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### Faculty Sexual Harassment of Students: Intersectional Perspectives

Recent focus on using Title IX of the Educational Amendments of 1972 to address sexual violence directed at students has focused almost entirely on peer sexual harassment and violence—that is, sexual harassment and violence directed at students by other students. However, as the Title IX conversation has expanded, sexual harassment of students by faculty members has begun to receive increasing attention, in many cases spurred on by media attention to sexual harassment lawsuits or complaints filed by plaintiffs who are often, but not always, graduate students. In addition, a larger public conversation about repeat harassers and assailants—those who harass or assault multiple victims—has encompassed Title IX cases but also criminal prosecutions, Title VII lawsuits for workplace harassment, and public scandals that get widespread media attention regardless of whether they result in litigation. Finally, the conversation about Title IX’s sexual harassment prohibition, especially as it relates to accusations of sexual harassment directed at faculty, has often pulled in other, often related but rarely entirely overlapping issues such as “due process” rights for accused harassers, whether certain demographic groups are disproportionately accused of sexual harassment, and to what extent the sexual harassment prohibition conflicts with protections for academic freedom or free speech.

A recent empirical project has sought to gather data relevant to several if not all of these subtopics within Title IX-based sexual harassment law. This project seeks to “map” the actual scope and dynamics of faculty harassment of students, using three sources: (1) social science literature on faculty harassment of students, (2) case law and administrative investigations by the U.S. Departments of Education and Justice, either brought by sexual harassment victims under Title IX and other applicable laws or by accused faculty members challenging disciplinary actions taken against them for sexual harassment, and (3) media reports of faculty sexual harassment. The map drawn by these sources has gathered a fair amount of data that contradicts common assumptions about faculty sexual harassment. For instance, the study shows that the vast majority of sexual harassment about which students complain involves physical contact, not purely verbal conduct that has the potential (although not a guarantee) of receiving protection as academic freedom or freedom of speech. In addition, the map shows a high percentage of faculty serial harassers.

The map also suggests that some faculty harassment of students may create for certain students an intersectional vulnerability to being targeted by faculty harassers. An outgrowth of the original mapping project therefore utilizes this intersectional perspective to consider whether and to what extent women students of color, including women students within specific racial and ethnic categories, are disproportionately harassed by faculty. This analysis seeks to understand the potential sources of such intersectional discrimination, including racialized gender stereotyping and clashing cultural norms.