



CLARK ATLANTA UNIVERSITY

Policy 9.1.2: Sexual Harassment

CLARK ATLANTA UNIVERSITY		
POLICY and PROCEDURE	Subject: Sexual Harassment	
Department: Human Resources	Review/Revise Date: 1/21/10 10/20/2015 Effective Date: 10/20/2015 Revised: 05/11/2017	Issued By: Vice President for Finance and Business Services/ Chief Financial Officer
Distribution: All Faculty and Staff of the University	Required Approval: President	No. of Pages: 5
Dr. Ronald A. Johnson Signature Approver		06/30/2017 Date

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1.0 Policy Statement

Clark Atlanta University (CAU/the University) prohibits sexual harassment and discrimination on the basis of gender. Further, Clark Atlanta University provides each student, faculty member, and staff member with an environment free from unlawful harassment and the perception of sexual harassment.

2.1 Procedure Narrative

As a matter of practice and policy, the University is committed to maintaining an educational and working environment free of conduct that degrades or subjugates employees or students. This policy applies equally to faculty, administrative and support staff and students, and is in keeping with the spirit and intent of applicable law.

Sexual harassment is any unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual or gender-based nature that interferes with performance by creating a hostile, offensive, or intimidating work environment or is an expressed or implied condition of employment. Such behavior will be subject to disciplinary actions up to and including dismissal or expulsion.

2.2 Regulations

- a. Any complaints relating to this type of misconduct should be reported to the Chief Human Resources Officer or his or her designated representative immediately. Complaints will be treated confidentially and promptly and will be carefully investigated.
- b. It is a violation of University policy for any member of the University community to retaliate against an individual who brings forth a complaint of sexual harassment. Retaliation will be subject to disciplinary action up to and including dismissal.

2.3 Responsibilities

- a. The Chief Human Resources Officer or his or her designated representative is responsible for the implementation of the University's sexual harassment policy and the coordination of the investigative process.
- b. Each Dean, Department Chair, and Administrative Head of a unit is responsible for ensuring an atmosphere free of discrimination and harassment, sexual or otherwise, and for the dissemination and implementation of this policy within his/her area of responsibility. These individuals are also responsible for referring reported incidents of sexual harassment to Human Resources.
- c. It is the responsibility of all members of the University community to discourage sexual harassment, report such incidents, and cooperate in any investigation that might result.

2.1 Procedure for Filing a Complaint

Any employee who feels that he or she has been the victim of sexual harassment should contact the Chief Human Resources Officer or his or her designated representative promptly after the incident. The expectation is that it should be reported within fifteen (15) working

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days of the incident. This report can be oral or written, but a written and signed statement of the complaint must be submitted by the complaining employee within three (3) working days of the initial report before an investigation can proceed.

- a. Upon receipt of the written complaint, the Chief Human Resources Officer or his or her designated representative will contact the person who allegedly initiated the sexual harassment, and inform that person of the basis of the complaint and the opportunity to respond to the complaint in writing within seven (7) working days.

Upon receipt of the written response, the Chief Human Resources Officer or his or her designated representative, after conducting a thorough investigation, will submit in writing a confidential summary of the complaint, the response, and the facts of the investigation to the Provost. This summary will contain recommended actions given University policies and applicable employment laws. The Provost, after conducting a review of the facts of the investigation, including possible interviews with all parties involved, will determine whether sexual harassment has occurred. All parties will be notified in writing of the Provost/University President's decision.

- a. If it is determined that sexual harassment has occurred, disciplinary action up to and including discharge will be taken. The severity of the discipline will be determined by the severity and frequency of the offense, or other conditions surrounding the incident.
- b. Please note that this policy establishes specific timeframes for initiating and responding to complaints of sexual harassment. While CAU believes that adherence to these time frames affords CAU and the affected parties the best opportunity to promptly, effectively, and fairly resolve the complaint, CAU's practice has been and will continue to be to investigate any and every complaint of sexual harassment that it receives within a reasonable time frame.

Employees may not be represented by a lawyer in the complaint resolution process.

3.0 Entities Affected By This Policy All

Faculty and Staff of the University

4.0 Definition of Key Terms

Discrimination: Discrimination is defined as: (1) treating members of a protected class less favorably because of their membership in that class; or (2) having a policy or practice that has a disproportionately adverse impact on protected class members.

Sexual Harassment: Sexual harassment is any unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature that interferes with performance by creating a hostile, offensive, or intimidating work environment or is an expressed or implied condition of employment. Such behavior will be subject to disciplinary actions up to and including dismissal.

5.0 Desktop Procedures

Step	Action
1	Employee who feels that he or she has been the victim of sexual harassment contacts the Chief Human Resources Officer or his or her designated representative within fifteen (15) working days of the incident.
2	A written and signed statement of the complaint is submitted by the complaining employee within three (3) working days of the initial report
3	Upon receipt of the written complaint, the Chief Human Resources Officer or his or her designated representative contacts the person who allegedly initiated the sexual harassment and informs that person of the basis of the complaint and the opportunity to respond to the complaint in writing within seven (7) working days.
4	The person who allegedly initiated the sexual harassment responds to the complaint in writing within seven (7) working days.
5	Upon receipt of the written response, Chief Human Resources Officer or his or her designated representative conducts a thorough investigation
6	After conducting the investigation the Chief Human Resources Officer or his or her designated representative submits in writing a confidential summary of the complaint, the response and the facts of the investigation to the Provost.
7	The Provost/University President conducts a review of the facts of the investigation including possible interviews with the parties involved
8	The Provost determines whether sexual harassment has occurred.
9	All of the parties are notified in Writing of the Provost's decision.
10	If it is determined that sexual harassment has occurred, disciplinary action up to and including discharge will be taken.