

Office of Vice-President, Student Affairs, University of Florida

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1. What is the UF Policy on Sexual Harassment?

It is the policy of the University of Florida to provide an educational and working environment for its students, faculty, and staff that is free from sex discrimination and sexual harassment. In accordance with federal and state law, the University prohibits discrimination on the basis of sex, including sexual harassment. Sex discrimination and sexual harassment will not be tolerated, and individuals who engage in such conduct will be subject to disciplinary action. The University encourages students, faculty, staff, and visitors to promptly report sex discrimination

and sexual harassment. <http://www.hr.ufl.edu/eoo/sexharassment.htm>

Sexual harassment is also a violation of the Student Code of Conduct <http://www.dso.ufl.edu/sccr/honorcodes/conductcode.php#s4041>.

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2. Who is covered under the UF Policy on Sexual Harassment?

The UF policy on Sexual Harassment applies to all students and employees. It also covers visitors, volunteers, vendors, and applicants for admission to or employment with the University.

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3. What is sexual harassment?

Sexual harassment refers to **unwelcome** sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when it meets any of the following:

- a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status.
- b) Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual.
- c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive environment for working, learning, or living on campus.

The term ***quid pro quo*** (literally this for that) is used to describe when conditions "a" or "b" occur. The term ***hostile environment*** is used for condition "c" and is often characterized by repeated patterns of unwanted behavior.

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4. What are some examples of sexual harassment?

- Suggestive or inappropriate photos, computer images, graphics, cartoons or other visual images
- Invasive use of technology
- Sexual innuendo or offensive comments about a person's body, clothing or activities
- Suggestive or insulting sounds
- Humor and jokes about sex that denigrate a gender
- Sexual propositions, invitations or pressure for sexual activity
- Patting or other inappropriate touching or brushing against the body
- Attempted or actual kissing, hugging, or fondling
- Coerced sexual intercourse or sexual battery

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5. Is sexual battery included under the sexual harassment policy?

Yes, sexual battery is included in the sexual harassment policy. Sexual battery is an extreme type of sexual harassment, sometimes referred to as **criminal sexual harassment**, since it is also a crime. Reports of criminal sexual harassment should be made directly to the UF Police Department. A formal report can be made in person at the UF Police Department or by calling 392-1111. If a formal report is made via phone to the police dispatch center, a police officer will respond to the victim's location and begin the process of conducting a formal investigation. In addition, additional resources including a victim advocate will be utilized as appropriate.

If a student is unsure about what to do and wants to get more information about the options that are available to someone who is a victim of sexual battery before making a formal police report, she or he may contact the Office of Victim Services to receive such information, in addition to confidential consultation and support. Speaking with a victim advocate is not the same as speaking with a police officer and all information discussed with a victim advocate will remain completely confidential. You can contact a Victim Advocate at the Office of Victim Services, (352) 392-5648 (Monday - Friday, 8:00 a.m. - 5:00 p.m.) or (352) 392-1111 (after business hours and on weekends).

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6. When can sexual harassment occur?

Sexual harassment of students can occur in all types of circumstances and relationships:

- In relationships of unequal power, often where the person in a position of more power harasses the one with less power (e.g., between a faculty member and a student, a supervisor and a student employee)
- In relationships of unequal power, termed "contrapower" and a less frequent occurrence, where the less powerful person harasses someone in a more powerful position (e.g., a student who harasses Teaching Assistant)
- In relationships of equal power, (e.g., between students who are peers or among peers in a group setting, such as a lab)
- Between or among persons of a different sexes or of the same sex

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7. What is a conflict of interest in a relationship?

A conflict of interest is created when an individual evaluates, supervises, or has decision making power affecting a student with whom he or she has a romantic or sexual relationship. Such relationships, even when consensual, may be exploitative. For example, participation in a consensual amorous relationship by a supervisor, faculty member, advisor, TA or coach with a student or student employee always creates a prohibited conflict of interest. To eliminate the conflict of interest, the person in the position of higher authority has the responsibility to report it to the appropriate hiring authority to alleviate the conflict.

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8. What are the effects of sexual harassment?

According to the American Psychological Association, being sexually harassed can negatively impact your psychological health, physical well-being and vocational development. People who

have been harassed often drop a course, change their academic major, and even leave their academic program or place of employment. Reported psychological and physical reactions to being harassed are similar to reactions to other forms of stress. They include:

1) Psychological Reactions

- Depression, anxiety, shock, denial
- Anger, fear, frustration, irritability
- Insecurity, embarrassment, feelings of betrayal
- Confusion, feelings of being powerless
- Shame, self-consciousness, low self-esteem
- Guilt, self-blame, isolation

2) Physiological Reactions

- Headaches
- Lethargy
- Gastrointestinal distress
- Dermatological reactions
- Weight fluctuations
- Sleep Disturbances, nightmares
- Phobias, panic reactions
- Sexual problems

3) Career-Related Effects

- Decreased job satisfaction
- Unfavorable performance evaluations
- Loss of job or promotion
- Drop in academic or work performance due to stress
- Absenteeism
- Withdrawal from work or school
- Change in career goals

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9. If I feel I am a victim of sexual harassment, what can I do?

- **Do not ignore sexual harassment**

It will not go away by itself and silence may be misunderstood as consent.

- **Consider telling the harasser directly to STOP the offensive behavior**

Be assertive, using clear communication; do not make a joke of it. Keep in mind that while such communication is encouraged, the UF sexual harassment policy does not require this direct confrontation before taking other steps.

- **Consider writing a letter to the harasser**

People often feel powerless when experiencing sexual harassment and are reluctant to confront the harasser personally. An excellent alternative is writing

a letter directly to the harasser.

The letter should consist of three parts:

- a. A factual account of what happened - including details of dates and a description of offending behaviors.
- b. A description of how you feel about what occurred.
- c. A statement of what you want to happen next. Most writers want the behavior to stop; but, if a remedy is necessary, it should be included here.

Mail a copy of the letter to the harasser, using certified mail with return receipt requested, and keep a copy of the letter for yourself. To see a sample letter, [click here](#).

○ **Keep a written record of incident(s) and keep any physical evidence**

Make a chronological log of any incidents. Include specific recollections, and note any witnesses, or persons you may have told. Keep any letters, emails, phone messages, or other physical evidence.

○ **Tell somebody**

Talk to a trusted friend, a family member, a confidential counselor or spiritual adviser. If you talk to a University Official, keep in mind that person will have an obligation to report knowledge of the alleged sexual harassment. Keeping the harassment to yourself can lead to isolation, confusion and inappropriate self-blame.

○ **Make a formal report of sexual harassment to the University**

Refer to [Question #11](#).

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10. Where can a student get confidential consultation on campus?

It is not unusual for a person experiencing sexual harassment to be confused about what is occurring or uncertain about what she or he can do about it. UF students can contact any of the following services for **confidential** consultation and counseling:

- **Office of Victim Services**, UF Police Department, (352) 392-5648 (Monday - Friday, 8:00 a.m. - 5:00 p.m.) or (352) 392-1111 (after business hours and on weekends), <http://www.police.ufl.edu/ovs/vap.asp>
- **Counseling and Wellness Center**, (352) 392-1575, <http://www.counseling.ufl.edu/cwc/>

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11. How can a student make a report of sexual harassment to the University?

There are several ways that a student can make a report of sexual harassment:

- **Institutional Equity and Diversity Office** - Any student who believes that s/he has been subjected to sexual harassment is encouraged to report to the Director of the Institutional Equity and Diversity Office in Human Resource Services. Contact Mr. Larry Ellis directly at e-mail: larry-ellis@ufl.edu or phone: (352) 392-1778, website: <http://www.hr.ufl.edu/eo/sexharassment.htm>.
- **Student Conduct and Conflict Resolution** - For student-on-student sexual harassment incidents, reports can be made to the Director of Student Conduct and Conflict Resolution in the Dean of Students Office. Contact Assistant Dean Chris Loschiavo at e-mail: chrisl@dso.ufl.edu or phone: (352) 392-1261x207, website: <http://www.dso.ufl.edu/sccr/>.
- **Police Department** - For sexual battery (criminal sexual harassment), reports can be made directly to the University of Florida Police Department, (352) 392-1111, <http://www.police.ufl.edu/>. For further reporting information, you can contact a Victim Advocate at the Office of Victim Services, (352) 392-5648 (Monday - Friday, 8:00 a.m. - 5:00 p.m.) or (352) 392-1111 (after business hours and on weekends), <http://www.police.ufl.edu/ovs/vap.asp>.
- **University Officials** - Students also can also report to any University Official, (e.g., supervisor, faculty or staff member, administrator, ombudsman). Some student employees are designated as University Officials (e.g., Teaching Assistants, Resident Assistants, Preview Staff and events staff). Keep in mind that the University Official is obligated to report the sexual harassment to the Institutional Equity and Diversity Office or Police Department (in cases of criminal sexual harassment/ sexual battery).

If you are unsure about **how** or **where** to make a report, you can contact the **Institutional Equity and Diversity Office** or the **Student Conduct and Conflict Resolution Office** for further guidance. If you are unsure about **whether** to make a report, you can contact a counselor for confidential consultation and/or counseling. Refer to [Question # 10](#) for contacting counselors.

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12. Can I make an anonymous report?

Yes, reports of sexual harassment may also be submitted anonymously. Keep in mind that such complaints are more difficult to investigate because of the unique challenges they present in obtaining sufficient information to allow the University to take remedial action. However, if you believe that sexual harassment has occurred, even an anonymous report is preferred over keeping silent. Anonymous reports can be made to the Institutional Equity and Diversity Office or to UF Police Department through their Silent Witness webpage link: http://www.police.ufl.edu/secure_ufpd/silent_witness.aspx.

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13. What happens in the Office of Institutional Equity and Diversity Investigation process?

- **Provide information.** When you make a report, you will be asked to provide information as truthfully and accurately as possible. The information you provide in your report is voluntary; however, a thorough investigation of your complaint will be facilitated by providing the most complete data. To see a copy of the complaint form

used , see: http://www.hr.ufl.edu/eeo/COMPLAINT_2008.pdf.

- **Provide evidence.** You will be asked to provide anything that can substantiate your complaint. You will be asked to provide any supportive documents (such as letters, notes, e-mails with the harasser) and to provide the names of any witnesses that can be interviewed (including direct witnesses and friends or others to whom you have confided). You may want to prepare a chronological log of events to help you recall all the relevant details.
- **The review process.** The Institutional Equity and Diversity Director will conduct a review of your complaint in a timely manner. The accused has a right to due process and will be informed of the complaint. In the investigation, all relevant persons will be interviewed, you (as the complainant), the accused, any witnesses that you or the accused suggest, and any others deemed relevant.
- **Respect for privacy.** The University will attempt to protect the confidentiality of harassment proceedings to the extent reasonably possible. Participants in the investigation process are expected to be discreet about the proceedings and circumstances giving rise to the complaint, to discuss the matter only with those persons who have a genuine need to know, and to respect the privacy of the individuals involved.
- **Results of an investigation.** The Institutional Equity and Diversity Director will share the investigation findings with the alleged harasser's hiring authority, who will then take remedial action if appropriate. The Director may follow-up to ensure that any remedial actions were effective. The complainant and respondent can request information regarding the results upon conclusion of the investigation. If a finding of sexual harassment occurs, a record will be placed in the harasser's personnel file. The name of the complainant will be removed (redacted) from the report. If there is no finding of sexual harassment, a copy of the report will be kept by the Director.

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14. What happens if I use the Dean of Students conduct process involving the Student Conduct Code Resolution options?

For information on the student conduct process, the Student Conduct Code Resolution options, and how to file a complaint, see <http://www.dso.ufl.edu/sccr/victims.php>. The incident report form can be found at <http://www.dso.ufl.edu/sccr/webforms/incidentreport.php>. Student Conduct and Conflict Resolution will keep you informed on the progress of your case. Depending on the severity of the incident, the consequences sought and the choice of the accused student, the case will be resolved either through an administrative review, administrative hearing or a hearing before the Student Conduct Committee.

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15. What is a false report?

A false report occurs when a person knowingly files a false sexual harassment complaint or provides false statements in an investigation. False reports are prohibited and may lead to disciplinary action. Note that when there is a "non-finding" of sexual harassment following an investigation, it may be the result of insufficient evidence; a "non-finding" should not be

confused with an intentional false report.

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16. Is there a time limit on making reports of sexual harassment to the University?

Incidents of sexual harassment should be reported as soon as possible after the time of their occurrence to allow the university to take appropriate remedial action. No student should assume University of Florida officials know about a situation or incident. However, in recognition of the vulnerability some students might perceive in making reports, students have up to one year following graduation to make a sexual harassment complaint to the University. Keep in mind that state or federal agencies will require you to report sexual harassment incidents in a more time-limited period.

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17. What about retaliation?

University policy prohibits retaliation against an individual for reporting sexual harassment. Examples of retaliation include assigning inappropriately low grades, deflated performance evaluations, punitive work assignments, and employment termination. If you believe that you have suffered reprisal in any form, you should report it immediately to the office conducting the investigation. Anyone who retaliates in any way because a student has brought a sexual harassment complaint or participated in an investigation of a complaint is subject to disciplinary action up to and including dismissal from the University.

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18. Who has an obligation to report knowledge of sexual harassment of a student?

A student who has been sexually harassed can decide whether or not to make a formal complaint. Although the University encourages such reporting, the student's right to choose options is fully recognized.

Any **University Official** with knowledge of the sexual harassment of a student has an obligation to report this information to the Institutional Equity and Diversity Office (or to the University Police if it is criminal sexual harassment).

"University Official" refers to all employees of the University. This includes faculty members, and other personnel, including but not limited to personnel in the University Support Personnel System (USPS), Technical, Executive, Administrative, and Managerial Support (TEAMS) and Other Personnel Services (OPS) classifications.

Student employees may be considered "University Officials" when acting in a supervisory or other responsible capacity in the performance of their duties. Examples include but are not limited to event staff, Resident Assistants, Teaching Assistants, and Preview staff.

The only University Officials exempted from the obligation to report are those who have legally protected privileged communication (e.g., mental health professionals, University Police Victim Advocates, Housing Crisis Intervention Consultants, and Student Health Care Center providers).

For more information about employee obligation to report the sexual harassment of a student,

see the Reporting section on the website: <http://www.hr.ufl.edu/eo/sexharassment.htm>.

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19. How can a student make a report of sexual harassment outside of the University?

A student can use legal processes outside the University involving:

- State agencies (e.g., the Florida Commission on Human Rights)
<http://fchr.state.fl.us/>
- Federal Agencies (e.g., the Institutional Equity and Diversity Commission)
<http://www.eeoc.gov/>
- Civil court action
- Criminal court action

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20. How can I learn more about sexual harassment?

An online training program on Preventing Sexual Harassment is available at no charge to all UF students. It can be accessed at the URL: <https://secure.newmedialearning.com/psh/uflorida/student/index.shtml>. The training program has interactive components. It takes about 45 - 60+ minutes, depending on your exploration time. You can move around in the various sections and return to the main portion as desired. Taking the training is confidential; you will not be asked for your name or student ID.

At the conclusion of the program, there is an optional short quiz. Upon successfully passing, you can print out a certificate of completion. You can fill in your name for the certificate but this information will not be stored. You can take the quiz as many times as needed in order to pass. There is a brief and anonymous survey where you can provide feedback about the program that will be helpful to the University.

For additional information about sexual harassment located under Resources, [click here](#)

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