UNIVERSITY OF ILLINOIS COLLEGE OF MEDICINE AT URBANA-CHAMPAIGN

GUIDELINES FOR IMPLEMENTING UIC’S POLICY ON
SEXUAL HARASSMENT AND DISCRIMINATION

PREAMBLE

The University of Illinois College of Medicine at Urbana-Champaign (COM-UC) is one of four programs of the University of Illinois College of Medicine (UICOM). All programs report to the Dean of the UICOM. Each program within the UICOM is committed to maintaining an educational and professional environment that is free of all forms of harassment and discrimination. UICOM has a policy for addressing complaints of sexual harassment and discrimination and that policy governs the formal resolution of claims for sexual harassment and discrimination. The Guidelines are intended to facilitate the implementation of that policy to the circumstances and environment in which COM-UC operates.

DISCUSSION

This document is intended to help ensure a comfortable academic environment for all members of the College of Medicine community - an environment that is free from intimidation, mistrust, and fear; that makes possible discussion of instances of potential sexual harassment and discrimination; and that facilitates the informal resolution of problems or misunderstandings. There are, of course, procedures within the University and hospitals/clinics for filing formal complaints of sexual harassment and discrimination, and there may be occasions when that route is necessary. This document, however, describes an informal procedure for seeking advice and guidance from respected and trusted College faculty and staff without fear of recrimination or ridicule. The aim is to make it easier to obtain information and advice and to suggest possible avenues for resolving problems informally and confidentially.

Sexual harassment and discrimination are illegal and cannot be tolerated. The College of Medicine and its affiliated hospitals and clinics do not condone conduct that creates an intimidating, hostile, or offensive environment for any person. Therefore these institutions are committed to seeking as prompt and effective resolution as possible of alleged incidents of discrimination and harassment by College of Medicine faculty, staff, students, or affiliated hospital or clinic employees. Preferably this can be achieved in an atmosphere of cooperation and understanding.

Behavior that in the past might have passed without comment may now be regarded as unacceptable. Sexual harassment may include sexual advances, explicit sexual propositions, requests for sexual favors, and other physical, verbal, or visual conduct based on sex, which is sufficiently severe or pervasive enough to interfere with the required
tasks or career opportunities at the University. Sexual harassment involves the use and abuse of power and control. The root of such conduct may be in the harasser’s attempt at exercising power and control over the person subject to the harassment. Faculty, staff and students should always do what they reasonably can to discourage or prevent discrimination or harassment. For a specific definition and examples of sexual harassment please review.

Because of the nature of the medical school curriculum and training, matters of human sexuality and anatomy will be subjects for review and discussion. The academic setting is distinct in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material.

**SUGGESTED APPROACHES FOR STUDENTS**

Those who believe they have experienced sexual harassment or discrimination by a College of Medicine faculty, staff member, student, or a teaching hospital or clinic employee, can pursue one or more avenues for resolution. A personal, informal and confidential approach to resolving the situation and preventing repetition is recommended. If all attempts at informal resolution within the College fail and further action is desired, students should utilize the formal system approved by the UICOM campus or by the clinical institution where the offense occurred. Faculty or staff who have been harassed by a student can consider filing a formal disciplinary complaint.

Students who feel discriminated against or harassed may pursue one or more approaches for resolution. One suggestion is to select a staff or faculty member with whom the incident can be comfortably discussed. In many cases, the student may choose to speak directly to the individual responsible for the perceived harassment. This approach may be sufficient to identify the perceived problem, make the individual aware of its effects, and ensure that it will not be repeated. If the student feels uncomfortable meeting the accused individual alone, the selected faculty or staff member may accompany the student to provide support and, perhaps, facilitate the discussion.

If the above approach is unsatisfactory or if the student does not want to have contact with the accused individual, the student may talk to one of the individuals designated by the College of Medicine at Urbana-Champaign as primary contact staff or to individuals designated by the appropriate affiliated clinical institution (Attachment B). These individuals have been chosen because of their expertise, varied background, and different institutional affiliations, with the intent that students can select the person with whom they feel most comfortable. All complaints will be considered thoroughly and promptly. Every effort will be made to resolve complaints at this level in an expeditious, confidential, discreet, and effective manner. Every effort will be made to avoid negative repercussions as a result of discussing an alleged offense and/or filing an informal complaint.
When a student is still not satisfied with the approaches described above, a formal complaint may be made to the appropriate affirmative action office or other responsible administrative official, using the system appropriate to the institution (University, hospital or clinic) to which the selected officer belongs. These procedures will be made available to the student. Formal complaints that are to be pursued through the University system must be made through an appropriate University administrator who will respond to student complaints. Formal complaints filed by students will be handled in accordance with the policies and procedures of the UICOM.

Contact the Office of Academic and Educational Affairs for information and procedures to file a complaint under the Student Disciplinary Code.

**STEPS WITHIN COM-UC**

Five individuals in COM-UC are designated as primary contact staff (Attachment B). In addition, arrangements have been made with the UIUC Ombuds Officer to hear informal complaints from students who wish to speak to an individual outside the College. The COM primary contact staff’s responsibilities are to meet with the student, hear the details of the alleged incident, and complete a complaint form. Where action is desired, the primary contact staff should carry out such action or refer the matter to the chief contact person. Where behavior is unacceptable, the person responsible for that behavior will be made aware of it.

The primary contact staff should complete a complaint form and determine what action, if any, has been taken by the complainant, and what action or remedy, if any, the complainant would like to be taken. A complainant may wish no action, only that the incident be noted. Whether or not action is requested, the primary contact staff will send the completed form immediately to the chief contact person.

When the student has requested that action be taken, the primary contact staff and/or chief contact person will ensure that the named individual is contacted and that appropriate resolution be sought. A written summary of the discussion and proposed resolution will be made. The complainant will be informed of the proposed resolution. If the resolution or corrective action is not acceptable to the complainant and an alternative compromise cannot be reached then a formal grievance may be filed by the student. The chief contact person will provide the name and telephone number of the appropriate affirmative action officer. Ordinarily, this process should not exceed thirty (30) calendar days.

Completed forms are to be used by the primary contact staff and chief contact person for the purposes of ascertaining pertinent information about the incident(s), counseling the complainant, attempting to resolve the complaint informally, tracking the incidence and scope of perceived harassment or discrimination at COM-UC, and providing a written summary of this information, as appropriate. The forms will be kept by the chief contact person in a separate secure file with identifiable names used only in efforts at resolution.
For tracking and summary reporting, all personal identifiers will be removed. In all instances and throughout the process, every effort will be made to handle these concerns discreetly and confidentially.

**STEPS WITHIN AFFILIATED TEACHING HOSPITALS AND CLINICS**

Each of the COM-UC teaching hospitals and clinics has formal policies and procedures for reporting and investigating complaints of sexual harassment and discrimination. These institutions have agreed to allow medical students to utilize their system for counseling and advice as well as for reporting incidents and seeking resolution. Students may prefer to use this approach if they wish to use a system that does not directly involve the College of Medicine or the University administration. The clinical institutions, however, shall notify the College of Medicine’s chief contact person of such complaints. The chief contact person, while not directly involved in the process, will keep advised of the progress and resolution of the complaint through the hospital’s or clinic’s procedure. Names of contact persons from the affiliated hospitals and clinics are attached. (Attachment B).
PROHIBITING SEXUAL HARASSMENT: POLICY AND PROCEDURES

Part I. Policy

What is the University of Illinois Policy on Sexual Harassment?

The University of Illinois will not tolerate sexual harassment of students or employees and will take action to provide remedies when such harassment is discovered. The University environment must be free of sexual harassment in work and study.

In order to assure that the University is free of sexual harassment, appropriate sanctions will be imposed on offenders in a case-by-case manner.

The University will respond to every Complaint of sexual harassment reported.

The University will Promulgate this statement to all units of the institution. Sexual harassment is prohibited under federal and state discrimination laws and the regulations of the Equal Employment Opportunity Commission.

Part II. Information

As an academic community concerned with the welfare of faculty, students, and staff, the University of Illinois at Chicago (UIC) is committed to providing an environment free of sexual harassment. In keeping with that commitment, everyone at UIC should be aware that sexual harassment takes many forms and occurs at many levels. Moreover, what may not be offensive to one person may be perceived as sexual harassment by another person, not only because of gender but also because of such differences as sexual orientation, culture, religion, class, and communication style. Because, UIC is a diverse multinational and multiethnic community, everyone is expected to be sensitive to the impact of words and actions on others and to observe the procedures outlined below.

A. What is sexual harassment?

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual or gender-related nature constitute sexual harassment when:

1. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's rewards or status in employment or in an academic program. Faculty and staff, including teaching assistants, should be aware of the possible consequences of entering into romantic relationships with individuals over whom they have academic, professional, or supervisory responsibility -- even if by mutual consent. They should also know about the possible effects of assuming professional or supervisory responsibility for those with whom they have an existing romantic relationship.

   EXAMPLE: A staff associate is passed over for promotion because she refuses to date her supervisor.

2. Such conduct is sufficiently severe to create a hostile, humiliating, offensive University-related environment or to interfere substantially with required tasks or career opportunities at the University. Repetition of the unwelcome behavior would be viewed as sexual harassment. However, in the case of an unwelcome intimate touch, one occurrence can be sufficient to constitute sexual harassment.
EXAMPLE: During a required laboratory experiment, a male student persists in telling off-color jokes which a female student finds offensive. When she asks him to stop, he refuses.

B. Who can be sexually harassed?

Anyone can be sexually harassed -- male or female, student or employee. In the majority of cases women are harassed by men, but harassment by a person of the same sex also takes place as does harassment of men by women. Sexual harassment occurs between co-workers, between students, or even when it is not aimed at one person as long as an entire group feels its effects.

Harassment occurs in a variety of situations. It occurs when someone is not in position to refuse a sexual advance or object to a hostile environment without fear of reprisal. It also occurs in a situation when someone in authority fails to curb harassing activity of which he or she has knowledge or has reason to know exists in a setting within his or her control In cases where a consensual relationship results in an atmosphere laden with favoritism, third parties of either sex can be harassed.

C. How do I recognize sexual harassment?

Sexual harassment can be as subtle as repeated off-color jokes or as blatant as sex assault. When acceptance of such unwelcome behavior is the price of hiring, promotions, grades, it constitutes a violation of Title VII of the Civil Rights Act of 1964 and Title IX of 1976 Education Amendments. A few examples of typical harassment cases may help you recognize and avoid problems.

EXAMPLE: A professor invites a graduate student out to dinner to discuss her thesis. She accepts, but when he tries to kiss her at the end of the evening, she turns away. He accuses her of leading him on and tells her she may be too immature to continue in her current field of study.

Behavior such as this represents an impermissible exercise of the professor's authority. Conceivably the student could feel compelled to change her field or at least her specialization, and this is an infringement on her educational rights.

EXAMPLE: A graduate assistant invites one of her promising students to her apartment to discuss his work and his career plans. When he declines, she suggests that it would be a good idea for him to accompany her to cultural events in order to broaden his experience and improve his chances for success.

This might not be recognized as sexual harassment because no direct porosity threat has been made. The graduate assistant is female, and harassment is, usually associated with males. She is also a student, perhaps close in age to the young man. However, as a graduate assistant, she is in a position of power. She can affect her student's grade. The muted suggestion that his success might be contingent on the attention he pays to her does constitute a form of sexual harassment. In fact, a large percentage of sexual harassment complaints are against graduate assistants.

Overtures such as this are frequently repeated and often become more and blatant. This creates a tense and difficult situation, not only for the student who is the object of the graduate assistant's attention but often for other students in the class as well.

EXAMPLE: After a secretary ends her relationship with the department supervisor, she receives a below-average raise in spite of her above-average performance.
Consensual relationships in the workplace may pose problems because a perceived undue influence may exist in these situations. Should a charge of sexual harassment subsequently be claimed, the mutuality of past consent may be questioned in administrative or court proceedings.

Such relationships may then be viewed as unequal in nature and harassment imputed. In some cases, the courts have awarded retroactive raises and even punitive damages. Additionally, the woman's colleagues might have had grounds for complaint if she had ever received preferential treatment while she was romantically involved with her supervisor.

EXAMPLE: A professor makes demeaning remarks about the intelligence of women in his lectures and teases his female students when they ask questions or take part in class discussions. When one of the students complains, he tells her she's being too sensitive.

Repeated gender-related jokes or remarks that are demeaning, offensive, or just plain distracting can create what the courts call a 'hostile environment' in the classroom or workplace. Male students may get the idea that their female counterparts are targets, and the women students may find it increasingly difficult to participate in the class. The professor who does not seriously consider such complaints compounds the problem.

EXAMPLE: Chris and Pat are both students in an anatomy class. Chris is continuously making sexually suggestive comments to Pat about 'the photographs and diagrams in their textbook. Even though Pat has asked that the behavior stop, Chris continues.

When there is no difference in authority, either between people of the same sex or different sexes, individuals whose conduct is at issue must be informed that such behavior is unwelcome. Because Pat has asked for the behavior to stop yet Chris persists, Pat can speak to the class instructor (who has an obligation to act) or can seek assistance from a designated campus office.

EXAMPLE: A male worker repeatedly asks a female co-worker to go out with him after work. She declines. He persists in whistling, taping pornographic pictures to her locker, and spreading rumors about her allegedly promiscuous behavior. She asks him to stop. He refuses. She then complains to her supervisor, who promises to look into the matter but does nothing.

In this case, both the male co-worker's actions and the supervisor's failure to handle the complaint quickly and appropriately open them to a charge of sexual harassment.

Managers, department heads, and supervisors are responsible for ensuring that the workplace is free of these and all other forms of sexual harassment. They can be held liable as well. When an employee or student registers a sexual harassment complaint about an individual or about the general environment, the director or manager should immediately consult with Affirmative Action Programs.

Part III. Support and Guidance

If you suspect sexual harassment:

Sexual harassment is against the law and against University policy. If you think you or someone else has experienced sexual harassment, you don't have to put up with it. There are a number of possible options you might consider. Some of them are listed here. These are merely suggestions. They are not steps, so you don't have to follow them in order or at all. Think about what feels comfortable to you and what type of action you want to take. You might want to talk to a friend or someone else you trust before you decide.
1. If you feel safe doing so, it can be effective simply to talk to the person. It helps to think through what you want to say. You can even role play with a friend first or bring a friend or advocate with you to the meeting. Tell the person exactly what is unacceptable: for example, 'I prefer that you do not touch me when we talk' or 'I'm not interested.' Say it firmly, without smiling or apologizing, making it clear that the behavior is inappropriate.

2. A letter can be a good way to express your objections and to document that the person suspected of harassment has been informed of your feelings. There are a couple of points you may want to keep in mind in preparing the letter:

   ♦ Describe the harassing behavior or comments.

   ♦ The letter will be most effective if you are specific, factual, calm, and firm. Give dates, locations, and details if you can. Stay away from name calling, extreme language, or threats. This will give the letter credibility to the recipient and as document should you decide to complain formally at a later date.

   ♦ Keep a copy of the letter. If the person does not change this behavior, you can use it to show that you took action to stop the harassment.

3. Keep track of what is happening to you. Take notes in a bound book to which sheets of paper cannot be added. Include what is done or said with dates, times, places, direct quotes. Save letters, notes, or anything else sent to you. Be sure to put the log and these materials in a secure place, preferably at home rather than in your desk or locker at work or school.

4. Talk to your co-workers to learn if anyone has witnessed the behavior or has been harassed as well. Ask them to write an account of what they observed or experienced and sign and date it. This can be extremely important documentation if you decide to make a formal complaint at some point.

5. If you don't want to address the person directly or by letter, you can take your concern to the next level of authority: for example, a supervisor or academic department head. The University mandates a response to all sexual harassment matters.

6. In this brochure you'll find a list of campus offices that can provide various kinds of support and assistance, including Information, advocacy, and official intervention.

If you are a supervisor, department head, or dean:

1. You are responsible for maintaining an environment free of sexual harassment. You are obligated to take every complaint of sexual harassment seriously. If you cannot resolve a situation brought to your attention, consult Affirmative Action Programs. The staff will advise you on how to deal with the problem.

2. You and the University may be liable for not dealing with sexual harassment problems in your unit. You may be held responsible for creating or tolerating a 'hostile work environment.'

3. Be sure to follow University policy and campus procedures on sexual harassment described in this publication. They are provided for your protection.

If you think you may be accused - or have been accused - of sexual harassment:
1. Reread the campus policy prohibiting sexual harassment. Do not engage in behaviors that could be interpreted as harassing. The penalties are stiff. You could jeopardize your standing in the University. You could lose your job. If the case goes to court, you may be liable for attorney’s fees and damages.

2. If you are confused about what constitutes sexual harassment, consult Affirmative Action Programs.

3. If you are accused of sexual harassment, don’t retaliate in any way. That is also against the law.

4. If you have been accused of sexual harassment, you are entitled to a fair and impartial process under campus procedures. You may also choose to seek professional advice inside or outside the University.

IV. Procedures

What are the campus procedures for dealing with sexual harassment?

1. Which campus office is charged with primary responsibility for administering this policy?

   Even though every member of the campus community has a responsibility for promoting an environment free of harassment, the Chancellor has designated Affirmative Action Programs as the campus resource for seeking assistance and resolution of these claims. AAP has authority to investigate, issue findings, and make recommendations for remedies. Besides providing services in education, mediation, and intervention, this office can be contacted to answer questions, advise and clarify campus policy and procedures, and discuss issues or available options. Such inquiries will be treated confidentially, in that no written record of details or names will be released.

   For more information, contact Affirmative Action Programs.

2. What AAP will do with...

   Anonymous observations or complaints alleging harassment. Persons who believe they have observed or experienced sexual harassment are encouraged to report what they observed to AAP. AAP can inform the person or persons against whom a complaint is made of the anonymous observation or allegations. A person who has been so informed may respond in writing to AAP.

   Complaints involving contractors, vendors, or visitors. AAP has authority to investigate or act upon complaints involving UIC contractors, vendors, or visitors.

   Allegations made by a person who believes he or she has experienced sexual harassment. Upon discussion with an AAP representative, discussion which includes an explanation of available options the person may decide to complete a Request for Action. The action requested can be formal or informal. Both types of action require a statement of allegations which, if assumed to be true, would constitute sexual harassment, and a statement of the outcomes or remedies sought.

   Informal resolution is appropriate where neither party requests an investigation or determination but seeks intervention or conciliation. This process ends by agreement of both parties. With consent of the parties, AAP can require the assistance of supervisors in the resolution of the problem at an appropriate level. At any time, an informal process can become formal at the request of either party.
Formal resolution requires that:

a. The person seeking redress make a written request for investigation to AAP.

b. Both the person who is complained about, as well as appropriate administrative officials, be notified of the allegations and the request for investigation.

c. The accused person be given the opportunity to respond in writing to the allegations.

d. AAP commence investigation by gathering relevant facts and conducting interviews. Ordinarily, the period for investigation should not exceed 30 days.

e. AAP issue a written report which will include a summary of the allegations investigated, the findings which support or fail to support the complaint, and recommended remedies where appropriate. The report will be sent to both parties to the complaint, to the supervisor responsible for acting upon any recommendations which may be made, and to other appropriate University administrators. Within 10 days of receiving the report, comments which the complainant or respondent may wish to make should be submitted in writing to the appropriate University administrator (e.g., Chancellor, Vice Chancellor), with a copy sent to AAP. Within a reasonable period from the close of the comment period, the administrator should issue a written decision either dismissing the complaint or specifying actions to be taken responsive to the complaint. Copies of the administrator's written decision shall be provided to the parties to the complaint and to AAP.

f. All parties behave professionally, keeping the proceedings and the outcome confidential. AAP will take steps to ensure confidentiality for all parties involved insofar as it does not interfere with the University's obligation or ability to investigate the allegations of misconduct.

3. AAP guidelines

Nothing in these procedures should be construed to preclude AAP from developing internal guidelines for conciliating sexual harassment claims or conducting investigations. In the event that internal AAP guidelines conflict with campus procedures, campus procedures will be followed.

4. Actions taken as a result of AAP findings

If disciplinary action is taken as a result of an investigation and finding of a violation of the campus sexual harassment policy, that action will be imposed in accordance with appropriate disciplinary procedures.
ATTACHMENT B

SEXUAL HARASSMENT/DISCRIMINATION

INDIVIDUALS TO CONTACT

COM-UC CONTACT STAFF

Primary Contact Staff:

  Dr. Jennifer Bloom            217/333-8146
  Dr. Ronald Brewer            217/244-0659
  Mr. James Hall               217/333-8146
  Dr. Janet Jokela             217/244-1225

Chief Contact Person:

  Mr. James Hall               217/333-8146

UIUC CAMPUS

Office of the Dean of Students, UIUC                  217/333-0050

CARLE HOSPITAL AND CLINIC

Ms. Tara Swearingen, Associate Administrator          217/383-3053
Human Resources, Carle Clinic

CHRISTIE CLINIC

Mr. Richard A. Knieriem                                       217/366-1280
Chief Administrative Services Officer
COVENANT MEDICAL CENTER

Ms. Diane Ruedi, Director
Human Resources, Covenant Medical Center
217/337-2224

DANVILLE VETERANS HOSPITAL

Ms. Rheta Bowen
Administrative Officer
217/554-5283

Ms. Sandra Calhoun
Program Assistant
217/554-4511

Mr. Ronald Ball
Equal Employment Opportunity Program Manager
217/554-6573

FOR SITUATIONS INVOLVING MEDICAL RESIDENTS

Internal Medicine Robert Healey, M.D. 217/326-1220
Family Practice Timothy Meneely, M.D. 217/383-3170