

# Sexual Harassment and Assault

The University affirms its commitment to an educational and work environment free of sexual harassment. While there exists an atmosphere for freedom of expression, it must always be in conjunction with the responsibility to observe the rights of one another. In such a setting there is no place for conduct that diminishes, uses, or abuses another person.

## Policy on Sexual Harassment:

Sexual harassment is defined as unwanted sexual advances of a visual, verbal, or physical nature. The following is a partial list:

- Offering employment benefits or course grades in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances
- Verbalizing sexual advances or propositions
- Physical conduct: unwarranted touching, assaulting, impeding or blocking another's movements

## Reporting Incidents:

Incidents of sexual harassment experienced by any student, staff, or faculty member should be promptly reported as follows:

- Students report incidents to the Dean of Student Services.
- Staff report incidents to their supervisor or a member of the Executive Management Team.
- Core faculty, adjunct faculty, and faculty mentors (e.g., Dissertation Chairs) report incidents to the Provost.
- In a case where the complaint may involve the supervisor or advisor, the Director of Human Resources should be contacted.

**Incident Handling Procedure:** Every effort should be made to resolve sexual harassment problems on an informal basis outside the Grievance Procedure. This should be done confidentially, in the least disruptive way, and suited to individual circumstances. Assistance may be obtained from the Director of Human Resources who has been designated as the University's Sexual Harassment Counselor for staff and faculty; the Provost and the Dean of Student Services have been similarly designated for students.

If the complainant does not wish to talk with the alleged harasser directly, the Sexual Harassment Counselor, with the complainant's permission, may contact the alleged harasser. The complainant may be advised to write a formal letter to the alleged harasser.

If these informal actions do not lead to a successful resolution, formal procedures exist which allow both parties an opportunity to pursue a resolution. At this point, the individual alleging sexual harassment should contact the Sexual Harassment Counselor in writing and initiate a formal complaint.

The investigation of a complaint is conducted by the Sexual Harassment Counselor in conjunction with the supervisor of the alleged harasser, Program Chair, advisor, or Provost as appropriate and necessary. It is University expectation that a sincere attempt will be made to investigate all complaints thoroughly and assure preservation of the reputation and the integrity of involved individuals.

An individual who has experienced an incident of sexual harassment has up to 180 days after the alleged occurrence to file a complaint. As noted above, an investigation is conducted in an expeditious manner, assuring maximum confidentiality, consistent with principles of due process and fairness as follows:

- A person bringing a complaint founded in good faith will suffer no retaliation
- The person charged will be promptly notified and given an opportunity to respond

## Disciplinary Action:

If at the end of a formal process a complaint is found to be valid, the offender will be subject to disciplinary action, which may include suspension, dismissal, or another penalty consistent with the degree of seriousness of the sexual harassment so ascertained. Appropriate counseling will be made available to all parties involved if desired.

When an incident is found to have occurred, regardless of the degree of severity of the harassment, reasonable action will be taken to stop the harassment from recurring. If the complaint is judged to be invalid and malicious in intent, the accuser may be subject to disciplinary action, which may include suspension, dismissal, or another penalty. Appropriate counseling for the false accuser may be made available or suggested.

## Retaliation Policy:

The faculty, staff, and administration are prohibited from retaliation if a student with a disability files a disability discrimination complaint against the University.