



Policy Number: I.02
Policy Level: Operating Policy
Originally Issued: December 12, 2012
Revised: May 13, 2015
Revised: August 30, 2016
Revised: September 15, 2016
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Policy Owner: VP for Financial Affairs
Policy Implementation: Title IX Coordinator
SACSCOC Standard: 6.4

Retaliation is a very serious violation of this policy and should be reported immediately. Retaliation refers to any adverse action that would deter a reasonable person from reporting, testifying, or otherwise cooperating with an investigation or proceeding concerning alleged violation of this policy.

Retaliation against individuals who report possible violations of this policy, or who cooperate with an investigation by the University or any law enforcement agency, is strictly prohibited. Retaliation is an independent basis for disciplinary action, regardless of the outcome of the underlying complaint.

For the purposes of this policy, “**business day**” is defined as any day the University is officially open, regardless of whether classes are in session.

These procedures do not replace the right of a person who believes he/she has been subjected to harassment or discrimination to pursue other options or remedies available under state, civil, or criminal statutes and/or federal law.

A. Definition of Harassment

Harassment is conduct that is (1) unwelcome; (2) discriminatory on the basis of race, color, ethnicity, sex, pregnancy, religion, national origin, disability, age, sexual orientation, gender, gender identity, gender expression, genetic information, veteran status, or any other status protected by state or federal law; and (3) directed at a specific individual or individuals. Harassment violates University policy when it is sufficiently severe, pervasive, or persistent that it denies or limits, or is likely to deny or limit, a reasonable person’s ability to participate in or benefit from University programs, services, opportunities, or activities.

Harassment can include but is not limited to verbal or non-verbal communication, written or graphic communication, electronic communication, and/or physical conduct. Examples of prohibited harassment may include, but are not limited to physical harassment, such as touching, pinching, grabbing, or brushing against another person without their consent; and (b) severe, pervasive, or persistent insults, jokes or derisive comments relating to a person’s protected characteristic.

Sexual Harassment



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Sexual Harassment is harassment (as defined above) of a sexual nature. It can include verbal or non-verbal communication or physical conduct. It is prohibited by this policy when it is sufficiently severe, pervasive or persistent that it denies or limits or is likely to deny or limit a reasonable person's ability to participate in or benefit from University programs, services, opportunities or activities. Examples of prohibited sexual harassment include, but are not limited to (a) repeated sexual solicitations toward a person who has indicated they are unwelcome; (b) conditioning favorable treatment in connection with any University program upon sexual favors; (c) threats of a sexual nature that do not rise to the level of sexual assault or domestic violence; and (d) severe, pervasive, or persistent insults or derisive comments related to sex, gender, gender identity, gender expression, or sexual orientation directed at a specific individual.

Whether sexual harassment is sufficiently severe, pervasive or persistent to violate this policy may depend on multiple factors. Thus, a person should not be deterred from reporting unwelcome sexual conduct simply because they are not certain whether it is severe, pervasive or persistent enough to constitute a policy violation. That is a determination for the University to make, and a person reporting harassment will never be penalized or retaliated against for any report made in good faith.

Violations or accusations related to sexual misconduct are subject to the provisions and procedures of the University's [*Sexual Misconduct Policy and Procedures*](#).

B. Definition of Discrimination

For the purposes of this policy, **discrimination** is defined as any action resulting in illegal differentiation or adverse treatment of an individual based on his/her race, color, ethnicity, national origin, age, marital status, gender, gender identity, gender expression, pregnancy, sexual orientation, disability, religion, genetic information, veteran status or any status protected by law.