

Sexual Harassment

Addressing the Issue

SMU's goal is to provide an educational and working environment free of intimidation and harassment for its students, faculty, and staff. The unprofessional treatment of students and colleagues in any form is unacceptable to the University community.

The University attempts to advance this goal through providing:

- educational materials and programs designed to increase awareness and understanding of sexual harassment and ways to prevent its occurrence;
- prompt, effective grievance procedures that are fair to both the complainant and the accused;
- appropriate sanctions;
- reasonable action to protect complainants and others who participate in proceedings against retaliation;
- counseling and consultation services by professional counselors for those involved in sexual harassment complaints;
- informal proceedings that safeguard the identities of the persons involved and the outcome of the proceedings.

General Information, Reporting Incidents, or Consultation on Grievance Procedures

Office of Institutional Access and Equity

220 Perkins Administration Building
214-768-3601
www.smu.edu/aao
accessequity@smu.edu

General Information, Reporting, Counseling, or Educational Programs

Psychological Services for Women

Health Center
214-768-4795

Women's Center of SMU

3116 Fondren Drive
214-768-4792

Dean of Student Life

302 Hughes-Trigg Student Center
214-768-4564

Additional Counseling Options

Counseling and Testing Center

Health Center
214-768-2211

Mental Health Center

Health Center
214-768-2860

Office of the Chaplain

316 Hughes-Trigg Student Center
214-768-4502



SMU

Office of Institutional Access and Equity
PO Box 750200
Dallas TX 75275-0200

04522.405

Sexual Harassment

Questions? *Get help.*

Office of Institutional Access and Equity
SMU • Dallas

Know your rights

Sexual Harassment

Definition

Sexual harassment includes, but is not limited to, such behavior as unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature directed toward a student, member of the faculty or staff, or an applicant seeking to join the University community, particularly when any of the following circumstances are present:

- tolerance of sexual harassment is made an explicit or implicit term or condition of: status in a course, program, activity, academic evaluation, employment, hiring, or admission;
- submission to or rejection of sexual harassment is used as a basis for academic evaluation, or an employment decision affecting such individuals;
- the behavior described has the purpose or effect of creating an intimidating, hostile, or offensive environment for work or learning, or unduly interfering with an individual's work performance. For purposes of the policy, "undue interference" is defined as improper, unreasonable, or unjustifiable behavior going beyond what is appropriate, warranted, or natural.

Examples

- Physical assault
- Direct propositions of a sexual nature
- Direct statements regarding submission with promise of reward (i.e., higher grade, promotion, etc.) or threats of reprisal
- Implied statements regarding submission to sexual advances with promise of reward or threats of reprisal (i.e., "Meet me tonight for a drink and I bet we can take care of your grade.")
- Subtle pressure for sexual activity (i.e., "How would you like to go to a conference in Minneapolis with me?")
- Pattern of conduct (not legitimately related to office business or the subject matter of a course) that causes humiliation or discomfort, such as sexually explicit or sexist comments, questions, anecdotes, or jokes
- Pattern of conduct that would cause humiliation or discomfort in a person at whom the behavior was directed (i.e., unnecessary touching, patting, hugging, brushing against a person's body, remarks of a sexual nature about a person's body or clothing, remarks or speculation about a person's sexual activity or sexual experience)

SMU Policy on Sexual Harassment

SMU is committed to providing a work and study environment that encourages intellectual and academic excellence and the emotional well-being of its students, faculty, and staff. Circumstances, facts, and conduct that violate this policy contradict the University's educational philosophy and standard.

SMU expressly prohibits sexual harassment of its students, faculty or staff, or of applicants who seek to join the University community in any capacity.

State your objections

Consensual Sexual Relationships: Faculty-Student and Staff-Student

Faculty

It is a serious breach of professional ethics for teachers to initiate or acquiesce in a sexual relationship with a student who is under their personal supervision: students enrolled in a course taught by or whose academic work is supervised by the faculty member. For purposes of this policy, a faculty member or a teacher is any member of the full-time or part-time faculty, a teaching assistant, an academic adviser, or any other person making academic judgments about a student's work. Consensual sexual relationships may include amorous or romantic relationships, and the term is intended to indicate conduct between a faculty or staff member and a student that passes beyond what a person of ordinary sensibilities would believe to be a collegial relationship.

Staff

Consensual sexual relationships between staff and students are prohibited in cases where the staff member has authority or control over the student. A staff member is any University employee who is not defined as a faculty member for purposes of this policy.

Faculty and Staff

The prohibitions apply even when both parties appear to have consented to the relationship. Distinctions are not made based on age or among undergraduate, graduate, or professional school students.

A faculty or staff member who is or has been involved in a consensual sexual relationship with a person should not enter into a student-teacher or student-staff relationship with that person. A consensual sexual relationship between a faculty or staff member and a student, particularly when the faculty or staff member is in a position of power, may irreparably undermine the professional relationship between them.

The issue of power and control over the student remains so strong in a sexual relationship that voluntary consent by a student is improbable and highly questionable. What one thinks is voluntary consent may actually be forced through the hidden, subtle pressure of the faculty or staff member's position of power.

Such a relationship creates an inevitable conflict of interest when the faculty or staff member makes judgments about a student's work. The appearance of impropriety to the University community, which such relationships produce, casts doubt on the faculty or staff member's academic or other decisions concerning a particular student's performance, the faculty or staff member's overall professionalism and credibility, and the genuineness of the student's accomplishments where the faculty or staff member is directly supervising the student.

Even where there is no power or authority of the faculty or staff member over the student, consensual sexual relationships are discouraged between the faculty or staff member and the student. Tragic complications arise, for example, after the relationship ends – especially if it ends badly – if a student later needs or wants to take a class from the faculty member (a class only he/she teaches; that is taught by a person the student knows is the faculty member's best friend); needs a reference from the teacher; or

Tell someone

the student is in the faculty member's class and does not perform well academically. The potential problems for the faculty member, the student, and their families are endless. Similar problems may arise with sexual relationships between students and staff members. Consensual sexual relationships are among the most problematic of all complaints. They rarely work out satisfactorily, and their tragic consequences tend to extend far beyond the two parties involved.

SMU Grievance Procedures

The University has two levels of review, informal and formal proceedings. Informal proceedings are generally handled by the alleged offender's principal administrator, in consultation with the Access and Equity officer. If, after informal proceedings, the complainant and/or the person accused are not satisfied with the results, formal proceedings may be utilized.

Formal proceedings involving a:

- **faculty member, teaching assistant, or other instructional personnel** are submitted to the Faculty Senate Ethics and Tenure Committee for its consideration;
- **student** are handled by the University Judiciary System;
- **staff or other member of the University community** are submitted to the vice president, or person designated by the vice president, responsible for the department where the person is employed.

Details of these grievance procedures may be obtained from Access and Equity or any administrative office, and are listed under the University Policy 2.5, Sexual Harassment and Consensual Relationships.

Options for Handling Sexual Harassment

- **Know your rights.** Sexual harassment is a violation of University policy and the Student Code. It is also prohibited under Title VII of the Civil Rights Act of 1964, as amended, and Title IX of the Education Amendments of 1972. You have a right to an educational or work environment that is free of bias, intimidation, or hostility.
- **State your objections at the time.** Express your objection to undesirable behavior clearly and firmly. Your response could prevent future harassment from the person, especially if he or she did not realize the behavior was offensive.
- **Tell someone.** It is helpful to talk to a trusted friend, teacher, Resident Assistant, colleague, or counselor to help clarify the nature of the incident, receive support, and discuss alternative responses.

Many victims of sexual harassment feel ashamed, angry, even frightened, and have a tendency to blame themselves for the incident. The staff of the Women's Center may be particularly helpful if you need emotional support and information on University policies and procedures. The services of the Center are free and confidential.