



Florida State University  
Online New Employee Orientation  
Office of Human Resources

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**Office of  
Equal Opportunity and  
Compliance**

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**FSU's Sexual Harassment  
Policy**

Amended – January 2004

Presented by:

Office of Equal Opportunity and Compliance

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**Agenda**

- Highlights of the Policy
- Definition of Sexual Harassment
- Misconduct/Discipline
- Reporting Sexual Harassment
- Resolution Process
- Concluding Remarks

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### Purposes of the Policy

- To heighten awareness of behaviors that offend.
- To provide specific guidance to individuals who may have been harassed.
- To ensure all allegations are reported, investigated and acted upon in a timely fashion.

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### Additional Goals

- To inform staff of their responsibility to know our policy.
- To reinforce our commitment to the spirit & intent of the law.
- To encourage a positive, commonsensical approach to the issue of sexual harassment.

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### What Sexual Harassment Is

Sexual harassment is defined as **unwelcome** sexual advances, requests for sexual favors, and other verbal or physical conduct of a **sexual nature** directed at an employee or student by another when;

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### What Sexual Harassment Is (cont.)

Submission to such conduct is made either explicitly (clearly) or implicitly (implied or understood) a **term or condition of employment**, academic status, receipt of University services, participation in University activities and programs, or affects the measure of a student's academic performance; or,

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### What Sexual Harassment Is (cont.)

Submission to or rejection of such conduct is used as the basis for a decision **affecting** employment, academic status, receipt of services, participation in University activities and programs, or the measure of a student's academic performance; or,

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### What Sexual Harassment Is (cont.)

Such conduct has the purpose or effect of unreasonably interfering with employment opportunities, work or academic performance or creating an, **intimidating, hostile or offensive work or educational environment.**

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### Definition Highlights

- Unwelcome
- Sexual In Nature or Gender Based
- Effects Employment/Education
  - Term of Employment
  - Basis for Employment /Educational Decision
  - Causes a Hostile Environment

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### What Sexual Harassment Is

Two Types:

- Quid Pro Quo
- Hostile Environment



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### Quid Pro Quo

Demands, pressure, or requests for dates or sexual favors in exchange for employment, promotions, raises, assignments, access to programs or grades.

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### Quid Pro Quo - Examples

- Demanding sexual favors for a job, promotion or raise.
- Disciplining or firing a subordinate for ending a romantic relationship.
- Changing performance standards after a subordinate refuses repeated requests for a date.
- Exchanging good grades for sex.

Even though FSU does not prohibit dating between faculty and students, it is strongly discouraged.

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### Hostile Environment

Where verbal or non-verbal behavior:

- Focuses on the sexuality of another person or occurs because of the person's gender;
- Is unwanted or unwelcome, and;
- Is severe or pervasive enough to affect the person's work or educational environment.

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### Hostile Environment - Examples

- Use of gender-based verbal or written language offensive or degrading to a person of that gender, whether or not the content is sexual;
- Inappropriate display of gender-based pictorial images offensive or degrading to a person of that gender, including, but not limited to sexual posters, photographs, cartoons, or drawings;

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**Examples (cont.)**

- Use of inappropriate gestures or body language of a sexual nature including leering or staring at another;
- Unwelcome sexual advances;
- Inappropriate, non-consensual touching of another person; or,
- Sexual Battery.

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**Definition Highlights**

Behavior falls into four categories:

- Verbal
- Visual
- Physical
- Gender Based Animosity

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**Variety of Circumstances**

Victim or harasser can be...

- male or female
- supervisor, subordinate, coworker or student
- a non-employee or non-student

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**Other Circumstances**

- Conduct must be unwelcome to constitute sexual harassment.
- It is in the victim's best interest to inform the harasser directly that the conduct is unwelcome and must stop.

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**FSU's Policy Statement**

Sexual harassment is a form of discrimination based on a person's gender. Sexual harassment is contrary to the University's values and moral standards, which recognize the dignity and worth of each person, as well as a violation of federal and state laws and University rules and policies. Sexual harassment cannot and will not be tolerated by the Florida State University, whether by faculty, students, or staff; or by others while on property owned by or under the control of the University.

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**Disciplinary Actions May Be Applied:**

- To any employee who has sexually harassed another employee or a student.
- To those who knowingly file false claims.
- In situations of retaliation.
- When a supervisor fails to take prompt corrective action and report the incident.

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### Retaliation

Rule prohibits retaliation against;

- Complainants, and;
- Anyone else who participates in good faith during an investigation.

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### If Sexually Harassed...

- You are encouraged to promptly let the offender know.
  - Behavior is Unwelcome
  - Ask that It Stop
- Contact Office of Equal Opportunity and Compliance.



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### If Told You've Offended Someone...

- Be open-minded.
- Thank the person for approaching you directly.
- Apologize.
- Make a commitment to stop the behavior.



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### Reporting - Our Obligation

- Any employee (or student) should report anything witnessed and perceived to be a violation.
- Supervisors who witness or become aware of an alleged occurrence are required to report.

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### Coordinator, Sexual Harassment Resolutions

Amber Wagner  
Office of Equal Opportunity and Compliance  
6200 University Center Bldg A  
645-1458

*Hotline - 644-9013*

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### If You File a Complaint

INCLUDE:

- Who, what, when, where.
- How it affected you.
- Actions you may have taken to stop the behavior.
- A suggestion of proposed action to address or resolve the situation.
- Other relevant information.

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### The Complaint Procedures

Step 1

Complaint Form Submitted

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### The Complaint Procedures

Step 2

Initial Review

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### The Complaint Procedures

Step 3

Informal Resolution Considered

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### The Complaint Procedures

Step 4

Investigation

A yellow parallelogram containing the word "Investigation" is connected by a line to a small yellow square at the bottom right.

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### The Complaint Procedures

Step 5

Report and Recommendations

Three overlapping yellow rectangles containing the text "Report and Recommendations" are connected by a line to a small yellow square at the bottom right.

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### The Complaint Procedures

Step 6

Determination by V.P. on Discipline

A yellow diamond containing the text "Determination by V.P. on Discipline" is connected by a line to a small yellow square at the bottom right.

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## The Complaint Procedures

Step 7

Discipline  
Occurs

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## Sexual Battery Policy

Amended – January 6, 2004  
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## Policy Statement

- This policy applies to all employees and students at Florida State University
- Rape is a criminal offense that involves a lack of consent
- Rape is a crime and is defined as “Sexual Battery” per Florida Statute 794.011

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### Policy Statement (cont.)

- Rape committed by a student is also a violation of the FSU Student Code of Conduct (6C2-3.004, Florida Administrative Code)
- A working definition of rape is “a person having sex with another without his/her consent”

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### Reporting System

If a student reports a rape to you, regardless of where the crime took place, your responsibility is:

- To encourage the person to call, or allow you to call, the FSU Police (644-1234) for assistance. FSUPD will then contact the Victim Advocate to arrange for additional support, including evidence collection and medical attention, if needed

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### Reporting System (cont.)

- If the student does not want police involvement, encourage the student to call, or allow you to call, the **FSU Victim Advocate Program (644-7161/644-2277)** to discuss options available to the student
- The Victim Advocate Program is confidential and a **POLICE REPORT DOES NOT HAVE TO BE FILED** to receive services

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### Reporting System (cont.)

- If the student does not want the police contacted, let the student know that you must still notify the FSUPD, as soon as practical, of the alleged rape, but you **WILL NOT IDENTIFY HER/HIM**
- This notification is for statistical purposes to comply with federal law and university policy as well as to assist the police

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### Enforcement

When a rape is reported that occurred on campus:

- FSU Police Department is responsible for investigating the alleged crime

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### Concluding Remarks

We work in a very Diverse Working Environment. Display sensitivity towards students and coworkers.

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**THE END**

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