2. What is Sexual Harassment?
Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other oral or written communications, or physical conduct of a sexual nature when:
- submission to such conduct is made explicitly or implicitly a term or condition of an individual’s employment or academic standing;
- submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting the individual;
- such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or creating an intimidating, hostile, or abusive work or academic environment.

Sexual harassment can occur between individuals of different sexes or of the same sex. Although sexual harassment most often exploits a relationship between individuals of unequal power (such as between faculty member and student, or supervisor and employee), it may also occur between individuals of equal power or in some circumstances even where it appears that the harasser has less power than the individual harassed (for example, a student sexually harassing a faculty member).

A lack of intent to harass may be relevant to, but will not be determinative of, whether sexual harassment has occurred.

3. Academic Freedom
This policy shall not be interpreted so as to constitute interference with academic freedom.

False and Malicious Accusations
Members of the University community who make false and malicious complaints of sexual harassment, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action.

Prepared by the Office of Affirmative Action & Compliance, May 2011

Sexual Harassment on Campus
1. CUNY Policy Statement
Borough of Manhattan Community College adheres to the Policy Against Sexual Harassment adopted by the Board of Trustees of The City University of New York (CUNY). It is the policy of CUNY to promote a cooperative work and academic environment in which there exists mutual respect for all University students, faculty, and staff. Harassment of employees or students based upon sex is inconsistent with this objective and contrary to the University’s non-discrimination policy. Sexual harassment is illegal under Federal, State, and City laws, and will not be tolerated within the University. To view the complete CUNY policy against sexual harassment, visit the CUNY website at: www.cuny.edu.

It is a violation of University policy for any member of the University community to engage in sexual harassment or to retaliate against any member of the University community for raising an allegation of sexual harassment, for filing a complaint alleging sexual harassment, or for participating in any proceeding to determine if sexual harassment has occurred.

Members of the University community who believe themselves to be aggrieved under this policy are strongly encouraged to report the allegations of sexual harassment as promptly as possible. Delay in making a complaint of sexual harassment may make it more difficult for the College to investigate the allegations.
4. Examples of Sexual Harassment

Sexual harassment may take different forms. Using a person's response to a request for sexual favors as a basis for an academic or employment decision is one form of sexual harassment. Examples of this type of sexual harassment include, but are not limited to, the following:

• Requesting or demanding sexual favors in exchange for employment or academic opportunities (such as hiring, promotions, grades, or recommendations);

• Submitting unfair or inaccurate job or academic evaluations or grades, or denying training, promotion, or access to any other employment or academic opportunity, because sexual advances have been rejected.

Other types of unwelcome conduct of a sexual nature can also constitute sexual harassment, if sufficiently severe or pervasive that the individual does find—and a reasonable person would find—that an intimidating, hostile or abusive work or academic environment has been created. Examples of this kind of sexual harassment include, but are not limited to, the following:

• Sexual comments, teasing, or jokes;

• Sexual slurs, demeaning epithets, derogatory statements, or other verbal abuse;

• Graphical or sexually suggestive comments about an individual's attire or body;

• Inquiries or discussions about sexual activities;

• Pressure to accept social invitations, to meet privately, to date, or to have sexual relations;

• Sexually suggestive letters or other written materials;

• Sexual touching, brushing up against another in a sexual manner, graphic or sexually suggestive gestures, cornering, pinching, grabbing, kissing, or fondling;

• Coerced sexual intercourse or sexual assault.

5. Where should you go for assistance?

Complaints of sexual harassment should be directed to any member of the college's Sexual Harassment Awareness and Intake Committee. The committee is available to all students and employees. Any panel member can help you if you feel that you have been a victim of sexual harassment or if you want more information about how to deal with sexual harassment. You may contact any member of the panel for an informal confidential conversation or to make a formal complaint.

Sexual Harassment Awareness and Intake Committee Members

Yvane Y. Titus, Esq.
Sexual Harassment Coordinator
Affirmative Action & Compliance
Room S300, 212-220-1280/Ext. 212-220-1244

Gloria Cho
Sexual Harassment Deputy Coordinator
Human Resources
Room S16, 212-220-8304

Deborah Parker
Sexual Harassment Deputy Coordinator
The Women's Center
Room S362, 212-220-8165

Ronald Clare, Esq.
Business Management, Faculty
Room S651, 212-220-8211

Andrew Escobar
Athletics
Room S80, 212-220-8263

Acte Montoroado
Cooperative Education, Faculty
Room S615, 212-220-8033

Harry Mars
Student Activities
Room S096, 212-220-8161

Carmen Leonor Martinez-Lopez
Business Management, Faculty
Room S561, 212-220-8389

Vincen Melbourne
Media Services
Room S506a, 212-220-1392

Antonette Middleton
Admissions
Room S303, 212-220-1267

Edwin Moss
Public Safety
Room S00, 212-220-8076

Wallida Naterish
Manhattan Educational Opportunity Center
Room 1050, 125th St. Location, 212-961-4383

Nancy Naterili
Human Resources
Room S713, 212-220-8303

William Roane
Social Services & Human Services, Faculty
Room N609, 212-220-1275

Chris Stern
Media Arts & Technology, Faculty
Room N601, 212-220-8383

Lily Yi-Ekin
International & Transfer Services
Room S305, 212-220-1210

6. If you contact a committee member...

• You do not have to make a formal complaint. You can simply talk about the problem in confidence.

• You may discuss a complaint without being identified to the person that you name. However, formal complaint procedures cannot go forward unless you are willing to be identified to that person.

• You may be reluctant to discuss your experience. The panel members will make every attempt to be sensitive to the thoughts and feelings of everyone involved and will treat any consultation and complaint seriously.

7. Consensual Relationships

Consensual relationships are strongly discouraged. Amorous dating or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between a faculty member, supervisor, or other member of the University community and any person for whom he or she has a professional responsibility. Faculty members, supervisors, and other members of the University community who have professional responsibility for other individuals, accordingly, should be aware that any romantic or sexual involvement with a student or employee for whom they have such a responsibility may raise questions as to the mutuality of the relationship and may lead to charges of sexual harassment. Such relationships are strongly discouraged.

For purposes of this section, an individual has "professional responsibility" for another individual at the University if he or she performs functions including, but not limited to, teaching, counseling, grading, advising, evaluating, hiring, supervising, or making decisions or recommendations that confer benefits such as promotions, financial aid or awards or other remuneration, or that may impact upon other academic or employment opportunities.