

TIPS FOR GRADUATE STUDENTS

Teaching Assistants and Sexual Harassment

Graduate students, generally, and specifically in your role as teaching assistants (“TA”), must follow strict professional guidelines regarding gender rights and equality.

The University is committed to ensuring that all students, faculty and staff have equal access to the University’s institutional and educational benefits, regardless of one’s sex.

There are certain factors in the University environment that, if permitted, contribute to an interference with access of these benefits, including degrading comments based on one’s gender, or of one race by another, sexual harassment, discrimination, and the injection of romantic or sexual overtones into relationships where there are differences in the power between the people involved. This statement summarizes the laws, regulations, and policies applicable to you.

Sexual Harassment

Sexual harassment is a form of sex discrimination. Sexual harassment is unwelcome and discriminatory speech or conduct undertaken because of an individual’s gender that is so severe, persistent or pervasive and is subjectively and objectively offensive that it has the systematic effect of unreasonably interfering with or depriving someone of educational, institutional, or employment access, benefits, activities, or opportunities.

Hostile Environment Sexual Harassment includes conduct that is sufficiently severe, persistent or pervasive and is subjectively and objectively offensive that it alters the conditions of education or employment or institutional benefits of a reasonable person with the same characteristics of the victim of the harassing conduct. Whether conduct is harassing is based upon an examination of the totality of the circumstances, including but not limited to:

- a. the frequency of the conduct;
- b. the nature and severity of the conduct;
- c. whether the conduct was physically threatening;
- d. whether the conduct was deliberate, repeated humiliation based upon sex;
- e. the effect of the conduct on the alleged victim’s mental or emotional state from the perspective of a reasonable person;
- f. whether the conduct was directed at more than one person;
- g. whether the conduct arose in the context of other discriminatory conduct;

h. continued or repeated verbal abuse of a sexual nature, such as gratuitous suggestive comments and sexually explicit jokes; and

i. whether the speech or conduct deserves constitutional protections.

Quid Pro Quo Sexual Harassment exists when individuals in positions of authority over the complainant:

- make unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and
- indicate, explicitly or implicitly, that failure to submit to or the rejection of such conduct will result in adverse educational or employment action or where participation in an educational program or institutional activity or benefit is conditioned upon the complainant's submission to such activity.

Examples of Sexual Harassment

Where the totality of the circumstances viewed from the perspective of a reasonable person demonstrate a severe and pervasive interference with educational or employment rights, sexual harassment may exist in instances that can include:

- Suggesting, even if in a "joke," that your schoolwork could be lessened or a grade evaluation be raised if you spend time socially or romantically with the person.
- Any pressure for sex, any threat to punish for refusing.
- Any remarks about clothing, body, or activities that could be construed as sexual, either in appreciation or as a put-down.
- Insulting sounds, suggestive whistling.
- Intimidating, angry, loud, or insulting language where someone feels frightened (note: this is verbal violence, rather than physical).
- Jokes about sex or gender.
- Inappropriate touching or feeling, attempted kissing or fondling, assault.
- Leering, obscene gestures, exposing of body.
- Displaying sexually explicit or sexually derogatory cartoons, photos, drawings, calendars, posters, T-shirts.
- Saying or "joking" that, for example, women cannot learn this material or run this instrument as quickly or as well as men.

Unethical Romantic Behavior

Under no circumstances should a faculty member or TA become romantically or sexually involved with a student while that student is enrolled in his or her classes. If a faculty member or TA becomes involved with a student who is not in his/her classes, the faculty or TA must ensure protection of the student's professional future from possible prejudicial consequences resulting from the relationship. See Section 3.2.9 of the Regents Policy Manual and the Faculty and Staff Handbooks.

For faculty, this includes but is not limited to the following:

1. informing the Department Chair of the conflict of interest;
2. resigning from any supervising committees (dissertation, advisory) affecting the student;
3. refraining from writing letters of recommendation for the student (for grants, fellowships, jobs, graduate or professional school, etc.); and/or
4. giving up any position of authority over or responsibility for that student's career, inside or outside the University, at any time in the present or future.

Implications

Regardless of who initiates the relationship, do not suggest or cultivate any romantic activity with any student you are teaching or supervising. Nonetheless, if a romance arises between you and one of your students, tell your instructor immediately. The student should be transferred to another TA or the TA should be removed and replaced by another. However, disciplinary measures may still be imposed against you for permitting the romance to arise while you were in a TA position, up to and including removal of your TA duties and privileges, and/or student misconduct charges.

Please contact the University Institutional Equity Office at (405) 325-3546 or (405) 325-2215, which is a resource on sex discrimination and sexual harassment issues, can investigate and resolve reports or complaints, and can educate the campus community in these areas.

Faculty-Student Consensual Relationships

The Board of Regents adopted a Consensual Sexual Relations Policy. Under this policy, faculty members are prohibited from engaging in a romantic or sexual relationship with a student for whom he or she has academic responsibility or should expect to have such responsibility. The policy states:

1. Policy Statement

Consensual amorous, dating, or sexual relationships have inherent risks when they occur between a faculty member, supervisor, or other member of the University community, and any person over whom he or she has a professional responsibility. As noted in the sex discrimination and sexual harassment policy, the risks include a student or subordinate's feeling coerced into an unwanted relationship to ensure they receive a proper educational or employment experience; potential conflicts of interest in which the person is in a position to evaluate the work or make personnel or academic decisions with respect to the individual with whom he or she is romantically involved; a perception by students or employees that a fellow student or coworker who is involved in a romantic relationship with his or her supervisor or professor will receive an unfair advantage; either or both of the parties engaging in behavior destructive to the other or their academic or working environments if the relationship ends; and the potential the University/state resources are used inappropriately to further the romantic relationship.

Those with professional responsibility over others and with whom they have a romantic relationship should be aware that their involvement may subject them and the University to legal liability; consequently, such relationships are strongly discouraged. "Professional responsibility" is defined as performing functions including but not limited to teaching, counseling, grading, advising, evaluating, hiring, supervising, and

making decisions or recommendations that confer benefits such as promotions, financial aid awards, or other remuneration, or that may impact upon other academic or employment opportunities.

2. Definitions

As used in this policy, the terms "faculty" and "faculty member" mean all those who teach at the University, and include graduate students with teaching responsibilities and other instructional personnel. The terms "staff" or "staff members" mean all employees who are not faculty, and include academic and non-academic administrators as well as supervisory personnel. The term "consensual sexual relationship" may include amorous or romantic relationships, and is intended to indicate conduct that goes beyond what a person of ordinary sensibilities would believe to be a collegial or professional relationship.

3. Policy

Faculty-Student Relationships

Within the Instructional Context: It is considered a serious breach of professional ethics for a member of the faculty to initiate or acquiesce in a sexual relationship with a student who is enrolled in a course being taught by the faculty member or whose academic work (including work as a teaching assistant) is being supervised by the faculty member.

Outside the Instructional Context: Sexual relationships between faculty members and students occurring outside the instructional context may lead to difficulties. Particularly when the faculty member and student are in the same academic unit or in units that are academically allied, relationships that the parties view as consensual may appear to others to be exploitative. Further, in such situations, the faculty member may face serious conflicts of interest and should be careful to distance himself or herself from any decisions that may reward or penalize the student involved. A faculty member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the faculty member has or has had an amorous relationship will be deemed to have violated his or her ethical obligation to the student, to other students, to colleagues, and to the University.

TIPS FOR TA'S TO PREVENT SEXUAL HARASSMENT

- Behavior that may be appropriate in a social environment could be entirely inappropriate in the classroom - context is everything.
- Think carefully before having an intimate relationship with any student. University prohibits a TA from dating a student that he/she is teaching, under our conflict of interest policy. Your department may view your behavior as professional misconduct.
- Be thoughtful about choosing the time and location to discuss course material with a student in your section.
- Consider leaving the door open during office hours or meetings with students.
- Avoid sharing details of your personal life with students. Think first before discussing sexual or intimate subjects that are unrelated to course material.
- Document and discuss with the course professor any student conduct that is troubling.
- Ignoring disruptive behavior could make it worse. Speak directly to the student immediately after class or during office hours.

- Do not distribute contact information of students in your section unless you have permission to do so.
- You may not wish to provide your home telephone number to students in your section.
- If you feel threatened by a student, notify your supervisor immediately - put your safety first.
- Be aware of whom you call on in class and how you respond to their comments. Try to call on both male and female students with equal frequency. Be aware of whose comments you validate.
- TA's have a responsibility to help prevent sexual harassment on campus. Report it if you see it. We cannot stop sexual harassment, unless it is reported.

RETALIATION

Please remember that if a student or anyone else, files a complaint about your behavior, you are prohibited from making any attempt to penalize or take any action against them, including but not limited to threatening them or negatively affecting their performance or any other adverse action (including having your friends take adverse action against them).

GRIEVANCE INFORMATION AND PROCESS

See: <https://www.ou.edu/content/eoo/policies.html> or contact (405) 325-2215.