

WHERE CAN YOU GO FOR HELP?

If you have questions or concerns about sexual harassment contact the Title IX Coordinator below:

The University of Maine
Director of Equal Opportunity
North Stevens Hall/Room 101
207-581-1226

University of Maine at Augusta
Director of Human
Resources Farmhouse
207-592-3618

University of Maine at Farmington
Director of Human
Resources Merrill Hall
207-592-3618

University of Maine at Fort Kent
Senior HR Partner
Cyr Hall
207-581-5857

University of Maine at Machias
Senior HR Partner
Powers Hall
207-581-3732

University of Maine at Presque Isle
Senior HR Partner
Preble Hall
207-581-3732

University of Southern Maine
Director of Equal Opportunity
North Stevens Hall/Room 101
207-581-1226

To report harassment by a student, contact the Deputy Title IX Coordinator below:

The University of Maine
Deputy Title IX Coordinator
Title IX Student Services
Memorial Union, 3rd FL
207-581-1406

University of Maine at Augusta
Deputy Title IX Coordinator
219 Randall Student Tech Ctr
207-621-3226

University of Maine at Farmington
Deputy Title IX Coordinator
Franklin Academic Services Ctr
207-778-7188

University of Maine at Fort Kent
Deputy Title IX Coordinator
Cyr Hall
207-834-7513

University of Maine at Machias
Deputy Title IX Coordinator
Powers Hall
207-255-1245

University of Maine at Presque Isle
Deputy Title IX Coordinator
Preble Hall
207-768-9613

University of Southern Maine
Deputy Title IX Coordinator
Upton Hall, Gorham campus
207-780-5767

SEXUAL HARASSMENT

IN THE CLASSROOM AND THE WORKPLACE

SEXUAL HARASSMENT is unwelcome sexual attention that is a form of illegal sex discrimination under federal and state law. It is usually repeated behavior but could be one serious incident. Sexual harassment can include:

- sexual assault
- stalking
- deliberate touching, pinching, caressing
- attempts to fondle
- pressure for dates or sex
- requests for sex in exchange for grades or promotions

There are two types of sexual harassment. The type of sexual harassment traditionally referred to as “quid pro quo” harassment occurs if a person in a position of authority conditions an educational or employment decision or benefit on an employee or student’s submission to unwelcome sexual conduct. Whether the person resists and suffers the threatened harm or submits and avoids the threatened harm, the person has been treated differently, or the person’s ability to participate in or benefit from the University’s program has been denied or limited, on the basis of sex in violation of Title IX.

In addition, sexual harassment can occur that does not explicitly or implicitly condition a decision or benefit on submission to sexual conduct. Harassment of this type is generally referred to as “hostile environment sexual harassment”. This type of harassing conduct requires a further assessment of whether or not the conduct is sufficiently serious to deny or limit a person’s ability to participate in or benefit from the University’s program based on sex.

Sexual harassment often occurs in situations where one person has power or authority over another, but it can also occur between equals. Both men and women can be sexually harassed. Sexual harassment can also occur between members of the same sex.

EFFECTS OF SEXUAL HARASSMENT

PEOPLE WHO ARE SUBJECTED TO SEXUAL HARASSMENT OFTEN FEEL POWERLESS TO STOP THE SITUATION. Especially in this culture, where “no” is often heard as “yes,” verbal refusals are frequently ineffective. People may also fear retaliation if they say “no.”

PEOPLE WHO EXPERIENCE SEXUAL HARASSMENT OFTEN BLAME THEMSELVES. Others may also blame them for the problem, rather than holding the harasser responsible for the behavior.

ALL EFFECTS ARE HARMFUL. Sexual harassment is not funny; it is degrading and upsetting. It is not “just the way things are.” People who feel harassed have dropped courses, changed majors, avoided advisors, even quit jobs or school.

WHAT TO DO ABOUT SEXUAL HARASSMENT

SET YOUR OWN BOUNDARIES. Say “NO” emphatically and clearly when you are asked to go places, do things, respond to questions, or engage in situations that make you uncomfortable. Do not worry about offending the other person or hurting their ego. Take care of yourself first.

IN AN UNCOMFORTABLE SITUATION, BE DIRECT AND HONEST, AND REMOVE YOURSELF FROM THE SITUATION IMMEDIATELY. Regardless of your previous behavior or signals you may have given earlier, you have the absolute right to halt any sexual exchange at any time. Accept this right and act on it. If someone tells you to stop an encounter, listen to them and respect that request. Anything else is harassment.

TELL SOMEONE. BEING QUIET OR STOIC ABOUT SEXUAL HARASSMENT LETS IT CONTINUE. Talk to other students or co-workers; you may not be the only one harassed by this person.

KEEP RECORDS. Write down dates, places, times, witnesses, and the nature of the harassment – what was done and said and your response. Later, it may be important for you to remember the details of incidents.

EXAMPLES OF BEHAVIOR THAT LEAD TO COMPLAINTS

Not all of the following examples are severe or pervasive enough to deny or limit a person’s ability to participate in or, benefit from the University’s program based on sex to be considered sexual harassment, but all of them involve problematic or questionable behavior that may lead to complaints.

- *Rachel’s major requires an internship with a community agency. Her supervisor at the agency has been sending her sexually explicit e-mail with links to sexually graphic web sites. Rachel is nervous about continuing her weekly meetings with him.*
- *At Rory’s work-study job, their supervisor repeatedly makes jokes with sexual overtones. He promises them a promotion if they will work after hours in his apartment on a “special” project.*
- *In one of Karen’s classes, the professor frequently makes derogatory comments and jokes about women that have sexual overtones. Karen finds them so insulting that she is thinking about dropping the course.*
- *Jim, a custodian in the women’s residence hall, has a good relationship with students. He likes to linger and chat with them and sometimes goes into their rooms to talk. One young woman, uncomfortable with Jim’s friendliness, is thinking of moving to a different hall.*
- *Robert is an older student with a 3.9 G.P.A. The graduate assistant teaching his lab section asked him to go out with her several times. Robert said no and made excuses. Now his papers are getting low grades. He is sure that it is in retaliation for his refusals.*
- *For some time, Vicki has listened sympathetically when her boss talks about his bad marriage. Now he wants her to listen over drinks after work. Vicki is uncomfortable and her boyfriend is jealous.*
- *Philip is a student who openly supports gay and lesbian rights. He was pushed to the ground by a group of other students and interrogated about his own sexual preferences while two students made blatant sexual gestures.*

ALL UNIVERSITY EMPLOYEES ARE MANDATORY REPORTERS

It is never easy to report sexual assault or sexual harassment. But it is always the right thing to do. All of us have responsibility for contributing to a safe campus and for forwarding information about allegations of sexual harassment and sexual assault. *When allegations like these arise, all University employees and volunteers should report what they witnessed or heard to the Equal Opportunity Officer or Title IX Coordinator for their campus.*

The University of Maine System has established that **ALL** employees are mandatory reporters. This means that all employees **MUST** report sexual harassment or sexual assault they witness or receive information about.

If a student or employee reports harassment to you, listen carefully, explain the University’s sexual harassment policy, and encourage the person to contact the campus Equal Opportunity Officer or Title IX Coordinator as soon as possible. In addition, it is essential that you promptly report the situation to the Equal Opportunity Officer or the Deputy Title IX Coordinator.

NONDISCRIMINATION NOTICE

The University of Maine System does not discriminate on the grounds of race, color, religion, sex, sexual orientation, transgender status, gender expression, national origin, citizenship status, age, disability, genetic information or veteran status in employment, education, and all other programs and activities. The following person has been designated to handle inquiries regarding nondiscrimination policies: Director of Equal Opportunity, 101 North Stevens Hall, Orono, ME 04469-5754, 207.581.1226, TTY 711 (Maine Relay System).

UNIVERSITY OF MAINE SYSTEMS' POLICY ON SEXUAL ASSAULT

The University of Maine System ("the University") is committed to providing a safe environment which promotes the dignity and worth of each member of the community. In complying with the letter and spirit of applicable laws and in pursuing its own goals of diversity, the University does not discriminate on the basis of sex in employment, education, and all other programs and activities. For this reason, the University will not tolerate sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, or retaliation in any form. All conduct of this nature is considered a violation of this policy.

The University will respond promptly and effectively to complaints and reports of violations of this policy. The University has an obligation to address incidents of sexual harassment that it knows or should know about, even when a complaint or report is not filed. The University will take steps to end and prevent recurrence of violations and to correct their discriminatory effects on the complainant and others. In responding to all complaints and reports, the University will act to ensure the safety of students, guests, and employees while complying with state and federal laws and provisions of applicable collective bargaining agreements and employee handbooks.

In conformance with this policy, the University of Maine System will ensure fair and impartial investigations that will protect the rights of the person(s) filing sexual harassment complaints, the person(s) complained against, and the institution or unit. Retaliation against anyone who makes a complaint of sexual harassment or who is involved in a complaint process will not be tolerated.

Sexual harassment includes sexual assault and sexual violence. Sexual harassment, including sexual assault, can involve persons of the same or opposite sex. Consistent with the law, this policy prohibits two types of sexual harassment:

- **Tangible Employment or Educational Action (quid pro quo)** This type of sexual harassment occurs when the terms or conditions of employment, educational benefits, academic grades or opportunities, living environment or participation in a University activity are made an explicit or implicit condition of submission to or rejection of unwelcome sexual advances or requests for sexual favors, or such submission or rejection is a factor in decisions affecting an individual's employment, education, living environment, or participation in a University program or activity. Generally, a person who engages in this type of sexual harassment is an agent or employee with some authority conferred by the University.

- **Hostile Environment** Sexual harassment that creates a hostile environment is based on sex and exists when the harassment is sufficiently serious to deny or limit a person's ability to participate in or benefit from the University's program.

EQUAL OPPORTUNITY COMPLAINT PROCEEDURE

The University has an Equal Opportunity Complaint Procedure to deal promptly and fairly with concerns and complaints about discrimination or harassment. Any student or employee who feels that they have experienced sexual harassment by a University employee or third party, and anyone with knowledge of an incident, should contact their supervisor, the campus Equal Opportunity Officer or Title IX Coordinator as soon as possible after the incident. Any supervisor who becomes aware of a problem must promptly contact the Equal Opportunity Officer. If the Equal Opportunity Officer has a substantial conflict of interest regarding either the complainant or the person accused, an alternate may be requested. (If the alleged harasser is a student, contact the Title IX Coordinator or the Student Conduct Officer).

Complaints are handled as confidentially as possible to protect the rights of both the reporting party and the responding party. Retaliation against anyone who makes a complaint or participates in a complaint process is not tolerated. The reporting party and the responding party have certain rights to representation during the complaint process.

The Equal Opportunity Officer or Student Conduct Officer discusses informal and formal options for resolving the problem. The goal of the informal process is to seek a resolution acceptable to everyone involved. Many concerns can be addressed through the informal process, which provides maximum privacy and an opportunity for the earliest possible resolution.

If the reporting party chooses or if a problem cannot be resolved informally, the reporting party may request a formal investigation. When the responding party is an employee and a formal complaint is filed, an investigator external to the campus conducts the investigation under the Equal Opportunity Complaint Procedure. When the responding party is a student and a formal complaint is filed, the Student Conduct Officer conducts the investigation according to the procedure in the Student Conduct Code.

When the responding party is an employee or a person from outside of the University, the Investigations Coordinator conducts the investigation. The Responsible Administrator then affirms or denies the investigation findings and, if needed, determines what corrective action will be taken. When charges of sexual harassment are substantiated, severe discipline may result, up to and including termination for an employee or dismissal for a student.

Copies of the Equal Opportunity Complaint Procedure are available in the Equal Opportunity, Human Resources, and Student Affairs Office. Complaints may be filed online by using the University of Maine System Equal Opportunity Reporting form. All members of the University community are encouraged to use this procedure. Sexual harassment complaints may also be filed with the Maine Human Rights Commission, State House Station 51, Augusta ME 04333, (207) 624-6290 or with the U.S. Department of Education Office for Civil Rights, 5 Post Office Square, Boston, MA 02109, (617) 289-0111. Employees may choose instead or in addition to file a grievance.

Remember, **the University's goal is to prevent or, when necessary STOP sexual harassment on campus.** There are many resources directed toward these goals. The first step is yours – **SPEAK UP!**