STUDENT REGULATIONS COMMITTEE

ANNUAL REPORT, ACTION ITEMS, AND MINUTES
ACADEMIC SENATE, OCTOBER 22, 2013
3:00 PM, STUDENT CENTER THEATRE
PRESENTER

- Dr. Charles Parsons
  - Annual Report for 2012-2013
  - Action Items
  - Minutes
2012-2013 ANNUAL REPORT

Highlights of the 2012-2013 Annual Report:

- Committee had 12 members
- Met 6 times during the year
- Dr. Charles Parsons served as Chair and Dr. Richard Barke served as Secretary
- Policies addressed by the Committee:
  - Student Alcohol Policy (changes recommended by the Dean of Students Office)
  - “Dead Week” (the week preceding Final Examinations), language was revised
  - Code of Conduct language added to address unauthorized use of an instructor’s intellectual property
  - Release of Information Policy (Office of Student Integrity) regarding student disciplinary files
Highlights of the 2012-2013 Annual Report:

- The Committee discussed other items that included:
  - Final examination week in relation to commencement activities on Friday of that week
  - The process of naming student organizations
  - Readmission policy to clarify status of students who are under expulsion
  - Minor declaration process related to when students should submit the form
  - Possibility of a “Minor and Certificate Fair” to make students more aware of the options
ACTION ITEMS

• From the October 11, 2013 meeting:
  • **Sexual Harassment and Misconduct Policy**
    • The Legal Affairs Office and Dean of Students Office have reviewed the current policy regarding First Amendment implications.
    • Changes were suggested to bring Georgia Tech policy in accord with the legal standard definition of “sexual harassment.”
  • **Student Code of Conduct** to reflect the revised Sexual Harassment Policy
C. SEXUAL HARASSMENT – CURRENT POLICY

Definitions:

Sexual Harassment: Interaction between individuals of the same or opposite sex that is characterized by unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, living conditions, and/or educational evaluation;
- submission to, or rejection of such conduct by an individual is used as the basis for tangible employment or educational decisions affecting such individual; or 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 working or educational environment.
Hostile Environment Sexual Harassment: Unwelcome sexual conduct that is sufficiently severe or pervasive that it alters the conditions of education or employment and creates an environment that a reasonable person would find intimidating, hostile, or offensive. The determination of whether an environment is "hostile" must be based on all of the circumstances. These circumstances could include the frequency of the conduct, its severity, and whether it is threatening or humiliating. Simple teasing, offhand comments and isolated incidents (unless extremely serious) will not amount to hostile environment harassment.

In cases of sexual harassment, if the alleged harasser is asked by the Complainant or a third party to stop his or her behavior and does not, a more serious sanction may be imposed. However, the Complainant does not have to request the behavior be stopped for the behavior to be considered sexual harassment.
Examples of Verbal Sexual Harassment: Examples of verbal sexual harassment include, but are not limited to the following *unwelcome actions*:

Sexual flirtation, advances or propositions for sexual activity
- Asking about someone else's personal social or sexual life or about their sexual fantasies, preferences, or history.
- Discussing sexual fantasies, preferences, or history or repeatedly asking for a date from a person who has indicated he or she is not interested.
- Verbal abuse of a sexual nature.
- Suggestive comments and sexually explicit jokes, or turning discussions at work or in academic or living settings to sexual topics.

Sexually offensive or degrading language used to describe an individual or remarks of a sexual nature to describe a person's body or clothing may constitute sexual harassment if the person being so described is offended by such terms or if others hearing the references are offended.

Stating, indicating, or implying in any manner that benefits will be gained or lost based on response to sexual advances.
Examples of Non-Verbal Sexual Harassment: Examples of non-verbal sexual harassment include, but are not limited to the following *unwelcome actions*:

- Staring repeatedly at someone; repeatedly watching someone from afar.
- Blocking another person's path or otherwise restricting their movements, particularly when in conjunction with other acts or comments.
- Invading a person's personal body space, such as standing closer than appropriate. o Making sexual gestures with hands or body movements.
- Looking a person up and down in a suggestive or intimidating manner.
- Making sounds such as smacking or licking lips, making kissing sounds, or whistling.
- Letters, gifts, or materials of a sexual nature, including but not limited to typed or handwritten notes, email, instant messages, text messages, online postings, etc.
Examples of Physical Sexual Harassment: Examples of physical sexual harassment include, but are not limited to the following *unwelcome actions*:

- Massaging a person's neck or shoulders;
- Touching a person's clothing, hair, or body;
- Hugging, kissing, patting, or stroking a person's body;
- Touching or rubbing oneself in a sexual manner around, or in the view of another person;
- Brushing up against another person;
- Tearing, pulling, or yanking a person's clothing.

More severe forms of physical sexual harassment, such as sexual assault, coerced sexual intercourse, or other sexual contact without consent will be considered sexual misconduct.
ACTION ITEMS

C. SEXUAL HARASSMENT – REVISED POLICY

Definitions:

- Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other written, verbal, non-verbal or physical conduct of a sexual nature, when:
  - Submission to such conduct is made either implicitly or explicitly as a term or condition of an individual’s employment or status in a course, program, or activity offered by the Institute;
  - Submission or rejection of such conduct by an individual is used as a basis for employment or education decisions affecting such individual; or
  - Such conduct has the purpose or effect:
    - of unreasonably interfering with the individual’s work or education performance;
    - of creating an objectively intimidating, hostile, or offensive working and/or learning/living environment; or
    - of unreasonably interfering with or limiting one’s ability to participate in or benefit from an educational program or activity.
Hostile Environment Sexual Harassment: A hostile environment is created when sexual harassment is so severe, pervasive, or persistent as to unreasonably interfere with or limit an individual’s employment or educational opportunities. The determination of whether an environment is "hostile" must be based on a reasonable person standard and on all of the circumstances. These circumstances could include the frequency of the conduct, its severity, and whether it is threatening or humiliating.

In cases of sexual harassment, if the alleged harasser is asked by the Complainant or a third party to stop his or her behavior and does not, a more serious sanction may be imposed. However, the Complainant does not have to request the behavior be stopped for the behavior to be considered sexual harassment.

More severe forms of physical sexual harassment, such as sexual assault, coerced sexual intercourse, or other sexual contact without consent will be considered sexual misconduct.
Examples of Behaviors that May Constitute Verbal Sexual Harassment:

Examples of verbal sexual harassment include, but are not limited to the following unwelcome actions:

- Sexual flirtation, advances or propositions for sexual activity
- Asking about someone else’s personal social or sexual life or about their sexual fantasies, preferences, or history.
- Discussing sexual fantasies, preferences, or history or repeatedly asking for a date from a person who has indicated he or she is not interested.
- Verbal abuse of a sexual nature.
- Suggestive comments and sexually explicit jokes, or turning discussions at work or in academic or living settings to sexual topics.
- Sexually offensive or degrading language used to describe an individual or remarks of a sexual nature to describe a person’s body or clothing may constitute sexual harassment if the person being so described is offended by such terms or if others hearing the references are offended.
- Stating, indicating, or implying in any manner that benefits will be gained or lost based on response to sexual advances.
Examples of Behaviors that May Constitute Non-Verbal Sexual Harassment:

- Examples of non-verbal sexual harassment include, but are not limited to the following unwelcome actions:
- Staring repeatedly at someone; repeatedly watching someone from afar.
- Blocking another person’s path or otherwise restricting their movements, particularly when in conjunction with other acts or comments.
- Invading a person’s personal body space, such as standing closer than appropriate.
- Making sexual gestures with hands or body movements.
- Looking a person up and down in a suggestive or intimidating manner.
- Making sounds such as smacking or licking lips, making kissing sounds, or whistling.
- Letters, gifts, or materials of a sexual nature, including but not limited to typed or handwritten notes, email, instant messages, text messages, online postings, etc.
Examples of Behaviors that May Constitute Physical Sexual Harassment:

- Examples of physical sexual harassment include, but are not limited to the following unwelcome actions:
  - Massaging a person’s neck or shoulders;
  - Touching a person’s clothing, hair, or body;
  - Hugging, kissing, patting, or stroking a person’s body;
  - Touching or rubbing oneself in a sexual manner around, or in the view of another person;
  - Brushing up against another person;
  - Tearing, pulling, or yanking a person’s clothing.

The above examples are not intended to be an exhaustive list or prohibit consensual activity. Georgia Tech encourages reporting of any behavior that you believe may be in violation of policy.
ACTION ITEMS

Student Code of Conduct – Section C, 19, CURRENT POLICY

19. Harassing another person including, but not limited to:

• a. Placing another person in reasonable fear of his/her personal safety through words or actions directed at that person, or substantially interfering with the working, learning, or living environment of the person.
• b. Unwelcome sexual advances, requests for sexual favors, and other written, verbal or physical conduct of a sexual nature
19. Harassing another person including, but not limited to:

   a. Placing another person in reasonable fear of his/her personal safety through words or actions directed at that person, or substantially interfering with the working, learning, or living environment of the person.
   b. Unwelcome sexual advances, requests for sexual favors, and other written, verbal, non-verbal or physical conduct of a sexual nature when:

      i. Submission to such conduct is made either implicitly or explicitly as a term or condition of an individual’s employment or status in a course, program, or activity offered by the Institute;
      ii. Submission or rejection of such conduct by an individual is used as a basis for employment or education decisions affecting such individual; or
      iii. Such conduct has the purpose or effect:
      iv. of unreasonably interfering with the individual’s work or education performance;
      v. of creating an objectively intimidating, hostile, or offensive working and/or learning/living environment; or
      vi. of unreasonably interfering with or limiting one’s ability to participate in or benefit from an educational program or activity.
ACTION ITEMS

• Motion to approve action items.
MINUTES FOR APPROVAL

- Motion to approve:
  
  August 29, 2013 Minutes
  October 11, 2013 Minutes