Sexual Harassment

Summary/Purpose: The purpose of this policy is to provide guidelines and complaint procedures for sexual harassment complaints (including, but not limited to, sexual assaults, rape and other types of sexual violence.) For complaints concerning harassment by a student, see University Sexual Misconduct Policy DSA.DS.200.015.

The University of Mississippi is committed to fostering an environment that prevents sexual harassment of employees, students, applicants for admission or employment, visitors to campus, or third parties who are participants in The University of Mississippi programs or activities. The University also has a commitment to professionalism, fostered by an atmosphere of mutual trust and respect. These commitments are threatened when persons in positions of authority abuse the trust placed in them.

The educational mission of The University of Mississippi is promoted by professional is in faculty-student, supervisor-subordinate, and athletics staff-student athlete relationships. This includes relationships between a faculty member and a student when the faculty member has a professional responsibility for the student. Therefore, consensual sexual relationships between the instructional staff and students, between supervisors and their subordinates, as well as those between athletics staff and student athletes, are considered unwise and are strongly discouraged. The respect and trust accorded a person by a subordinate or student, as well as the real or perceived power exercised by the instructor, supervisor, or athletics staff member may greatly diminish the student or subordinate’s actual freedom of choice. Relationships between faculty and students, supervisors and subordinates, and athletics staff and student athletes, even though ostensibly consensual, hold the potential to be exploitive and involve inherent conflicts of interest. In the event that a sexual harassment complaint is made in such a situation, it may be exceedingly difficult to prove mutual consent.

For purposes of protecting employees from the impact of sexual harassment in the work environment, The University of Mississippi follows the Equal Employment Opportunity Commission’s guideline definition of sexual harassment as its guideline for defining sexual harassment. This guideline defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work environment. A wide range of behaviors may qualify as sexual harassment, up to and including sexual assault. These definitions apply to students as well as to employees who may have a complaint of sexual harassment.

For purposes of protecting students, applicants for admission, visitors to campus, or third parties from the impact of sexual harassment, The University of Mississippi adheres to the guidelines set
forth by Title IX of the Education Amendments of 1972.

The University of Mississippi prohibits acts of harassment of a sexual nature that are so objectively offensive, pervasive, or severe that they effectively deny the victim access to The University of Mississippi’s resources and opportunities, unreasonably interferes with the victim's work or living environment, or deprives the victim of some other protected right.

Some types of actions that may rise to the above level and constitute sexual harassment include:

- treating someone differently because of their gender
- verbal harassment or abuse of a sexual nature
- subtle pressure for sexual activity
- sexist remarks about a person’s clothing, body or sexual activities
- unwanted touching, patting or pinching
- demanding sexual favors accompanied by implied or overt threats concerning one’s
- inappropriate display of sexually suggestive or pornographic materials
- stalking
- sexual assault, rape, or other types of sexual violence

All complaints of sexual harassment, whether verbal or written should be submitted to the University of Mississippi’s Title IX Coordinator at the following address:

Joseph Lawhorne
Title IX Coordinator
Post Office Box 1848
270 D Martindale Student
Services Center 662.915.7045  Fax:662.915.1229
eeo@olemiss.edu or joseph@olemiss.edu

If any employee or student believes that he or she has been subjected to sexual harassment, he or she should immediately report this to the Title IX Coordinator. Such incidents may also be reported to the university police department, your immediate supervisor or, if a student, to a faculty member or the Dean of Students Office.

All university employees are advised that it is mandatory that any allegations of sexual harassment that come to their attention are reported to the Title IX Coordinator. All University employees have a responsibility to notify the University’s Title IX Coordinator immediately, but no later than three days of any complaints they receive, whether verbal or written, alleging discrimination on the basis of sex. The University has an obligation to investigate any allegations of sexual harassment, even if the alleged victim does not wish the university to take any action.
If there are indications that a possible crime has been or is being committed or someone is in immediate danger of being physically harmed, employees or anyone else who becomes aware of possible sex harassment allegations should immediately notify the university police department at 4911. The Title IX Coordinator can be notified later.

The Title IX Coordinator will handle the matter with as much confidentiality as possible. Sexual harassment allegations brought to the attention of the Title IX Coordinator will be processed in accordance with the university’s Sexual Misconduct Policy (when the complainant is against a student) or the Discrimination Complaints Procedures (in all other situations). Additional information is also available in the Sexual Harassment Guide for Students and Employees. This document is available from the Office of Equal Opportunity and Regulatory Compliance.

The University will not tolerate retaliation against any employee or student who reports a claim of sexual harassment or against any employee or student who participates in the investigation of a complaint. If it is determined that sexual harassment has occurred, corrective action will be taken. Depending upon the circumstances, this corrective action may include a reprimand, demotion, discharge or other appropriate action. A person bringing a frivolous allegation of sexual harassment may be subject to disciplinary action, which could include termination.