

APPENDIX E

SEXUAL HARASSMENT POLICY OF THE GRADUATE SCHOOL OF SOCIAL WORK PORTLAND STATE UNIVERSITY

Rationale

- A. Sexual harassment is reprehensible and will not be tolerated by the Graduate School of Social Work. It subverts the mission of the Graduate School of Social Work and threatens the careers, education experiences and well-being of students, faculty, and staff. Relationships involving sexual harassment or discrimination have no place within the Graduate School of Social Work. In both obvious and subtle ways, the possibility of sexual harassment is destructive to individual students, faculty, staff, field instructors, clients, and the academic and professional community as a whole. When through fear of reprisal a student, staff member, field instructor, faculty member, or client submits or is pressured to submit to unwanted sexual attention, the School's ability to carry out its mission is undermined.
- B. Sexual harassment is especially serious when it threatens relationships between teacher and student or field instructor and student, or supervisor and subordinate (i.e. staff relationships). In such situations, sexual harassment unfairly exploits the power inherent in a faculty member's, field instructor's, or supervisor's position. Through grades, wage increases, recommendations for graduate study, promotion, or tenure and the like, a teacher, field instructor or supervisor can have a decisive influence on a student's, staff member's, or faculty member's career at the Graduate School of Social Work and beyond.
- C. While sexual harassment most often takes place in situations of a power differential between the persons involved, the Graduate School of Social Work recognizes that sexual harassment may occur between persons of the same status within the School. The Graduate School of Social Work will not tolerate behavior between or among members of the School community which creates an unacceptable educational or working environment.

Policy

It is the policy of the Graduate School of Social Work at Portland State University that sexual harassment is prohibited. All members of the faculty, staff, and student body of the Graduate School of Social Work are entitled to work and study in an environment free from all forms of discrimination, including sexual harassment.

Definition of Sexual Harassment

Sexual harassment may constitute a violation of one or more civil rights and non-discrimination laws, including Title VII of the Civil Rights Act of 1964 for employees, and Title IX of the Education Amendments of 1972 for students.

For purposes of this policy, sexual harassment is defined as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when such conduct is directed toward an individual because of that individual's gender and:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement; or
- (b) Submission to, or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual; or
- (c) Such conduct is of such frequency and or severity that it has the purpose or effect of unreasonably interfering with an individual's work performance or academic performance or creating an intimidating, hostile, or offensive working or academic environment.

Examples of Sexual Harassment

Sexual harassment encompasses any sexual attention that is unwanted. Examples of the physical or verbal conduct prohibited by this policy include but are not limited to:

- (a) Physical assault;
- (b) Direct propositions of a sexual nature;
- (c) Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation.

- (d) Subtle pressure for sexual activity, an element of which may be conduct such as repeated and unwanted staring;
- (e) A pattern of conduct (not legitimately related to the subject matter of a course if one is involved) intended to discomfort or humiliate, or both, that includes one or more of the following: (i) comments of a sexual nature; or (ii) sexually explicit statements, questions, jokes, or anecdotes;
- (f) A pattern of conduct that would discomfort or humiliate, or both, a reasonable person at whom the conduct was directed that includes one or more of the following: (i) unnecessary touching, patting, hugging, or brushing against a person's body; (ii) remarks of a sexual nature about a person's clothing or body; or (iii) remarks about sexual activity or speculations about previous sexual experience.

Grievance Procedures

Grievances may be initiated by any member of the Graduate School of Social Work community: students, staff, faculty or field instructors who encounter sexual harassment from members of the School in the performance of their field instruction duties. Clients seen by social work students in their field placements shall pursue grievances through the appropriate channels in the agencies in which the students provide services.

Grievance Officers of the Graduate School of Social Work

There shall be two grievance officers of the Graduate School of Social Work, one of each gender, to deal with complaints of sexual harassment. The officers shall be elected by a majority of votes at the last faculty meeting of each academic year. Grievance officers shall be full-time faculty members and shall serve a two year, staggered term of office. (Students may obtain the names of the grievance officers from the Administrative Assistant in the Office of Student Affairs.) Grievance officers are to be neutral gatherers of information and are not to be advocates for the grievance complainant or respondent. Complainant and respondent are encouraged to seek advocates and/or counsel if necessary.

Informal Grievance Procedure

1. An individual may solve a problem of sexual harassment by means of a direct discussion with the other party or by other informal avenues that he or she feels are appropriate. These informal avenues may include discussion of the problem with the advisor, another faculty member, or the dean.
2. Any person alleging sexual harassment may also informally present a complaint to a grievance officer of the Graduate School of Social Work, to the Affirmative Action Officer of the University, or to a designated officer in the Office of Counseling and Psychological Services who is the same sex as the complainant. The officer shall treat the allegations confidentially, and attempt to resolve the complaint in an informal manner including when necessary, consultation with the dean.
3. Advice as to the procedures regarding formal steps which may be pursued will be available from each officer.
4. Complainant and respondent cannot be required to have face-to-face contact with each other during informal procedures.

Formal Grievance Procedures

1. If the complainant wishes to pursue a formal grievance within the Graduate School of Social Work, he or she will inform one of the grievance officers of the school who will advise the complainant of the procedures for the preparation of a written statement of grievance. The grievance officer will also advise the complainant of the procedures concerning the gathering of information which will be presented to the Grievance Board.
2. The grievance officer is to call together a meeting of the Sexual Harassment Grievance Board. This is a board consisting of the two grievance officers and a third person of the same status as the complainant within the school (student, faculty, field instructor, or staff member) and who is acceptable to both the complainant and the person against whom the grievance has been filed.
3. The written statement of grievance must be given to the board members and the person

named in the complaint two calendar weeks before the Sexual Harassment Grievance Board is to meet.

4. During the meeting, the complainant shall present to the Board the written statement describing the incidents of alleged harassment in question, as well as the names of any witnesses to the incidents.
5. The person against whom the grievance is filed may also receive advice from a grievance officer and may also present a written statement to the board concerning the complaint and supporting evidence.
6. Both complainant and respondent shall have the right to be present and shall have the right to call any persons to testify before the board who shall have direct knowledge bearing upon the alleged sexual harassment.
7. At any time formal procedures can be terminated by agreement of the parties and resolved by using the informal procedures. Where an informal resolution is not possible, the Grievance Board shall make a decision concerning: (i) probable cause, and (ii) whether sanctions should be imposed. If probable cause is found to exist, the board recommends sanctions, these decisions shall be conveyed in a written decision to the Dean of the Graduate School of Social Work.
8. In the event of dissatisfaction with the board's procedures or findings, the complainant or respondent has the right of direct appeal to the Dean of the Graduate School of Social Work.
9. At any time in the process of filing a grievance, the complainant may avail himself or herself of the grievance procedures which have been adopted by the university and which are outlined in the Portland State Sexual Harassment Policy.
10. Nothing in this policy shall be interpreted to abridge the rights of any University employee or student to seek outside judicial or administrative redress of complaints of sexual harassment. Additionally, nothing in this policy prevents the complainant or respondent from obtaining counsel or enlisting an advocate.

Protection of Rights

1. Investigations of complaints will be initiated only with the complainant's consent. The complainant will be informed fully of steps taken during the investigation.
2. All reasonable action will be taken to assure that the complainant and those testifying on behalf of the complainant or supporting the complaint in other ways will suffer no retaliation as the result of their activities in regard to the process.
3. At the time the investigation commences, the accused will be informed of the allegation, the identity of the complainant, and the facts surrounding the allegations.
4. In the event the allegations are not substantiated, all reasonable steps will be taken to restore the reputation of the accused, if it was damaged by the proceeding.
5. If any party is found to have been intentionally dishonest or malicious in making the allegations or responding to them, that party is subject to School and University discipline.
6. To the extent possible, the proceedings will be conducted in a way calculated to protect the confidentiality interests of both parties.
7. The parties will be informed promptly about the outcome of the Sexual Harassment Grievance Board Hearings, and the Dean's decision.
8. After the investigation, the parties will be informed of the facts.

Dissemination of the Sexual Harassment Policy

During the first two weeks of the academic year, all new faculty members and field instructors, and all incoming students will receive a complete copy of this policy and the names of current Grievance Officers. Grievance Officers of the School will make themselves available to discuss the contents of this policy with members of the Graduate School of Social Work community.

APPENDIX F

PORTLAND STATE UNIVERSITY SEXUAL HARASSMENT POLICY

Responsible Office: AFFIRMATIVE
ACTION

1. Policy

Sexual Harassment, in all its forms, is unethical behavior, disruptive of workplace and campus life, and inherently antithetical to the University's mission, purpose and functioning. PSU administration, faculty, staff, and students are responsible for assuring that PSU maintains an environment for work, study, and the provision of services and activities that is free from sexual harassment. Sexual harassment is prohibited by Federal and State law, Oregon University System rules and policy, and is prohibited at Portland State University (PSU).

2. Definition

Sexual harassment is any unwelcome and unwanted sexual advance or request for sexual favor or other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or participation in a sponsored educational program participation in services, or participation in sponsored activity; or
- B. Submission to or rejection of such conduct is used either explicitly or implicitly as a basis for any decision affecting terms or conditions of an individual's employment, participation in a sponsored educational program, participation in services, or participation in sponsored activity; or
- C. Such conduct has the effect of unreasonably interfering with an individual's work performance, receipt of services or academic activities, or creates an intimidating, hostile or offensive environment.

Sexual harassment can occur between any individuals associated with PSU, i.e., between an employee and a supervisor; between co-workers; between faculty members; between a faculty, staff or student and a customer, patient, vendor, or contractor; or between a student and a faculty member or another student. Sexual harassment

can occur independent of the gender of the parties involved.

3. Examples of Sexual Harassment

Sexual harassment can encompass any sexual attention that is unwelcome and unwanted. Examples of verbal or physical conduct prohibited by this Policy include, but are not limited to:

1. A pattern of sexually charged conduct not legitimately related to the subject matter of a course that causes discomfort or embarrassment including:
 - comments of a sexual nature;
 - sexually explicit statements, questions, jokes, or anecdotes;
 - touching, patting, hugging, brushing against a person's body, or repeated focused staring;
 - remarks about sexual activity, experience, or orientation; and/or
 - display of inappropriate sexually oriented materials in a location where others can see it;
2. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, participation in activities, promotion, grades, assignments, or letters of recommendation; and
3. Physical sexual assault.

4. Reporting Sexual Harassment

PSU encourages anyone who believes that s/he has experienced or witnessed sexual harassment to come forward promptly. While sexual harassment concerns may sometimes be resolved by the person being harassed dealing directly with the alleged harasser, when such a course of action is not possible or appropriate, concerns or issues regarding sexual harassment should be brought to the attention of:

- A. A supervisor or department head most directly concerned, excluding the person accused of the harassment;
- B. Any academic or administrative official of PSU including but not limited to the president, a vice president, university counsel, the provost or a vice provost, a dean, a chair, or a director;
- C. The Office of Affirmative Action;
- D. Office of Student Affairs;
- E. Members of the Sexual Harassment Resource Network;

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- F. Ombuds Office;
- G. Campus Public Safety.

Any Supervisor, Manager, Faculty Member, Sexual Harassment Resources Network Member, or other University Official who receives a report of sexual harassment shall promptly notify the Affirmative Action Office of the complaint. The Affirmative Action Office has primary responsibility for investigating and resolving reports of sexual harassment.

5. Options for Resolution

Individuals who report concerns about sexual harassment will be advised of their options for resolution of the complaint. These options include:

- A. Informal resolution of the complaint with the assistance of the Affirmative Action Office and, where appropriate, the individual(s) to whom the report was initially made; or
- B. Filing a formal grievance through the University's grievance procedures.

6. Confidentiality

To the extent possible, PSU treats as confidential all information received in connection with reports of sexual harassment. It may become necessary, however, to disclose particulars during the course of an investigation or attempt at resolution. All individuals who participate in any procedure under this policy have an obligation to maintain the highest confidentiality of any of the matters discussed.

7. Non-Retaliation

Retaliation against an individual for reporting sexual harassment or for participating in an attempt at resolution, an investigation, or any activity under this policy is strictly prohibited. Any act of retaliation or reprisal violates this policy and will be treated as a separate matter.

Anyone found to have retaliated against anyone making use of this policy or any procedures related to this policy will be subject to appropriate disciplinary or corrective action(s), up to and including severance of any relationship with PSU.

8. False Complaints

It is a violation of this policy for anyone to make an intentionally false accusation of sexual

harassment. Anyone who is found to have made an intentionally false accusation of sexual harassment will be subject to appropriate corrective and/or disciplinary action.

9. Corrective Action

Where sexual harassment is found, steps will be taken to ensure that the harassment is stopped immediately. Appropriate corrective measures will be implemented and may range from counseling, verbal or written reprimands, suspensions, or other action, up to and including dismissal, in accordance with established PSU policies and procedures. Matters involving students will be investigated by the Affirmative Action Office and findings will be forwarded to the Office of Student Affairs for processing under the Student Conduct Code.

Portland State University Office of Affirmative Action and Equal Opportunity
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