

# Sexual Harassment Policy And Overview Of Compliance Procedures

for  
Faculty, Administrative/Professional Staff,  
Civil Service Employees, and Students

Effective September 14, 2000

**SOUTHERN ILLINOIS UNIVERSITY**

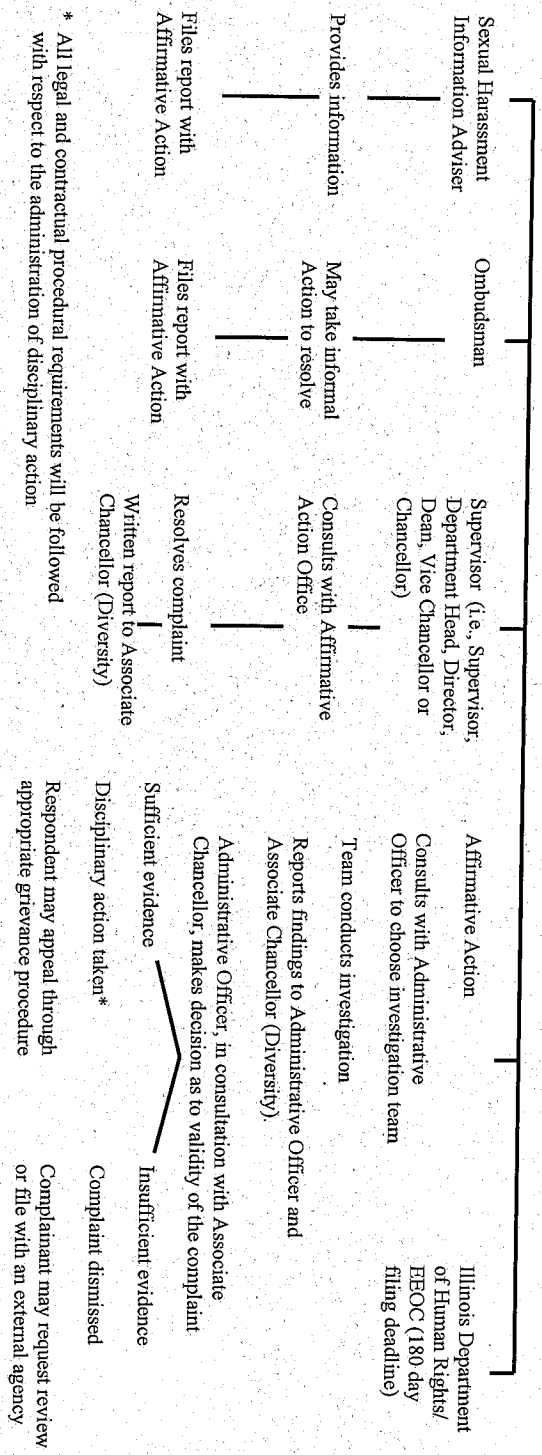


**Southern**  
Illinois University  
Carbondale

## COMPLIANCE PROCEDURES -- UNIVERSITY POLICY ON SEXUAL HARASSMENT

Effective May 16, 2001

Incident



\* All legal and contractual procedural requirements will be followed with respect to the administration of disciplinary action

## Campus Resources

For confidential information regarding sexual harassment, contact one of the sexual harassment information advisers listed below:

**Jill Adams** 453-8740  
School of Law

**Barbara Anderson** 453-6682  
Human Resources, 803 S. Elizabeth St.

**Lynn Connley** 453-2411  
University Ombudsman, Woody Hall C302

**Carla Coppi** 453-5774  
International Students & Scholars  
Northwest Annex B 0122

**David Dilalla** 453-3529  
Psychology Department, Life Science II 0275E

**Michelle Miller** 453-1366  
University Women's Professional Advancement  
Davies Hall 152

**Lisa McClure** 453-6837  
English Department, Faner Hall 2390

**Joan McDermott** 453-5141  
Women's Studies, 1006 W. Chautauqua

**Rosemary Simmons** 453-5371  
Counseling Center, Woody Hall B244

**Carmen Suarez** 453-4807  
Office of Diversity and Equity, Davies Hall 157

For assistance in informal complaint resolution on campus, contact:

**University Ombudsman** 453-2411  
Woody Hall C302

To file a formal complaint on campus, contact:

The supervisor of the individual you are complaining about.

or

### Complaint Resolution Officer:

**Linda McCabe Smith** 453-1186  
Interim Associate Chancellor (Diversity)

or

**Phyllis Khaaliq** 453-1196  
Assistant Equal Opportunity Officer

## Off-Campus Resources

### Department of Human Rights

222 S. College, Floor 1  
Springfield, Illinois 62704  
(217) 785-5100  
(217) 785-5125 (TDD)

or

James R. Thompson Center  
100 W. Randolph St., Suite 10-100  
Chicago, Illinois 60601  
(312) 814-6200  
(312) 263-1579 (TDD)  
<http://www.state.il.us/dhr>

### Human Rights Commission

William G. Stratton Office Bldg., Room 404  
Springfield, Illinois 62706  
(217) 785-4350  
(217) 557-1500 (TDD)

or

State of Illinois Center  
100 W. Randolph St., 10th Floor  
Chicago, Illinois 60601  
(312) 814-6269  
<http://www.state.il.us/ihr>

### Equal Employment Opportunity Commission

Robert A. Young Building  
1222 Spruce Street  
St. Louis, Missouri 63103  
(314) 539-7800  
(314) 539-7803 (TTY)

or

500 West Madison Street, Suite 2800  
Chicago, Illinois 60661  
(312) 353-2713  
(312) 353-2421 (TTY)  
<http://www.eeoc.gov>

## University Policy on Sexual Harassment

Southern Illinois University<sup>1</sup> is committed to creating and maintaining a community in which students, faculty, and staff can work together in an atmosphere free of all forms of harassment, exploitation or intimidation. Such actions violate the dignity of the individual and the integrity of the university as an institution of learning. The university will take whatever action is needed to prevent, stop, correct, or discipline behavior that violates this policy. Disciplinary action may include, but is not limited to, oral or written warnings, demotion, transfer, suspension, or dismissal for cause. It is the policy of this university that sexual harassment in any form will not be tolerated; management and supervisory personnel, at all levels, are responsible for taking reasonable and necessary action to prevent sexual harassment. All members of the university community are encouraged to report promptly any conduct that could be in violation of this policy. Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972 and a violation of the Illinois Human Rights Act (IHRA).

### Definition and Examples

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, verbal or other expressive behaviors, or physical conduct commonly understood to be of a sexual nature when

- submission to or toleration of such conduct on or off campus is made, either explicitly or implicitly, a term or condition of instruction, employment, or participation in other university activities;
- submission to or rejection of such conduct is used as a basis for employment or for

<sup>1</sup> Southern Illinois University includes campuses at Carbondale; Edwardsville; School of Medicine, Springfield; School of Dental Medicine, Alton; and any other programs affiliated with the University.

academic decisions or assessments affecting the individual's status as an employee or student; or

- such conduct has the purpose or effect of unreasonably interfering with an individual's status as a student or employee or creates an intimidating, hostile, or offensive work or educational environment.

Sexual harassment may involve the behavior of a person of either sex toward a person of the opposite or the same sex. Examples of behavior that would be considered sexual harassment include, but are not limited to, the following:

- physical assault;
- direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;
- a pattern of conduct, annoying or humiliating in a sexual way, that includes comments of a sexual nature and/or sexually explicit statements, questions, jokes, or anecdotes;
- a pattern of conduct that would annoy or humiliate a reasonable person at whom the conduct was obviously directed. Such conduct includes, but is not limited to gestures, facial expressions, speech, or physical contact understood to be sexual in nature or which is repeated after the individual signifies that the conduct is perceived to be sexually offensive.

### Consenting Relationships

Consenting romantic and/or sexual relationships between a faculty member and a student under the faculty member's academic supervision, or between a supervisor and an employee under the supervisor's supervision are inappropriate and unprofessional behavior and should not occur. Taking note of the respect and trust accorded a professor by a student and of the power exercised by the professor, a relationship between a faculty member and a

student should be considered one of professional and client, in which sexual relationships are inappropriate. A similar relationship exists between a supervisor and an employee. The power differential inherent in such relationships may compromise the subordinate's free choice. Others may view such relationship as one of preferential treatment and detrimental to themselves or others. A faculty member or supervisor who enters into a sexual relationship with a student or an employee, where a professional power differential obviously exists, must realize that if a charge of sexual harassment is subsequently lodged, the burden will be on the faculty member or supervisor to prove immunity on grounds of mutual consent.

Relationships between a graduate student and an undergraduate, when the graduate student has some supervisory responsibility for the undergraduate, belong in this category. Among other relationships included are those between a student or employee and administrator, coach, adviser, program director, counselor, or residential staff member who has supervisory responsibility for that student or employee.

### **Protection of the Complainant and Others**

No student, faculty member, or staff member may be subjected to any form of retaliation for seeking information on sexual harassment, making a charge, filing a sexual harassment complaint, or testifying, assisting, or participating in an investigation, proceeding, or hearing involving a complaint of sexual harassment. Any retaliatory action will be a violation of this policy and will be grounds for disciplinary action. Individuals who believe they have been subjected to retaliation for their participation in a sexual harassment complaint may use the procedures of this policy to seek redress.

### **Protection of the Accused**

Accusations of sexual harassment are grievous and can have serious and far-reaching effects on the careers and lives of accused

individuals. Allegations of sexual harassment must be made in good faith and not out of malice. Individuals who believe they have been falsely accused of sexual harassment may use the procedures of this policy to seek redress.

### **Responsibility of Supervisors**

Supervisory personnel shall maintain an atmosphere that discourages sexual harassment and shall ensure that the university policy is enforced in their areas. Supervisors shall discourage all behavior that might be considered sexual harassment and shall respond promptly to sexual harassment complaints. University officials who condone incidents of sexual harassment or instances of related retaliation shall be subject to disciplinary action.

### **Role of Affirmative Action Office**

The Chancellor has assigned responsibility for the administration of this policy to the Associate Chancellor (Diversity)<sup>2</sup> who will oversee the dissemination of the policy to the university community, devise education and training programs, maintain centralized records of sexual harassment complaints, oversee the grievance process, coordinate the resolution of complaints, and evaluate the effectiveness of compliance procedures and related educational programs.

### **External Agency Complaint Procedure**

A summary of the legal recourse, investigative and complaint process available through the Illinois Department of Human Rights and the federal Equal Employment Opportunity Commission is available from the Affirmative Action Office.

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<sup>2</sup> Whenever the term Associate Chancellor (Diversity) is used, it shall also mean his/her designee.