

Sexual Harassment

Summary/Purpose: The purpose of this policy is to provide guidelines and complaint procedures for sexual harassment complaints (including, but not limited to, sexual assaults, and other types of sexual violence). For complaints concerning harassment by a student, *see* University Sexual Misconduct Policy DSA.DS.200.015.

The University of Mississippi is committed to fostering an environment that prevents sexual harassment of employees, students, applicants for admission or employment, visitors to campus, or third parties who are participants in the University of Mississippi programs or activities. The University also is committed to professionalism, fostered by an atmosphere of mutual trust and respect. These commitments are threatened when persons in positions of authority abuse the trust placed in them.

The educational mission of the University of Mississippi is promoted by professional faculty-student, supervisor-subordinate, and athletics staff-student athlete relationships. This especially includes a relationship between a faculty member and a student when the faculty member has a professional responsibility for the student. Therefore, consensual sexual relationships between the instructional staff and students, between supervisors and their subordinates, as well as those between athletics staff and student athletes, are considered unwise and are strongly discouraged. The respect and trust accorded a person by a subordinate or student, as well as the real or perceived power exercised by the instructor, supervisor, or athletics staff member may greatly diminish the student or subordinate's actual freedom of choice. Relationships between faculty and students, supervisors and subordinates, and athletics staff and student athletes, even though ostensibly consensual, hold the potential to be exploitive and involve inherent conflicts of interest. In the event that a sexual harassment complaint is made in such a situation, it may be exceedingly difficult to prove mutual consent. Individual departments may adopt more stringent policies concerning relationships between faculty/staff and students, including a policy that prohibits such relationships. Any department policy must be approved by the Office of General Counsel prior to implementation.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's access to the University or an individual's work environment. A wide range of behaviors may qualify as sexual harassment, up to and including sexual assault.

For purposes of protecting students, applicants for admission, visitors to campus, or third parties from the impact of sexual harassment, The University of Mississippi adheres to the guidelines set forth by Title IX of the Education Amendments of 1972.

The University of Mississippi prohibits acts of harassment of a sexual nature that are so objectively offensive, pervasive, or severe that they effectively deny the victim access to the University of Mississippi's resources and opportunities, unreasonably interfere with the victim's work or living environment, or deprive the victim of some other protected right.

Some types of actions that may rise to the above level and constitute sexual harassment include:

- treating others differently based on their gender, sex, sexual orientation, gender identity or gender expression
- verbal harassment or abuse of a sexual nature
- subtle pressure for sexual activity
- sexist remarks about a person's clothing, body, or sexual activities
- unwanted touching, patting, or pinching
- demanding sexual favors accompanied by implied or overt threats concerning one's job or working conditions
- inappropriate display of sexually suggestive or pornographic materials
- stalking
- sexual assault or other types of sexual violence

All complaints of sexual harassment, whether verbal or written should be submitted to the University of Mississippi's Title IX Coordinator at the following address:

Joseph Lawhorne
Title IX Coordinator
Post Office Box 1848
270 D Martindale Student Services Center
662.915.7045
Fax:662.915.1229
eoo@olemiss.edu or joseph@olemiss.edu

If any employees or students believe that they have been subjected to sexual harassment, they should immediately report this to the Title IX Coordinator. Such incidents may also be reported to the University Police Department, the immediate supervisor, or to the Office of the Dean of Students.

All university employees are required to report (within 3 days of learning of the allegation) any allegation of discrimination on the basis of sex, including sexual harassment, to the Title IX Coordinator. The University has an obligation to investigate any allegations of sexual harassment, even if the alleged victim does not wish the University to take any action.

If there are indications that a possible crime is being committed or someone is in immediate danger of physical harm, the University Police Department should be notified immediately at 662-915-4911. The Title IX Coordinator should then be notified consistent with the preceding paragraph.

The Title IX Coordinator will handle matters with as much confidentiality as permitted by law. Sexual harassment allegations brought to the attention of the Title IX Coordinator will be processed in accordance with the University's Sexual Misconduct Policy (when the complaint is against a student) or the Non-Discrimination and Complaint Procedure Policy (in all other situations).

University policy prohibits retaliatory action against any complainant or any person acting in good faith who is assisting in the investigation of a complaint. Persons who knowingly bring false allegations may be subject to immediate disciplinary action.

If it is determined that sexual harassment has occurred, corrective action will be taken. Depending upon the circumstances, this corrective action may include a reprimand, demotion, discharge, student conduct charges, or other appropriate action.