

Do you think you've been
HARASSED?

Have you been
ACCUSED?

**Sexual
Harassment**
in the
**University of
Maine System**
is **NO LAUGHING MATTER**

STOP HARASSMENT
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WHAT IS SEXUAL HARASSMENT?



Sexual harassment is unwelcome sexual attention that is a form of illegal sex discrimination under federal and state law. It is usually repeated behavior, but could be one serious incident.

Sexual harassment may be blatant, as in

- **deliberate touching, pinching, caressing,**
- **attempts to fondle or kiss,**
- **pressure for dates or sex,**
- **requests for sex in exchange for grades or promotions.**

Or sexual harassment may be more subtle – like staring, sexual jokes, or teasing, sexually demeaning remarks.

Although such forms of harassment may be unintentional, persistent or severe sexual behavior and words are harassing if a reasonable person would find them intimidating, hostile, or offensive, or if they unreasonably interfere with a person's academic or work performance. When the harassing conduct is not sexual, but is based on someone's gender, it can also contribute to creating a hostile environment.

Sexual harassment usually occurs in situations where one person has power over another, but it can also occur between equals. Both men and women can be sexually harassed, though women are most often victimized. Sexual harassment can also occur between members of the same sex.

How Does Academic Freedom Relate to Sexual Harassment?

Sexual harassment includes verbal conduct that has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or educational environment. Verbal expression that is relevant to course subject matter is not regarded as sexual harassment. However, classroom language which is hostile and derogatory and which is directed at an individual because of his or her sex may constitute sexual harassment and may violate University policy.

Academic freedom requires an environment in which no person is exploited or coerced. Sexual harassment hampers academic freedom. The University's policies and procedures for dealing with sexual harassment ensure academic freedom while protecting the rights of all members of the University community.

Non-Discrimination Notice

In complying with the letter and spirit of applicable laws and in pursuing its own goals of diversity, the University of Maine System shall not discriminate on the grounds of race, color, religion, sex, sexual orientation including transgender status or gender expression, national origin or citizenship status, age, disability, or veterans status in employment, education, and all other areas of the University. The University provides reasonable accommodations to qualified individuals with disabilities upon request. Questions and complaints about discrimination in any area of the University should be directed to the campus Equal Opportunity Director.



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This brochure is available in alternate format upon request.

What Kinds Of Behaviors May Lead To Complaints?

Not all of the following examples are severe or pervasive enough to be sexual harassment, but all of them involve problematic or questionable behavior that may lead to complaints.

- Rachel's major requires an internship with a community agency. Her supervisor at the agency has been sending her sexually explicit e-mail with links to sexually graphic web sites. Rachel is nervous about continuing her weekly meetings with him.
- At June's work-study job, her supervisor repeatedly makes jokes with sexual overtones. He promises her a promotion if she will work after hours in his apartment on a "special" project.
- In one of Karen's classes, the professor frequently makes derogatory comments and jokes about women that have sexual overtones. Karen finds them so insulting that she is thinking about dropping the course.
- Jim, a custodian in the women's residence hall, has a good relationship with the students. He likes to linger and chat with them and sometimes goes into their rooms to talk. One young woman, uncomfortable with Jim's friendliness, is thinking of moving to a different hall.
- Robert is an older student with a 3.9 G.P.A. The graduate assistant teaching his lab section asked him to go out with her several times. Robert said no and made excuses. Now his papers are getting low grades. He is sure that it is in retaliation for his refusals.
- For some time, Vicki has listened sympathetically when her boss talks about his bad marriage. Now he wants her to listen over drinks after work. Vicki is uncomfortable and her boyfriend is jealous.
- Philip is a student who openly supports gay and lesbian rights. He was pushed to the ground by a group of other students and interrogated about his own sexual preferences while two students made blatant sexual gestures.
- Norma is in a tenure track position. She begins dating John, a tenured professor in the department. After several months, Norma realizes that John is interested in a more serious relationship than she is. But she is worried about breaking off their relationship because John sits on the peer review committee that will consider her reappointment.
- A resident in Mary's hall has been "coming on" to her; though she tries to ignore his behavior, it is getting worse. He stares at her, comments on her clothing and plays with her hair. Late last night he came to her door loudly asking to sleep with her, and wrote obscenities on her memo board when she refused. Mary's friends are saying, "Watch out for him."

What Is The University's Policy?

The University of Maine System is committed to providing a positive education and work environment for all students and staff. Sexual harassment, whether intentional or not, undermines the quality of this climate and is against the law. The University has a legal and ethical responsibility to ensure that all students and employees can learn and work in an environment free of sexual harassment. The Board of Trustees has adopted this policy regarding sexual harassment:

Sexual harassment of either employees or students is a violation of federal and state laws. It is the policy of the University of Maine System that no member of the University System community may sexually harass another. In accordance with its policy of complying with non-discrimination laws, the University System will regard freedom from sexual harassment as an individual employee and student right which will be safeguarded as a matter of policy. Any employee or student will be subject to disciplinary action for violation of this policy.

In conformance with this policy, the University of Maine System will ensure fair and impartial investigations that will protect the rights of the person(s) filing sexual harassment complaints, the person(s) complained against, and the institution or unit. Retaliation against anyone who makes a complaint of sexual harassment or who is involved in a complaint process will not be tolerated.

Consenting relationships may constitute sexual harassment under this policy. When a professional power differential exists between members of the University of Maine System and a romantic or sexual relationship develops, there is a potential for abuse of that power, even in relationships of apparent mutual consent. Faculty and staff members are strongly advised not to engage in such relationships. Further,

the University System prohibits the abuse of power in romantic or sexual relationships.

To assure that power is not abused and to maintain an environment free of sexual harassment, a faculty or staff member must eliminate any current or potential conflict of interest by removing himself or herself from decisions affecting the other person in the relationship. Decisions affecting the other person include grading, evaluating, supervising, or otherwise influencing that person's education, employment, housing, or participation in athletics or any other University System activity.

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

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

What Are The Effects Of Sexual Harassment?

People who are subjected to sexual harassment often feel powerless to stop the situation. Especially in this culture, where "no" is often heard as "yes," verbal refusals are frequently ineffective. People may also fear retaliation if they say "no."

People who experience sexual harassment often blame themselves. Others may also blame them for the problem, rather than holding the harasser responsible for the behavior.

All effects are harmful. Sexual harassment is not funny; it is degrading and upsetting. It is not "just the way things are." People who feel harassed have dropped courses, changed majors, avoided advisors, even quit jobs or school.