

DISCRIMINATION AND HARASSMENT: An Overview for Graduate Students and Teaching Assistants

Definitions

Discrimination: unlawful treatment of a person (employment or educational decisions); must be based on protected class membership (see "protected classes" below).

Harassment: unwelcome conduct, based upon protected class membership (see "protected classes" below) that is either a condition of working or learning (quid pro quo) or creates a hostile environment.

Quid Pro Quo Harassment: consists of unwelcome conduct when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, employment decisions, academic advancement or receipt of a needed or legitimately requested University service, or (2) submission to, or rejection of, such conduct by an individual is used as the basis for decisions affecting such individual in matters of employment, employment decisions, academic advancement or receipt of a needed or legitimately requested University service.

Hostile Environment Harassment: consists of unwelcome conduct when (1) such conduct has the effect of unreasonably interfering with an individual's work or academic performance, or (2) such conduct has the effect of creating an intimidating, hostile or offensive working or learning environment.

Retaliation: conduct causing any interference, coercion, restraint or reprisal against a person complaining of harassment or participating in the resolution of a complaint of harassment.

Protected Classes: Federal law, state law and university policy prohibit discrimination and harassment based on the following protected classes:

- race
- color
- national origin
- religion
- creed
- sex
- age
- veteran status
- disability
- sexual orientation

Responsibilities of All Students, Staff and Faculty

- Create and maintain a supportive and harassment-free working and learning environment for all members of the campus community.
- Understand and comply with harassment policies.
- Know where to obtain assistance for resolving concerns. You are encouraged and should feel free to seek assistance, information and guidance from the Office for Equal Opportunity (phone: 515-3148 or 513-1234), your advisor, or the Office of Student Conduct.

Proactive Measures Teaching Assistants Can Take to Prevent Problems

Inside the Classroom:

- Be a role model. Set the tone as to what behavior will be tolerated in the classroom. Confront sexist, racist, or other inappropriate remarks.
- If controversial material will be reviewed in class, let the students know in advance. Include specific information in the syllabus about the material.
- Having students write about or answer test questions on the material helps to show that the material is pedagogically valuable.

Outside the Classroom:

- Keep compliments casual and impersonal.
- Avoid jokes, words, phrases, and gestures with racial, sexual or other inappropriate connotations.
- Remember each person has "personal space"; watch for body language that tells you that you are infringing on that personal space.
- When possible, conduct meetings with students with your office door slightly ajar. If you feel that the meeting calls for more privacy, ask for permission to completely shut the door.
- Avoid giving your home contact information to students. If it is your normal practice to conduct some business from home, give the information to all students via the syllabus.
- Remember that students perceive an enormous power differential between faculty and students. Casual comments may be taken more seriously than intended, and suggestions may be taken as directives.

How Does Harassment Affect Graduate Students and Teaching Assistants?

Any teaching assistant or graduate student can be a:

- *Victim* of harassing behavior - from students, staff, or other faculty
- *Accused* of harassing behavior - by students, staff, or other faculty
- *Witness* to harassing behavior - in the classroom or in professional interactions
- *Confidant* of others seeking advice regarding harassment - students or colleagues

Resolving Concerns and Complaints

If You Feel Harassed:

- Review your responsibilities as a member of the NC State University community.
- Let the other party know that the behavior is offensive and unacceptable. Ignoring the behavior will often be taken as implied consent. Remain professional and say no. Make it clear. Talk about how you might interact more effectively and what changes are desired.
- Keep a record of dates, times, places, and witnesses of harassing behavior.
- Read the policies regarding harassment. All of these policies can be viewed on the web at: http://www.ncsu.edu/equal_op/harassment/policies/index.html
 - Interpersonal Relationships Among Faculty, Staff, and Students
 - Equal Opportunity and Non-Discrimination Policy Statement
 - Unlawful Harassment Policy Statement
 - Resolution Procedures for Harassment Complaints
 - Sexual Harassment Policy
 - Racial Harassment Policy
 - Sexual Orientation Policy Statement
- Seek advice and be informed about the options available to you. Consult with the Office for Equal Opportunity, your advisor or the Office of Student Conduct.

Options that are available for resolution include:

 - Informal
 - Consultation (seeking input about how to resolve the conflict)
 - Confrontation (discussing the matter with the other party, third party may be present)
 - Formal
 - Student Judicial Hearing (available to anyone with a complaint against a student)
 - Investigation (available to anyone with a complaint against an employee)

If You are Accused of Harassment:

- Stop the behavior immediately.
- Try not to be defensive; this will only make the situation worse. You have every right to defend your actions, but a calm and non-judgmental approach will be more productive.
- Listen very carefully to the other party and try to understand that person's perspective. It is not uncommon for our behavior to have an impact different than what we intended. Talk about how you can interact more effectively and what changes are desired.
- If a formal process has been initiated, make sure you understand your rights and responsibilities.
- Seek advice and be informed about the options available to resolve the situation. Consult with the Office for Equal Opportunity or Human Resources.
- Avoid any appearance of retaliation, whether direct or indirect.
- Seek help from someone that can assist you on a personal level, such as the Counseling Center, clergy, or family members.

If You Receive a Complaint of Harassment:

- Review your responsibilities as an employee and/or supervisor.
- If you observe or are approached about discrimination or harassment, take action.
- Maintain impartiality. Avoid expressing opinions about the character or ability of the accused or other persons involved. Do not make proclamations about whether you believe or disbelieve the person bringing forward the complaint or if harassment has occurred.
- Maintain confidentiality but you should not make promises guaranteeing complete confidentiality because other people may need to be involved in the resolution of the concern.
- Help the complaining party understand the options available to them. Review the procedures regarding resolving complaints.
- Consult with the Office for Equal Opportunity or the Office of Student Conduct for advice regarding resolution.
- Maintain documentation regarding any matters involving discrimination or harassment.

Resources

Rhonda Sutton, Ph.D.
Assistant Vice Provost & Director of Harassment
Prevention and Equity Programs
Office for Equal Opportunity
Phone: 513-1234
(for EPA & SPA employees and students)

Office of Student Conduct
Phone: 515-2963
(for students)

Human Resources
Employee Relations
Phone: 515-6575
(for SPA & EPA employees)

Office of Legal Affairs
Phone: 515-3071
(for employees)