

## What are the effects of sexual harassment?

VICTIMS MAY FEEL POWERLESS to stop the situation. There may also be a fear of retaliation. Victims often blame themselves. Others may also blame them for the problem, rather than holding the harasser responsible for the behavior. Sexual harassment is not funny; it is degrading and upsetting. It is not “just the way things are.” Victims have dropped courses, changed majors, avoided advisors, even quit jobs or school.

## What can you do if you are harassed?

**SAY NO.** Tell the harasser that his or her advances are unwanted and you want them stopped.

**DON'T DELAY.** Pay attention to cues or comments indicating harassment. If a person's behavior makes you uncomfortable, say so.

**KEEP A RECORD.** Should the harassment continue, keep track of dates, time, places and statements. This information can be used to support a complaint.

**TALK TO OTHERS.** Let the department head, supervisor of the harasser, or your supervisor know what has happened. Check with other students or co-workers to see whether they have also been harassed; incidents of harassment are often not isolated, and sexual harassers are likely to exhibit a pattern of such behavior. Tell a college or MCCS administrator responsible for dealing with sexual harassment.

**DON'T HESITATE.** Regardless of the outcome of your complaint, you will be fully protected against retaliation for making the complaint.

## What can you do if you are accused of harassment?

SEEK THE ADVICE of your college's or system's Title IX Coordinator, who will explain both the informal and formal complaint procedures to you. Often a complaint is the result of poor communication or lack of understanding between people. If this is the case, informal remedies usually prevail. Be aware that alcohol, drugs, peer group pressure, promise of academic reward, or ignorance of the sexual harassment policy will not be considered as excuses for infractions of this policy. In the event of a formal hearing, the MCCS respects the civil rights of the respondent as well as the complainant.

## How are sexual harassment complaints handled?

EACH COLLEGE HAS a written procedure for filing, investigating, and resolving sexual harassment complaints. Employees may use these specialized procedures or may file a grievance under the provisions of the applicable collective bargaining agreement.

A complaint may be made informally or formally. The informal process includes investigation of the allegation and seeks a resolution to which all involved can agree. If an informal resolution is not possible, the complaint may be referred for a formal proceeding.

Sexual harassment resolution procedures are designed to assure maximum confidentiality to both the complainant and the person accused of harassment.

Additionally, if you wish to file a charge of sexual harassment with the Maine Human Rights Commission, you must do so within six months of the alleged incident. Further information is available from the Maine Human Rights Commission, State House Station 51, Augusta, ME 04330, (207) 624-6050.

## Who can help you?

IF YOU BELIEVE you are being harassed, seek help—the earlier, the better. Each of the Maine Community Colleges has designated a Title IX Coordinator to help you. Further information can be found in the Student Handbook or on your college's Web site. Please contact your President's or Dean of Students' Office if you have difficulty reaching this individual.

*The Maine Community College System is an equal opportunity/affirmative action institution and employer. For more information, please call the MCCS Human Resources Director at (207) 629-4000. The complete Notice of Non-Discrimination is available at: [www.mccs.me.edu/nondiscrimination.html](http://www.mccs.me.edu/nondiscrimination.html).*

# Sexual Harassment

*It's against the law.*

*It violates MCCS policy.*

*It will not be tolerated.*



Central Maine  
Community College  
Auburn

Eastern Maine  
Community  
College  
Bangor

Kennebec Valley  
Community College  
Fairfield/Hinckley

Northern Maine  
Community  
College  
Presque Isle

Southern Maine  
Community College  
South  
Portland/Brunswick

Washington  
County  
Community  
College  
Calais

York County  
Community College  
Wells

## What is sexual harassment?

SEXUAL HARASSMENT INCLUDES any unwelcome sexual attention. It is usually repeated behavior, but could be one serious incident. Sexual harassment may be blatant, as in:

- deliberate touching, pinching, caressing;
- attempts to fondle or kiss;
- pressure for dates or sex;
- requests for sex in exchange for grades or promotions; or
- sexual assault.

Or sexual harassment may be more subtle—like staring, sexual jokes, teasing, sexually demeaning remarks, starting or participating in rumors of a sexual nature, and using terms of familiarity (honey, dear, sweetie, etc.). Although such forms of harassment may be unintentional, words and behaviors are harassing if they are heard and seen as such by others.

Sexual harassment usually occurs in situations in which one person has power over another; however, it can also occur between equals. Both men and women can be sexually harassed. Sexual harassment can also occur between members of the same sex.

Sexual harassment is a form of sex discrimination that is illegal under federal and state law.

## What kinds of behavior may lead to complaints?

- One of Jennifer's instructors is going through a divorce. Lately, while talking about her paper, he has begun telling her about his fantasies and pressuring her into making his fantasies come true. She has refused, but now he is saying that she will never get the grade she expected if she doesn't have sex with him.
- Connie hears her first discussion of sexual harassment as part of a staff training session. She realizes then that when her supervisor clips sexually suggestive notes to her assignments, such as, "I work better after hours. Let's talk about this over drinks." or "How about discussing this at my place tonight?" it constitutes sexual harassment. Connie sees that she has needlessly tolerated this behavior hoping that it would go away. It hasn't.
- John is in a class in which the instructor regularly makes disparaging and demeaning comments about men. Because of this he wants to drop the class, but the drop date has passed. He talks to other students

who are also angered and frustrated by these comments.

- Jim is a custodian in the dormitories. He has a good relationship with the students and likes to linger and chat with them. He sometimes goes into their rooms to talk. One young woman is uncomfortable with Jim's friendliness and is thinking of requesting a dorm change.
- At a campus job, one of Sue's co-workers kept talking about her weekend affairs. The co-worker would then pressure Sue into talking about her sexual experiences. Sue was so uncomfortable that she quit her job.
- Bob expressed his support of gay and lesbian rights. He was pushed to the ground and interrogated about his own sexual preferences.
- Sue and Tom are on a date in their dorm room. Their sex starts as consensual but becomes non-consensual when Sue says that she wants to stop. Tom persists and does not stop when Sue asks him to stop.

## What about "consenting" relationships?

SEXUAL RELATIONSHIPS between employees and students or between certain employees within the MCCS that begin consensually can end acrimoniously. Such endings can and do subsequently lead to claims of unprofessional conduct, sexual harassment in violation of this policy, and/or a conflict of interest in violation of MCCS Policy. Such claims, even if ultimately determined to be without merit, are often expensive and time-consuming for the MCCS, and difficult for the individuals involved.

Accordingly, the MCCS prohibits consensual romantic or sexual relationships between employees when one employee supervises or otherwise has authority over the other employee, and between an employee and a student when the employee instructs, advises or otherwise has authority over the student. Employees who violate these prohibitions are subject to counseling and/or disciplinary action.

In addition, consensual romantic or sexual relationships between an employee and a student located on the same campus, even when the employee does not instruct, advise or otherwise have authority over the student, can give rise to the same claims described above. Consequently, the MCCS strongly discourages such relationships between an employee and a student located on the same campus.

## What can you do about sexual harassment?

AS AN INSTRUCTOR, make sure you are aware of how classroom behavior and interaction with students may constitute or be construed as sexual harassment. AS A SUPERVISOR, you have a legal responsibility to stop sexual harassment. In the MCCS, supervisors include department chairs and directors, administrators and any other person who is responsible for the work of another employee. Supervisors must deal with harassing behaviors of which they are or should be aware. The courts have found that employers may be responsible if they know *or should have known* about sexual harassment. If a student or employee reports harassment to you, listen carefully, explain the MCCS policy and encourage the person to contact the college Title IX Coordinator, also referred to as the Affirmative Action Officer. Even if the person chooses not to pursue the complaint, it is essential that you advise the Affirmative Action Officer immediately.

AS AN EMPLOYEE OR STUDENT, you should be sensitive to how others view what you say and do. You should also report any harassment you become aware of.

## How can you avoid harassment?

Set your own boundaries. Say "NO" emphatically and clearly when you are asked to go places, do things, respond to questions, or engage in situations that make you uncomfortable. Do not worry about offending the other person or harming his or her ego. Take care of yourself first.

Be aware of situations and people who may harm you. Don't ignore others' warnings about particular people or social settings. Acknowledge their concern for you and for themselves. Trust your instincts about possible danger.

In an uncomfortable situation, be direct and honest, and remove yourself from the situation immediately. Regardless of previous behavior or signals you may have given, you have the absolute right to halt any sexual exchange at any time. Accept this right and act on it. If someone tells you to stop an encounter, listen to her or him and respect the request. (Anything else is harassment. **(continued...)**)