

SUBJECT: Sexual Harassment Policy

Purpose

To be in compliance with Section 703 of Title VII of the Civil Rights Act of 1964 on sexual harassment. Sexual harassment of a student is a violation of Title IX of the Education Amendment of 1972, which prohibits discrimination based on sex in educational institutions receiving federal financial assistance.

Definitions

Sexual harassment consists of unsolicited and unwelcome sexual behavior. It is coercive or offensive conduct in a non-reciprocal relationship.

Sexual harassment can take various forms:

1. "Quid pro quo" sexual harassment consists of requests for sexual favors, either implied or explicit, when submission to such requests is made a condition of continued employment, advancement, improved grades, or participation in a University activity.
2. "Hostile environment" sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexual flirtation, graphic or degrading comments or gestures of a sexual nature, and the display of sexually offensive objects or pictures. Sexual harassment does not refer to occasional compliments of a socially acceptable nature; it refers to repeated behavior which is unwelcome and personally offensive.
3. "Sexual assault" consists of unwelcome physical contact of a sexual nature. It includes kissing, stroking, fondling, coerced sexual intercourse, and rape or attempted rape.

Sexual harassment can occur between members of the same sex as well as members of the opposite sex. It can occur between peers as well as between people who are in a superior/subordinate relationship. It can occur between any members of the LSU Eunice campus community, including faculty, staff, and students. An incident of sexual harassment can also occur between a member of the LSU Eunice community and a visitor, patron, client, or contractor working for LSU Eunice.

General Policy

It is the policy of this institution that all members of the campus community should be able to enjoy a work and/or educational environment free from sexual harassment. Such conduct as described above -- whether committed by supervisors, nonsupervisors, faculty, staff personnel, students, visitors, contracted personnel or others -- is prohibited. All members of the university must be aware of sexual harassment, whether intended or inadvertent, and take a proactive stand against it.

Supervisors shall take a proactive role in preventing sexual harassment. They must understand

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41 LSU Eunice policy and procedure on sexual harassment and enforce acceptable behavior among
42 faculty, staff, and students; observe and be aware of potential sexual harassment behaviors in and
43 out of the classroom; model appropriate behavior; and alert the Special Assistant to the Chancellor
44 on Affirmative Action/Equal Opportunity (AA/EO Officer) should an incident occur.

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46 The AA/EO Officer shall promote awareness and sensitivity of sexual harassment issues across the
47 campus. Should an incident occur, the AA/EO Officer shall take the appropriate steps outlined in
48 the procedure section to resolve the incident in an expeditious and impartial manner.

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Procedure

51 Initial Action(s) by Harassed Party:

52 An individual who feels harassed shall immediately tell the harasser (through face-to-face contact, in
53 writing, or through a third party) to stop what the individual feels is offensive behavior. The
54 individual who feels harassed should also keep records of the incidents.

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56 An individual who wishes to make a complaint may use either formal or informal procedures.
57 Formal complaints must be filed with the Special Assistant to the Chancellor on AA/EO (AA/EO
58 Officer). To make an informal complaint, an individual may speak with one of the persons listed
59 below:

- 60 1. Faculty members
- 61 2. Counselors
- 62 3. Campus Activity Directors
- 63 4. Special Assistant to the Chancellor on AA/EO (AA/EO Officer)
- 64 5. Vice Chancellor for Student Affairs
- 65 6. Division Heads
- 66 7. Campus Security
- 67 8. Vice Chancellor for Academic Affairs
- 68 9. Chancellor
- 69 10. Any other member of the University community in whom the complainant has trust and
70 confidence

71

72 Any complaints made about a member of the university community who uses verbal/physical abuse
73 directed toward an individual or a group based on their sex or who creates a sexually intimidating,
74 hostile working/learning environment shall be addressed immediately. The person shall be told that
75 such behavior is not acceptable and not tolerated at the university. NOTE: Since sexual
76 harassment charges constitute a federal offense, complainants should take this matter seriously in
77 bringing complaints against others.

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79 Informal Procedure:

- 80 1. Within 180 days the complainant shall contact someone whom he/she trusts, e.g., a

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81 counselor, advisor, faculty member, administrator, or campus security.

- 82
- 83 2. Under all circumstances, this university member must refer the complaint to the AA/EO
84 Officer on campus. In the event that the AA/EO Officer is charged with sexual harassment,
85 the complaint shall be filed with the Office of Human Resources.
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- 87 3. The AA/EO Officer shall investigate the allegations and attempt to resolve the complaint
88 using informal discussion and negotiation. It is important that all communications be kept
89 confidential.
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91 **Note:** If during the informal investigation, it is determined that the violations committed were
92 intentional and/or part of a behavioral pattern, more formal procedures may be initiated at any time
93 by the complainant or by LSU Eunice.

94
95 Formal Procedure:

96 For a formal complaint, the following procedure shall be taken.

- 97
- 98 1. A sexual harassment complaint, in compliance with federal regulations, shall be filed no later
99 than 180 days after the incident occurs.
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- 101 2. The complaint shall be submitted in writing and shall include complainant's name and the
102 name of the accused, a description of the alleged incident(s), location, date, and times,
103 names of witness(es), if available, and the desired resolution by the complainant.
104
- 105 3. The complaint shall be filed with one of the following:
106 a. Special Assistant to the Chancellor on AA/EO (AA/EO Officer)
107 b. Vice Chancellor of Student Affairs
108 c. Division Heads
109 d. Campus Security/Local authorities in the case of sexual assault
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111 Anyone, other than the AA/EO Officer, receiving a formal complaint alleging sexual
112 harassment must report the complaint to the AA/EO Officer within 5 working days.
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114 The AA/EO Officer, in conjunction with the appropriate supervisor, shall inform the alleged
115 offender of the allegation and the identity of the complainant. A written statement of the
116 complaint will be given to both parties.
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118 It is strongly suggested that individuals who have been accused of sexual harassment
119 contact any of the following persons for assistance and advice:

- 120 a. Division Heads

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- 121 b. Supervisor
122 c. Appropriate Vice Chancellor
123 d. Special Assistant to the Chancellor on AA/EO (AA/EO Officer)
124 e. legal counsel
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126 4. During the entire process, confidentiality must be maintained. Thus, dissemination of
127 information relating to the case shall be limited in order that the privacy of all individuals
128 involved is protected as fully as possible.
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130 5. The complainant shall be protected from any retaliatory action by those named in the
131 complaint.
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133 6. Once the formal investigation has been completed, the AA/EO officer will make an
134 appropriate recommendation based upon the evidence presented by the parties involved.
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136 7. If, during the investigation, it is determined that the rights of a student, faculty, staff, or other
137 individual have been violated, then LSU Eunice will take the appropriate disciplinary or
138 corrective action.