

FOR SEXUAL ASSAULT COMPLAINTS, CONTACT:

OSU Police
104 USDA Building
744-6523

FOR PSYCHOLOGICAL ASSISTANCE, CONTACT:

University Counseling Services
(students) 310 Student Union
744-5472

Dr. Bill Gentry
Coordinator, Employee Assistance
Program 103 Seretean Wellness Center
744-6415

For a copy of the Gender Discrimination/Sexual Harassment Policy & Title IX Grievance Procedure 1-0702 go to:

Affirmative Action
408 Whitehurst

Online: <http://osu.okstate.edu/>
Go to Quick Links: Affirmative Action
Click: Gender Discrimination/Sexual Harassment Policy & Title IX Grievance Procedure

Oklahoma State University in compliance with Title VI and VII of the Civil Rights Act of 1964, Executive Order 11246 as amended, Title IX of the Education Amendments of 1972, Americans with Disabilities Act of 1990, and other federal laws and regulations, does not discriminate on the basis of race, color, national origin, sex, age, religion, disability, or status as a veteran in any of its policies, practices or procedures. This includes but is not limited to admissions, employment, financial aid, and educational services. Title IX of the Education Amendments and Oklahoma State University policy prohibit discrimination in the provision of services or benefits offered by the University based on gender. Any person (student, faculty or staff) who believes that discriminatory practices have been engaged in based upon gender may discuss their concerns and file informal or formal complaints of possible violations of Title IX with the OSU Title IX Coordinator, Dr. Carolyn Hernandez, Director of Affirmative Action, 408 Whitehurst, Oklahoma State University, Stillwater, OK 74078, (405)744-5371 or (405)744-5576(fax). This publication, Job# 1666 issued by Oklahoma State University as authorized by the Department Head, Affirmative Action, was printed by Career Tech at a cost of \$575.54. 5M/January/07.



UNIVERSITY POLICY

Oklahoma State University PROHIBITS gender discrimination in any form, including sexual harassment of students, faculty, and staff (OSU Gender Discrimination/Sexual Harassment Policy & Title IX Grievance Procedure 1-0702). All students, faculty, and staff are required to comply with this policy. OSU subscribes to an educational and work environment where everyone is treated with respect and dignity and therefore, condemns insulting, degrading, and exploitive treatment of its students and employees. The University strives to maintain a safe, non-discriminatory environment for all members of its campus community.

THE LAW

Gender discrimination and sexual harassment are prohibited by Title VII of the Civil Rights Act of 1964 as amended, Title IX of the Education Amendments of 1972, and Title 25 of the Oklahoma Statutes.

I. GENDER DISCRIMINATION DEFINED

Gender discrimination is unequal or disadvantageous treatment of an individual or group of individuals based on gender. Sexual harassment is a form of illegal gender discrimination.

Gender discrimination can be treating an individual differently based upon his/her gender in academia or extracurricular activities, academic programs, discipline, classroom assignment, physical education, grading, and/or athletics.

EXAMPLES OF GENDER DISCRIMINATION

The following types of conduct may constitute gender discrimination:

- A faculty hiring only male graduate assistants
- A professor giving higher grades to female students
- A coach only allowing males to play during an intramural game

II. SEXUAL HARASSMENT DEFINED

Sexual harassment, as prohibited under federal law, state law, and University policy, is defined as unwelcome sexual advances, sexual assaults, or requests for sexual favors, and other verbal or physical conduct of a sexual nature. This conduct constitutes sexual harassment when:

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

Sexual harassment can be based on an individual's perception of the events in question. Conduct, (verbal and/or physical) based on sex or gender that is not welcome can constitute sexual harassment.

If conduct is unwelcome, could be offensive to a reasonable person, and in fact is offensive to someone complaining about certain physical and/or verbal acts, then the conduct may constitute sexual harassment, even if it was not intended to be offensive.



Sexual harassment can occur between any two individuals. Although sexual harassment typically occurs when one person is in a position of power over another, it can also occur among peers. Sexual harassment can also occur if a supervisor or faculty member grants special favors or opportunities to a person with whom they are having a sexual relationship, but does not grant similarly equal opportunities or advantages to other persons.

Sexual harassment may also occur, in some cases, if employees of contractors or vendors performing services or doing business with the university engage in harassing conduct.

EXAMPLES OF SEXUAL HARASSMENT

The following types of conduct may constitute sexual harassment:

- Inappropriate touching, patting, or pinching
- Displaying sexually, demeaning or offensive objects and pictures
- Physical assault or coerced sexual activity
- Sexually suggestive jokes or innuendos; derogatory, degrading, or sexist remarks about a person's body, clothing, or sexual activities
- Suggestive or insulting sounds, whistles, catcalls
- Obscene phone calls, e-mail, or gestures

EXAMPLES OF SEXUAL HARASSMENT WITHIN THE WORK AND ACADEMIC ENVIRONMENT

Sharon's supervisor kept asking her for a date. He said getting to know him better would improve her chances for a promotion. She felt uncomfortable and wished he would stop. She kept refusing him, but he wouldn't take 'no' for an answer.

What should Sharon do? She may go to her department head, dean, or appropriate administrator for assistance. She may also contact OSU's Director of Affirmative Action.

Cindy's professor told her that refusal to have a sexual relationship with him would lower her grade in his course.

What should Cindy do? She may go to the Head of the Department for which the faculty member works, the faculty member's Dean, or one of the individuals listed at the end of this brochure.

Barbara, a student in a student organization, constantly makes derogatory jokes about men's bodies during the weekly meetings. The male students in the organization are embarrassed by her remarks.

What should the male students in this case do? They may go to the sponsor of the student organization, the Student Conduct Officer, or one of the individuals listed in this brochure.

STALKING

Stalking is a form of harassment and is a criminal offense in the State of Oklahoma according to Title 21 of the Oklahoma Statutes. Stalking occurs when a person willfully, maliciously, and repeatedly follows or harasses another person in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed, or molested.

CONSENSUAL RELATIONSHIPS

Although OSU does not have a policy prohibiting consensual amorous relationships, such relationships, between two individuals in which a power differential exists, may lead to difficulties and future misunderstandings. Particularly when a faculty member and student are in the same academic unit or in units that are academically allied, or when a supervisor and employee are in the same administrative unit, relationships that the parties view as consensual may appear to others to be exploitative. Further, in such situations, the faculty member or supervisor may face serious conflicts of interest and should be careful to distance himself/ herself from any decisions that may reward or penalize the student or employee involved.

RESPONSIBILITIES OF THE PERSON BEING SEXUALLY HARASSED

Say "NO"! Tell the harasser to stop and that the conduct is unwanted and unwelcome.

Give the harasser a copy of the Gender Discrimination/ Sexual Harassment Policy.

IF YOU CHOOSE TO HANDLE THE SITUATION ON YOUR OWN, YOU CAN:

Send the harasser a letter—factual account of what happened, how it made you feel, and what you want to happen next. Keep a copy for yourself.

Record or document all incidents. Record the dates, times, and places. Keep detailed notes of what happened and names of any witnesses.

If harassment continues report it. **DO NOT IGNORE IT!**

Promptly report any sexual harassment through the appropriate administrative channels.

RESPONSIBILITIES OF PERSON RECEIVING COMPLAINT

Listen

Take the report seriously

DON'T tell the student/supervisee that they ought to be able to handle it themselves, that they have no sense of humor, or they are taking the behavior too seriously.

Know whom to refer the person to and encourage the complainant to meet with the designated person.

If you are handling the situation and don't know what to do, call someone for advice.

Complete the intake form on:

- Online: <http://osu.okstate.edu/>
- Go to Quick Links: Affirmative Action
- Click: Gender Discrimination/Sexual Harassment

Provide follow up

CONFIDENTIALITY

Confidentiality shall be maintained to the greatest extent possible within the requirements of conducting reasonable investigations. Only those who have an immediate need to know may find out the identity of the parties.

RETALIATION

It is illegal to retaliate against anyone who complains about sexual harassment or assists in a sexual harassment complaint. Retaliation, threats, or other forms of intimidation against any party involved WILL NOT BE TOLERATED.

PREVENTING SEXUAL HARASSMENT

Each member of the campus community is responsible for preventing sexual harassment and ensuring that the work and academic environments are harassment-free. Become informed about sexual harassment. Evaluate your own behavior to ensure that you are not engaging in sexual harassment.

Ask Yourself

"Was my behavior appropriate?"

"Was it welcomed?"

"Was it offensive?"

Suggested Resources

Sexual harassment is serious and it is important that you talk with someone about it. You may contact your department head, dean, or appropriate administrator.

You may also contact

Employees (faculty and staff):

Dr. Carolyn Hernandez
Director, Affirmative Action &
Title IX Coordinator
408 Whitehurst
744-5371

Students:

Tawny Taylor
Student Conduct Office
336 Student Union
744-5470

Dr. Lee Bird
Vice President for
Student Affairs
201 Whitehurst
744-5328

Dr. Marlene Strathe
Senior Vice President & Provost
101 Whitehurst
744-5627

