Columbus State University’s Sexual Harassment Prevention Training
Objectives

• To increase knowledge about sexual harassment in academic settings in order to prevent it.

• To promote dialogue about sexual harassment in the academic community.

• To provide guidelines for addressing sexual harassment.
Why should I be concerned about sexual harassment?

- Sexual harassment in the workplace or the classroom violates civil rights and other laws.

- Being able to identify sexual harassment conduct and knowing how to respond to it are important steps in protecting the campus community and reducing exposure to legal liability.
What is Sexual Harassment?

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature

When –

• Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, or

• Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual, or

• Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.
Sexual Harassment in Academic Communities – Quid Pro Quo

- Being asked to respond sexually with the direct or indirect implication that a person’s academic or work situation would be improved if he/she complied or hurt if he/she did not.

- The most well-defined and least common form of sexual harassment.
Examples of Quid Pro Quo

• A suggestion by a supervisor or professor that sexual involvement with him/her would improve the employee’s chance for promotion or the student’s chance for a good grade.

“Going out with me could be important in the kind of recommendation I write for you for grad school.”
Sexual Harassment in Academic Communities – Hostile Environment

• Behaviors that create an environment so offensive, intimidating, or hostile that it interferes with a person’s ability to work or a student’s ability to learn or participate in the campus environment.

• Vast majority of cases fall into this category
Examples of Hostile Environment

- Repeated and gratuitous derogatory remarks about any protected class in the classroom
- Repeated unwelcome sexual attention (comments, questions about an individual’s sexuality or sex life)
- Repeated undesired physical contact, such as brushing up against someone
- Repeated and gratuitous comments by a professor, supervisor or colleague about the person’s own sex life and desires
Examples of Hostile Environment

• Sexual “dirty” jokes and/or showing offensive/sexual pictures, stories, or objects

• Spreading rumors’ about others’ sexual activity

• Behaviors that may qualify as sexual harassment can range from lewd remarks or gestures to persistent, unwanted sexual attention, to jokes of a sexual nature to stalking and sexual assault.
Things You Should Know about Sexual Harassment

• The person engaging in harassing behavior is often in a position of power, influence or authority over the individual toward whom the conduct is directed.

• To be harassment, the behavior must be unwanted or unwelcome.

• Questionable conduct is more likely to be harassment if it is repeated.
Things You Should Know about Sexual Harassment

• Certain behaviors would be harassment to some but not to others. One question the courts ask in determining if there is harassment is “How would it look to a reasonable person?”

• Sexual harassment can occur between people of the same sex even though neither is sexually attracted to persons of the same sex.

• Many who engage in offensive conduct stop when asked to stop.
Things You Should Know About Sexual Harassment: Perception Vs. Intent

• Well intentioned gestures such as a pat on the shoulder, touching, jesting comments of a sexual nature of physical contact may be interpreted as acts of sexual harassment by one recipient, while another may dismiss them as merely annoying.

• Often the accused may not realize they have committed acts of harassment.

• Again, courts use the “reasonable person” standard.
Things You Should Know about Sexual Harassment

• Consensual relationships require caution. Relationships that begin as consensual may end up being perceived as having been coerced. This is especially true in relationships between faculty and students, supervisors and subordinates.
C.S.U.’s Consensual Relationship Policy

• It is the University’s position that it is unwise and inappropriate for members of the faculty to have romantic relationships with students whom they teach, and for supervisors to have romantic relationships with employees whom they supervise, even in cases where seems to be mutual consent.
Consensual Relationship

• All members of University community should be aware that initial consent to a romantic relationship does not preclude the potential for charges of conflict of interest, or charges of sexual harassment arising from the conflict of interest, particularly when outside individuals believe they have been disadvantaged by the relationship.

• C.S.U requires that the participants in such a relationship act immediately to remove the conflict of interest.
Consensual Relationship

• Those who seek clarification of this policy or the definition of a relational conflict of interest, or who require guidance in removing the conflict of interest are encouraged to see the Human Resources Director.

• Failure of the supervisor/Faculty member to remove the conflict of interest may lead to disciplinary procedures, including termination of employment.
Relationships where Sexual Harassment can Occur on Campus Include:

- Professor and Professor
- Professor and Student
- Supervisor and Employee
- Administrator and Faculty Member
- Administrator and Staff Member
- Staff Member (or administrator) and Student
- Staff Member and Staff Member
- Student and Student
- Faculty and Staff
- Contractor/Customer/Client/Patient and Student/Staff/Faculty
- Other relationships among colleagues, peers and co-workers
Columbus State University’s Statement Concerning Sexual Harassment

• C.S.U. stands firmly for the principle that students, faculty, and staff members have a right to be free from harassment based on race, color, sex, religion, national origin, age, disability, sexual orientation, or protected activity under the anti-discrimination statues by any other member of the University community, and the University will not tolerate any form of harassment.
Responding to Sexual Harassment

• Harassment is unlikely to stop until confronted. In some cases this may mean informing the person directly that his or her actions are offensive and unwelcome. Other situations may require an informal talk from a supervisor or a formal reprimand.

• The University supports and encourages all members of the community who believe they are being sexually harassed to take steps to end the harassment.
Sexual Harassment Do’s:

• Promptly report all complaints of sexual harassment.
• Discourage coworkers from using profane language or displaying sexually suggestive posters, calendars, and other similar material.
• Be aware of potential problems and immediately report/address any suspect activity.
Sexual Harassment Don'ts:

• Do not ignore complaints of an employee

• Do not assume that what an employee initially finds acceptable will continue to be inoffensive.
Sexual Harassment Don'ts:

• Do not ignore things you see or hear that might either be or lead to sexual harassment just because no one has complained about it.

• Do not be insensitive to how a person of a different sex, generation or background will view words or actions by other persons.

• Do not ignore *any* hint of favoritism or bias in exchange for sexual conduct.
Modeling Appropriate Behavior

• Pay attention to how others respond to what you do and say.

• Never assume that individuals who work for you will tell you if they are offended – or harassed- by what you say or do.
Modeling Appropriate Behavior Continued

• Never assume that your co-workers or employees enjoy comments about their appearance, hearing sexually-orientated comments, or being touched, stared at, or propositioned.

• Talk to your partner, family members, or close friends about experiences they might have had with sexual harassment, and consider the vulnerability, powerlessness, or anger experienced as victims.
When you think harassment has occurred, informal means to attaining help are:

- Report the situation to a senior administrative officer. These individuals may be helpful in advising and aiding the person’s own efforts to resolve a problem. A written statement of complaint is not necessary.
- The informal process is designed to end unwelcome behaviors.
- Harasser may voluntarily agree to change behaviors or submit to sanction in lieu of a formal investigation.
When you think harassment has occurred, formal means to attaining help are:

- Inform management and/or Human Resources
- Managers and Supervisors **must** report incident to Human Resources
- Management must advise all parties that retaliation against any person for reporting or providing information on potential sexual harassment is illegal and will not be tolerated.
A Short Quiz

#1 – True or False

1. Sexual Harassment means bothering someone in a sexual way

- True – Sexual harassment is any unwanted act or behavior that is sexual in nature that negatively affects the recipient’s work or academic environment.

However, if the conduct is not sexual in nature, it may be another form of harassment (i.e. race, color, religion, national origin, age, disability, sexual orientation, or any protected activity under anti-discrimination statues).
#2 – True or False

1. Columbus State University’s policy against sexual harassment only addresses instances of unwanted sexual attention that takes place on campus

• False – The campus is not the only place where sexual harassment can take place. It can occur anywhere. The University’s policy applies to the behavior of its employees and students whenever and wherever their conduct negatively impacts the working or learning environment at the Columbus State University.
3. Sexual Harassment must persist over a long period of time to be considered actionable

• False – A single incident can be considered sexual harassment. Quid pro quo harassment can occur in only one incident as can hostile environment sexual harassment if the single incident is severe enough.
#4 – True or False

4. A consensual sexual relationship between two people cannot be deemed sexual harassment

- False – The issue is not one of consent. The issue is whether the advances are welcome. One may consent and yet not welcome the advances. In situations involving two people of unequal status, a subordinate may be unable to refuse sexual advances due to the fear of retaliation.
#5 – True or False

5. Sexual Harassment can occur when both the harasser and victim are the same sex even if neither party is sexually attracted to members of his or her gender

- True – Sexual harassment does not only occur between persons of the opposite sex. Same-sex harassment does not depend on whether either parity is motivated by sexual attraction to others of the same gender. Thus, one heterosexual female may be guilty of sexually harassing another heterosexual female if the conduct of the harasser is unwelcome, sexual in nature, and adversely affects the academic or employment status or environment of the victim.
6. Sexual Harassment can be perpetrated by a subordinate against his or her supervisor or by a student against a professor

- True – Even though instances of sexual harassment most often involve a power differential, it is not necessary for the harasser to have more power or authority than the victim. A staff or faculty member can create a hostile environment for his or her supervisor or department chair. A student can attempt to condition a favorable course evaluation on his or her professor’s submission to the student’s sexual advances.
If you believe you have been sexually harassed, you need not personally confront the harasser to give him/her a chance to correct the behavior before reporting the conduct to university officials.

- True – There is no requirement that a person who has been harassed personally confront the harasser with objections to the conduct.
# 8 – True or False

8. You are a professor of psychology. One of the courses you teach includes a segment on human sexuality. You cannot cover this content in the course without creating a sexually harassing hostile environment

- False – Sexual harassment does not occur simply because an academic program covers sensitive or potentially controversial issues. The University’s policy on academic freedom gives members of the faculty freedom to teach the subject matter in their courses and responsibility to do so in a manner that is consistent with the University’s mission and purpose.
Covering Potentially Controversial Material

8. (continued) Members of the faculty have the responsibility to respect the rights of all students to be free from sexual harassment. Covering potentially controversial material in a course can constitute sexual harassment if the manner in which it is covered explicitly or implicitly requires submission to unwelcome sexual conduct in exchange for a grade. It may also be considered sexual harassment if a reasonable person would perceive that the content of the presentation creates an intimidating, hostile, or offensive learning environment.
Any Questions?