Policy V. 7.0.4.1

Responsible Official: Provost and Senior Vice President

Effective Date: October 25, 2006

Harassment: Students

Policy Statement

It is the policy of the University of Vermont that no member of the University community may harass any University student. Harassment as defined below is a form of unlawful discrimination and is therefore prohibited. Any employee or student will be subject to disciplinary action for violation of this policy.

Harassment is illegal under both state and federal law. It is also unlawful to retaliate against an employee or student for filing a complaint of harassment or for cooperating in an investigation of harassment. In some cases, harassment may be subject to prosecution under criminal law. At the University of Vermont, sanctions for harassment by employees and students may include the full range of disciplinary actions up to and including termination of employment or expulsion from the University.

Reason for the Policy

This policy is intended to conform with applicable law and to provide guidelines for University community members as to what is harassment to clarify expectations of our community.

Strategic Direction

This policy supports the strategic goal of creating an environment that is consistent with and promotes the climate and community enshrined in "Our Common Ground." It helps to foster a culture of inclusion and openness, and to foster positive changes in student culture and behavioral norms, both as expressed in the University's Strategic Action Plan.

This policy supports the following goal in the University's Strategic Plan http://www.uvm.edu/president/?Page=strategic_planning/strategicplan.html :

- Create an outstanding student experience that promotes personal and intellectual development

Applicability of the Policy

This policy, which is intended to protect students from harassment, applies to all members of the University community.

Definitions

Harassment: As applied at the University of Vermont and other educational institutions in Vermont, the term "harassment" is defined in the Vermont Statutes at Title 16, section 11(a)(26), as follows:

A. "Harassment" means an incident or incidents of verbal, written, visual, or physical conduct based on or motivated by a student's or a student's family member's actual or perceived race, creed, color, national origin, marital status, sex, sexual orientation, or disability that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student's educational performance or access to school resources or creating an objectively intimidating, hostile, or offensive environment.

B. "Harassment" includes conduct which violates subdivision (A) of this definition and constitutes one or more of the following:

B.1. Sexual harassment, which means conduct that includes unwelcome sexual advances, requests for sexual favors and other verbal, written, visual, or physical conduct of a sexual nature when one or both of the following occur:

B.1.a Submission to that conduct is made either explicitly or implicitly a term or condition of a student's education.

B.1.b Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

B.2 Racial harassment, which means conduct directed at the characteristics of a student's or a student's family member's actual or perceived race or color, and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech and negative references to racial customs.

B.3 Harassment of members of other protected categories, which means conduct directed at the characteristics of a student's or a student's family member's actual or perceived creed, national origin, marital status, sex, sexual orientation, or disability and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or

circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories.

Procedures

1. Any person who has reasonable cause to believe that harassment may have occurred is urged to immediately bring that information to the attention of the University official designated to receive complaints of harassment. That official is Kathryn Freidman, Executive Director of Affirmative Action and Equal Opportunity. Her contact information is listed below.

When the designated official receives actual notice of alleged conduct that may constitute harassment, the University will provide a copy of its harassment policy to the alleged victim and the alleged perpetrator. The University will promptly investigate to determine whether harassment has occurred. Investigations will proceed in accordance with the Affirmative Action Office's Investigation Guidelines or other applicable procedure, a copy of which will be provided to both parties.

2. If the University determines that the alleged conduct occurred and that it constitutes harassment, the University will take prompt and appropriate remedial action reasonably calculated to stop the harassment.

3. As used in this section, "notice" means a written complaint or oral information that harassment may have occurred, which has been provided to the designated official from another employee, the student allegedly subjected to the harassment, another student, or any other individual who has reasonable cause to believe the alleged conduct may have occurred. If the complaint is oral, the designated official shall promptly reduce the complaint to writing, including the time, place, and nature of the conduct and the identity of the participants and complainant.

Contacts

The UVM official responsible for oversight of this policy is the Executive Director of Affirmative Action and Equal Opportunity. Complaints about harassment and inquiries regarding the harassment policy statement should be directed to:

Executive Director
Diversity and Equity/ Affirmative Action and Equal Opportunity
428 Waterman
656-3368

The Provost and Senior Vice President is the official responsible for the interpretation and administration of this policy.

Related Documents/Policies

Equal Opportunity in Educational Programs and Activities Policy Statement Sexual Sexual Sexual Harassment: Students

Effective Date

Approved by the President on October 25, 2006