

## **Appendix 1 to the Faculty Senate Minutes of October 14, 2008**

Faculty Senate President Peggy Stockdale's comments on sexual harassment made at the Faculty Senate Meeting on October 14, 2008

Sexual harassment has both a legal and a psychological meaning. The legal meaning is set forth in various Supreme Court and lower court rulings and by guidelines from the Equal Employment Opportunity Commission. The definition of sexual harassment provided in the draft policy follows this legal definition. The psychological definition has been derived from empirical research on the forms of behavior that are considered harassing, and the associations between these various forms of sexual harassment and detrimental consequences, such as performance decrements, withdrawal from work or school, and both physical and psychological disturbances, including PTSD. These data show conclusively that sexual harassment tends to escalate over time from relatively benign acts of gender harassment, such as sexist jokes and the inappropriate display of sexualized materials, to unwanted sexual attention, such as repeated requests for dates and inappropriate sexual remarks and even unwanted sexualized touching, to quid pro quo style sexual coercion. However, even relatively low levels of sexual harassment can result in negative consequences. Moreover such conduct has been found to not only harm the targeted individuals but others in the same work or academic environment. Even business-level productivity has been found to be adversely affected in units that allow harassment to persist.

Research has also strongly demonstrated that individuals who have experienced sexual harassment are very reluctant to take active steps to stop the mistreatment, such as confronting their harassers or formally reported them to institutional authorities. Reasons for not taking active measures include not wanting to cause harm to the harasser, fear of not being taken seriously, fear of being perceived as a complainer, wanting the problem to go away on its own, and most importantly fear of retaliation even if policies prohibit retaliation.

Rulings from the Supreme Court require SIUC to make sure that we take reasonable care to prevent and promptly correct any harassing behavior. Victims must also take reasonable steps to take advantage of preventative or corrective opportunities. These two responsibilities must work effectively together. In addition to taking steps to prevent harassment, SIU must make it easy and un-risky for victims to exercise their duty to avoid harm and to come forward with complaints.

The rights of the accused must also be carefully considered. Individuals accused of harassment must be fully informed of the charges against them and should have a reasonable opportunity to respond to the evidence against them. Furthermore, cases of sexual harassment must be managed with the highest degree of professionalism so that the harm of harassment – either to the victim or to the wrongly accused – is extinguished upon completion of the investigation.

There are a number of unsettled matters that faculty needs to provide input on, such as:

1. Determining how we can help victims or targets of harassment feel capable of effectively addressing harassing conduct.
2. Determining the responsibilities and rights of faculty in helping to maintain a harassment-free environment.
3. Determining our role in helping our students, our staff, our colleagues and our administrators effectively deal with either experiences of harassment or charges of harassment.

While we review the proposed policy and procedures, I ask the SIU faculty to be mindful of these considerations.