

[University Governance](#)

Policy on Sexual Harassment

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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, formal written policies have been developed that specify certain behaviors which fall within the definition of sexual harassment and which are therefore subject to discipline. This policy specifies those behaviors by students which fall within the definition of sexual harassment and which are therefore subject to sanction. The policy governing faculty or staff behaviors which fall within the definition of sexual harassment can be found at policies.usc.edu/p3empWorkplace/DHSHSA.html.

Students have the right to be free from sexual harassment by other students, or by staff or faculty. 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. The university will respond promptly to formal complaints of sexual harassment. All complaints and violations will be fully investigated and the proper remedial steps will be taken if a violation is found, so as to ensure a work and educational environment that is free from harassment.

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 in the following situations:

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. Discriminatorily 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; parties with nude dancers or pornographic movies.

Some illustrative examples:

- A student makes suggestive or insulting gestures, sounds or whistles each time a particular student or student group walks by;
- A student gropes another student;
- A student sends repeated text messages of an explicit nature to someone who did not ask to engage in a sexual conversation (electronic or otherwise);
- A student repeatedly and inappropriately makes sexual comments to another student during class sessions;
- A student sends sexually explicit comments or messages on class-related chat boards (such as Blackboard).

E. Applicability Outside the University

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

F. Assistance for Students

Students who have been sexually harassed are entitled to receive confidential assistance from the Center for Women and Men. Counselors are available for emotional support and advocacy. You can speak with a counselor on campus confidentially 24 hours a day at the Center for Women and Men, (213) 740-4900.

G. Retaliation

The law, university policy and the Student Conduct Code all prohibit threatened, attempted or actual retaliation against anyone who, in good faith, brings a complaint of discrimination or harassment as they are defined in this policy; participates in a discrimination or harassment investigation or hearing; or protests alleged discrimination, harassment or retaliation. Acts of actual, threatened or attempted retaliation should immediately be reported to and investigated by the Office of Student Judicial Affairs and Community Standards for student-on-student matters, and the Office of Equity and Diversity for matters involving staff and faculty. Retaliation is a violation of this policy whether or not the underlying claim of sexual harassment is proven. Disciplinary sanctions are listed under the Student Conduct Code 11.80.

H. Procedure

The University of Southern California adheres to the use of a “preponderance of the evidence” standard. The timeframe for investigation and processing of complaints is 60 days or less; however, the university may in its discretion extend this time period. The complainant and respondent are both provided with a summary of the findings, which include the legal standard applied to the case and the reasoning supporting the decision.

Where a report is made alleging that sexual harassment has been perpetuated by a student against another individual, the university is committed to providing a fair and appropriate adjudication. For complaints brought forward by staff or faculty against a student, following a finding of policy violation by the Office of Equity and Diversity, the matter will be referred to the Office of Student Judicial Affairs and Community Standards for adjudication. For a complaint brought forward by a student against another student, the matter will be investigated and adjudicated by the Office of Student Judicial Affairs and Community Standards.

Students are afforded a fair, impartial review using a “preponderance of the evidence” standard. The University Student Conduct Code and a summary of the process is outlined in [here](#) and [here](#) or may be obtained from the Office of Student Judicial Affairs and Community Standards (Student Union 206, (213) 821-7373). Information on the staff and faculty sexual harassment policy may be found at policies.usc.edu/p3empWorkplace/DHSHSA.html.

II. Complaint Procedures

For complaints against a faculty or staff member, or to report violations of Title IX, please contact Jody Shipper, director, Office of Equity and Diversity, CUB Building, 3720 S. Flower Street, 2nd Floor, (213) 740-5086.

Complaints that involve a student as the named individual will be forwarded to the Office of Student Judicial Affairs and Community Standards for investigation and review. The full text of the University Student Conduct Code can be found beginning [here](#). All decisions rendered by the Office of Student Judicial Affairs and Community Standards may be appealed by either the reporting or accused parties as described [here](#).

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