

Central Virginia Community College Policies  
IV - Employment Policies and Information  
Sexual Misconduct



Policy #:	CVCC0110
Effective:	__/__/__
Last Reviewed/Revised:	09/19/2022
Responsible Dept.:	Human Resources
Other Policy References:	NA

Central Virginia Community College (CVCC) will not tolerate sexual misconduct in any form. Sexual misconduct is a flagrant violation of the behavioral expectations for a college community. An educational institution is a community of trust whose very existence depends on the recognition of each individual's importance and value. This trust creates the freedom for each individual to live, think, act and speak without fear of physical harm. Sexual misconduct shatters that bond of trust. All reported violations shall be regarded as serious and investigated. Acts of sexual misconduct may be punishable through civil and criminal proceedings, as well as through the College's disciplinary processes.

This policy shall apply to all students and employees of Central Virginia Community College.

#### **Sexual Assault**

Sexual assault is defined as sexual intercourse without consent, including rape (whether by acquaintance or stranger), sodomy, or other forms of sexual penetration. To constitute lack of consent, the acts must be committed either by force, threat of force, intimidation, or through use of the victim's mental helplessness of which the accused was or should have been aware. Mental helplessness includes incapacitated by alcohol or other drugs. Sexual assault also includes intentionally touching, either directly or through clothing, of the victim's genitals, breasts, thighs, or buttocks without the victim's consent, as well as touching or fondling of the accused by the victim when the victim is forced to do so against his or her will. Verbal misconduct, without accompanying physical contact as described above, is not defined as sexual assault. Verbal misconduct may constitute sexual harassment, which is also prohibited under College regulations.

All employees are to contact the Human Resources (HR) Office immediately for assistance and guidance.

#### **Sexual Harassment**

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct or written communication of a sexual nature which is intimidating, hostile, or offensive. Sexual harassment shall be considered to have occurred when:

- Accepting or tolerating such conduct is made a term or condition of students' status or individual's employment, either explicitly or implicitly.
- Accepting or rejecting such conduct is used as the basis for academic or employment decisions affecting the student or employee.
- Such conduct creates an intimidating, hostile, or offensive working or learning environment, or substantially interferes with an employee's work performance or a student's academic performance.

All employees are to contact the Human Resources (HR) Office immediately for assistance and guidance.