

# **HARASSMENT PREVENTION POLICY**

## **POLICY 02.200**

### **I. PURPOSE**

The university affirms its desire to maintain a work environment for all employees and a learning and living environment for all students that is free from all forms of harassment. The university is committed to ensuring that all students, faculty, staff and administrators are treated with dignity and respect. Harassment is highly detrimental to an environment of mutual respect that must prevail if the university is to fulfill its goals. All members of the university community have an obligation to learn what behaviors constitute harassment, to be responsible for their own behavior and to cooperate in creating a climate where harassment is not tolerated. This policy shall be applied in a manner that protects the academic freedom and freedom of expression of all parties.

### **II. SCOPE**

- A. Harassment based on race, color, religion, creed, sex, national origin, age, disability, sexual orientation or veteran status is a form of discrimination in violation of federal law, state law and/or university policy, and will not be tolerated.
- B. Retaliation against any person complaining of harassment or any person who is a witness to harassment is in violation of the law and this policy and is grounds for appropriate disciplinary action.
- C. The university will respond promptly to all complaints of harassment and retaliation whether the behavior is communicated physically, verbally, in print, via the Internet or through other means. When necessary, the university will institute discipline against the offending individual, which may result in a range of sanctions, including, but not limited to, the following: for students -- warning, disciplinary probation or suspension; and for employees -- warning, suspension without pay or dismissal.
- D. The university considers the filing of intentionally false reports of harassment as a violation of this policy and grounds for appropriate disciplinary action.
- E. Disciplinary action for violations of this policy by students will be the responsibility of the Office of the Dean of Students; disciplinary action for violations of this policy by employees will be the responsibility of the pertinent senior officer in the employee's division after consultation with the university's equal employment opportunity/affirmative action officer, and in accordance with applicable procedures.

### **III. PROHIBITED CONDUCT**

- A. Harassment is unwelcome conduct based on race, color, religion, creed, sex, national origin, age, disability, veteran status or sexual orientation that is

either a condition of working or learning (“quid pro quo”) or creates a hostile environment.

- B. Quid pro quo harassment consists of unwelcome conduct when:
  - 1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, employment decisions, academic standing or receipt of a needed or legitimately requested university service or benefit; or
  - 2. Submission to, or rejection of, such conduct by an individual is used as basis for decisions affecting such individual in matters of employment, employment decisions, academic decisions (such as grades) or receipt of a needed or legitimately requested university service or benefit.
- C. Hostile environment harassment consists of unwelcome conduct when:
  - 1. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work, academic performance or living environment; or
  - 2. Such conduct has the purpose or effect of creating an intimidating, hostile or offensive working, learning or living environment.
- D. Hostile environment harassment is determined by looking at all of the circumstances, including the frequency of the allegedly harassing conduct, and its severity. A single, serious incident may be sufficient to constitute hostile environment harassment.
- E. Retaliation is conduct causing any interference, coercion, restraint or reprisal against a person complaining of harassment or participating in the resolution of a complaint of harassment.

#### **IV. REPORTING**

The university encourages reporting of all perceived incidents of harassment, regardless of who the alleged offender may be. Individuals who either believe they have become the victim of harassment or have witnessed harassment are to utilize the Harassment Resolution Procedures.

This policy is published online at [www.uncw.edu/policies](http://www.uncw.edu/policies).

## **HARASSMENT RESOLUTION PROCEDURES POLICY 02.210**

### **I. PURPOSE**

These procedures are intended to provide for the prompt and equitable resolution of harassment. These procedures apply to all university students, agents and employees, including full- and part-time students, graduate and undergraduate; and full, part-time and temporary employees, including faculty, EPA professionals and SPA employees, as well as visitors. The university recognizes that there are multiple avenues for resolving harassment concerns,