

ARTICLE II: EMPLOYMENT PRACTICES
Section 7. Personal Conduct on University Property

Policy 7.1: Policy on Sexual Harassment
Issued: June 1, 2001

It is the policy of Chicago State University that the sexual harassment of one member of the academic community by another will not be tolerated. This policy applies to all members of the campus community: students, employees, and visitors. It applies to incidents which occur on University property, as well as off campus functions sponsored or supervised by the University. One of Chicago State University's goals is to foster an open learning and working environment free from sexual harassment and from the fear that it may occur.

Harassment on the basis of sex is a violation of Title VII of the Civil Rights Act of 1964, and the State of Illinois Human Rights Act. Sexual harassment has been defined as:

"unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment."

There are two categories of behaviors which may constitute sexual harassment. "quid pro quo" refers to situations in which a tangible benefit (a grade, a job, a promotion) is contingent upon the performance of sexual favors. This occurs in situations of unequal power such as supervisor/subordinate in the workplace or faculty/student in the classroom. The second category, "hostile environment," refers to patterns of behavior or incidents (including verbal, non-verbal, physical, or other) which may seem harmless as individual events, but which may be considered intimidating, hostile, or offensive when taken together.

Intimate relationships between faculty and students, as well as between supervisors and subordinates raise serious professional concerns. When one party has power over the other, the relationship is inherently unequal. The faculty member or supervisor cannot be certain that the relationship is truly welcome or consensual. If the relationship deteriorates, possible allegations of "quid pro quo" harassment may arise. Furthermore, others who perceive preferential treatment between the parties to the relationship may feel themselves in an offensive environment. Finally, a consensual intimate relationship poses a professional conflict of interest.

All University employees in a supervisory role have the duty to report to the Equal Employment Opportunity (EEO) Office any alleged sexual harassment and/or behavior that creates a hostile environment, as soon as they become aware of the allegation, even in the absence of a complaint.

ARTICLE II: EMPLOYMENT PRACTICES
Section 7. Personal Conduct on University Property

Policy 7.1: Policy on Sexual Harassment
(Continued)
Issued: June 1, 2001

Complaint Procedures

Complaints should be submitted as soon as possible after the alleged discrimination has occurred in order to permit prompt and equitable resolution. The confidentiality of information presented by all parties will be observed, except in those instances when it interferes with the ability of the University to investigate the allegation(s) and take necessary corrective action. In situations that require immediate action because of safety or other concerns, the University may take appropriate disciplinary action (e.g. suspension with pay pending full investigation by the EEO Office). The investigation shall be completed within 8 to 10 calendar weeks, if consideration cannot be completed in this time, the parties will be notified as to the delay.

1. Complainant will be asked to complete an in-take form which will include a brief description of the alleged discrimination and the nature of the remedy desired.
2. A private in-depth interview will be conducted by the EEO Coordinator or designee with the complainant.
3. The EEO Coordinator or designee will contact the person(s) against whom the complaint is being filed and will also interview that person(s) to ascertain her or his response to the substance of the complaint.
4. The EEO Coordinator or designee may assist in the informal resolution of the complaint. With the consent of both parties involved, the Coordinator will arrange for information to be shared between the parties regarding applicable issues and appropriate remedies. Failure to reach a resolution will result in the investigation proceeding to step 5.
5. The investigation by the Coordinator will include interviewing witnesses, confirming information and seeking additional information and/or documentation. In conducting the investigation, the EEO Coordinator shall have unrestricted access to all pertinent materials, records, reports and documents in possession of any University personnel and shall be afforded the opportunity to interview all persons possessing relevant information.
6. The EEO Coordinator will forward a written report of the investigation and recommendations of resolution to the Vice President of the respondent or, when appropriate, to the President's designee. The Vice President (or President's designee) will decide whether or not University or Board of Trustees policies prohibiting discrimination and sexual harassment have been violated and, if so, what remedial action will be taken by the University.

ARTICLE II: EMPLOYMENT PRACTICES
Section 7. Personal Conduct on University Property

Policy 7.1: Policy on Sexual Harassment

(Continued)

Issued: June 1, 2001

7. If the Vice President, or designee, determines that further investigation is needed, the EEO Coordinator will continue to do a follow-up review and/or interviews.
8. A final written determination setting forth the Vice President's, or designee, decision on the basis of the evidence gathered during the investigation will be sent to both the complainant and the respondent. vice Status and Rules, or University Student Conduct Code will be followed.
9. If disciplinary action is required as a result of a finding of discrimination, procedures required under relevant collective bargaining agreements, Board of Trustees Regulations, State University Civil Service Status and Rules, or University Student Conduct Code will be followed.
10. An appeal may be made to the President. The President's decision is final.

Any retaliatory action, of any kind, taken by a Chicago State University employee or student against a complaining party as a result of that party's seeking redress under these procedures is prohibited and shall be regarded as a separate and distinct cause for complaint under these procedures.

It is a violation of this policy for anyone to knowingly make false accusations of discrimination or harassment. Failure to prove a claim is not equivalent to a false allegation. Sanctions will be imposed for making false accusations of discrimination or harassment.

ARTICLE II: EMPLOYMENT PRACTICES
Section 7. Personal Conduct on University Property

Policy 7.2: Policy on Procedure Regarding Sexual Assault
Issued: June 1, 2001

Policy

It is the policy of Chicago State University that the sexual assault of one member of the academic community by another will not be tolerated. This policy applies to all members of the campus community: students, employees, and visitors. It applies to incidents which occur on University property, as well as at off-campus functions sponsored or supervised by the institution.

The term "sexual assault" as used by Chicago State University in this policy encompasses the legal definition of sexual assault contained in Chapter 38, Illinois Compiled Statutes and the definition of forcible and non-forcible sex offenses used in the Federal Bureau of Investigation's Uniform Crime Reporting System. It includes, but is not limited to, acts of rape (stranger and acquaintance), other forms of coerced sexual activity, and unwanted touching or fondling.

The University is committed to:

11. educating the campus community about awareness and prevention of sexual assault and its consequences,
12. providing support services to victims of sexual assault,
13. thoroughly investigating alleged incidents of sexual assault, and
14. disciplining student and employee perpetrators of such acts of violence.

Prevention and Awareness of Sex Offenses

A variety of offices in three Vice Presidential areas (Academic Affairs, Administrative Affairs, and Student Affairs) provide services aimed at the prevention of sex offenses as well as educational programs about the awareness of rape, acquaintance rape, and other sex offenses. Services and educational programs include, but are not limited to, those cited below:

The numerous house phones on campus are answered by the Police Department at ext. 2111.

Procedures to Follow If a Sex Offense Occurs

1. If a sex offense occurs, the victim should give first priority to personal safety by seeking immediate assistance at the nearest hospital or police station or, if on campus, call ext. 2111 or go to O&M to Police Department where staff are available 24 hours per day.

ARTICLE II: EMPLOYMENT PRACTICES
Section 7. Personal Conduct on University Property

Policy 7.2: Policy on Procedure Regarding Sexual Assault
(Continued)
Issued: June 1, 2001

2. If personal safety is not an immediate concern, the victim may also seek assistance at the Student Affairs Office SUB-160 or the Police Department O&M. Staff in these offices are equipped to provide supportive assistance, including guidance on the importance of preserving evidence which will be necessary to prove criminal sexual assault if the victim subsequently chooses to pursue the incident through proper law enforcement channels. It is important for the victim to give serious consideration to reporting such incidents which do occur to the proper law enforcement agency.
3. If the victim chooses to report an incident of sexual assault, it should be reported to the appropriate police department or, if the incident occurred on campus, the Police Department at ext. 2111 at O&M Building. Staff in the Student Affairs Office are available to assist a victim in reporting an incident of sexual assault to the proper law enforcement agency and/or Police Department. For campus disciplinary action the Police Department will refer the matter to the Office of the Dean of Students if the alleged perpetrator is a student, or to the appropriate Vice President if the alleged perpetrator is an employee. For criminal prosecution, the Police Department will refer the matter to the detectives of the violent crimes unit of the Chicago Police Department.
4. Victims of sexual assault may seek support in several areas:
 1. Student Affairs Office provides referrals to relevant community agencies to employees, students, and campus visitors.
 2. These services are available to all members of the campus community who are victims of sexual assault regardless of where the assault incident occurred. In discussion with the appropriate Dean of the College, changes in a student's enrollment may be made after an alleged sexual assault incident, if so requested by the victim and the change is reasonably available.

Procedures for On-Campus Disciplinary Action

Incidents in which the accused is a student will follow the procedures specified in the University Student Conduct Code (non-academic misconduct).

Incidents in which the accused is an employee will follow the disciplinary procedures outlined in the appropriate collective bargaining agreements, the Regulations of the Board of Trustees, and/or the Civil Service disciplinary procedures for non-negotiated employees.

ARTICLE II: EMPLOYMENT PRACTICES
Section 7. Personal Conduct on University Property

Policy 7.2: Policy on Procedure Regarding Sexual Assault
(Continued)
Issued: June 1, 2001

Should a decision be made that other persons may be present, both accuser and accused may have another person present during the campus disciplinary proceeding.

Both accuser and accused shall be informed of the outcome of the campus disciplinary proceeding.

Possible Sanctions

In addition to the outcomes of any criminal and/or civil proceedings, the University may also impose the following sanctions:

1. Sanctions which may be imposed on students following a final determination of rape, acquaintance rape, or other sex offense (forcible or non-forcible) include official warning, disciplinary probation, suspension, or expulsion.
2. Sanctions which may be imposed on employees following a final determination of rape, acquaintance rape, or other sex offense (forcible or non-forcible) include oral and written reprimands, fines, suspensions, and termination.
3. Depending upon the perceived threat to the health or safety of the victim or of others in the University community, the University may take necessary and appropriate action to prevent unwanted contact or proximity with visitors who are alleged assailants.

Distribution

To inform members of the campus community about this policy, the University will select among several means such as, but not limited to, printing it in the Student Survival Kit (Student Handbook) and/or the student newspaper and direct mailing to employees via campus mail.