

SUBJECT**EFFECTIVE DATE****Sexual Harassment Policy & Complaint Procedures****March 19, 2001****PURPOSE/OBJECTIVE**

To provide a clear and strong statement regarding the University's prohibition against sexual harassment and to authorize implementation and dissemination of the guidelines and procedures for the enforcement of this policy.

I. STATEMENT OF POLICY**SEXUAL HARASSMENT POLICY & COMPLAINT PROCEDURES**

The policy of **Grambling State University** has always been that all employees and students should be able to enjoy an academic and work environment free from all forms of discrimination, including sexual harassment and retaliation.

Sexual harassment undermines the integrity of the academic environment and employment relationship. No employee or student, either male or female – should be subject to unsolicited, unwelcome sexual overtures or conduct, either verbal or physical.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior, which is not welcomed, is unwanted, and is personally offensive. Such behavior may create a hostile and offensive academic and working environment that interferes with work effectiveness and performance.

Such unwelcome conduct; whether committed by an employee, student, or third party, is specifically prohibited by this policy. Violation of the Sexual Harassment Policy includes, but is not limited to, repeated offensive sexual flirtation, advances, or propositions; continued or repeated verbal abuse of a sexual nature; graphic or degrading verbal comments of a sexual nature about an individual or his or her appearance; the display of sexually suggestive objects or pictures; or any offensive or abusive physical conduct. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal or visual conduct based on sex constitute sexual harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

Sexual Harassment is unwelcome, threatening, demeaning, humiliating, ridiculing, or offensive conduct or situation that unreasonably interferes with a person's ability to perform academically or on the job.

In addition, no one should imply or threaten that a student or employee's "cooperation" of a sexual nature (or refusal thereof) will have any effect on the individual's academic pursuits, employment, assignment, compensation, advancement, career development, or any other condition of employment.

If it is determined that a violation of this policy has occurred, appropriate disciplinary action up to and including discharge may be taken.

Please note that the University discourages any type of sexual relationship between supervisors and their subordinates, or between faculty and students.

Members of the university community who make false and malicious complaints of sexual harassment as opposed to complaints which, even if erroneous, are made in good faith, may be subject to disciplinary action.

Retaliation against any complainant making a good faith complaint under this policy or retaliation against witnesses assisting in an investigation of a complaint is expressly prohibited by this policy. Retaliatory words or behavior that punish or threaten to punish a complainant for making a complaint of Sexual Harassment under this policy or witnesses assisting in the investigation of a complaint are strictly prohibited.

Any questions regarding either this policy or a specific factual situation should be addressed to the appropriate supervisor or to the **Equal Employment Opportunity/Wage & Salary Officer**.

PROCEDURES FOR COMPLAINT OF SEXUAL HARASSMENT & RETALIATION

Any employee or student who believes that he or she has been the victim of sexual harassment or retaliation is encouraged to consult with GSU's EEO/Wage & Salary Officer or an appropriate University official (Vice President, Dean, Department Head, Director, etc.) to gain an understanding of the University's Sexual Harassment Policy and Complaint Procedures available options and resources provided. In all cases, these university officials have the responsibility of alerting GSU's EEO/Wage & Salary Officer about the allegation. **GSU will make every effort to maintain confidentiality to the extent possible with a thorough investigation.** To address sexual harassment and retaliation, GSU has in place, a procedure for handling sexual harassment complaints both informally and formally. Either procedure may be used.

Informal Procedures for Sexual Harassment Complaints & Retaliation:

1. The complainant will be asked to provide information on the Informal Sexual Harassment Complaint Form, which is attached to this policy. If the University official determines that the allegation involves conduct that may violate this policy, an **informal investigation will proceed**. The university official should contact the supervisor of the alleged harasser, i.e., if a student makes a complaint to the Vice President for Student Affairs about a faculty member, the Vice President should notify the faculty member's dean and/or department head relative to the complaint. In addition, the university official should conduct a preliminary investigation and fact-finding deemed necessary including, but not limited to, meeting with the complainant and the alleged harasser separately.
2. If during the preliminary investigation the complainant changes his/her mind and decides to drop the charges, the university official should report the incident and forward all related documents to the EEO/Wage & Salary Office within ten business days.
3. If after the preliminary investigation is concluded and the university official believes that sexual harassment or retaliation and violation of this policy has

not occurred, the official should inform the complainant of this finding. The complainant may still utilize the Formal Complaint procedures if he/she wishes. The university official should forward all documents related to the alleged incident(s) to the EEO/Wage & Salary Office within ten business days.

4. If during or after the investigation a resolution is reached, a dated copy of the terms of the resolution and all related documents should be forwarded to the EEO/Wage & Salary Office within ten business days.
5. If resolution cannot be obtained through the informal procedure the complainant may file a formal complaint with the EEO/Wage & Salary Office. The university official involved should forward all related documents to the EEO/Wage & Salary Office within ten business days.

Formal Procedures for Sexual Harassment & Retaliation Complaints:

- 1.) To begin the Formal Complaint procedures, the complainant shall complete a Formal Sexual Harassment Complaint Form. A copy of this form is attached. This form should be submitted to the EEO/Wage & Salary Officer by the complainant within ten (10) business days, if possible, if an informal procedure was initiated and has concluded.
- 2.) Within fifteen (15) days, if possible, of receiving the formal complaint, the EEO/Wage & Salary Officer should convene the University's Sexual Harassment Committee to establish hearing procedures concerning the complaint. The committee is composed of nine (9) university employees who are appointed by the President.
- 3.) The committee chair/ designee should contact the person who allegedly engaged in the sexual harassment or retaliation, inform him/her of the basis of the complaint and allow them the opportunity to respond in writing to the alleged harassment. The alleged harasser should, if possible, respond in writing within ten (10) business days to the complaint. The response should contain full, direct, and specific responses to each claim in the complaint.
- 4.) If the alleged harasser at this point informs the EEO/Wage & Salary Officer or the appointed committee member that he/she is guilty as charged, the appropriate university officials will address the necessary disciplinary action and a recommendation will be forwarded to the President.
- 5.) If the alleged harasser denies the allegations made by the complainant, the University's Sexual Harassment Committee should hear and consider testimony

and other evidence for the purpose of fact-finding, and make a recommendation as to the merits of the allegation.

- 6.) If the committee believes that a violation of the policy has occurred such that discipline is warranted, any such action should reflect such corrective and remedial action that is appropriate under the particular circumstances at issue. Appropriate corrective and remedial action should end the conduct complained of and should serve to prevent it in the future. Such remedial or corrective action can include but is not limited to the following:
 - a.) Oral and/or Written reprimand
 - b.) Counseling
 - c.) Reassignment of duties, transfer, demotion, etc.
 - d.) Suspension
 - e.) Termination
 - f.) Any combination of the above.
- 7.) Within five (5) business days, if possible, following the conclusion of its investigation and hearing, the University's Sexual Harassment Committee should forward its findings and recommendation for action to the President. When the recommendation concerns a classified employee, the Director of Human Resources will be consulted. If a tenured faculty is recommended for termination, the Vice President of Academic Affairs will be consulted. Within twenty-one (21) business days, if possible, the President or his designee should review the Committee's recommendation and determine an appropriate course of action. The decision will be communicated to the appropriate parties. The written ruling of the President or his designee shall constitute the final decision of the university. The committee's findings and the President's decision will be forwarded to the Equal Employment Opportunity/Wage & Salary Office.

In all cases the complainant and/or those witnesses involved in the investigation of conduct alleged to be in violation of this policy should be protected against retaliation by the alleged harasser or any other individual attempting retaliation based on the filing of a complaint under this policy. Retaliatory words or behavior that punish or threaten to punish a complainant for making a good faith complaint of sexual harassment under this policy are expressly prohibited by this policy.

GRAMBLING STATE UNIVERSITY
INFORMAL SEXUAL HARASSMENT/RETALIATION COMPLAINT FORM

I, _____, do wish to bring an informal complaint of sexual harassment/retaliation against _____ for the following reason(s):

[illegible]

I agree to have a university official(s) review and informally investigate the above statement(s).

Complainant Signature

Date _____

University Official Signature

Date

GRAMBLING STATE UNIVERSITY
FORMAL SEXUAL HARASSMENT/RETALIATION COMPLAINT FORM

Date: _____

Name, Title & Department/Unit of Person receiving complaint:

Name of & Department/Unit of Person filing the complainant

Student_____ Faculty_____ Staff_____

A. *Name, Title, & Department/Unit of Person(s) harassed/ retaliated against you? .

B. *How did harassment/retaliation take place? _____

C. *Where? _____

D. *When? (Date and approx. time)_____

E. *If more than once, how often? _____

F. *What was your reaction/response? _____

G.*Witnesses? If so, who?

H. *What is your current relationship with the alleged harasser? Past, Present, etc.

I. *Has the alleged harasser informed you or suggested that negative consequences would occur if you reported the harassment/retaliation? If so, explain.

J. *Whom, if anyone, did you tell? _____

K. *When? _____

L. *Where? _____

M. *What did you tell her/him? _____

N* What was her/his response? _____

O. *Do you think there might be other complainants? _____

P. *Do you think you did anything to encourage the harasser? If yes, explain.

Q. Do you think the harasser misinterpreted any of your actions? _____

If so, describe the actions?

R.*What relief are you seeking? _____

My signature below indicates my willingness to have this complaint investigated.

Signature

Date

University Official Signature

Date