CLAREMONT GRADUATE UNIVERSITY
POLICY AGAINST SEXUAL HARASSMENT

POLICY

"Claremont Graduate University is committed to creating and maintaining a community in which students, faculty, administration, and staff can work together in an atmosphere free from sexual harassment, while respecting our individual roles. Every member of the Claremont Graduate University community should be aware that Claremont Graduate University is strongly opposed to sexual harassment, and that such behavior is prohibited by both federal and state law, as well as by Claremont Graduate University policy. It is the intention of Claremont Graduate University to prevent, correct, and, if necessary, discipline behavior which violates this policy."

Sexual harassment is an assault on a person's privacy and integrity. It can cause a victim to suffer poor academic or job performance, physical illness, fear of reprisal, anxiety, and loss of self-confidence. Sexual harassment also affects those around the situation, causing conflict in the classroom or workplace, a decline in morale, and a loss of respect for the responsible party.

Individuals who feel they have been sexually harassed, or who believe they have witnessed sexual harassment, should, if possible, make it clear to the offending individual that such behavior is offensive and contrary to Claremont Graduate University policy. Claremont Graduate University seeks the cooperation of every member of the community who is sexually harassed or who witnesses the harassment of another. Reports of sexual harassment will be promptly investigated and, where necessary, disciplinary action will be taken against an employee or student found to have engaged in sexual harassment. Complaints of sexual harassment should be immediately brought to the attention of the department head, (dean, director, supervisor) and appropriate action will be taken. If it is inappropriate to bring the complaint to the department head, or if the action taken does not satisfactorily solve the problem, the complaint should be immediately brought to the attention of one of the officials listed below.

Provost and Dean of the Faculty
Vice President for Student Services and Dean of Students
Associate Vice President for Human Resources

DEFINITION OF SEXUAL HARASSMENT

"Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute unlawful sexual harassment when:

- submission to such conduct is made either explicitly or implicitly a term or condition of instruction, academic advancement, employment, or participation in other Claremont Graduate University activity; or

- submission to or rejection of such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions affecting an individual; or

- such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive Claremont Graduate University environment."

Examples of sexual harassment include:

- Unwelcome sexual advances, flirtations, advances, leering, whistling, touching, pinching, assault, blocking normal movement
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment
- obscene or vulgar gestures, posters or comments
- sexual jokes or comments about a person’s body, sexual prowess or sexual deficiencies
- propositions, suggestive or insulting comments of a sexual nature
- visual harassment such as derogatory cartoons, posters and drawings
- sexually explicit e-mail, or voice mail
- unwelcome touching of a sexual nature
- unwelcome sexually related comments.
- conversation about one’s own or someone else’s sex life,
- conduct or comments consistently targeted at only one gender, even if the content is not sexual
- teasing or other conduct directed toward a person because of his or her gender

In determining whether the alleged conduct constitutes sexual harassment, consideration will be given to the record of the incident as a whole and to the totality of the circumstances, including the context in which the alleged incidents occurred.

INVESTIGATION

Every report of harassment will be investigated thoroughly and promptly. The University will attempt to keep the investigation confidential to the extent possible. During the investigation, Claremont Graduate University will generally:

- interview the complainant and the alleged harasser
- conduct further interviews as necessary
- document the University’s findings regarding the complaint
- document recommended follow-up actions and remedies if warranted
- inform the complainant of the University’s findings and, where appropriate, of the remedial action that will be taken.

Every supervisor who learns of any employee’s concern about harassment, whether in a formal complaint or informally, must immediately report the issues raised to the department head and/or the Associate Vice President of Human Resources.

DISCIPLINE

If Claremont Graduate University determines that harassment occurred, the University will impose discipline upon the offender or offenders. The appropriate discipline may include written or oral warnings, probation, suspension, reassignment, demotion, or termination. In the case of a student, discipline may include expulsion and forfeiture of tuition. If the harassing conduct is the act of a non-employee or non-student, Claremont Graduate University will attempt to ensure that such conduct is not repeated.

NO RETALIATION

Claremont Graduate University prohibits any form of retaliation against individuals who report unwelcome conduct or who cooperate in the investigation of such reports. In accordance with this policy, the University will take appropriate disciplinary action for any such retaliation, up to and including discharge.
### DESIGNATED HEARING BODY

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<tr>
<th>GRIEVANT</th>
<th>ACCUSED</th>
<th>HEARING BODY</th>
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### ADDITIONAL LEGAL REMEDIES

In addition to using internal resources to resolve a sexual harassment complaint, remedies external to the institution are available through:

**California Department of Fair Employment and Housing**
- Los Angeles Office: 322 West First Street, #2126, Los Angeles, CA 90012-3112 (213) 897-1997
- San Bernardino Office: 1845 S. Business Center Drive, #127, San Bernardino, CA 92408-3426 (909) 383-4711

**United States Department of Education, Office for Civil Rights**
- Old Federal Building, 50 United Nations Plaza, Room 239, San Francisco, CA 94102 (415) 556-7000

**United States Equal Employment Opportunity Commission**
- 255 East Temple, 4th Floor, Los Angeles, CA 90012 (213) 894-1000
Operating guidelines under the authority of the Vice President and Dean of the Graduate School, yet to be adopted.

Policy adopted

11/92
Revised Hearing Body: **Student**, grievant or accused, changed to Committee on Student Grievances; **Faculty** (non-student related) changed to Equity and Grievance.

3/93
Addition of Typical Harassment Cases and How The Law is Enforced, as required by the Department of Fair Employment and Housing.

9/94
Complaint must be reported within 180 days (as noted in judicial procedures) added to policy. Personnel Representative changed to Director of Personnel to reflect title change. Restored statement "In determining whether the alleged conduct constitutes sexual harassment..." from original policy and revised Examples of Typical Harassment Cases and How The Law is Enforced, in consultation with the Office for Civil Rights. Hearing body changed from Equity and Grievance to Faculty Grievance Committee to reflect change in faculty committee structure. Hearing body for faculty grievant/staff accused changed to Personnel Grievance Committee to reflect staff as the accused.

7/1/97
Official name change from The Claremont Graduate School to Claremont Graduate University.

2/1/06
Addition of department head (dean, director, supervisor) as part of the incident reporting structure, new examples of sexual harassment conduct, a non-retaliation provision and a discipline provision.

Policies/SEXHARAS