

Appendix C – University Policy Statement on Sexual Harassment

This policy on Sexual Harassment will be widely disseminated to members of the University community, and will be consistently enforced. The policy will be reexamined, updated as appropriate, and distributed regularly to all students, faculty and staff.

For the purposes of this policy, sexual harassment is defined as any unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or academic advancement; or
- B. Submission to or rejection of such conduct is used as a basis for making an employment or academic decision affecting an individual; or
- C. Such conduct has the purpose or effect of interfering with an individual's work or educational performance, or of creating an intimidating, hostile, or offensive environment for work or learning.

Sexual harassment may involve the behavior of a person of either gender toward a person of the same or opposite gender when that behavior falls within the operative definition of sexual harassment.

Sexual harassment by employees or students at Georgetown University is prohibited and will subject perpetrators to disciplinary action. Sexual harassment subverts the University's mission, diminishes the dignity of both perpetrator and victim, and threatens permanent damage to the careers, educational experience, and well being of our students, faculty and staff.

Sexual harassment is especially serious when it occurs between teachers and students or supervisors and subordinates. In such situations, sexual harassment unfairly exploits the power inherent in a faculty member or supervisor's position. Although sexual harassment often occurs when one person takes advantage of a position of authority over another, the University recognizes that sexual harassment may also occur between people of equivalent status. Regardless of the form it may take, the University will not tolerate conduct of a sexual nature that creates an unacceptable working or educational environment.

It is contrary to University policy for the University or any officer, administrator, dean, department chair, faculty member, or any other employee to base an adverse academic or employment-related action affecting a person on an unsubstantiated allegation or rumor of sexual harassment.

The University recognizes that supervisors bear an important responsibility to deter sexual harassment, to investigate any such allegation that is brought to their attention and if warranted, to consult with the Office of Affirmative Action programs about the situation. In addition, the supervisor must report the matter to a higher authority responsible for ensuring a prompt review and taking strong remedial action.

The “Grievance Procedures to Investigate Allegations of Unlawful Discrimination,” administered by the Affirmative Action Office, is a confidential process that is available to any member of the University community, who wishes to file a complaint of sexual harassment. The process is administered by trained counselors in the Office of Affirmative Action Programs.

Students, faculty members, or non-teaching academic employees who believe that they have been sexually harassed and wish either additional information or assistance in filing a complaint can contact Rosemary Kilkenny, Esquire, Special Assistant to the President for Affirmative Action Programs. Staff employees seeking information or assistance can contact Michael Smith, Associate Director. The Affirmative Action Office is located in G-10 Darnall Hall. The telephone number is 202-687-4798.

(Revised 5/98) This policy can also be found on the Internet at <http://www.georgetown.edu/admin/aa/sxhar.htm>.

Summary of University Grievance Procedures as they Apply to the Investigation of Sexual Harassment Procedures

This section is a summary of the full “Affirmative Action Grievance Procedures to Investigate Allegations of Discrimination,” that apply to all forms of unlawful discrimination.¹ The full Grievance Procedures can be obtained by calling or writing to the office of Affirmative Action Programs at the telephone and address indicated below. This section describes some special concerns that may arise in the context of sexual harassment allegations.

These Grievance Procedures are administered by the Affirmative Action Office and they are a confidential process that is available to any member of the University community, who wishes to file a complaint of sexual harassment. The process is administered by trained counselors in the Office of Affirmative Action Programs. Faculty members, non-teaching academic employees and staff who believe that they have been sexually harassed and wish either additional information or assistance in filing a complaint can contact:

Rosemary Kilkenny, Esquire
Special Assistant to the President for Affirmative Action Program
G-10 Darnall Hall
Georgetown University
37th & “O” Streets
Washington, D.D. 20057
Telephone No.: (202) 687-4798

These Grievance Procedures provide members of the University community the means through which discrimination complaints can be resolved. Complainants, respondents and witnesses who participate in this process are bound by rules of confidentiality.

Before filing a written complaint, members of the Affirmative Action Office are available to explore with the complainant a variety of options for resolving the situation. In some cases, the complainant may wish to meet with a trained counselor to formulate a plan of action for addressing the matter. In other cases, complainants prefer to use the Grievance Procedures to have their complaints investigated and resolved.

In addition anyone may approach the Ombudsman to discuss these issues and to decide whether to file a grievance.

The Grievance Procedures require that the complainant ordinarily file his or her formal complaint in writing within 120 days of the alleged incident(s) of sexual harassment. The reason for asking complainants to file grievances as soon as possible after the incident(s), is to enable an investigation while people's recollection of events are clear. However, the Procedures recognize that there may be extenuating circumstances where the complainant feels this is not possible, and extensions of time to file a complaint may be granted in such cases. In any event, complainants are encouraged to discuss the matter informally and confidentially with the Office of Affirmative Action Programs as soon as possible even if they are not ready to file a formal complaint.

In the formal complaint, the complainant is expected to specify the allegations, name the respondent, indicate any efforts made to resolve the matter and identify potential witnesses. The respondent is required to provide a written response to the allegations within ten working days of receiving notice of the complaint. The complainant, respondent and witnesses named by both parties are interviewed separately. If the evidence shows a violation of the Sexual Harassment Policy, disciplinary action will be taken against the respondent. Disciplinary action may include a letter of apology, a formal warning, denial of a salary increase, demotion, termination of employment or expulsion from the University.

These procedures are used to investigate allegations of discrimination based on age, sex, race, national origin, sexual preference, disability and other factors covered by D.C. Human Rights Act of 1977.

Principle of Non-Retaliation

The University strongly encourages any victims of sexual harassment to report the incident and seek redress, if he or she is unable to resolve it satisfactorily and completely through informal means. The University recognizes the unusual burden that these uninvited advances place on the recipient and acknowledges the necessity for a thorough and careful resolution of all reported cases. It is illegal and contrary to University policy for any individual to engage, whether directly or indirectly, in retaliatory conduct directed against a person who files a sexual harassment complaint or gives testimony during an investigation of such a complaint. As used in this paragraph, "retaliatory conduct" means conduct that adversely and unjustifiably affects another's terms and conditions of employment, educational experience, or quality of life, and that is motivated by an intent to cause harm because of the targeted individual's involvement in the filing or investigation of a sexual harassment complaint. Any student or employee who believes that retaliatory actions have been taken against him or her for having filed a complaint or provided testimony in an investigation of sexual harassment may seek redress through the Office of Affirmative Action Programs.