 None.

SECTION 6. GENERAL PROVISIONS

- 6.1 While Southern encourages individuals who believe they are being harassed to notify the offender firmly and promptly that his or her behavior is unwelcome, Southern also recognizes that power and status disparities between an alleged harasser and a target of harassment may make such a confrontation impossible. In the event that such informal, direct communication between individuals is either ineffective or impossible, then any such conduct should be reported **immediately** (preferably in writing) to one of the following persons:

the respective campus Counselor, Director or Manager; Office of the Chief Financial Officer; or the Chief Officer of Academics; Economic, Workforce and Community Development; Student Services; or Technology/Information Services. Nothing in this policy shall be constructed to prohibit the filing of a complaint with the West Virginia Human Rights Commission or other agency charged with the responsibility to enforce laws that prohibit sexual harassment.

- 6.2 Any administrator, counselor or other employee who receives a report of sexual harassment or who is otherwise made aware of a situation, action or behavior that could be deemed as sexual harassment is responsible for reporting the suspected harassment to his or her unit vice president or to the Office of the Chief Financial Officer unless prohibited from doing so by law. Failure to report promptly the suspected harassment will result in appropriate disciplinary action.
- 6.3 Upon receipt of a report or complaint alleging sexual harassment, the Office of the Chief Financial Officer shall immediately undertake or authorize an investigation. That investigation may be conducted by College personnel or by a third party designated by the College. The investigation may consist of personal interviews with the complainant, the individual against whom the complaint is filed, and others who have knowledge of the alleged incident or circumstances giving rise to complaint. The investigation may also consist of the evaluation of any other information or documents which may be relevant to the particular allegations. In determining whether the alleged conduct constitutes a violation of this policy, the College shall consider:
 - 6.3.1 the nature of the behavior;
 - 6.3.2 how often the conduct occurred;
 - 6.3.3 whether there were past incident or past continuing patterns of behavior;
 - 6.3.4 the relationship between the parties involved;
 - 6.3.5 the sex and age of the victim;
 - 6.3.6 the identity of the perpetrator, including whether the perpetrator was in a position of power over the employee, student, or visitor allegedly subjected to harassment;
 - 6.3.7 the number of alleged harassers;
 - 6.3.8 the age of the alleged harasser;
 - 6.3.9 where the harassment occurred;
 - 6.3.10 whether there have been other incidents in the College involving the same of other employees, students, or visitors;
 - 6.3.11 whether the conduct adversely affected an employee's work environment or a student's education or educational environment;
 - 6.3.12 the context in which the alleged incidents occurred; and
 - 6.3.13 whether or not speech or expression that is alleged to constitute harassment is protected by the First Amendment to the United States Constitution.

- 6.3.14 Whether a particular action or incident constitutes a violation of this policy, requires a determination based on all the facts and surrounding circumstances. The investigation shall be completed no later than 14 days from receipt of the report. The Office of the Chief Financial Officer shall make a written report to the President or his or her designee upon completion of the investigation. If the complaint involves the President, the report may be filed directly with the Chair of the Board of Governors. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. The Office of the Chief Financial Officer's obligation to conduct this investigation shall not be extinguished by the fact that a criminal investigation involving the same or similar allegations is also ending or has been concluded.
- 6.4 The results of the investigations of each complaint filed under these policies will be reported in writing to the complainant and other parties by the College in accordance with the state and federal laws regarding data or records privacy, and consistent with the privacy rights of the alleged harasser.
- 6.4.1 If the results of the investigation of a complaint of sexual harassment results in a conclusion that an individual has engaged in sexual harassment violation of this policy, or that College personnel have failed to report suspected sexual harassment as required herein, appropriate remedial action will be pursued, including student and College personnel disciplinary action, when appropriate.
- 6.5 Following investigation, the following actions may be taken against an individual found to have engaged in sexual harassment:
- 6.5.1 If the individual is an employee, appropriate disciplinary action up to and including termination of employment;
- 6.5.2 if the individual is a student, appropriate disciplinary action up to and including expulsion imposed consistent with the Policy on Student Rights and Responsibilities;
- 6.5.3 If the individual is a visitor, appropriate action including, but not limited to, being forbidden from entering Southern property imposed consistent with the Policy on Use of Institutional Facilities; and
- 6.5.4 If the individual is a third party who engages in harassing conduct against a Southern employee or student away from Southern property, appropriate remedial action including, but not limited to, reporting such conduct to the third party's employer or school.
- 6.6 It shall also be a violation of this policy to engage in retaliation or reprisal against any person who reports sexual harassment or intimidation or who testifies, assists or participates in an investigation or proceeding involving sexual harassment

SECTION 7. RESPONSIBILITIES AND PROCEDURES

- 7.1 All Southern employees, students, and visitors are expected to:
- 7.1.1 engage in conduct that meets professional standards,
- 7.1.2 remain sensitive to the effect of their actions and words on others,
- 7.1.3 take appropriate action to prevent sexual harassment,

- 7.1.4 avoid behavior that might be construed as sexual harassment,
- 7.1.5 acquaint themselves with the policy,
- 7.1.6 bring questions about procedure, seek informal advice or
- 7.1.7 present complaints if alleged sexual harassment has occurred or is suspected to his/her immediate supervisor and/or the AA/EEO Office.

7.2 The Office of the Chief Financial Officer and Office of the Vice President for Enrollment Management shall have the responsibility to oversee the implementation of this policy, to ensure that employees and students are aware of the policy, to ensure Southern’s compliance with relevant state and federal laws, and to ensure that employees and students receive any necessary training with regard to sexual harassment issues. The Office of the Vice President for Enrollment Management is primarily responsible for student-related matters, and the Office of the Chief Financial Officer is primarily responsible for all other matters, including employee-related matters.

7.3 Inquiries on anti-discrimination laws (Human Rights Act, Civil Rights Act, and/or Title IX Amendments) as they relate to this policy should be addressed to:

Affirmative Action Officer
 Southern West Virginia Community and Technical College
 P. O. Box 2900, Mount Gay, West Virginia 25637
 (304) 896-7408

Title IX Coordinator
 Southern West Virginia Community and Technical College
 P. O. Box 2900 Mount Gay, West Virginia 25637
 (304) 896-7432

SECTION 8. CANCELLATION

8.1 Any previous policy being superseded.

SECTION 9. REVIEW STATEMENT

9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President’s designee. Upon such review, the President or President’s designee may recommend to the Board that the policy be amended or repealed.

SECTION 10. SIGNATURES

Board of Governors Chair **Date**

President **Date**

Attachments: None.

Distribution: Board of Governors (12 members)
www.southernwv.edu

Revision Notes: January 2011— Revisions reflect no substantial changes in procedure or documentation requirements. Revisions provide clarity and reflect changes in management responsibilities.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE
BOARD OF GOVERNORS
SCP-7720**

SUBJECT: Security of Information Technology

REFERENCE: State of West Virginia Security Guidelines
http://www.state.wv.us/ot/PDF/quarterly0608/security_update.pdf

ORIGINATION: May 1, 1988

EFFECTIVE: May 1, 1988

REVIEWED: February 17, 2009

SECTION 1. PURPOSE

- 1.1 This policy establishes guidelines and responsibilities for Southern West Virginia Community and Technical College employees regarding information security and the protection of agency information resources. This information is based on the State of West Virginia Information Security Guidelines issued by the Governor's Office of Technology.

SECTION 2. SCOPE AND APPLICABILITY

- 2.1 This policy applies to all Southern West Virginia Community and Technical College employees who have access to agency information and to systems that store, access, or process the information.

SECTION 3. DEFINITIONS

- 3.1 Access – To approach or use an information resource.
- 3.2 Access Control – The enforcement of specified authorization rules based on positive identification of users and the systems or data they are permitted to access.
- 3.3 Authentication – The process of verifying the identity of a user.
- 3.4 Chief Technology Officer – The person responsible for the agency's information resources.
- 3.5 Custodian of Information – The person or unit assigned to supply services associated with the data.
- 3.6 Employee – Individuals employed on a temporary or regular basis by the Southern West Virginia Community and Technical College; as well as contractors, contractor's employees, volunteers, and individuals who are determined by the institution to be subject to this policy.

- 3.7 Encryption – Process of encoding electronic data that makes it unintelligible to anyone except the intended recipient.
- 3.8 Firewall – Specialized computer and programs, residing in a virtual area between an organization’s network and outside networks, which are designed to check the origin and type of incoming data in order to control access, and block suspicious behavior or high-risk activity.
- 3.9 Information Assets – Any of the data, hardware, software, network, documentation, and personnel used to manage and process information.
- 3.10 Information Security – Those measures, procedures, and controls that provide an acceptable degree of safety for information resources, protecting them from accidental or intentional disclosure, modification, or destruction.
- 3.11 Information Security Officer (ISO) – The person designated by the Chief Technology Officer to administer the agency’s internal and external point of contact for all information security matters.
- 3.12 Owner of Information – The person(s) / department ultimately responsible for an application and its data viability.
- 3.13 Password – A string of characters known to a computer system or network and to a user who must enter the password in order to gain access to an information resource.
- 3.14 Risk Analysis – The evaluation of system assets and their vulnerabilities to threats in order to identify what safeguards are needed.
- 3.15 Security Incident – An event that results in unauthorized access, loss, disclosure, modification, or destruction or information resources, whether deliberate or accidental.
- 3.16 Threat – Includes any person, condition or circumstance that endangers the security of information, or information systems, in the context of Information Security.
- 3.17 User of Information – A person authorized to access an information resource.

SECTION 4. POLICY

- 4.1 It is the policy of Southern West Virginia Community and Technical College to allow access to computing resources by all college faculty, staff, and students. Access may also be granted to individuals outside the college for purposes consistent with the mission of the college.

SECTION 5. BACKGROUND OR EXCLUSIONS

- 5.1 None.

SECTION 6. GENERAL PROVISIONS

6.1 Administration

- 6.1.1 An ISO (Information Security Officer) role must be assigned. This individual must perform, contract, or delegate the necessary functions and responsibilities of the position.
- 6.1.2 All information resources, regardless of medium, will be used, maintained, disclosed, and disposed of according to law, regulation, or policy.
- 6.1.3 All employees and others who access computer systems will be provided with sufficient training in policies and procedures, including security requirements, correct use of information resources, and other organizational controls.
- 6.1.4 A documented risk analysis program will be implemented and a risk analysis will be conducted periodically.
- 6.1.5 A cost effective incident response / business recovery plan will be maintained providing for prompt and effective continuation of critical missions in the event of a security incident. Procedures, guidelines, and mechanisms that are utilized during a security incident, along with the roles and responsibilities of the incident management teams, must be established and reviewed regularly.

6.2 Access Controls

- 6.2.1 Access controls must be consistent with all state, federal, and local laws and statutes and will be implemented in accordance with this policy.
- 6.2.2 Procedures must be implemented to protect information resources from accidental, inadvertent, unauthorized, or malicious disclosure, modification, or destruction.
- 6.2.3 Appropriate controls must be established and maintained to protect the confidentiality of passwords used for authentication.
- 6.2.4 Individual users must have unique user ID's and passwords.
- 6.2.5 All employees must be accountable for their computer, account, and password and for any actions that can be identified to have originated from them.
- 6.2.6 When employees are transferred or their employment is terminated, user ID's and authorizations will be disabled immediately.
- 6.2.7 Confidential or sensitive data (i.e., credit card numbers, calling card numbers, log on passwords, etc.) must be encrypted before being transmitted through the Internet.
- 6.2.8 The network access firewall and / or secure gateway must be configured to deny all incoming services unless explicitly permitted.
- 6.2.9 Data and supporting software necessary for the continuation of agency functions will be periodically backed up at a frequency determined by risk analysis.

- 6.2.10 All information assets must be accounted for and will have an assigned owner. Owners, custodians, and users of information resources must be identified and their responsibilities defined and documented. All access to computing resources will be granted on a need-to-use basis.
- 6.2.11 Human Resources will be responsible for notifying Technology Services of termination dates for exiting employees.
- 6.2.12 The owner or custodian will determine the protective guidelines that apply for each level of information. They include the following: access, distribution within the college, electronic distribution, and disposal / destruction.
- 6.2.13 Technology Services will insure that all programmable computing devices are equipped with up-to-date virus protection software. Virus protection procedures will be developed to address system protection.

6.3 Personnel Practices

- 6.3.1 All IT assets, including hardware, software, and data are owned by Southern West Virginia Community and Technical College unless excerpted by contractual agreement.
- 6.3.2 Information resources are designated for authorized purposes only. Southern West Virginia Community and Technical College reserves the right to monitor and review employee use as required for legal, audit, or legitimate authorized State operational or management purposes.
- 6.3.3 The Human Resource Administrator must assure that all employees receive an appropriate background check (where applicable) consistent with legislative rule and the Institutional policy.
- 6.3.4 All employees must sign a confidentiality statement indicating that they have read, understand and will abide by agency policies and procedures.
- 6.3.5 All vendors and contractors must sign and abide by a contract / confidentiality statement to ensure compliance with state and agency information security policies and procedures.
- 6.3.6 All employees must abide by rules regarding acceptable and unacceptable uses of IT resources.

6.4 Physical and Environmental Security

- 6.4.1 Information resource facilities will be physically secure by measures appropriate to their critical importance.
- 6.4.2 Security vulnerabilities will be determined and controls will be established to detect and respond to threats to facilities and physical resources.
- 6.4.3 Critical or sensitive data handled outside of secure areas will receive the level of protection necessary to ensure integrity and confidentiality.
- 6.4.4 Equipment will be secured and protected from physical and environmental damage.
- 6.4.5 Equipment used outside the college premises will be given the same degree of security protection as that of the on-site information resource.

SECTION 7. RESPONSIBILITIES AND PROCEDURES

7.1 Responsibilities

- 7.1.1 The Chief Technology Officer is responsible for administering the provisions of this policy and the State of West Virginia Information Security Guidelines.
- 7.1.2 The manager of a department / unit shall be responsible for ensuring that an appropriate security procedure is in effect and that compliance with this policy and the State of West Virginia Information Security Guidelines is maintained for information systems owned and operationally supported by the department.
- 7.1.3 The manager of a department / unit which provides operational support (information custodian) for information systems owned by another Southern West Virginia Community and Technical College department (information owner) shall have joint responsibility for ensuring that an appropriate security program is in effect and that compliance with the State of West Virginia Information Security Guidelines is maintained for the supported information.
- 7.1.4 Mission critical or confidential information maintained on an individual workstation or personal computer must be afforded the appropriate safeguards stated in this policy and the State of West Virginia Information Security Guidelines. It is the joint responsibility of the manager of the department / unit and operator / owner of that workstation or personal computer to insure that adequate security measures are in place.
- 7.1.5 Operational responsibility for compliance with this policy and the State of West Virginia Information Security Guidelines may be delegated by the Chief Technology Officer to the appropriate technology services support personnel.

7.2 Procedures

- 7.2.1 When security and / or confidentiality of data files is breached by an employee, the matter shall be referred to the employee's department head for correction and discipline. The matter must be resolved in a manner acceptable to the Chief Technology Officer and to the department head whose files have been improperly accessed or violated.
- 7.2.2 An employee who violates the security system by accessing confidential data without authorization will be subject to disciplinary action. Violation of the security system by an employee includes but is not limited to the following.
 - 7.2.2.1 Obtaining a password(s) without proper authorization.
 - 7.2.2.2 Helping an unauthorized person access confidential data or other information stored on the computer.
 - 7.2.2.3 Allowing someone else to use their password to gain access to computerized information.

7.2.2.4 Sharing information from the data base with unauthorized personnel.

7.2.2.5 A student is considered to have breached the security system at any time he / she accesses any information contained on the administrative, financial, and / or student information system. A student's computer account, password and privileges may be suspended immediately. All violations will be treated similar to that prescribed in the policy regarding academic cheating when the violation occurs within the scope of a class or a class exercise.

7.3 Enforcement

7.3.1 Enforcement of this policy is the responsibility of the Chief Technology Officer or their designee.

7.3.2 Any employee or student found to have violated this policy will be subject to disciplinary or corrective actions based upon college policy SCP-4770, Student Rights and Responsibilities, and procedures of the relevant group to which the individual belongs, and may include sanctions including, but not limited to, revocation of employee or student privileges up to and including termination of employment. Certain violations, misuses, or disclosures of confidential information may include civil and / or criminal penalties.

SECTION 8. CANCELLATION

8.1 None.

SECTION 9. REVIEW STATEMENT

9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President's designee. Upon such review, the President or President's designee may recommend to the Board that the policy be amended or repealed.

SECTION 10. SIGNATURES

Board of Governors Chair **Date**

President **Date**

Attachments: None.

Distribution: Board of Governors (12 members)
www.southernwv.edu

Revision Notes: February 2009 — The policy was revised to include all forms of technology and to meet the standards of the payment card industry. The policy was reformatted using the latest policy template.

Lines of Reasoning

Perspectives on Harassment in Higher Education

Southern West Virginia Community and Technical College Employee Web Based Training

Our colleges and universities face numerous challenges, but few challenges are more complex and divisive than a claim of workplace harassment. This program was designed to help ensure that Southern's campus community is aware of federal laws that define acceptable and unacceptable workplace behavior.

This program contains seven higher education workplace scenarios that were written using suggestions received from higher education professionals across the country. Each scenario is followed by very brief expert commentary from a panel of higher education professionals.

Additionally, there are important handouts that are available for you to download and save, print for future reference, or simply read on line. We encourage you to review all the material included in the program.

Sexual harassment is against the law and will not be tolerated on any of Southern's campuses. Employees and students have a right to a work and educational environment free from sexually harassing behavior. You have a responsibility as an employee, supervisor, manager, or administrator to know our policy and know how to recognize harassing behavior. Any employee receiving a report of harassment, or who is otherwise made aware of a situation, action, or behavior that could be deemed as sexual harassment is responsible for reporting the suspected harassment to his/her unit vice president or the Director of Human Resources. Reports of harassing behavior may come from a co-worker, a student, a vendor, or a visitor to the College. Regardless, you have a duty to report the behavior. Remember, do not promise confidentiality. However, you can assure the reporting party that the information will be narrowly disclosed on a need-to-know basis.

After you complete the program, please print and sign the acknowledgment form. Send the form to Human Resources. We will document that you have received the training, send you a completion certificate, and forward your continuing education unit (CEU) information to Workforce Development who will track your CEUs earned through Southern's training programs.

Click on this [link](#) to access the on line program. Play the instructional video, create your account and complete the training. You should allow about an hour to finish the training session. Thank you for participating in our on line Sexual Harassment Awareness Training. If you ave problems or questions, please contact Human Resources.

Patricia Clay

Director of Human Resources

304 896-7408

trishc@southern.wvnet.edu

File and Folder Tasks

- Publish this folder to the Web
- Share this folder

Other Places

- My Computer
- My Documents
- Shared Documents
- My Network Places

Details

Name	Size	Type	Date Modified
Acknowledgement form for web	15 KB	Adobe Acroba...	2/8/2010 5:41 PM
Answers for Review	64 KB	Adobe Acroba...	2/8/2010 2:02 PM
CUPA_Lines_Full	203,132 KB	Flash Video	1/9/2009 3:56 PM
CUPA_Lines_Full	254,960 KB	Movie file (mpeg)	1/9/2009 3:23 PM
Dealing_with_Harassment for Web	16 KB	Adobe Acroba...	2/8/2010 1:20 PM
Managers' Myths about Sexual Harassment for Web	13 KB	Adobe Acroba...	2/8/2010 1:15 PM
Recognizing_And_Understanding_Harassment for Web	24 KB	Adobe Acroba...	2/8/2010 1:18 PM
SCP 2843 Sexual Harassment Policy	50 KB	Adobe Acroba...	2/8/2010 1:21 PM
SCP 7720 Security of Information Technology	35 KB	Adobe Acroba...	2/8/2010 1:23 PM
Workshop Overview for Web	10 KB	Adobe Acroba...	2/9/2010 5:33 PM