

# SEXUAL HARASSMENT

IN THE CLASSROOM AND THE WORKPLACE

## WHERE CAN YOU GO FOR HELP?

If you have questions or concerns about sexual harassment contact the Title IX Coordinator below:

The University of Maine  
Director of Equal Opportunity  
North Stevens Hall/Room 101  
207-581-1226

University of Maine at Augusta (Incl. UMA ctrs.)  
Director of Human Resources  
Farmhouse  
207-621-3448

University of Maine at Farmington  
Director of Human Resources  
149 Quebec St.  
207-778-7083

University of Maine at Fort Kent  
Senior HR Partner  
Cyr Hall  
207-834-7554

University of Maine at Machias  
HR Partner  
Powers Hall  
207-255-2372

University of Maine at Presque Isle  
Senior HR Partner  
Preble Hall  
207-581-3732

University of Southern Maine  
Director of Equal Opportunity  
101 N Stevens Hall, Orono  
207-581-1126

To report harassment by a student, contact the Deputy Title IX Coordinator below:

The University of Maine  
Deputy Title IX Coordinator  
Title IX Student Services  
Memorial Union, 3<sup>rd</sup> FL  
207-581-1406

University of Maine at Augusta (incl. UMA Ctrs)  
Deputy Title IX Coordinator  
219 Randall Student Tech Ctr  
207-621-3226

University of Maine at Farmington  
Deputy Title IX Coordinator  
Franklin Academic Services Ctr  
207-778-7295

University of Maine at Fort Kent  
Deputy Title IX Coordinator  
Cyr Hall  
207-834-7513

University of Maine at Machias  
Deputy Title IX Coordinator  
Powers Hall  
207-255-1245

University of Maine at Presque Isle  
Deputy Title IX Coordinator  
Preble Hall  
207-789-9432

University of Southern Maine  
Deputy Title IX Coordinator  
Upton Hall, Gorham campus  
207-780-5767

**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

- sexual assault
- stalking
- deliberate touching, pinching, caressing,
- attempts to fondle,
- 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 an individual's work or academic performance or creates an intimidating, hostile, or offensive working or educational environment. 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.

## EFFECTS OF SEXUAL ASSAULT

**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.

## WHAT TO DO ABOUT SEXUAL HARASSMENT

**SET YOUR OWN BOUNDARIES.** Say “NO” emphatically and clearly when you are asked to go places, do things, respond to questions, or engage in situations that make you uncomfortable. Do not worry about offending the other person or hurting his or her ego. Take care of yourself first.

**IN AN UNCOMFORTABLE SITUATION, BE DIRECT AND HONEST, AND REMOVE YOURSELF FROM THE SITUATION IMMEDIATELY.** Regardless of your previous behavior or signals you may have given earlier, you have the absolute right to halt any sexual exchange at any time. Accept this right and act on it. If someone tells you to stop an encounter, listen to her or him and respect that request. Anything else is harassment.

**TELL SOMEONE. BEING QUIET OR STOIC ABOUT SEXUAL HARASSMENT LETS IT CONTINUE.** Talk to other students or co-workers; you may not be the only one harassed by this person.

**KEEP RECORDS.** Write down dates, places, times, witnesses, and the nature of the harassment – what was done and said and your response. Later it may be important for you to remember the details of incidents.

## EXAMPLES OF BEHAVIORS THAT 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 Rory's work-study job, their supervisor repeatedly makes jokes with sexual overtones. He promises them a promotion if they 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.*

## ALL UNIVERSITY EMPLOYEE'S ARE MANDATORY REPORTERS

It is never easy to report sexual assault or sexual harassment. But it is always the right thing to do. All of us have responsibility for contributing to a safe campus and for forwarding information about allegations of sexual harassment and sexual assault.

**When allegations like these arise, all University employees and volunteers should report what they witnessed or heard to the Equal Opportunity Officer or Title IX Coordinator for their campus.**

The University of Maine has established that **ALL** employees are Title IX mandatory reporters. This means that all employees **MUST** report sexual harassment or sexual assault they witness or receive information about.

If a student or employee reports harassment to you, listen carefully, explain the University's sexual harassment policy, and encourage the person to contact the campus Equal Opportunity Officer or Title IX Coordinator as soon as possible. In addition, it is essential that you promptly report the situation to the Equal Opportunity Officer or the Deputy Title IX Coordinator.

## NON-DISCRIMINATION NOTICE

The University of Maine System does not discriminate on the grounds of race, color, religion, sex, sexual orientation including transgender status and gender expression, national origin, citizenship status, age, disability, genetic information, or veteran status in employment, education, and all other programs and activities. The following person has been designated to handle inquiries regarding non-discrimination policies: campus Equal Opportunity Director or Director of Equity & Diversity, University of Maine System, 16 Central Street, Bangor, Maine 04401, voice (207) 973-3372, TTY 711 Maine Telecommunications Relay Service (MERS).

# UNIVERSITY OF MAINE'S POLICY ON SEXUAL ASSAULT

The University of Maine System (“the University”) is committed to providing a safe environment which promotes the dignity and worth of each member of the community. In complying with the letter and spirit of applicable laws and in pursuing its own goals of diversity, the University does not discriminate on the basis of sex in employment, education, and all other programs and activities. For this reason, the University will not tolerate sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, or retaliation in any form. All conduct of this nature is considered a violation of this policy.

The University will respond promptly and effectively to complaints and reports of violations of this policy. The University has an obligation to address incidents of sexual harassment that it knows or should know about, even when a complaint or report is not filed. The University will take steps to end and prevent recurrence of violations and to correct their discriminatory effects on the complainant and others. In responding to all complaints and reports, the University will act to ensure the safety of students, guests, and employees while complying with state and federal laws and provisions of applicable collective bargaining agreements and employee handbooks.

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.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, including sexual assault and sexual violence. Sexual harassment, including sexual assault, can involve persons of the same or opposite sex. Consistent with the law, this policy prohibits two types of sexual harassment:

- **Tangible Employment or Educational Action (quid pro quo)** This type of sexual harassment occurs when the terms or conditions of employment, educational benefits, academic grades or opportunities, living environment or participation in a University activity are made an explicit or implicit condition of submission to or rejection of unwelcome sexual advances or requests for sexual favors, or such submission or rejection is a factor in decisions affecting an individual's employment, education, living environment, or participation in a University program or activity. Generally, a person who engages in this type of sexual harassment is an agent or employee with some authority conferred by the University.

- **Hostile Environment** Sexual harassment that creates a hostile environment is based on sex and exists when the harassment is severe, pervasive, or persistent, and objectively offensive such that it denies or limits a person's ability to participate in or benefit from the University's programs, services, opportunities, or activities, or unreasonably interferes with an individual's academic or work performance.

## EQUAL OPPORTUNITY COMPLAINT PROCEDURE

The University has an Equal Opportunity Complaint Procedure to deal promptly and fairly with concerns and complaints about discrimination or harassment. Any student or employee who feels that he or she has experienced sexual harassment, and anyone with knowledge of an incident, should contact his or her supervisor, the campus Equal Opportunity Officer (if the alleged harasser is an employee), or Student Judicial Officer (if the alleged harasser is a student) as soon as possible after the incident. Any supervisor who becomes aware of a problem must promptly contact the Equal Opportunity Officer. If the Equal Opportunity Officer has a substantial conflict of interest regarding either the complainant or the person accused, an alternate may be requested.

Complaints are handled as confidentially as possible to protect the rights of both the complainant and the person accused. Retaliation against anyone who makes a complaint or participates in a complaint process is not tolerated. The complainant and the person accused have certain rights to representation during the complaint process.

The Equal Opportunity Officer or Student Conduct Officer discusses informal and formal options for resolving the problem. The goal of the informal process is to seek a resolution acceptable to everyone involved. Many concerns can be addressed through the informal process, which provides the maximum privacy and an opportunity for the earliest possible resolution.

If the complainant chooses or if a problem cannot be resolved informally, the complainant may request a formal investigation. When the person accused of sexual harassment is an employee and a formal complaint is filed, an investigator external to the campus conducts the investigation under the Equal Opportunity Complaint Procedure. When the person accused of sexual harassment is a student and a formal complaint is filed, the Student Conduct Officer conducts the investigation according to the procedure in the Student Conduct Code.

When the person accused is an employee or a person from outside the University, the Investigations Coordinator conducts the investigation. The responsible administrator then affirms or denies the investigations finding and, if needed, determines what corrective action will be taken. When charges of sexual harassment are substantiated, severe discipline may result, up to and including termination for an employee or dismissal for a student.

Copies of the Equal Opportunity Complaint Procedure are available in the Equal Opportunity, Human Resources, and Student Affairs Office. Complaints may be filed online at [https://cm.maxient.com/reportingform.php?UnivofMaineSystem &layout\\_id=1](https://cm.maxient.com/reportingform.php?UnivofMaineSystem &layout_id=1). All members of the University community are encouraged to use this procedure. Sexual harassment complaints may also be filed with the Maine Human Rights Commission, State House Station 51, Augusta ME 04333, (207) 624-6290 or with the U.S. Department of Education Office for Civil Rights, 5 Post Office Square, Boston, MA 02109, (617) 289-0111. Employees may choose instead or in addition to file a grievance.

Remember, **the University's goal is to prevent or, when necessary STOP sexual harassment on campus.** There are many resources directed toward these goals. The first step is yours – SPEAK UP!