MC’s Policy Regarding Harassment & Sexual Harassment

*Harassment:

- “The college particularly deplores harassment that uses race, age, gender, sexual orientation, national origin, mental or physical handicap, ethnicity or religion in a derogatory manner” (Scots Guide, 17).

- Harassment, sexual harassment, or sexual misconduct is a violation of the policy.

- “A violation of the policy may result in disciplinary action, up to and including immediate termination or expulsion…” (Scots Guide, 17).

- The Scots Guide also provides a list of instances in which a harassment charge may be filed. (not intended to be exhaustive)
  - Verbal behavior – e.g. verbal insults, remarks, epithets, derogatory statements, lewd, obscene, or sexually suggestive remarks directed at an individual or group.
  - Non-verbal behavior – e.g. graffiti, inappropriate physical advances short of physical violence.
  - Assault, including physical violence or the threat of physical violence.

Sexual Harassment and Sexual Misconduct:

- Defined as “unwelcome communication or conduct of a sexual nature”

- “Sexual harassment can include unwelcome sexual advances, request for sexual favors; lewd, obscene, or sexually suggestive remarks; or other conduct of a sexual nature when:
  - Submission to such conduct or communication is made, either explicitly or implicitly as a term or condition of employment or education; or
  - Submission to or rejection of such conduct by an individual is used as the basis for academic grades, academic assignments, promotions, tenure, performance evaluations, pay adjustments, discipline, work assignments, or receipt of education or employment related benefits, or participation in extracurricular activities; or
  - Such conduct has the purpose or effect of unreasonably interfering with an individual’s employment or education, or of creating an intimidating, hostile, or offensive employment or educational environment” (Scots Guide, 18).

*Harassment may be implicit or explicit, and there are 2 types of harassment in education (this was not included in the MC Policy)

1.) Quo Pro Quo: When a student believes that performing a sex act will have an effect on their grade, or they are made to feel like doing so will result in positive academic outcomes.

2.) Hostile Environment: Harassment is so severe that it effects the student’s educational experience. It could be generated by a student, employee or a visitor.

Now that you know a little bit more about Monmouth’s policy on harassment and sexual harassment, Natalie will tell you about the colleges guidelines for reporting harassment along with anti-harassment training.
• **MC's Guidelines for Reporting Harassment & Anti-Harassment Training Guidelines:**
  
  - “It is the responsibility of all members of the campus community, including faculty, staff, and students, to report any communication or conduct prohibited by this policy immediately to the Dean of Students (2113), Dean of the Faculty (2325), Director of Personnel (2122), or Campus Security (2345 after 4:40 p.m.)” (Scots Guide, 18).
  
  - “An appropriate and timely investigation will be conducted” (Scots Guide, 18).
  
  - Retaliation against whoever makes the report is a violation of the policy.
  
  - “Employee grievance procedures that are included in the respective employment manual describe how individuals accused of harassment, sexual harassment, or sexual misconduct, can respond to charges brought against them” (Scots Guide, 18).
  
  - Scots Guide goes on to say that Stunt Affairs should be contacted immediately if a member of the MC community suspects that someone is being abused.

• **Anti-Harassment Training:**
  
  - “…students, faculty, and staff will be provided training in the areas of anti-harassment and nondiscrimination. Training may consist of written materials, films, presentations, workshops, individual counseling, or any combination thereof” (Scots Guide, 18).
  
  - “…preliminary training will be provided to new students and new employees within the first few days of enrollment or employment. Thereafter, periodic training will be provided (normally on an annual basis).
  
  - Appropriate administrative offices are responsible for conducting the training.

• **Some Areas of Concern with this Policy**
  (Based on a suggested policy from the American Association of University Professors)
  
  - It is questionable in the MC policy about what actually qualifies as harassment (seems to be some gray area). AAUP’s section on this is slightly more detailed and there are more concrete explanations.
  
  - The Guidelines for Reporting Harassment are rather vague, especially in the areas of who to contact (no names), as well as the whole process that the administration will go through.
    - AAUP provides 4 detailed steps that administration should take
    - According to the AAUP, a well publicized procedure will, “help to create an atmosphere in which individuals who believe that they are victims of harassment are assured that their complaints will be dealt with fairly and effectively” (AAUP, 3).
  
  - Confidentiality is not mentioned in the MC policy but is stressed throughout the AAUP’s suggested plan. (Their section on “bringing a complaint” describes this in depth).
  
  - MC does not define sexual harassment versus sexual misconduct.
  
  - When are people taking part in anti-harassment training?

• **Some Possible Solutions/Additions for the MC Policy**
  
  - More examples and explanations in the sections outlining what harassment is and what sexual harassment is. Perhaps even some hypothetical scenarios and how the college would handle them would be helpful.
MC uses the terms sexual harassment and misconduct frequently but does not explain what they are, so explanations and definitions of this would be useful.

A more detailed explanation of how a complaint would be handled as well as what types of processes administration would go through. The AAUP suggested policy sees this as an important part of any disciplinary policy. It would also help with consistency and each case being dealt with in a similar procedure.

- A trend we noticed while checking out the policies at other colleges was that larger schools seemed to have much more extensive and detailed policies while smaller schools were similar to Monmouth in their explanations.

  - For example, Western Illinois University’s policy included detailed explanations of privacy and confidentiality, issues with appealing cases, and descriptions of investigations and resolution. The University of Illinois also had very detailed sexual harassment and non-discrimination policies. Southern Illinois also provided a detailed list of what qualifies as harassment as well as a well outlined procedure for handling complaints.

  - Knox, on the other hand, is very similar to MC in size and also had a rather brief policy. Illinois College also had minimal explanations in their policy.

  - It may be that the smaller schools don’t encounter harassment cases as frequently as larger schools, but a well outlined plan would at least help in the few cases that are brought to the school’s attention, and would add to consistency in handling the cases they do deal with.

In addition to Harassment and sexual harassment policies, many schools are adopting Anti-bias policies that are created on the basis of sexual orientation. Monmouth mentions that it does not condone harassment pertaining to sexual orientation, but some schools now are creating policies that are more specific.

  - Lambda Legal is a nationwide group that encourages these policies. They claim that most universities that adopt these policies do so without triggering much opposition. They may take the form of freestanding non-discrimination policies, hybrid non-discrimination and anti-harassment policies, or conduct codes.

After learning about policies from other schools and organizations, you can see that Monmouth has room to share a more detailed policy with the college community. Doing so will not only clear up confusion on either end of a harassment case, but it will also promote consistency in handling the complaints they deal with.

Are there any questions?