

**WAC 132Q-10-243 Sexual harassment.** Sexual harassment is conduct which includes, but is not limited to, engaging in unwelcome gender-based conduct. It may be between members of the opposite sex or between members of the same sex and does not necessarily have to be of a sexual nature if it is based on gender. Harassing conduct may include, but is not limited to, physical conduct, verbal, written, social media, and electronic communications. It includes sexual advances, requests for sexual favors, or other conduct of a sexual nature where:

(1) Submission to such conduct is made, either expressly or implicitly a term or condition of an individual's education or employment; or

(2) Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting any individual; or

(3) Such conduct is sufficiently severe, persistent or pervasive, and objectively offensive as to substantially interfere with, disrupt, limit, undermine or deprive a person the ability to participate in or to receive the benefits, services or opportunities of Community Colleges of Spokane's educational programs and activities and/or employment benefits and opportunities.

In determining whether sexual harassment exists, it is immaterial whether the victim resists and suffers the threatened harm or submits and thus avoids the threatened harm.

[Statutory Authority: RCW 28B.50.140. WSR 15-15-161, § 132Q-10-243, filed 7/21/15, effective 8/21/15.]