Sexual Harassment Policy

Colorado State University strives to create and maintain a work and study environment that is fair, humane, and responsible so that each member of the University community is treated with dignity and rewarded for such relevant considerations as ability and performance. Abusive treatment of individuals on a personal or stereotyped basis is contrary to the concepts of academic freedom and equal opportunity. Sexual harassment is one form of such abuse and cannot be tolerated.

Sexual harassment is also illegal. It is prohibited in the employment context by Title VII of the 1964 Civil Rights Act and in the education context by Title IX of the Educational Amendments of 1972.

Therefore, this policy shall apply to all persons affiliated with the University, including its students and employees. Persons who violate this policy shall be subject to corrective action. This policy supplants and supersedes all other policies and procedures related to issues of sexual harassment.

Sexual Harassment Defined

I. Sexual Harassment Defined

This policy prohibits "quid pro quo" and "hostile environment" sexual harassment as defined below.

A. Quid Pro Quo Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature by one in a position of power or influence constitutes quid pro quo sexual harassment when (1) submission by an individual is made either an explicit or implicit term or condition of academic standing or of employment or (2) submission to or rejection of such conduct is used as the basis for academic or employment decisions affecting that student or employee. As defined here, quid pro quo sexual harassment normally arises in the context of an authority relationship. This relationship may be direct, as in the case of a supervisor and subordinate or teacher and student, or it may be indirect when the harasser has the power to influence others who have authority over the victim.
B. Hostile Environment Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature constitute hostile environment sexual harassment when such conduct is directed toward an individual because of her or his gender, is severe and/or pervasive, and has the purpose or effect of (1) creating an intimidating, hostile, or offensive academic or work environment or (2) unreasonably interfering with another's academic performance or work. Generally, a single sexual joke, offensive epithet, or request for a date does not constitute hostile environment sexual harassment; however, being subjected to such jokes, epithets, or requests repeatedly may constitute hostile environment sexual harassment.

In determining whether the alleged sexual harassing conduct warrants corrective action, all relevant circumstances, including the context in which the conduct occurred, will be considered. Facts will be judged on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular sensitivity or reaction of an individual.

In cases of alleged sexual harassment, the protections of the First Amendment must be considered if issues of speech or artistic expression are involved. Free speech rights apply in the classroom and in all other education programs and activities of public institutions, and First Amendment rights apply to the speech of students and teachers. Great care must be taken not to inhibit open discussion, academic debate, and expression of personal opinion, particularly in the classroom. Nonetheless, speech or conduct of a sexual or hostile nature that occurs in the context of educational instruction may exceed the protections of academic freedom and constitute prohibited sexual harassment if it meets the definition of sexual harassment noted above and (1) is reasonably regarded as non-professional speech (i.e., advances a personal interest of the faculty member as opposed to furthering the learning process or legitimate objectives of the course) or (2) lacks accepted pedagogical purpose or is not germane to the academic subject matter.

http://oeo.colostate.edu/sexual-harassment-policy

http://www.catalog.colostate.edu/FrontPDF/1.6POLICIES1112f.pdf

complete listing of University Policies from the Student Handbook