

Title IX

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Types of Sexual Harassment

Sexual harassment is a broad term encompassing any non-consensual behavior of a sexual nature that is committed by force, coercion or intimidation, or that is otherwise unwelcome. Sexual Harassment can occur between members of the same or different sex, strangers or acquaintances, including persons involved in an intimate or sexual relationship.

Behaviors Encompassed within Sexual Harassment

- Quid Pro Quo Sexual Harassment
- Sexual Harassment that is pervasive, severe, and objectively offensive that creates a hostile environment

- sexual assault
- domestic violence
- dating violence
- stalking, and
- any other conduct of a sexual nature that is non-consensual, or has the purpose or effect of:
 - threatening
 - intimidating, or
 - coercing a person or persons

The following are types of sexual harassment behaviors prohibited by The University of Southern Mississippi, and commonly used by the Title IX Office. For more information and examples of each, refer to the [Interim Sexual Harassment Policy And Procedures](#):

Quid Pro Quo Sexual Harassment

An employee of the University conditioning³ the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct.

Sexual Harassment

Unwelcome conduct determined by a reasonable person to be so objectively offensive, pervasive, and severe that it effectively denies a person equal access to the recipient's educational program or activity

Sexual Assault

Sex Offenses, Forcible—Any sexual act directed against another person, without the consent of the Complainant including instances where the

Complainant is incapable of giving consent.

- Forcible Rape- Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
- Forcible Sodomy- Oral or anal sexual intercourse with another person, forcibly and/or against that person's will (non-consensually), or not forcibly or against that person's will in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- Sexual Assault with an Object- To use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that persons will (non-consensually), or not forcibly or against the person's will in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- Forcible Fondling- The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly and/or against that person's will (non-consensually) or not forcibly or against the person's will in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- Incest- Non-forcible, sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Mississippi law.
- Statutory Rape- Non-forcible sexual intercourse with a person who is under the statutory age of consent of Mississippi.

Dating Violence

Violence, on the basis of sex, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the

Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence

A felony or misdemeanor crime of violence committed—

- By a current or former spouse or intimate partner of the Complainant;
- By a person with whom the Complainant shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner;
- By a person similarly situated to a spouse of the Complainant under the domestic or family violence Mississippi laws;
- By any other person against an adult or youth, Complainant who is protected from that person's acts under the domestic or family violence laws of Mississippi.

*To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

Stalking

Engaging in a course of conduct on the basis of sex directed at a specific person that would cause a reasonable person to—

- Fear for the person's safety or the safety of others; or

- Suffer substantial emotional distress.

For the purposes of this definition—

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

The following represent some examples of Sexual Harassment:

- A professor insists that a student have sex with them in exchange for a good grade.
- A student repeatedly sends sexually oriented jokes around on an email list the student created, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall in which they both live.
- A professor displays explicit sexual pictures in their office, on the exterior of a residence hall door or on a computer monitor in a public space.
- Two supervisors frequently “rate” several employees’ bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor engages students in discussions in class about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. The professor probes for explicit details, and demands that students answer her, though they are clearly uncomfortable and hesitant.

- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend, turning him into a social pariah on campus.
- Male students take to calling a particular brunette student “Monica” because of her resemblance to Monica Lewinski. Soon, everyone adopts this nickname for her, and she is the target of relentless remarks about cigars, the president, “sexual relations”, and Weight Watchers.
- A student grabs another student by the hair, then grabs her breast and puts his mouth on it.

More Information on Consent, Alcohol, and Drugs

What Consent Is and Is Not

Consent is a clear, unambiguous, and voluntary agreement between the participants, communicated by clearly understandable words or actions, to engage in each form of sexual activity. The lack of informed, freely given consent to sexual contact constitutes sexual misconduct.

- **NEVER** assume that you have consent. Persons who want to engage in the sexual activity are responsible for obtaining consent
- Consent is **NOT** silence, passivity, or lack of active resistance. In other words, no one can infer consent from the absence of a "no". Consent requires a clear "yes", verbal or otherwise.
- A current or previous dating or sexual relationship does not indicate consent.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent is ongoing throughout a sexual encounter, and anyone can withdraw consent at any time.
- In order to give effective consent, a person must be of legal age.

- There is no consent when there is a threat of force or violence, or any other form of coercion or intimidation, whether physical or psychological.

Although someone can communicate consent in a nonverbal manner, verbal communication is the most reliable form of asking for and gauging consent. Therefore, we encourage individuals to seek and communicate consent in a verbal manner. Having a conversation with your partner may be awkward but serves as the basis for healthy relationships shaped by mutual willingness and respect.

Alcohol and Drugs

Research shows that alcohol use plays a significant role in most campus sexual assault incidents. Sex under the influence of alcohol is not automatically nonconsensual, but alcohol use affects decision-making, impairs judgment, and may result in increased misperceptions regarding sexual interest and consent. In addition, a person incapacitated cannot give consent.

INCAPACITATION is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give effective consent. In other words, they lack the ability to understand the "who, what, where, when, why or how" of their sexual interaction.

Sexual activity with someone who one should know to be—or based on the circumstances should reasonably have known to be— mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), constitutes a violation of the University's Interim Sexual Harassment Policy And Procedures. The Respondent's level of alcohol will never function as a defense to a violation of this policy. This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of rape drugs, e.g. Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering these drugs to another person is a violation of this policy.

Hattiesburg campus university employees and students should contact:

- Cristin Reynolds, Interim Title IX Coordinator
- Forest Co Police Department
- University Police Department
- University Health Center
- Human Resources
- Dean of Students
- University Counseling Services

To access the contact numbers, please click the link to the [Contacts & Resources](#) page.

Gulf Coast based employees and students should contact:

- Cristin Reynolds, Interim Title IX Coordinator
- Local Police Department
- University Police Department
- University Police Department
- Human Resources
- Director of Student Life.

Faculty/Staff Resources

We have provided the following materials as resources. Should you have any questions or concerns about the materials, please contact the [Title IX](#)

office by phone 601-266-6804 or via our website- www.usm.edu/title-ix/.

- **Sample Syllabus Statement:**

Confidentiality and Mandatory Reporting

As an instructor, one of my responsibilities is to help create and maintain a safe learning environment on our campus. I also have a mandatory reporting responsibility related to my role as a faculty member. I am required to share information regarding sexual harassment or information about a crime that may have occurred on USM's campus with certain University officials responsible for the investigation and remediation of sexual harassment. The information will remain private and will only be shared with those officials necessary to resolve the matter. If you would like to speak in confidence, resources available to students include Confidential Advisors with the Shafer Center for Crisis Intervention, the Counseling Center, Student Health Services, and Clergy. More information on these resources and University Policies is available at <https://www.usm.edu/title-ix>.

- You can find links to the Employee Handbook and the Faculty Handbook [here](#).

Rights and Resources for Internationals and Immigrants

The **Violence Against Women Act** requires that institutions provide written notice to students and employees about “existing counseling, health, mental health, victim advocacy, legal assistance, **visa and immigration assistance**, student financial aid, and other services available for victims, both within the institution and in the community.

The State University of New York System (SUNY) worked with immigration law to develop a **two-page, plain-language resource** that describes additional rights and resources available to immigrant and international student victims/survivors of violence.

Please see below translations in the languages identified as having the highest population on our campus:

- **Arabic**
- **Chinese-simplified**
- **Chinese-traditional**
- **French**
- **Hindi**
- **Nepal**
- **Portuguese**
- **Spanish**
- **Urdu**
- **Vietnamese**

If you do not see your language listed, please email compliance@usm.edu so that we can check to see if we can provide the content in the language that you need.

Translations are the copyright of the State University of New York and are used with permission" and include a link to the SAVR page, [SUNY SAVR Resources](#). We are grateful to the New York State Department of Health for its support of these translations.

TITLE IX CAMPUS PROGRAMMING

REPORT AN INCIDENT

Contact Us

Title IX Office

Hattiesburg Campus

Cook Library Room 129

601.266.6804

601.266.4466

Gulf Park Campus

Hardy Hall Room 332 (Monday 10 a.m. -2 p.m. or by appointment)

228.214.3363

Campus Map

Email

cristin.reynolds@usm.edu

REQUEST TRAINING

ANNUAL REPORTS

GET HELP WITH THE ISOUTHERN MISS APP

USE THE MYPLANAPP FOR HELP IN DOMESTICALLY ABUSIVE RELATIONSHIPS





Hattiesburg Campus

118 College Drive
Hattiesburg, MS 39406-0001

601.266.1000

Contact Us

Hattiesburg Campus Map

Gulf Park Campus

730 East Beach Boulevard
Long Beach, MS 39560

228.865.4500

Contact Us

Gulf Park Campus Map

GIVE TO USM



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Sexual Assault/Title IX

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