



Resource Guide on Sexual Harassment/Assault

Introduction

This document aims to provide the campus community with a Resource Guide on Sexual Harassment/Assault that clearly outline the role and functions of a Title IX coordinator and Title IX requirements as outlined in the 2011 Dear Colleague Letter: Sexual Violence.

Title IX of the Education Amendment Act of 1972 requires that all entities in receipt of any federal funds or financial assistance must prohibit sex discrimination in their education programs and activities. Sexual harassment is a form of prohibited sex discrimination. The Title IX Coordinator, Mamie T. Thorns, is the individual responsible for ensuring compliance with the law in this area at SVSU.

Title IX requirements apply to all aspects of education programs and activities at SVSU, including recruitment, student admissions, financial assistance, housing, access to academic offerings, and athletics. The law also applies to all aspects of the University's employment process, including hiring, tenure, compensation, and training.

As a recipient of federal funds, Saginaw Valley State University is obligated to:

- Provide assurances that all education programs and activities are in compliance with Title IX
- Designate a Title IX Coordinator to oversee compliance efforts
- Establish procedures to resolve student and employee Title IX complaints
- Provide notification to students and employees that sex discrimination is prohibited within its programs
- Ensure that all administrators, managers, deans, and chairs, familiarize themselves with, and implement Title IX provisions
- Prepare annual reports on the incidence of sexual harassment and present findings to the president and senior administrators. Note any trends or policy and procedural changes that need to be effectuated to enhance the university's title IX compliance efforts. No information that identifies individuals will be reported in the annual statistical reports.

The Office of Diversity Programs is responsible for implementing and monitoring SVSU's Title IX compliance. The Office of Diversity Programs in conjunction with the taskforce has established procedures for handling possible Title IX violations.

SVSU Resource Guide on Sexual Harassment

Saginaw Valley State University Policy on Sexual Harassment

The faculty, staff, and students of Saginaw Valley State University believe that everyone should be treated with dignity and respect. Not only is sexual harassment against SVSU's Anti-Harassment/ Discrimination Policy, it is illegal.

Employees or students may not use threats, whether explicit or implicit, concerning the terms or conditions of an individual's education, employment, housing, or participation in a University activity to gain sex and sexual favors. Unwelcome sexual advances, including physical conduct such as touching, requests for sexual favors, derogatory verbal comments, or any other action which tends to create a hostile environment or that interferes with an individual's academic effort, employment or participation in University activities are strictly prohibited.

Definitions of Sexual Harassment

The law defines "sexual harassment" as unwelcome sexual advances, request for sexual favors, or verbal or physical conduct of a sexual nature when (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment, education, housing or participation in any university activity; or (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's employment, education, housing or participation in any university activity by creating an intimidating, hostile, humiliating or sexually offensive environment. It is the university's policy to vigorously enforce the prohibitions.

A. What constitutes sexual harassment?

Sexual harassment can be verbal, non-verbal or physical. The following are some examples of behavior generally viewed as sexual harassment when unwanted:

- direct or indirect threats or bribes for unwanted sexual activity,
- sexual innuendos and comments,
- asking or commenting about a person's sexual activities,
- unnecessary, unwelcome physical brushes or touches,
- offensive sexual graffiti,
- repeated requests for dates or sex, letters, notes, telephone calls or materials of sexual nature,
- insulting a person through sexual ridicule,
- suggestive sounds or gestures such as winking, throwing kisses, or sucking noises,

- stalking a person either inside or outside the University, and
- attempted or actual sexual assault.

The examples above do not include all types of behavior that constitute sexual harassment. Each situation must be considered in light of specific facts and circumstances to determine if sexual harassment has occurred.

The following definitions are used by the University when investigating complaints of sexual assault.

Sexual assault: Actual, attempted or threatened sexual contact with another person without that person's consent. Sexual assault can be a violation of SVSU's Anti-Discrimination/Harassment Policy. It can also be a crime under the Michigan penal code.

Consent: An agreement to engage in sexual activity that is reasonably understood to be mutual and freely given. The agreement can be revoked at any time. There is no consent to sexual activity with another who one knows, or should reasonably know, to be mentally or physically incapacitated. Likewise, there can be no consent to sexual activity with another who one should reasonably know has not given full and free agreement.

Incapacitated: One who is unconscious, unaware or otherwise mentally or physically helpless because of drugs, alcohol or other contributing factors.

Relationship violence: Harm or abuse, or threats of harm or abuse, arising within or from a personal, intimate relationship (or previous relationship). Relationship violence can be a violation of SVSU's Sexual Harassment Policy. Relationship violence can also be a crime under the Michigan penal code.

Sexual violence: A term used to refer broadly to a number of different physical sexual acts including rape, sexual assault, sexual battery and sexual coercion. SVSU's definition of sexual harassment encompasses all of these acts.

Reporting Sexual Harassment

Complaints of sexual assault are investigated and handled pursuant to the University's Anti-Harassment/Discrimination Policy, and should also be reported to the SVSU Police Department. In addition to the SVSU Police Department, you also have the right to file a criminal complaint with any other appropriate law enforcement agency.

What should you do?

If you think that you are the victim of sexual harassment, do not keep it to yourself; contact someone who can assist you. You may feel embarrassed or think you are somehow responsible, but do not blame yourself. You have a right to function in your prescribed capacity in an environment free of discriminatory behavior.

A. How to Report Sexual Harassment

1. Any individual who believes they have been subjected to conduct prohibited by the University's Anti-Harassment/Discrimination Policy by any University officer, employee, student, contractor, visitor, vendor or other person should report the inappropriate conduct to the University. Individuals are encouraged to report prohibited conduct before it becomes severe or frequent. Reports may be in person or in writing.

Student complaints should be made to the University's Title IX Coordinator or any Title IX Representative. All other complaints should be made to the Office of Diversity Programs or Human Resources.

2. An individual may report the prohibited conduct to his or her supervisor. Alternatively, an individual may report a violation of this policy by contacting the office to whom the supervisor reports, to the Office of Diversity Programs or Human Resources. Under no circumstances is anyone required to report prohibited conduct to a person he or she believes may be responsible for that conduct.

B. Reporting Sexual Assault to the University Police

If you are sexually assaulted:

1. Get to a safe place as soon as you can.
2. Try to preserve all physical evidence. Do not wash, use the toilet, douche, change clothing, or disturb the area if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper bag, or other container.
3. Contact the University Police Department by calling 989-964-4141 or 9-911. University Police will ensure you obtain medical treatment immediately. The Saginaw County Sexual Assault Response Team will collect the appropriate evidence in the event you wish to take legal action. A sexual assault advocate will also be contacted to assist you.
4. Contact someone you trust to be with you and support you.

Seeking medical treatment is important because:

- a. It will allow professionals to assess and treat any physical injuries you may have sustained.
- b. It will help determine the risk of sexually transmitted diseases or pregnancy and take preventive measures.
- c. It is crucial in gathering evidence that could aid in criminal prosecution. Physical evidence should be collected immediately – ideally within 24 hours. In some circumstances evidence may be gathered up to 96 hours after an assault.

The reasons to report the incident to the University Police are:

- a. To ensure your safety and your well being.
- b. To take action which may prevent further victimization, including issuing a crime alert to warn the campus community of an impending threat to their safety.
- c. To apprehend the assailant.
- d. To seek justice for the wrong that has been done to you.
- e. To have the incident recorded for purposes of reporting statistics about incident that occurred on campus.

REPORTING PROCEDURES/CONFIDENTIALITY

The University is committed to investigating and resolving reports of violation of this policy in such a way as to maintain confidentiality to the fullest extent permitted by the circumstances and to the extent permitted by law. Individuals who report violations or who are contacted in the course of an investigation are expected to treat reports of violations or information regarding reports as strictly confidential. A breach of confidentiality may result in disciplinary action up to and including termination of employment.

If you feel you have been a victim of a sexual assault on campus, the University Police will meet with you privately at a place of your choice to make a report. You will be treated with courtesy, sensitivity, dignity, understanding, and professionalism. Your name will not be publicly released. The University Police will do its best to accommodate requests for talking with a male or female police officer. The police officer will take a statement from you and ask a number of questions about what happened and where the incident took place. The police officer will also ask you about the assailant and any other witnesses present before, during, or after the incident. You will be assisted in arranging for hospital treatment, medical needs, and future counseling. Your case will be fully investigated, and you will be kept up-to-date on the progress of the investigation. This may involve the arrest and full prosecution of the suspect responsible. The police officer will help facilitate internal charges through the SVSU Code of Student

Conduct or other University procedures. Disciplinary sanctions can include probation, suspension, or expulsion. The police officer will also help should you request for a change in housing or your academic classes.

Retaliation

Retaliation in any form against an individual who reports a violation of this policy or who provides information in the course of an investigation of a reported violation is strictly prohibited and will not be tolerated.

TITLE IX

The following are ten facts about Title IX, including both familiar and lesser known aspects of the legislation.

1. **In Schools that received federal funding, Title IX protects all students – male and female ---from discrimination on the basis of sex.**
2. **Title IX also prohibits sex discrimination in employment**, protecting school staff as well as students.
3. **Title IX requires schools to provide male and female students with equal opportunities** to participate in athletics, it does set quotas or demand equal funding for different sports.
4. **Title IX mandates equity in career and technical education programs**, including those traditionally dominated by men (e.g. construction, IT), as well as those traditionally dominated by women (e.g., nursing).

National coalition and Girls in education (NCWGE), *Title IX at 40 Working to ensure gender equity in education*. Washington, D.C. NCWGE, 2012.

SVSU Title IX Coordinator and Representatives

Title IX of the Education Amendments of 1972 is a federal law that prohibits sex discrimination in education. It reads:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance.”

--Legal Citation: Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R. Part 106 (Title IX)

Sex discrimination includes sexual harassment and sexual assault.

While it is often thought of as a law that applies to athletics programs, Title IX is much broader than Athletics and applies to many programs at Saginaw Valley State University. While compliance with the law is everyone’s responsibility at SVSU, listed below are the staff members who have primary responsibility for Title IX compliance.

Title IX Coordinator

Duties and responsibilities of the Title IX Coordinator: Monitoring and oversight of overall implementation of Title IX Compliance at the University, including coordination of training, education, communications, and administration of grievance procedures for faculty, staff, students and other members of the University.

Mamie T. Thorns, Special Assistant to the President for Diversity Programs
314 Wickes Hall
(89) 964-4397 or (989) 964-4068
E-mail: mtthorns@svsu.edu

Title IX Representatives:

Duties and responsibilities of the Title IX Representatives: Available to all members of the University community to provide intake of complaints; notify Title IX Coordinator of any reports or allegations; serve on an advisory committee for Sexual Harassment / Assault Issues; support training education, communications and administration of grievance procedures.

Merry Jo Brandimore, V.P for Student Affairs/Dean of Students

114 Curtiss Hall

(989) 964-4289

E-mail: mjbrand@svsu.edu

David Callejo Perez, Carl A. Gerstacker Endowed Chair in Education

Education Building North Wing 209

(989) 964-7391

E-mail: dmcallej@svsu.edu

Angela Pohl, Associate Athletic Director-Senior Woman Administrator

Ryder Center 215

(989) 964-7311

E-mail: aspohl@svsu.edu

Marie Rabideau, Assistant Dean for Student Affairs/Student Conduct Programs

114 Curtiss Hall

(989) 964-2220

E-mail: radideau@svsu.edu

Richard Thompson, Ombudsman

125 Wickes Hall

(989) 964-4294

E-mail: thompson@svsu.edu

Ronald Trepkowski, Chief

University Police

(989) 964-4285 or (989) 964-4141

Emergencies: 911

Email: ret@svsu.edu

Jack VanHoorelbeke, Director of Human Resources

373 Wickes Hall

(989) 964-4109

E-mail: jvh@svsu.edu

What to Expect

Investigation of Harassment Complaints

The University will investigate all reports of conduct prohibited by the University's Anti-Harassment/Discrimination Policy as promptly as possible. The investigation will usually include interviews of the person bringing the allegations of sexual assault (complainant), witnesses and the responding party (accused), as well as analysis of documents and other relevant information. Unless extenuating circumstances exist, the investigation should be completed within 60 days. The University may take interim measures it deems necessary during an investigation. Interim measures will be taken within the context of University policies and can include changes to class or housing assignments for students or work assignments for employees. The individual who made the report and the accused individual will be advised generally of the results of the investigation.

Any discipline issued to a student will be subject to procedures as outlined in the Code of Student Conduct.

Any employee who is found to have engaged in conduct prohibited by University policy will be subject to appropriate disciplinary action, up to and including termination of employment.

In addition, appropriate corrective measures will be taken when a consultant, vendor, contractor, visitor or other person is found to have engaged in conduct prohibited by this policy. In addition individuals may be subject to criminal charges.

Title IX Coordinator

The Title IX Coordinator or designee is responsible for investigating allegations of sexual harassment/assault to determine whether the University's Anti-Harassment/Discrimination policy has been violated. In addition, the Office of Diversity Programs, Human Resources, Student Conduct Programs and the University Police will also conduct investigations where appropriate. For example, in any case of alleged sexual assault the University Police will be responsible to conduct its own separate investigation.

The coordinator is also responsible for coordination of training education, and communicating to the entire campus and community about Saginaw Valley State University Policies and Procedures on Sexual Harassment/Assault.

Office of Student Conduct Programs

Complaints involving student conduct brought directly to the Office of Student Conduct Programs will be referred to the Title IX Coordinator for consultation first. The Title IX Coordinator will assign the case and student conduct proceedings will be initiated if

appropriate. The Office of Student Conduct Programs will administer the student conduct process in accordance with the procedures outlined in the Code of Student Conduct.

Education and Prevention Programs

The University Police, Student Counseling Center, Residential Life and Student Affairs work together to provide educational programs for students regarding sexual assault awareness and prevention. Sexual assault issues are discussed with students throughout the year in a variety of formats. Self-defense strategies for female students are taught through the Rape Aggression Defense (RAD) program, offered throughout the year. Situations leading to sexual assault and how to prevent an assault are presented to resident students and the campus community at large.

TITLE IX

5. **Title IX protects girls' and women's rights to equity in STEM education**, including equal opportunities and access to institutional resources.
6. **Title IX offers both male and female students protection against sex-based harassment from teachers**, school staff, other students, and school visitors.
7. **Title IX sets strict limits on programs that separate girls and boys**, and prohibits the discrimination that can occur when such programs are based on gender stereotypes.

National coalition and Girls in education (NCWGE), *Title IX at 40 Working to ensure gender equity in education*. Washington, D.C. NCWGE, 2012.

Resources

The following campus and local resources may be helpful. Be assured that assistance in getting appropriate help will be provided.

Campus Resources

- **Student Counseling Center:** To schedule an appointment, call 964-7078 or stop by Curtiss 112; counselingservices@svsu.edu, www.svsu.edu/healthysvsu
- **University Police:** 989-964-4141
- **Peer Health Education:** 989-964-4658
- **Title IX Coordinator and Representatives:** Listed above
- **Residential Life,** 114 Curtiss Hall, (989) 964-4410
- **Student Conduct Programs,** 114 Curtiss Hall, (989) -964-2220

Community Resources

- **Underground Railroad, Inc:** Administrative Office (989) 399-0007, Fax: (989) 399-0010, Crisis Line (989) 755-0411 (Toll free: (888) 399-8385)
program email: ww.undergroundrailroadinc.org
Provides a 24 hour hotline and shelter services, court support services, support groups, trained advocates for domestic and sexual assault issues, and legal assistance.
- **Child and Family Services:** (989) 790-9118, Provides information gathering, forensic examinations under the direction of the Sexual Assault Response team, (known as SART), and follow-up treatment.
- **Personal Protection Order Office:** (989) 790-5412
- **Bay Area Women's Center:** (989) 686-4551 or 3411 E. Midland Rd., Bay City, MI;
www.BAWC-mi.org
- **Caro Thumb Area Assault Crisis Center:** 1-(800) 292-3666; 429 Montague Ave., Caro, MI
- **Saginaw Underground Railroad:** (989) 755-0411 or 1-(888) 399-8385
- **Saginaw Sexual Assault Center:** (989) 790-9118; 2806 Davenport, Saginaw, MI;
www.sexualassaultcentersaginaw.org
- **Shelterhouse of Midland:** 1-(877) 216-6383 ; www.shelterhousemidland.org

Frequently Asked Questions Regarding Sexual Harassment/Assault

Q: Which University policy prohibits sexual harassment?

A: The SVSU [Anti-Harassment/Discrimination Policy](#).

Q: What does sexual assault have to do with the [Anti-Harassment/Discrimination Policy](#)?

A: Sexual assault is a form of sexual harassment.

Q: Who is responsible for administering the [Anti-Harassment/Discrimination Policy](#)?

A: The Title IX Coordinator, (Office of Diversity Programs and/or Human Resources)

Q: What is a Title IX Coordinator? I thought Title IX had to do with sex discrimination in sports.

A: Title IX of the Educational Amendments Act prohibits sexual harassment at educational institutions, in addition to requiring equity in sports. The Title IX Coordinator is the individual responsible for ensuring compliance with the law in this area at SVSU.

Q: When does sexual assault violate the [Anti-Harassment/Discrimination Policy](#)?

A: The Policy is violated when a reasonable person would find that the assault was “so severe, pervasive or persistent that it had the effect of altering one’s educational or employment experience.” Examples might include the victim dropping out of school or a class where the alleged perpetrator is also enrolled, quitting work or moving from one work shift to another.

Q: How can violence that happens during my relationship be sexual assault or sexual harassment?

A: Relationship violence may be sexual assault or sexual harassment under University policy when harm or abuse, or threats of harm or abuse, arising within or from the personal, intimate relationship (or previous relationship) meets the definition of sexual harassment: the conduct is unwelcome, sexual in nature, and so severe, persistent, or pervasive that a reasonable person would find that it altered their educational or work experience. For example, an ex-boyfriend/girlfriend stalking an ex-girlfriend/boyfriend could be a violation of the [Anti-Harassment/Discrimination Policy](#). It could also be a crime.

Q: Can I be sexually assaulted by my boyfriend, girlfriend, friend or acquaintance?

A: Yes. The definition is the same regardless of who the perpetrator is – if there was no consent, there is sexual assault.

Q: I don't think I've been sexually assaulted, but another individual has directed sexual behavior towards me that has really started to bother me. Could that be a violation of policy?

A: It could. The [Anti-Harassment/Discrimination Policy](#) prohibits conduct that is sexual in nature, is unwelcome and so severe, persistent or pervasive that a “reasonable person” would find that it altered his/her educational or work experience. To discuss filing a claim under the policy, please contact the Title IX Coordinator’s office or a Title IX Representative.

What is Consent?

Determining whether sexual conduct was welcome or unwelcome, and therefore, whether consent was given or not given can be very complicated when it involves allegations of sexual assault, because in most cases there are no witnesses. The answers below are simply representative of some of the more common issues that arise around whether consent can be established where there are allegations of sexual assault.

Q: What if two intoxicated people have sex?

A: If there was consent, it is not sexual assault. If one person knew or should have known that the other person was incapacitated, there cannot be consent.

Q: How do I know whether someone is incapacitated?

A: One who is unconscious, unaware or otherwise mentally or physically helpless because of drugs, alcohol or other contributing factors.

Q: What if someone is incapacitated, but still gives signs of consent?

A: If the other person knew or should have known that the individual was incapacitated, there is no consent, period.

Q: What if I consent to some sexual activity, but then say no to other sexual activity can there still be sexual assault?

A: One must look at the circumstances to determine whether there was consent with respect to each sexual act.

Q: In order to establish that I have not consented to specific sexual activity, am I required to physically resist the sexual activity?

A: No.

Q: What are the Consequences of Sexual Assault?

A: Any discipline issued to a student will be subject to procedures as outlined in the Code of Student Conduct.

Any employee who is found to have engaged in conduct prohibited by University policy will be subject to appropriate disciplinary action, up to and including termination of employment.

In addition, appropriate corrective measures will be taken when a consultant, vendor, contractor, visitor or other person is found to have engaged in conduct prohibited by this policy.

In addition individuals may be subject to criminal charges.

(Victim) What is Involved in Reporting Sexual Assault?

Q: What if I don't want anything done? I don't think I want to report what happened to me. I'm not sure it's sexual assault anyway.

A: If you do not want to report it, but want to talk to someone confidentially, please contact the SVSU Student Counseling Center. The Student Counseling Center is available to all SVSU students and offers free, confidential counseling. Counselors can help you determine whether what happened to you is sexual assault in a completely confidential environment. You have the option of not reporting the incident and it is certainly understandable to feel this way. Please be aware that if a counselor determines that a crime has been committed, there may be a duty to report.

HOWEVER, please know that though difficult, filing claims with the Title IX Coordinator, Office of Diversity Programs or Human Resources can help to prevent sexual assault from happening on the SVSU campus.

Also, you should be aware that if you tell someone in Residence Life, a faculty member or someone else on campus in a position of authority, they will refer the matter to the Title IX Coordinator, Office of Diversity Programs or Human Resources, which may proceed with an investigation based on the obligations it has under law to take steps to assure it is addressed and prevent it from happening again. Similarly, some units, like Residence Life, must report the incident to the police under law.

Q: Why would you investigate if I don't want you to?

A: Because sexual assault is a form of prohibited sexual harassment, and the University has an obligation under law and policy to address it when it happens to a member of the SVSU community. We hope the SVSU community member will understand that being able to address such conduct helps to improve campus climate and prevent sexual assault.

Q: What if I get the person who assaulted me in trouble? I don't want that person to get kicked off campus.

A: Individuals are responsible for their own conduct and need to face the consequences, which may, but does not always mean, getting kicked off campus. By coming forward, you are helping to prevent sexual assault in the future.

Q: I don't want to go through the student conduct process. Do I have to?

A: No. The Title IX Coordinator or designee will act as a complainant in the student conduct process in any case in which there is a finding of violation of the [Anti-Harassment/Discrimination Policy](#). It is the claimant's prerogative to participate as much or little as he/she wants.

(Respondent) What is Involved in Reporting Sexual Assault?

Q: What rights do I have if I am accused of sexual assault?

- You have the right to receive notice of the allegations and an opportunity to be heard and present your side and any witnesses that you identify in support of your side.
- You have the right to all protections provided by University policy and that includes a prompt and equitable investigation.
- You have access to confidential counseling.
- **Students** -- You have the right to an appeal hearing, during which you may provide testimony and evidence that the decision by the Student Conduct Board was arbitrary, capricious, or that it resulted from procedural error.
- **All Others** -- You have the right to a hearing, during which you may provide testimony and evidence that the decision by the Title IX Coordinator was arbitrary, capricious, or that it resulted from procedural error.

Q: What are the consequences if the respondent or a witness refuses to cooperate in the investigation?

A: The investigation will proceed without the individual's input. It is in the respondent's best interest to provide his or her side to the investigator. Since there is an expectation of

cooperation contained in the [Anti-Harassment/Discrimination Policy](#), refusing to cooperate could be the basis for a policy violation.

Q: What if I believe that I've been falsely accused of sexual assault?

A: You will have the opportunity to fully provide your side to the investigator. The [Anti-Harassment/Discrimination Policy](#) states that anyone who knowingly files a false complaint of sexual harassment, or who knowingly provides false information to, or intentionally misleads University officials is subject to discipline, up to discharge for employees and dismissal for students.

TITLE IX

8. **Title IX protects students from being refused enrollment** or excluded from school-related activities because of pregnancy or parenting status.
9. **Title IX required schools to adopt and disseminate policies** prohibiting sex discrimination, develop grievance procedures, and designate a Title IX coordinator to oversee compliance. Title IX also protects students and staff from retaliation for reporting violations.
10. **Over the past 40 years, major gains in female participation** in areas such as science, math, business, and athletics have shown that girls and women have both the interest and the aptitude to succeed in these fields- without detracting from opportunities for males.

National coalition and Girls in education (NCWGE), *Title IX at 40 Working to ensure gender equity in education*. Washington, D.C. NCWGE, 2012.

SVSU's ANTI-HARASSMENT/DISCRIMINATION POLICY

Article I. Purpose

Saginaw Valley State University ("University") is committed to providing work and learning opportunities without regard to race, color, religion, sex (including pregnancy), sexual orientation, age, national origin, military status or application, height, weight, disability, marital status, or on any other basis protected by state, federal, or other applicable law, and to achieving its objectives in compliance with applicable federal, state and local laws and regulations that prohibit discrimination.

Article II. Prohibition of Unlawful Discrimination/Harassment

Discrimination Prohibited

It is the University's policy to treat faculty, staff and students equally without regard to any personal characteristic protected by applicable law.

Sexual and Other Harassment Prohibited

The University is committed to maintaining an environment where no individual, including, but not limited to, faculty, staff, students, applicants for employment, contractors, customers, consultants, visitors, or vendors experiences sexual harassment or harassment based on any personal characteristic protected by applicable law. The University will respond promptly to reports of violations of this policy.

The Law and the University's Policy

The law defines "sexual harassment" as unwelcome sexual advances, request for sexual favors, or verbal or physical conduct of a sexual nature when (a) submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of employment, education, housing or participation in any University activity; or (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's employment, education, housing or participation in any University activity by creating an intimidating, hostile, humiliating or sexually offensive environment. It is the University's policy to vigorously enforce these prohibitions.

Article III. Reporting and Investigation

Reports of Prohibited Conduct:

1. Any individual who believes that he or she has been subjected to conduct prohibited by this policy by any University officer, employee, student, contractor, visitor, vendor,

or other person should report the inappropriate conduct to the University. Individuals are encouraged to report prohibited conduct before it becomes severe or frequent.

2. An individual may report the prohibited conduct, either in person or in writing, to his or her supervisor. Alternatively, an individual may report a violation of this policy by contacting the officer to whom the supervisor reports, to the Office of Diversity Programs or Human Resources. Under no circumstances is anyone required to report prohibited conduct to a person he or she believes may be responsible for that conduct.
3. Individuals who become aware of or observe any conduct or incident that could be construed as a violation of this policy must report promptly such conduct or incident(s) to the Office of Diversity Programs or Human Resources.

Investigation and Corrective Measures:

1. The University will investigate all reports of conduct prohibited by this policy as promptly as possible. The University expects employees and students who are contacted in the course of an investigation to cooperate fully, and to answer questions honestly and completely. The individual who made the report will be advised generally of the results of the investigation.
2. Any employee or student who is found to have engaged in conduct prohibited by this policy will be subject to appropriate disciplinary action, up to and including termination of employment or enrollment. In addition, appropriate corrective measures will be taken when a contractor, customer, consultant, visitor, vendor or other person is found to have engaged in conduct prohibited by this policy.
3. Discipline issued to any employee will be subject to the terms of any applicable grievance procedure. Discipline issued to a student will be subject to the procedures as outlined in the Code of Student Conduct.

Article IV. Retaliation Prohibited

Retaliation in any form against an individual who reports a violation of this policy, or who provides information in the course of an investigation of a reported violation, is strictly prohibited and will not be tolerated.

Article V. Confidentiality

The University is committed to investigating and resolving reports of violation of this policy in such a way as to maintain confidentiality to the fullest extent permitted by the circumstances and to the extent permitted by law. Individuals who report violations or who are contacted in the course of an investigation are expected to treat reports of violations or information

regarding reports as strictly confidential. A breach of confidentiality may result in disciplinary action up to and including termination of employment.

Revised: 8/26/13