

## **Appendix A1: Overview of FAS Policy on Sexual and Gender-Based Harassment**

The Faculty of Arts and Sciences (FAS) prohibits sexual and gender-based harassment as part of its commitment to maintaining a safe, healthy, and equitable educational and work environment. The FAS Policy fully incorporates the University Sexual and Gender-Based Harassment Policy. The FAS policy also contains additional provisions that prohibit certain relationships between individuals of different university status and defines categories of sexual misconduct in student organizations and off-campus, even when the conduct may not affect someone in the Harvard community.

### **Harvard University's Sexual and Gender-Based Harassment Policy:**

The University Policy places sexual assault within a wider spectrum of sexual harassment. It also prohibits harassment based on sexual orientation or gender identity. Sexual harassment is defined as “unwelcome conduct of a sexual nature” when either:

- submission to or rejection of such conduct is made a condition of an individual's employment or academic standing or is used as the basis for academic decisions (“quid pro quo” harassment); *or*
- such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the University's education or work programs or activities (“hostile environment” harassment).

When is conduct considered unwelcome? Conduct is unwelcome if:

- the conduct was not requested or invited, *and*
- the unrequested or uninvited conduct was undesirable or offensive.

The University Policy makes the following important points about unwelcome conduct:

- If a person welcomes some sexual contact, it does not necessarily mean that person welcomes other sexual contact. Similarly, if someone willingly participates in conduct on one occasion, it does not necessarily mean that the same conduct is welcome on subsequent occasions.
- When a person is so impaired or incapacitated as to be incapable of requesting or inviting the conduct, conduct of a sexual nature is deemed unwelcome, provided that the accused party knew or reasonably should have known of the person's impairment or incapacity.

Interim measures:

- Interim measures designed to support and protect individuals or the University community may be considered or implemented at any time, including during a request for information or advice, informal resolution, or a formal complaint proceeding.

Confidentiality and the role of Title IX Coordinators:

- The University Policy outlines the need for university officers to notify a Title IX Coordinator if they are informed of an instance of possible sexual or gender-based harassment. The reason for this notification is to help the University identify any concerns and work to address them. Such notification will allow any person affected to be supported by the School, and will allow School and University officials to consider whether there are broader issues for the community that need to be addressed.

### **FAS Policy on Other Sexual and Gender-Based Misconduct:**

- The FAS may ask ODR to investigate allegations of sexual and gender-based misconduct directed at people outside our community even if the conduct occurs off-campus and as a consequence falls outside of the jurisdiction of the University policy.

- The FAS includes student organizations in its prohibition of quid pro quo sexual harassment. The FAS prohibits unwelcome conduct of a sexual nature when submission to or rejection of such conduct is made either explicitly or implicitly a condition of an individual's acceptance into or standing within a student organization or club.

#### **FAS Policy on Relationships between People of Different University Status:**

- The FAS policy prohibits romantic or sexual relationships between its faculty and any undergraduate student at Harvard College, regardless of whether the instructor is currently supervising or teaching that student. FAS Policy also prohibits romantic or sexual relationships between faculty and graduate students or DCE students whom the faculty member is teaching or supervising.
- The FAS policy does not expressly forbid other kinds of romantic or sexual relationships, but it warns against the possibility of complications in relationships between people of different university status. The policy states that it is the person in a position of greater authority who will be held responsible for problems that emerge from such relationships.

#### **University Resources** – different resources offer different levels of confidentiality:

##### **1. Title IX Officer, ODR, and Title IX Coordinators:**

The University-wide Title IX Officer ([mia\\_karvonides@harvard.edu](mailto:mia_karvonides@harvard.edu), (617) 495-4134), the Office for Sexual and Gender-Based Dispute Resolution (“ODR,” at 617-495-3786 or [odr@harvard.edu](mailto:odr@harvard.edu)) and FAS Title IX coordinators (for a list see <http://diversity.harvard.edu/title-ix-coordinators-school>) are all available to discuss options, support services, interim measures and how to file a complaint.

The Title IX Officer and the Title IX Coordinators will handle information with utmost sensitivity, maintaining as much privacy as possible, but they may need to share information with those who have a need to know, for example when there is an ongoing risk of a hostile environment to the individual or other members of the community.

- Confidential Resources:** Harvard offers resources for confidential conversations, within certain limits proscribed by law.
  - The Office of Sexual Assault Prevention and Response (OSAPR).** OSAPR offers confidential counseling and support for anyone who has experienced sexual harassment, including sexual assault, and will not share the information provided with others at the University without permission. OSAPR can provide more information about the services its counselors offer and how it maintains confidentiality. 24-hour response hotline: (617) 495-9100
  - University Mental Health Services.** Provides confidential counseling services and referrals to students who have paid the student health fee. (617) 495-2042.
  - Harvard Chaplains** – Provides confidential counseling for a variety of faiths. (617) 495-5529.
  - Response** (peer counseling for Harvard College students). (617) 495-9600.
- HUPD** - Call the HUPD at (617) 495-1212 or (617) 432-1212 (Longwood Campus) to report an incident of sexual assault.

HUPD can provide information about how it handles information.