

Sexual harassment is one form of harassment. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, academic progress, or completion of a school-related activity; or
2. submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual, or in the case of a student, submission to or rejection of such conduct is used in evaluating the individual's performance within a course of study or other school-related activity; or
3. such conduct is sufficiently severe, persistent or pervasive so that it has the purpose or effect of unreasonably interfering with an employee's work or performance or a student's educational performance; limiting a student's ability to participate in or benefit from an educational program or environment; or creating an abusive, intimidating, hostile, or offensive work or educational environment.

Examples of sexually harassing conduct include, but are not limited to, deliberate, unwelcome touching of a sexual nature or that takes on sexual connotations; suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats; pressure for sexual activity; continued or repeated offensive sexual flirtations, advances or propositions communicated by gestures, written, electronic or verbal means; continued or repeated verbal remarks about an individual's body; sexually degrading words used toward an individual or to describe an individual; or the display of sexually suggestive objects or pictures.

Legal References: Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq.; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq., 34 C.F.R. pt. 106; Equal Employment Opportunity Commission's "Final Amendment Guidelines on Discrimination Because of Sex"; Office of Civil Rights, Sexual Harassment Guidance: Harassment of Students by School Employees, Students or Third Parties, 62 Fed. Reg. 12,034 (1997)

Cross References: Sexual Harassment Complaint Procedure for Students (policy 1745), Sexual Harassment Complaint Procedure for Employees (policy 1755)

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