

# **COPPIN STATE UNIVERSITY POLICY PROHIBITING SEXUAL HARASSMENT**

## **PRESIDENT'S STATEMENT**

Sexual harassment continues to be an issue that plagues our society. In an effort to minimize the impact of sexual harassment allegations Coppin State University (CSU) is taking steps to ensure our community is aware of the potential harm sexual harassment can cause, as well as opportunities we can take to maintain a respectful and harmonious workplace.

Sexual harassment demeans professional relationships and causes misunderstanding and undue stress. Sexual harassment diminishes the human worth of the victim, as well as the perpetrator. Let us all resolve to eliminate sexual harassment from the CSU community.

## **POLICY**

CSU is committed to maintaining a work and academic environment in which faculty, staff, and students can develop intellectually, professionally, personally, and socially. Sexual harassment is inconsistent with maintaining such an environment and is a form of discrimination prohibited by federal and state law. Sexual harassment is a form of illegal gender discrimination and will not be tolerated in the campus community.

By law, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- a. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's education or career advancement;
- b. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual's career or educational advancement;
- c. Such conduct has the purpose or effect of substantially interfering with an individual's performance or creating an intimidating, hostile, or offensive employment or educational environment.

Sexual harassment is an infringement on an individual's right to work and receive an education in an environment free from unwanted sexual attention and sexual pressure of any kind.

In assessing whether a particular act constitutes sexual harassment under this policy, the rules of common sense and reason shall prevail. The standard shall be the perspective of a reasonable person within the campus community. In order to deter sexual harassment at CSU and to impose sanctions when it occurs, a policy applicable to sexual harassment is in effect. In determining whether alleged conduct constitutes sexual harassment:

- a. CSU will look at the record as a whole and at the totality of the circumstances, such as the nature of the accusation(s) and the context in which the alleged incidents occurred.
- b. The determination of the legality of a particular action will be made from all of the facts, on a case by case basis.
- c. In assessing whether a particular act constitutes sexual harassment, the standard shall be the perspective of a reasonable person within the CSU community.

Members of the CSU community with personal knowledge of incidents that may constitute sexual harassment are encouraged and CSU employees are required to report such knowledge to the Director of Human Resources or designee within thirty (30) calendar days. The Procedures for reporting and investigating sexual harassment allegations are outlined in *CSU's Grievance Procedures for Complaints of Sexual Harassment*.

Sanctions against CSU faculty and staff for sexual harassment may range from counseling to termination. Likewise, sanctions against CSU students for sexual harassment may include suspension or expulsion from CSU, programs and/or activities.

Allegations of sexual harassment will be thoroughly and confidentially investigated. CSU is committed to protecting the rights of both the Complainant and Respondent, including protection from retaliation. Frivolous or false reports of sexual harassment will be treated as seriously as the alleged offense itself.

CSU's commitment to maintaining an environment in which the intellectual, professional, personal, and social development of members of the campus community is assured requires all members of the community to adhere to ethical and professional standards of conduct, as well as to legal standards. Therefore, consenting romantic or sexual relationships among faculty, staff, and students outside of each respective peer class, which not expressly forbidden, are generally deemed very unwise.

Power differences between faculty and students or between supervisors and employees make the subordinate's voluntary consent to even an apparently consensual relationship questionable. Sexual relationships between a professor or supervisor and a subordinate may result in conflicts of interest or raise questions of favoritism. Wherever a power differential exists between persons who are romantically or sexually involved, the parties must realize that if an allegation of sexual harassment is subsequently filed; mutual consent will not necessarily be accepted as a reasonable defense.

## **PROCEDURES FOR FILING COMPLAINTS OF SEXUAL HARASSMENT**

The sexual harassment of a student at Coppin State University is expressly prohibited by the Coppin State University Policy Prohibiting Sexual Harassment. Copies of this Policy and the Coppin State University Grievance Procedures for Complaints of Sexual Harassment may be obtained from the Division of Student Affairs. As stated in the Policy, a student may choose to file a complaint of an incident of sexual harassment formally or informally through participation in a confidential investigation conducted by the Office of Human Resources.

## **SEXUAL ASSAULT POLICY**

The Board of Regents is committed to providing an academic learning and working environment that is free from sexual assault and harassment and shall take preventive measures to insure that faculty, staff, students and visitors are appropriately protected from such actions. This safe environment includes all campus locations and all off-campus related activities and sites. The University will establish and distribute detailed procedures relating to the reporting and handling of cases of sexual assault and sexual harassment. Procedures can be found in accordance with the University's disciplinary and appeal procedures. The University will investigate all complaints of sexual assault and sexual harassment, adjudicating them in

accordance with the University's disciplinary and appeal procedures. In addition, the University will routinely assess the safety of the campus environment and will take corrective action to alter any identified potential problem areas.

An informal complaint of an alleged incident of sexual harassment may be reported to any CSU supervisor or faculty member; preferably to the Complainant's supervisor, department head, Dean, or any other University administrator, as well as the Director of Human Resources or designee. Prior to taking any action to investigate or resolve a complaint of sexual harassment, a CSU supervisor who receives a report of an alleged incident of sexual harassment must immediately notify the Director of Human Resources or designee. The Director of Human Resources or designee shall promptly contact and discuss the incident with the Complainant to resolve the issue. A formal complaint must be reported to the Director of Human Resources or designee.

Failure by a CSU employee to promptly notify the Director of Human Resources or designee of a complaint or an alleged incident of sexual harassment may result in disciplinary action against that employee. The CSU community shall use its best efforts to preserve reasonable confidentiality for individuals reporting an incident of sexual harassment.

Upon receipt of notice of a complaint of sexual harassment, the Director of Human Resources or designee shall conduct a confidential investigation for the purpose of resolving the complaint. An investigation may include a discussion of the matter with the Complainant, the Respondent, witnesses to the incident, or character witnesses, as well as consultation with legal counsel for CSU.