

### A. University Policy

Kentucky State University does not tolerate sexual harassment of students, faculty, and staff members and responds to every complaint, providing proper remediation when harassment is determined. Complaints of sexual harassment will be treated and investigated with full regard for the University's due process requirement.

This policy is in keeping with the University's commitment to the principle of equal educational occupational opportunities for all persons and to positive action towards the elimination of discrimination in all phases of the University life.

### B. Definition

The determination of what constitutes sexual harassment will vary with the circumstances, but it may be described generally as unwanted sexual behavior, such as physical contact or verbal comments or suggestions of a sexual nature, which adversely affects the working or learning environment of an individual. Some instances of when unwelcomed sexual behavior will constitute sexual harassment are where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
2. Submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting such individuals;
3. Such conduct substantially interferes with an individual's work or academic performance or creates an intimidating, hostile, or offensive working or academic environment; or
4. Such conduct, actions, or statements are contrary to generally acceptable standards of behavior or professionalism.

### C. Applicability

Students, faculty, and staff members have the right to raise the issue of harassment, and are protected by the Policy Manual, Student K-Book, and the Personnel Manual, whichever applicable. Sexual harassment can be a grievance action having serious and far-reaching effects on the careers and lives of individuals. False accusations can have a similar impact. Thus the charge of sexual harassment is not to be taken lightly by a charging party, a respondent, or any other member of the University community.

Prompt reporting is strongly urged, as it is often difficult to trace facts of an incident or incidents long after they have occurred. Ordinarily, complaints must be brought to the attention of an investigative officer within ninety (90) days of the incident or incidents.

Prevention is the best tool for the elimination of sexual harassment. Each dean, director, department and division chairperson, and/or administrative officer is responsible within his/her area or jurisdiction for the implementation, dissemination, and explanation of this policy. A permanent, written record of the formal complaint process and its outcome is to be retained by the respective Vice President, as line of authority indicates. It is the obligation of each student, faculty, and staff member of the University to adhere to this policy.

### D. Complaint Procedures

4. The respective Vice President will prepare a report detailing findings of fact and conclusions therefrom. A draft of the report will be circulated to the charging party and the respondent in order to permit them the opportunity to respond before a final report is made. The final report, presenting in summary the findings and determination, will be kept by the respective Vice President and a copy of the final report will be sent to the charging party, respondent, and President of the University.
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