COLLEGE OF MICRONESIA-FSM

BOARD POLICY No. 6020

Sexual Misconduct

Date Adopted:	1 April 1993
Date Revised:	3 September 2026
Date Reviewed:	30 April 2015; 3 September 2026
Reference	Section XV, Personnel Policy and Procedure Manual; Board Policy No. 6019 (Employee Discipline and Protection); Title IX Guidelines

COM-FSM policy prohibits all forms of sexual misconduct, including sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, stalking, intimate partner/domestic violence, and retaliation. The College maintains zero tolerance for unwelcome sexual advances, requests for sexual favors, physical contact, or written, verbal, nonverbal, or electronic communications of a sexual nature directed at or to another in the workplace or educational setting.

a. Application:
This policy applies to all COM-FSM employees across all campuses, programs, and college-sponsored activities.

b. Prohibited Forms of Sexual Misconduct:

1. **Sexual Harassment:** Unwelcome conduct of a sexual nature—including repeated advances, offensive remarks, or quid pro quo demands—that interferes with an employee's work performance or creates a hostile work environment.
2. **Non-Consensual Sexual Contact & Sexual Assault:** Any intentional physical contact of a sexual nature without explicit consent, including grabbing, groping, fondling, rape, or attempted sexual assault.
3. **Sexual Exploitation:** Taking non-consensual or abusive sexual advantage of another person for one's own benefit or the benefit of anyone other than the person being exploited (e.g., unauthorized sharing or recording of intimate images).
4. **Stalking & Intimate Partner Violence:** A pattern of repeated, unwelcome behavior or abuse directed at a specific person that causes fear, severe distress, or threatens safety.
5. **Inappropriate Conduct of a Sexual Nature:** Any unprofessional boundary violation or abuse of position, authority, or power for sexual purposes.

c. Responsibilities:

- **President:** Holds overall executive authority for implementing and enforcing this policy.
- **Supervisors & Administrators:** Responsible for day-to-day implementation, maintaining workplace standards, and immediately reporting alleged misconduct.
- **Title IX Coordinator / HR:** Responsible for investigating complaints, maintaining employee

records, ensuring federal/institutional compliance, and coordinating support resources.

- **Employees:** Responsible for understanding, complying with this policy, and maintaining professional conduct.

d. Grievance Procedures & Timelines:

Any employee who believes they have been the victim of sexual misconduct by faculty, staff, or administration must follow the college grievance procedures (Board Policy No. 6021) or report directly to their supervisor or Title IX Coordinator. Under special circumstances, grievances will be permitted past the standard 30-day limit. If the alleged harasser is a student, the procedure follows the disciplinary section of the Student Handbook.

1. **Confidentiality:** To protect all parties involved, the grievance process must be kept in strict confidence. Unauthorized disclosure outside the established process will result in administrative sanctions.
2. **Non-Retaliation:** Retaliation, intimidation, or coercion against any employee for filing a complaint or participating in an investigation is strictly prohibited and subject to immediate disciplinary action. Complaint records shall not be placed in an employee's general personnel file.
3. **Vexatious Allegations:** Any allegation brought solely for the purpose of harassment, bad faith, or vexation will result in appropriate disciplinary action under Board Policy No. 6019.

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