The University of Southern California is committed to maintaining an environment which is conducive to learning and scholarship and free from sexual harassment. To this end, a formal written policy has been developed that specifies certain behaviors by employees of the university, acting under the aegis of the university, which fall within the definition of sexual harassment and which are therefore subject to sanction. In addition, even though students are not covered by the public laws on this subject, behavior by students which falls within the definition of sexual harassment is also subject to sanction by the university. In addition, the university president has issued statements on sexual harassment and on tolerance, and USC has policies: (1) prohibiting sexual harassment by students, (2) committing the university to equal opportunity and nondiscrimination, (3) providing for resolution of grievances, and (4) manifesting the university’s commitment to academic freedom, academic tenure and full academic due process.

I. Policy

A. Definition of Sexual Harassment

Conduct is sexual harassment if it is an unwelcome sexual advance; request for sexual favors; or any other verbal, physical or visual behavior of a sexual nature; when:

1. Quid pro quo. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual’s academic evaluation or employment; or submission to or rejection of such conduct by an individual is used as a basis for any academic evaluation or employment decision affecting that individual; or

2. Discriminatory abusive or hostile environment. Such conduct (intentionally or unintentionally) is severe or pervasive enough to create an objectively abusive or hostile work or academic environment: that is, an environment that some victim perceives as abusive or hostile and that a reasonable man or a reasonable woman would find abusive or hostile. Such conduct need not be directed at a particular individual.

If a complaint is made that an environment is discriminatorily abusive or hostile, the following factors will be considered: the totality of the circumstances; the frequency of the conduct; the severity of the conduct; whether the conduct unreasonably interferes with the complainant’s work or educational performance; whether the conduct was physically threatening or humiliating, or a merely offensive utterance; and its effect on the victim’s psychological well-being.

B. Participation

Participation by the harassed person in the conduct is not determinative in deciding whether or not the conduct was unwelcome; the individual may have acquiesced or consented out of fear or coercion.

C. Intent Not a Defense

It is no defense to a claim of sexual harassment that the alleged harasser did not intend to harass.

D. Types of Sexual Harassment

In the context of the definition given in the preceding Section A:

Verbal sexual harassment may include, but is not limited to, written or spoken epithets; derogatory or sexually suggestive comments or slurs about an individual’s body or dress; questions or statements about sexual activity, other than in an appropriate context such
as academic study of such activity; sexual jokes and innuendo; whistling or suggestive sounds; or persistent, rejected, requests for dates or to have sex.

Physical sexual harassment may include, but is not limited to, assault, stalking, impeding or blocking movement, physical interference with normal work or movement, touching, fondling, intentional brushing against an individual’s body.

Visual sexual harassment may include, but is not limited to, sexually suggestive objects, pictures or letters; obscene gestures; office parties with nude dancers or pornographic movies.

Some illustrative examples:

- Clinical staff or students seek sexual relationships with patients or clients;
- A lecturer makes a habit of touching or making sexually suggestive comments to a student;
- A workspace has nude pin-up calendars and photographs or sexually suggestive objects;
- An office party in the workplace includes the showing of pornographic movies;
- A lecturer includes irrelevant sexually explicit slides in an audio-visual presentation;
- Co-workers talk about sexual experiences or exchange sexual jokes in front of someone who is offended by them;
- A co-worker makes persistent, rejected requests to date a colleague.

E. Applicability Outside the University

The academic or work relationship between the parties extends at times beyond the physical university site and beyond university work hours. Therefore, evidence of sexual harassment can include, but is not limited to, offsite or after-hours functions and events under the aegis of the university.

F. Retaliation

It is a violation of the university policy on sexual harassment to retaliate against any person for exercising the right to make a formal or informal sexual harassment complaint, to use any of the informal processes provided by the university or to testify or offer evidence connected with a complaint. Retaliation is a violation of this policy whether or not the underlying claim of sexual harassment is proven president who will take appropriate preventive or corrective action, and will notify the general counsel who may initiate a formal investigation under Section III B.

II. Complaint Procedures

Copies of the detailed procedures followed by the university in the event of a complaint being made against a student, may be obtained from the Center for Women and Men, Student Union 202, (213) 740-4900. For complaints against a faculty or staff member, please contact the Office of Equity and Diversity, Figueroa Building 202, (213) 740-5086.

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