

## WHAT IS SEXUAL HARASSMENT?

**SEXUAL HARASSMENT INCLUDES** any unwelcome sexual attention. It is usually repeated behavior, but could be a single, 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 subtle—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 these forms of harassment may be unintentional, words and behaviors are harassing if they are heard and interpreted as such by others.

Sexual harassment may occur in situations in which one person has power over another; it can also occur between equals. Both men and women can be sexually harassed; it 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.

Further, under federal law, dating and domestic violence and stalking constitute sexual harassment when the conduct operates to deny a person equal access to MCCS' educational programs or activities.

## WHAT ARE THE EFFECTS OF SEXUAL HARASSMENT?

**SEXUAL HARASSMENT IS NOT FUNNY;** it is degrading and upsetting. Victims may feel powerless to stop the situation or may fear retaliation. Often, they blame themselves.

Others may also blame the victim, rather than holding the harasser responsible for the behavior. Sexual harassment is not "just the way things are." Victims have missed classes, dropped courses, changed majors, avoided advisors, even quit school or jobs.

## WHAT KINDS OF BEHAVIOR MAY LEAD TO COMPLAINTS?

- Jennifer's instructor is getting a divorce. Lately, while talking about her paper, he has been telling her about his fantasies and pressuring her to make his fantasies come true. She has refused, but now he is saying that she will never get the grade she expects if she doesn't have sex with him.
- 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 course, but the drop date has passed. He talks to other students who are also angered and frustrated by these comments.
- 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 orientation.

# 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**



- Sue and Tom are on a date in their dorm room. Their sex starts as consensual but becomes non-consensual when Tom persists after Sue says that she wants to stop.
- Connie learns about sexual harassment at a staff training session. Her supervisor often includes sexually suggestive notes in her work 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 makes Connie uncomfortable, and she tries to avoid meeting alone with her supervisor.

## WHAT ABOUT "CONSENTING" RELATIONSHIPS?

**THE MCCS PROHIBITS CONSENSUAL** romantic or sexual relationships between an employee and a student, and between employees when one employee supervises or otherwise has authority over the other employee. Employees who violate these prohibitions are subject to counseling and/or disciplinary action.

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 difficult for the individuals involved and expensive and time-consuming for the MCCS to resolve.

## 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. Even if the person chooses not to pursue the complaint, it is essential that you advise the Title IX Coordinator 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 interactions, you have the absolute right to halt any sexual activity 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.

## WHAT CAN YOU DO IF YOU ARE HARASSED?

**SPEAK UP.** Pay attention to cues or comments indicating harassment. If a person's behavior makes you uncomfortable, say so.

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

**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.

## 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.

## 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.

Complaints are made formally, and signed. The parties may agree to an informal process including an investigation of the allegation and seeking a resolution to which all involved can agree. If an informal resolution is not possible, the complaint will 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 at [maine.gov/mhrc](http://maine.gov/mhrc) or 207-624-6050.

## WHAT CAN YOU DO IF YOU ARE ACCUSED OF HARASSMENT?

**SEEK THE ADVICE** of the Title IX Coordinator, who will explain both complaint and resolution 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.

*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: [mccs.me.edu/non-discrimination-statement](http://mccs.me.edu/non-discrimination-statement).*

*Published July 2020*