

The Definition of Discrimination and Harassment Based on Sex

Sex discrimination is a behavior that involves treating someone unfavorably based on a person's gender. It can also occur when someone is treated differently because of his or her gender, including but not limited to, the following practices:

- exclusion of a person or persons from participation in, denial of the benefits of, or subjection to harassment or other discrimination in, any academic, extracurricular, research, occupational training, or other program or activity.
- exclusion from participation in, or denial of equivalent opportunity in, athletic programs. For purposes of this subdivision, "equivalent" means equal or equal in effect.
- harassment or other discrimination among persons, including, but not limited to, students and nonstudents, or academic and nonacademic personnel, in employment and the conditions thereof, except as it relates to a bona fide occupational qualification.

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. Title VII applies to private employers, most public employers, labor organizations, employment agencies and joint employer-union apprenticeship programs with 15 or more employees.

There are other terms relating to sexual harassment as well:

- **Sexism:** An attitude that one gender is superior to another.
- **Subtle sexual harassment:** A behavior that is not recognized by a law. When not corrected, subtle sexual harassment can turn into sexual harassment.
- **Quid pro quo harassment:** When an employer's work-related decision is based on whether or not an employee accepts or rejects unwelcome sexual advances.
- **Hostile work environment:** An environment in which an employee does not feel safe or welcome because of pervasive sexual behavior.

You have the following rights, including, but not limited to:

- fair and equitable treatment and you shall not be discriminated against based on your sex.
- be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.

- inquire of the athletic director of your school as to the athletic opportunities offered by the school.
- file a confidential discrimination complaint with the United States Office of Civil Rights or the State Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
- pursue civil remedies if you have been discriminated against.
- be protected against retaliation if you file a discrimination complaint.