

8. **College procedures.** If the perpetrator of the sexual assault is another member of the College community, victims may refer to the Bennington College Policy and Procedures Governing Sexual Harassment (below), which covers sexual assault and rape. Victims may also wish to contact a Sexual Harassment Advisor who can offer information about options for complaints of this nature.

Statistics regarding sexual assault on campus can also be found in the annual Campus Safety brochure available in the Student Life Office and at the Office of Campus Safety.

Policy and Procedures Governing Sexual Harassment

Sexual harassment subverts the educational mission of Bennington College and threatens the well-being of students, faculty, and staff. It is a form of sex discrimination, which is illegal under state and federal law. It is also illegal to retaliate against a person for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

Conduct, whether intentional or unintentional, that results in the sexual harassment of a member of the College community is prohibited and will not be tolerated. This policy applies to the entire College and to the conduct of students, faculty, administration, and staff alike.

Sexual harassment may be described as sexual assault, coerced sexual intercourse, unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature where:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or education; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive work or educational environment.

Sexual harassment may occur in a setting in which the power inherent in a faculty member's or supervisor's relationship to his or her students or subordinates is exploited. While sexual harassment most often takes place between persons of unequal power and/or status, it can also occur between equals, i.e., student–student, faculty–faculty, staff–staff. Both men and women, homosexual as well as heterosexual, can be sexually harassed.

In determining whether alleged conduct constitutes sexual harassment, those entrusted with carrying out this policy will look at the record as a whole and at the totality of the circumstances, such as the nature of and the context in which the alleged incidents occurred.

Examples of sexual harassment include, but are not limited to the following, when such behavior or acts come within one of the definitions above:

1. Sexual assault and/or coerced sexual intercourse.
2. Either explicitly or implicitly conditioning any term of employment (e.g., continued employment, wages, evaluation, advancement, assigned duties or shifts) or educational benefit on the provision of sexual favors.

3. Touching or grabbing a sexual part of a person's body.
4. Touching or grabbing any part of a person's body after that person has indicated or it is known or should be known that such physical contact was unwelcome.
5. Continuing to ask a person to socialize when that person has indicated he or she is not interested.
6. Displaying or transmitting sexually suggestive pictures, objects, cartoons, or posters if it is known or should be known that the behavior is unwelcome.
7. Continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior.
8. Referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior.
9. Regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior.
10. Retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g., ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work or educational environment, etc.).
11. Derogatory or provoking remarks about or relating to a person's sex.
12. Harassing acts or behavior directed against a person on the basis of his or her sex.

Consensual relationships. Consenting romantic and sexual relationships between faculty and student or between supervisor and subordinate employee are deemed by the College to be very unwise. Relationships between faculty and students, and between supervisors and subordinate employees, are fundamentally asymmetric in nature. Codes of ethics for most professional associations forbid professional–client sexual relationships. The faculty–student relationship resembles one of professional and client. Implicit in the idea of professionalism is the recognition by those in positions of authority that in their relationships with students there is always an element of power. This is also true of supervisor–subordinate employee relationships. Faculty/supervisors exercise power over students/subordinate employees, whether in giving them praise or criticism, evaluating them through comments, making recommendations for their further studies or their future employment, or conferring any other benefits. Trust and respect are diminished when those in positions of authority abuse this power. Those who abuse their power in such a context violate their duty to the College community.

Faculty members should be aware that any sexual relationship with students, and supervisors should be aware that any sexual relationship with subordinate employees, makes them liable for formal disciplinary action should a charge of sexual harassment be lodged against them. A sexual relationship between a faculty member and a student occurring during a period of instructional or advising responsibilities carries a presumption of coercion should a charge of sexual harassment be lodged. Even when faculty member and student, or supervisor and subordinate employee, have mutually consented at the outset to the development of such a relationship, it is the faculty