

## SEXUAL HARASSMENT DEFINED

Sexual harassment often occurs within the framework of a power imbalance. The person harassing has a real or perceived power over the person who is being harassed.

### SEXUAL HARASSMENT IS BEHAVIOR THAT:

- Is unwanted or unwelcome.
- Is sexual in nature or gender-based.
- Is severe, pervasive and/or repeated.

## SEXUAL HARASSMENT THAT MAY BE DISCIPLINED

### 1 QUID PRO QUO

“This for that” harassment occurs when sexual favors or activities are explicitly or implicitly demanded in exchange for job or educational benefits.

- Submission to such conduct is made either explicitly or implicitly as term or condition of person’s employment or a student’s academic success.
- Submission to, or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individuals.

### 2 HOSTILE ENVIRONMENT

Hostile environment sexual harassment occurs when unwelcome sexual conduct significantly interferes with school or work performance, and creates an intimidating, hostile or offensive learning or working environment.

- Such conduct unreasonably interferes with an individual’s work or academic performance or creates an intimidating, hostile or offensive working or learning environment.

### 3 RETALIATORY

Retaliatory harassment occurs when an adverse action is taken against any person because that person has opposed any practices forbidden under USU policy.

- Threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under USU policy, including action against a bystander who intervened to stop discrimination and harassment.

## WHO TO TALK TO ABOUT SEXUAL HARASSMENT

### FILE A COMPLAINT

Call or drop by the Title IX/AAEO office to learn more about your options. You can also file a formal report at [TitleIX.usu.edu](http://TitleIX.usu.edu).

### SEEK CONFIDENTIAL HELP

Reach out to the Sexual-Assault and Anti-Violence Information office at 435.797.7273 or online at [usu.edu/saavi](http://usu.edu/saavi). SAAVI offers advocacy and emotional support.

### CALL USU POLICE

If you feel unsafe at any point, contact USU Police at 435.797.1939. or dial 911. USU Police offers on-campus security escorts and quick emergency response.

If you are a staff or faculty member, you are a **responsible employee**. You are required to report any disclosures of sexual harassment or sexual violence to the USU Title IX coordinator. That includes disclosures from students or other employees. The only exceptions are for those who provide health care, mental health services and victim advocacy.

If you witness sexual harassment or hear about it, report what you know to the Title IX coordinator at [aaeo.usu.edu](http://aaeo.usu.edu).

# EXAMPLES OF SEXUAL HARASSMENT

## PHYSICAL CONDUCT

- Brushing up against a person.
- Touching a person's clothing, hair or body (could include giving a massage around the neck and shoulders).
- Hugging, kissing, patting or stroking.
- Touching or rubbing oneself sexually around or in view of another person.
- Sexual assault/rape.

\*Harassment includes something beyond the mere expression of views, words, symbols or thoughts that some person finds offensive. The conduct must also be considered sufficiently serious to deny or limit a student's ability to participate in or benefit from the educational program or interferes in an employee's work environment.

## VERBAL\*

- Whistling or making cat-calls at someone.
- Making sexual comments about a person's clothing or body.
- Telling sexual jokes or stories.
- Asking personal questions about an individual's sex life, fantasies, preferences or history.
- Repeatedly asking a person out who has clearly expressed a lack of interest.
- Turning work discussions to sexual topics.
- Referring to an adult woman or man as a hunk, doll, babe, honey or other demeaning words or phrases.
- Telling lies or spreading rumors about a person's personal sex life.
- Direct or indirect threats/bribes for unwanted sexual activity.

## NONVERBAL

- Paying unwanted attention to someone (i.e., staring, following, or blocking a person's path).
- Displaying sexually suggestive visuals (includes emails, text messages, social media, blogs, websites or other electronic mediums).
- Making facial expressions such as winking, throwing kisses or licking.
- Giving letters (emails, text messages, etc.), personal gifts or materials of a sexual nature.
- Making sexual gestures with hands or through body movement.
- Invading a person's body space (standing closer than appropriate or necessary for the work being done).
- Looking a person up and down (elevator eyes).

# SEXUAL HARASSMENT AGAINST LAW AND POLICY

## USU POLICIES

**Policy 303** prohibits all forms of discrimination and harassment based on race, color, religion, sex, national origin, age, disability or veteran's status.

**Policy 305** establishes USU's complaint procedures applicable to victims of sexual harassment and any other form of illegal discrimination.

**Policy 339** forbids the sexual harassment of any student, employee, or recipient of USU services.

**Policy 407** prohibits consensual relations between a student and faculty member when (1) the faculty member has the student in a class, (2) the faculty member supervises the student's academic work or (3) the faculty member can control or influence the student's current or future academic or professional success.

## FEDERAL AND STATE LAWS

**Title VII of the Civil Rights Act of 1964** prohibits employment discrimination based on sex and other protected categories.

**Title IX of the Education Amendments of 1972** prohibits sex discrimination against students.

**Utah Executive Order, Dec. 13, 2006**, mandates sexual harassment awareness training, prohibits retaliation and requires development and dissemination of complaint procedures to all employees.