

Year 2 Public Description of Work for Action Collaborative on Preventing Sexual Harassment in Higher Education

University of Illinois Urbana Champaign

New policy on unwanted sexual, sex- and gender-based conduct

Relevant Rubric Area: PREVENTION (Identifying and Reinforcing Community Values); RESPONSE (Improved Policies)

Description of the work:

In August 2020 the University of Illinois enacted a new Sexual Misconduct Policy (<https://cam.illinois.edu/policies/hr-79/>) which, for the first time, goes beyond the prohibitions of Title IX to add a new category of *Unwelcome Sexual, Sex or Gender-Based Conduct*. This new policy provision was the result of extensive research and recommendations from the university's Committee on Faculty Sexual Misconduct, and it covers conduct that may or not be illegal under Title IX, Title VII, or other existing legal compliance frameworks.

According to the new policy, *Unwelcome Sexual, Sex or Gender-Based Conduct* means any unwelcome sexual, sex-based, or gender-based conduct occurring within or having an adverse impact on the workplace or academic environment, regardless of how it is conducted (physically, verbally, in writing, or via an electronic medium) and regardless of the sexes or genders of the individuals involved. It includes:

- **Gender-Based or Sexual Hostility:** Objectively offensive treatment of another person or group, through words or conduct, with hostility, objectification, exclusion, or as having inferior status based on sex, gender (including gender identity or gender expression), or sexual orientation.
- **Unwanted Sexual Attention:** Objectively offensive sexual attention, advances, or comments that a person reasonably should know are unwanted or which continue to occur or persist after the recipient has communicated a desire that the behavior stop.
- **Sexual Coercion:** Use of force, violence, threats, or other threats of harm by an individual to compel or attempt to compel another individual to engage in unwelcome sexual activity.

In light of the new Title IX regulations that went into effect in August 2020, this new policy provision provides a key source of protection for members of the campus community who experience offensive behaviors or a hostile climate in the academic environment which may not rise to the heightened standard of sexual harassment under Title IX. Initial implementation of this new policy by the university's Title IX office and the Office for Access and Equity during the 2020-2021 academic year has demonstrated that it provides important safeguards and accountability for students, faculty, and staff.

Website for further information (if applicable): <https://cam.illinois.edu/policies/hr-79/>

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