

## **Sexual Harassment and Assault/Rape**

### **Sexual Harassment <sup>1</sup>**

Sexual harassment is the unwelcome request for sexual favors when submission to such requests is made a condition of continued employment or advancement within the employment or learning environment. Alternatively, it is unwelcome, persistent conduct of a sexual nature that has the effect of substantially impairing the academic or work environment for students, faculty, staff or union employees, creating what is sometimes called a “hostile” environment. In order for a condition of sexual harassment to exist, a reasonable person must be able to perceive the conduct as being both sexual in nature and unwelcome. In other words, neither offensive conduct which is non-sexual nor conduct that is clearly welcome or encouraged by the recipient can be considered sexual harassment.

Sexual harassment is against the law and is explicitly prohibited by Title VII of the 1964 Civil Rights Act as well as by Massachusetts law.

Sexual harassment is:

- unwelcome sexual advances, requests for sexual favors, or 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 or academic advancement,

#### **OR**

- submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual,

#### **AND**

- 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 academic environment.

The kinds of behaviors that may constitute sexual harassment include, but are not limited, to:

- insults of a sexual nature, including lewd, obscene, or sexual displays and remarks or conduct;
- repeated unwanted touching, patting, or pinching;
- repeated sexist remarks and sexist behavior;
- repeated inappropriate social invitations or repeated unwanted requests for sexual favors<sup>2</sup>;
- repeated unwanted discussions of sexual matters;
- requests or demands for sexual favors accompanied by implicit or explicit promised rewards or threatened punishment<sup>3</sup>;
- threatened, attempted, or completed physical sexual assault;
- third-party harassment<sup>4</sup>.

Under these definitions, regardless of sexual preference or status, all members of the community may become harassers or victims of harassment: men, women, faculty members, students, union personnel, staff members, and others associated with the college. These behaviors may give rise

to claims of sexual harassment under Wellesley College's "Policy Against Sexual Harassment," and, if the allegations were proven, may subject the harasser to disciplinary action.

**If you are encountering sexual harassment, we encourage you to contact a member of the Center for Work and Service listed below.** They can serve as a resource to help think through appropriate next steps.

### **Sexual Assault/Rape<sup>5</sup>**

Massachusetts General Law, Chapter 265 Section 22, defines **rape** as: Having sexual intercourse or unnatural sexual intercourse with a person and compelling such person to submit by force and against her/his will, or compelling such person to submit by threat of bodily injury. This means penetration of a bodily orifice (vagina, anus, or mouth) by an object or by a body part. Rape happens to both men and women. The rapist can be male or female, and may be a stranger, an acquaintance, or a lover. Under Massachusetts Law, rape is considered a felony offense, punishable by imprisonment in a state prison up to 20 years.

Rape often occurs between people who know each other and between people who previously have had consensus sexual relations. If a person intentionally has physical contact of a sexual nature (touching breasts, buttocks or pubic area) with anyone without her/his consent, that person can be charged with indecent assault and battery, punishable by up to 5 years in prison. If you or anyone you know are not sure of whether a situation constitutes a sexual assault or any other type of criminal offense, consult with the campus resources listed elsewhere in the booklet to get support and information.

Rape is the most underreported Violent crime in the U.S. Only 5%-20% of assaults are reported each year. (Helen Benedict, *Recovery: How to Survive Sexual Assault*, 1985.) Campus groups working directly with rape survivors estimate that the number of rapes is higher than the published statistics. You can assume that someone in your social group, in your residence hall, or on your hallway is a rape survivor.

For more information on sexual abuse and interpersonal violence, visit the Stone Center Web site at: <http://www.wellesley.edu/Counseling/saivecontent.html>

**In the case of sexual assault/rape, seek medical attention at the nearest hospital. If outside of the U.S., we advise you to contact the U. S. Embassy to request additional assistance. Also contact a member of the Wellesley College Center for Work and Service listed below.**

### **Wellesley College Center for Work and Service Emergency Contacts**

In the case of a problem or emergency, you are **required** to contact a member of the Center for Work and Service immediately.

The CWS Internship staff contact information:

- Melissa Hawkins, Director of Service and Stipend Programs, Center for Work and Service, [mhawkins@wellesley.edu](mailto:mhawkins@wellesley.edu), (office) 781.283.2357 or (cell) 617.281.6094

- Erin Herzeelle, Assistant Director of Internships and Service Learning, Center for Work and Service, [erzeel@wellesley.edu](mailto:erzeel@wellesley.edu), (office) 781.283.2607 or (cell) 617.974.9749

If you are unable to reach any of the people listed above, call Wellesley College Campus Police at 781.283.2121. If you leave a message, please provide the following: your name and location, contact information, and a description of the situation.

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<sup>1</sup> Adapted from Wellesley College's "Policy Against Sexual Harassment and Guidelines Concerning Consensual Sexual Relations," abridged version produced by the Office of Equal Opportunity and Multicultural Policy, February 2001  
([http://www.wellesley.edu/EqualOpportunity/policy\\_sex.html](http://www.wellesley.edu/EqualOpportunity/policy_sex.html))

<sup>2</sup>EXAMPLE: Lisa, an instructor, is invited by one of her colleagues to share a hotel room when they attend a professional meeting. When she refuses, the colleague accuses her of being immature and expresses doubts about her ability to handle professional situations.

<sup>3</sup>EXAMPLE: Lisa is failing one of the courses required for her major. Her instructor offers to help her in the evening at home. In the course of the evening, the instructor makes it clear that granting sexual favors will improve Lisa's grade.

<sup>4</sup>EXAMPLE: Students in a seminar know that their professor is in a sexual relationship with one of their classmates, and they notice the special attention their classmate receives. They feel this creates a hostile learning environment in the class.

<sup>5</sup>Information from the Wellesley College Stone Center Web site  
<http://www.wellesley.edu/Counseling/saivecontent.html>