Consensual Relationships
A romantic, intimate, or sexual relationship in which one individual is in a position to exercise authority over the other creates conflicts of interest and perceptions of undue advantage or disadvantage. When both parties have consented at the outset to a romantic, intimate, or sexual relationship, this consent does not remove grounds for a charge of conflict of interest, sexual harassment, or violation of applicable policies, based upon subsequent unwelcome conduct.

Confidentiality
Complaints of discrimination and/or harassment are treated with the greatest degree of confidentiality possible. In all situations, confidentiality is maintained on a strict need-to-know basis; however, confidentiality can only be respected insofar as it does not interfere with the University’s obligation to investigate allegations of misconduct that require the University to take corrective action.

Retaliation
Colorado State University prohibits retaliation against individuals who engage in protected activities, including filing complaints, or who participate in complaint processes. Retaliatory action is regarded as a basis for a separate complaint under the University’s procedures.

Additional Resources
Discrimination, Harassment, Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, Stalking, and Retaliation Policy
http://policylibrary.colostate.edu/policy.aspx?id=710

Consensual Relationships Policy
https://oeo.colostate.edu/consensual-relationships/

Conflict Resource Offices
https://oeo.colostate.edu/media/sites/144/2017/06/ConflictResourceOffices.pdf

Ombuds & Employee Assistance Program
https://ombudsandeap.colostate.edu/

Victim Assistance Team
http://www.wgac.colostate.edu/victim-assistance-team-volunteers

Student Resolution Center
https://resolutioncenter.colostate.edu/

CSU Health Network, Counseling Services for Students
http://health.colostate.edu/

Colorado State University does not discriminate on the basis of race, age, creed, religion, national origin or ancestry, sex, gender, disability, veteran status, genetic information, sexual orientation, gender identity or expression, or pregnancy and will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. The University complies with the Titles VI and VII of the Civil Rights Act of 1964, as amended, related Executive Orders 11246 and 11375, Title IX of the Education Amendments Act of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, Section 402 of the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended, the Age Discrimination in Employment Act of 1967, as amended, The Pregnancy Discrimination Act of 1978, Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the ADA Amendments Act of 2008, the Genetic Information Nondiscrimination Act of 2008, and all civil rights laws of the State of Colorado. Accordingly, equal access and opportunity in treatment, employment, admissions, programs and activities shall be extended to all persons. The University shall promote equal opportunity and treatment in employment through a positive and continuing affirmative action program for ethnic minorities, women, persons with disabilities, and veterans. The Office of Equal Opportunity is located in 101 Student Services Building. The Title IX Coordinator is the Executive Director of the Office of Support and Safety Assessment, 123 Student Services Building, Fort Collins, CO 80523-2026, (970) 491-7407. The Section 504 and ADA Coordinator is the Associate Vice President for Human Capital, Office of Equal Opportunity, 101 Student Services Building, Fort Collins, CO 80523-0160, (970) 491-5836.
University Policy
Colorado State University strives to create and maintain a work and study environment that is fair, inclusive, and responsible so that each member of the University community is treated with dignity and rewarded for such relevant considerations as ability and performance. Abusive treatment of individuals on a personal or stereotyped basis is contrary to the concepts of academic freedom and equal opportunity. Sexual harassment is one form of such abuse. Sexual harassment cannot be tolerated and is prohibited by the University.

The Law
Sexual harassment is illegal. It is prohibited in the employment context by Title VII of the Civil Rights Act of 1964, as amended, and in the education context by Title IX of the Education Amendments of 1972.

Sexual Harassment Defined
Sexual Harassment is defined as any unwelcome sexual advance, request for sexual favors, or other written, verbal, or physical conduct of a sexual nature. Such conduct constitutes sexual harassment when:
- submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment,
- submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or
- such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

Quid pro quo (this for that) harassment occurs when sexual favors or conduct of a sexual nature are explicitly or implicitly a condition of employment or academic standing. Quid pro quo normally arises in the context of an authority relationship.

Hostile environment sexual harassment occurs when unwelcome sexual conduct unreasonably interferes with academic or work performance. It is conduct that creates an intimidating, hostile, or offensive learning or work environment.

Tangible employment action harassment is when a significant change in employment status is as a result of harassing conduct by a person in authority. If harassment by a supervisor results in a tangible employment action, the employer is liable.

Examples of Sexual Harassment

Verbal
Unwelcome requests for sexual favors, sexual innuendo, spreading sexual rumors, sexual put-downs and jokes, sexual remarks about a person’s clothing or body, offensive written notes or text messages, harassing email, cyber harassment.

Nonverbal
Leering, whistling, suggestive or insulting sounds and gestures, posting sexually denigrating pictures or screen savers.

Physical
Uninvited, unwanted touching, patting, pinching, hugging, kissing, or brushing against a person’s clothing or body; stalking; coerced sexual intercourse.

What You Should Know about Sexual Harassment

Not all inappropriate behavior is sexual harassment. In determining whether sexual harassment occurred, all relevant circumstances will be considered. Facts will be judged on the basis of whether a reasonable person, i.e., a person of ordinary sensitivity, could have interpreted the alleged behavior to be sexually harassing.

Sexual harassment need not be intentional. The intent of the person who is alleged to have behaved improperly is not the determining factor. It is the impact on the person experiencing the behavior that determines if a violation occurred.

Both men and women can be sexual harassers as well as the target of sexually harassing behavior. Sexual harassment can take many forms and can occur between individuals of the same sex or opposite sex without regard to sexual orientation.

Free Speech Rights and Sexual Harassment
Expression occurring in an academic, education, or research context is broadly protected by academic freedom and the First Amendment. Great care must be taken not to inhibit open discussion, academic debate, and expression of personal opinion, particularly in the classroom. Nonetheless, speech or conduct of a sexual or hostile nature that occurs in the context of educational instruction may exceed the protections of academic freedom if it can be reasonably regarded as non-professional speech, lacks accepted instructive purpose, or is not relevant to the academic subject matter.

Take action!
Don’t delay. Pay attention to cues or comments and address unwanted conduct immediately.

Say no. Tell the person that the conduct is unwelcome and you want it stopped.

Tell someone. Tell your advisor, department chair or supervisor what happened. Contact the Office of Equal Opportunity (OEO) at (970) 491-5836 or at oeo@colostate.edu. The OEO conducts Informal and Formal complaint procedures and provides information on sexual harassment.

Keep a record. Keep track of dates, times, places, and events to help you present your situation.

What You Can Do
- Review CSU’s policy on sexual harassment.
- Be aware of your own behavior and how it may be perceived by others. If in doubt, stop the behavior.
- Don’t participate when others are engaging in sexually harassing behavior.
- Say something when you witness sexual harassment. Don’t condone it with your silence.
- Be supportive when someone you know has been sexually harassed. Listen respectfully. Help them access resources. If you are a witness, be willing to speak about it.