



Sexual Harassment and Discrimination

OFFICE OF INSTITUTIONAL DIVERSITY AND EQUITY

Learning Objectives

- Understand DePaul’s Anti-Discrimination and Anti-Harassment Policy
- Understand DePaul’s Sexual and Relationship Violence Prevention & Response Policy
- Understand reporting responsibilities for “responsible employees”
- Understand how to access the resources on campus available to support affected individuals

Legal & Policy Overview

- **Title IX (1972)**
 - ❖ No person in the U.S. shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program/activity receiving Federal financial assistance.
- **Anti-Discrimination and Anti-Harassment Policy**
- **Sexual & Relationship Violence Prevention & Response Policy**

Case Study 1

“Check This Out”

Bo is late arriving to class. Bo sits at the first available seat, which happens to be right next to Elias. They start talking and find out they actually have a lot in common. They banter before and after class and decide to work on a group project together. Every time Bo comes into class, Elias greets Bo by saying “Hey Baby!” or “Lookin’ good today.” During class, Elias will poke Bo in the side to get Bo’s attention. Elias will also wheel his chair closer to Bo’s space and look over Bo’s shoulder at Bo’s laptop screen. Sometimes Elias rests his arm on the back of Bo’s chair. Bo laughs and inches away or shifts to pick something out her bag when Elias wheels closer.

During class, the professor is discussing food supply and irrigation systems. Elias wheels over to Bo and whispers in Bo’s ear to “check out this irrigation system.” Bo looks over and Elias has pulled up a picture on his laptop depicting a partially clothed male relieving himself in an alley. Bo makes a face. Elias squeezes Bo’s shoulder and tells Bo “you look tense. Relax.” Bo leaves the classroom.

Discussion Questions:

- 1. How would this situation be viewed in your country?**
- 2. Would Elias’s actions be viewed as improper here?**
- 3. What should Bo do next?**
- 4. What resources are available to Bo?**
- 5. Are any resources available to Elias?**

Anti- Discrimination and Anti-Harassment Policy

- Prohibited Discrimination: Treating a member of the University Community differently in terms of the terms or conditions of his/her employment or education or making a decision based on a protected status.
 - Example: Faculty member only permits participation by male students
- Prohibited Harassment: Any behavior that has the intent, purpose or can reasonably be expected to have the effect of abusing, intimidating, victimizing or demeaning a person, so as to interfere with the person's academic or professional performance or advancement or which creates a hostile educational, working or living environment.
 - Verbal abuse, offensive innuendo, derogatory comments, or open display of offensive objects or pictures.

Sexual Harassment

- Any unwelcome sexual advances, direct or implied requests for sexual favors, or other verbal or physical conduct of a sexual nature when:
 - Submission to such conduct is made or threatened to be made a term or condition of participation in University activity;
 - Such conduct has the intent, purpose or can reasonably be expected to have the effect of interfering with an individual's academic performance or advancement or creating an intimidating, hostile, or offensive environment

Case Study 2

Night Cap

Marcele is getting ready to go out with a group of friends. They have a few drinks before heading out to a party. When they arrive at the party, Marcele sees Anh, someone she has seen around campus. Marcele thinks Anh is really attractive and goes over to speak with Anh.

Marcele and Anh have a couple of drinks together and are really getting along. Marcele's friends are getting ready to leave the party and tell Marcele they are ready to head home. Because Marcele is having such a good time with Anh, Marcele does not want to leave yet and sends them on their way.

While Marcele and Anh are talking Marcele touches Anh's face and arm. Marcele also leans in for a kiss, and Anh kisses Marcele. They decide to leave together and go back to Anh's apartment for another drink. Marcele and Anh catch a cab, and kiss in the back seat.

When they get to Anh's apartment, they sit on the couch and Anh kisses Marcele again. Anh touches Marcele's thigh and buttock. Anh starts to take off Marcele's shirt. Marcele says "wait." Anh says, "why." Marcele says "I'm not sure about this." Anh tells Marcele that it's ok and proceeds to take off Marcele's shirt. Anh and Marcele continue kissing and Anh lies down on the couch on top of Marcele, kissing Marcele and placing a hand inside of Marcele's pants, and then inside Marcele's underwear. After sometime Marcele gets up to leave. Anh tells Marcele to text the next day so that they can get together again. Marcele says ok and then leaves.

Marcele's friends hear from Marcele the next day about Anh. Marcele's friends say that Marcele should not have been drinking and should not have left with Anh.

Discussion Questions:

- 1. How would this situation be viewed in your country?**
- 2. Would Anh's actions be viewed as improper here?**
- 3. What about what Marcele's friends said?**
- 4. Are there any resources available for Marcele? For Anh?**

Sexual and Relationship Violence Prevention and Response Policy

Policy elements include:

- Definition of sexual and relationship violence
- Consent
- Prevention programming and training
- Reporting
- Resources

Definition of Sexual Violence

- Sexual Offense – Physical contact of a sexual nature without consent
 - any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.
 - Sexual Offenses include, but are not limited to, rape, forcible sodomy, sexual assault with an object, fondling or kissing without consent, incest, statutory rape, the threat of sexual assault, sexual abuse, or any unwanted physical contact of a sexual nature, that occurs without consent by all the individuals involved.
- Consent: An Affirmative Act, NOT a lack of action.
Unambiguous and voluntary indication of willingness to move forward with the next act.
It cannot be obtained from a person who is incapacitated or unable to consent.

Survivor and perpetrator may be of the same sex or different sexes

Prevention and Response

Bystander Intervention: A bystander is someone present but not taking part in a situation or event.

Response: Care and connect

CARE:

- Listen
- Express sincere empathy: *“I am so sorry” “I’m here for you”*
- Do not say: *“How much did you drink that evening?” “Why didn’t you report this yet?”*
- Don’t make assumptions about the gender of the people involved
- Let the survivor know that you care

CONNECT

- Confidential Reporting Resources
 - Office of Health Promotion and Wellness
 - University Counseling Services
 - University Ministry (Pastoral counselors)
 - Student Legal Services
- Sexual and Relationship Violence Information Sheet, available at publicsafety.depaul.edu.
- Other Reporting Resources
 - Public Safety
 - Dean of Students Office
 - Title IX Coordinator

Case Study 3

Who is this?

Chen and Eliah are in class together. They sit across the room from each other. One day Chen asked Eliah about the reading assignment. Chen asked if Eliah would text the reading assignment and provided a cell number. Eliah agreed. Eliah started texting Chen regularly after that. Sometimes to say "hi" and "what's up?" Other times Eliah would comment on Chen's outfit or ask what Chen was doing that night and on the weekend. Chen never replied but would say hi to Eliah before and after class or wave to Eliah in the Student Center.

Chen works in the book store and Eliah would sometimes come by to say hello. Chen would wave and say hi, but then would have to get back to work right away. One day Eliah took a picture of Chen from across the room and texted it to Chen and commented that Chen looked nice that day. Chen did not respond. Eliah came by Chen's work later that day, but Chen was not there. Eliah texted Chen to ask why Chen was not at work and asked about Chen's whereabouts.

Eliah receives a notice from the Title IX Coordinator that an investigation has been initiated into Eliah's conduct toward Chen.

Discussion Questions:

- 1. How would this situation be viewed in your country?**
- 2. Would Eliah's actions be viewed as improper here?**
- 3. What should Eliah do next?**
- 4. What resources are available to Chen?**
- 5. Are any resources available to Eliah?**

Sexual and Relationship Violence Prevention and Response Policy

- Stalking - Course of conduct (i.e. two or more acts) directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or to suffer substantial emotional distress.

SRVPRP, ctn'd

- Sexual Misconduct – Taking sexual advantage of another for the benefit of oneself, or
 - lewd exposure,
 - distributing sexually intimate information about another person
- Domestic and Relationship Violence
 - Domestic/Relationship Violence - Behaviors used by one person in a relationship to control the other
 - May be perpetrated by a spouse, ex-spouse, current/former girlfriend or boyfriend, dating partner, or household member (parent to child, sibling to sibling)

Reporting

- All DePaul employees are responsible employees.
- Obligation to report. Regardless of whether the individual will report the incident, DePaul's employees are required to promptly notify DePaul's ***Title IX Coordinator*** of the incident
- Confidential Resources available

Confidential Reporting Resources

Office of Health Promotion and Wellness
University Counseling Services
University Ministry (Pastoral counselors)
Student Legal Services

Contact Information

- Public Safety—*open 24 hours a day, seven days a week*
 - ❖ Lincoln Park: 773-325-7777
 - ❖ Loop: 312-362-8400
- Office of Health Promotion and Wellness
 - ❖ 773-325-7129
- Dean of Students Office
 - ❖ Lincoln Park: 773-325-7290
 - ❖ Loop: 312-362-8066
- Title IX Coordinator
 - ❖ Lincoln Park: 773-325-8128
 - ❖ Loop: 312-362-8970
 - ❖ Ktamburr@depaul.edu or | titleixcoordinator@depaul.edu