

## SANCTIONS

When an individual is found to be in violation of the racial and ethnic harassment policy, the following sanctions may apply:

### For faculty, staff, and student employees

- ▶ warning
- ▶ censure
- ▶ reduction or elimination of merit increase
- ▶ reassignment of duties
- ▶ demotion
- ▶ suspension without pay
- ▶ dismissal

### For students

- ▶ disciplinary warning
- ▶ disciplinary probation
- ▶ suspension
- ▶ expulsion

If the respondent wishes to contest a proposed disciplinary action, he or she may request a hearing before the appropriate hearing body as determined by the respondent's position in the university. Following the hearing, any sanction will be imposed by the appropriate administrator.

## STATE AND FEDERAL REPORTING OF RACIAL AND ETHNIC HARASSMENT

Employees may file racial discrimination complaints through the Equal Employment Opportunity Commission or the Kansas Human Rights Commission. Students may file racial or ethnic discrimination complaints through the Office of Civil Rights in the U.S. Department of Education or the Kansas Human Rights Commission.

If you know someone who has been harassed because of race, color, ethnicity, or national origin, you may provide important support. Encourage the person to file a complaint with HR/EO, or report the harassment yourself to HR/EO. Each individual who comes forward to stop unwelcome behavior helps to improve the university community. When racial and ethnic discrimination and harassment occur on campus, the entire university community is negatively affected.

## STEPS FOR CONFRONTING RACIAL AND ETHNIC DISCRIMINATION OR HARASSMENT

1. Although you are not required to do so, if you feel comfortable, speak directly with the individual whose behavior you perceive as racially or ethnically harassing. Make it clear that you find the behavior objectionable and that it must stop. Document any such conversation and the original incident.

2. In addition or alternatively, speak with the individual's immediate superior and ask them to intervene to resolve the issue.

3. Contact a university administrator at the Dept. of Human Resources and Equal Opportunity, 103 Carruth-O'Leary Hall, (785) 864-4946, [hreo.ku.edu](http://hreo.ku.edu).

4. If you feel you are in imminent danger or feel physically threatened, dial 911 for emergency help. If the behavior constitutes a threat of bodily injury to a person or property, contact the police or a university public safety officer to file a complaint of criminal conduct. In case of potential threat, contact Ola Faucher, Director of Human Resources, who is the primary contact for the university's Workplace Violence Program, (785) 864-4946.

## OTHER RESOURCES

For assistance regarding racial and ethnic harassment or discrimination, you may also contact

### ▶ Office of the Vice Provost for Student Success

133 Strong Hall, (785) 864-4060

[vpss.ku.edu](http://vpss.ku.edu)

### ▶ Counseling and Psychological Services

2100 Watkins Memorial Health Center, (785) 864-2277

[caps.ku.edu](http://caps.ku.edu)

### ▶ Office of Multicultural Affairs

Sabatini Multicultural Resource Center

1299 Oread Avenue, (785) 864-4350

[oma.ku.edu](http://oma.ku.edu)

### ▶ University Ombuds Office

28 Carruth-O'Leary Hall, (785) 864-7261

[www2.ku.edu/~ombuds](http://www2.ku.edu/~ombuds)

### ▶ Emily Taylor Women's Resource Center

400 Kansas Union, (785) 864-3552

[etwrc.ku.edu](http://etwrc.ku.edu)

Inquiries regarding all aspects of racial and ethnic harassment, sexual harassment, discrimination, equal opportunity, and affirmative action on the Lawrence campus may be made to

### Allen Humphrey, Employment Relations and EO Manager

Department of Human Resources and Equal Opportunity

Carruth-O'Leary Hall, 1246 West Campus Rd, Room 103

Lawrence, KS 66045-7505

(785) 864-4946

See [hreo.ku.edu](http://hreo.ku.edu) for more information

The Racial and Ethnic Harassment Policy was approved by the Chancellor in April 1990. Revisions were approved in December 2002 (effective February 6, 2003) and November 2007; updates completed June 2010.

Produced by the KU Department of Human Resources and Equal Opportunity, the Office of the Provost and Executive Vice Chancellor and the Office of University Relations, June 2010.

# THE UNIVERSITY OF KANSAS PROHIBITS RACIAL & ETHNIC DISCRIMINATION & HARASSMENT

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## **POLICY AGAINST RACIAL AND ETHNIC DISCRIMINATION AND HARASSMENT AT THE UNIVERSITY OF KANSAS, LAWRENCE**

The University of Kansas, Lawrence, is committed to programs and activities that are free of racial or ethnic discrimination and harassment. To carry out the mission of this institution, the university community must provide and maintain a working and learning environment that fosters respect among all members of the community. The university's goal is to provide an environment where individuals are free to develop intellectually, personally, professionally, and socially without intimidation or fear. Intimidation and harassment affect not only those who suffer the harassment but also the entire community. Racial and ethnic discrimination and harassment violate federal and state law, including Title VII of the Civil Rights Act of 1964 and the Kansas Acts Against Discrimination.

### **KANSAS BOARD OF REGENTS POLICY**

"The Kansas Board of Regents is particularly concerned about the continuing societal problems of racial harassment. . . . It is the policy of the Board that such conduct cannot and will not be tolerated at the institutions under its governance and control. Each Regents institution shall develop and maintain specific policies which seek to:

- (i) identify prohibited conduct in these areas, (ii) educate campus constituencies with regard to these negative behaviors, (iii) eliminate such behaviors, and (iv) set forth the manner in which such behaviors or conduct are to be addressed."
- (Adopted April 1989)

### **UNIVERSITY OF KANSAS POLICY PROHIBITING RACIAL AND ETHNIC DISCRIMINATION AND HARASSMENT**

Racial and ethnic harassment is a form of illegal discrimination and is contrary to the nature and mission of our institution. It may take many forms, from outright criminal acts (e.g., assault and battery, vandalism, or destruction of property) to anonymous, malicious intimidation.

Whatever its form, however, racial and ethnic harassment is motivated by fear, ignorance, or hatred of ethnic and cultural differences that are perceived as threatening to the offending party. The University of Kansas, Lawrence, is committed to preventing or stopping racial and ethnic harassment whenever

it may occur at the university or in its programs. Campus administrators, supervisors, faculty members, staff, and students who become aware of such harassment should contact the Department of Human Resources and Equal Opportunity to prevent continuation of the harassment.

This policy is not intended to infringe upon freedom of expression or academic freedom. The University of Kansas, Lawrence, recognizes that such freedoms are fundamental to the educational process. This policy will be administered with respect for the necessity for the free exchange of ideas in the academic community.

### **WHAT IS RACIAL AND ETHNIC HARASSMENT?**

Racial and ethnic harassment at the University of Kansas, Lawrence, includes, but is not limited to, racially or ethnically motivated

1. Behavior or conduct addressed directly to an individual(s) that threatens violence or property damage, or incites imminent lawless action; or
2. Behavior or conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work or educational environment for an individual or group; or
3. Behavior or conduct that has the purpose or effect of interfering with an individual's or group's work, academic performance, living environment, personal safety, or participation in a university-sponsored activity; or
4. Behavior or conduct that has the purpose or effect of threatening an individual's or group's employment or academic opportunities.

### **WHAT TO DO ABOUT RACIAL AND ETHNIC DISCRIMINATION OR HARASSMENT**

The university takes all complaints seriously. Any University of Kansas student or employee may initiate a complaint about racial or ethnic discrimination or harassment that occurs on university premises or at university-sponsored activities or results from an association within the university community. Visitors and other persons attending university programs, using university facilities, or participating in a university-sponsored activity may initiate a harassment complaint. Persons who experience such harassment should carefully document all incidents, noting dates, specific conduct or behavior, and any

witnesses. If the behavior constitutes a threat of bodily injury, a complaint of criminal conduct should be made to police or public safety officers.

Complaints should be reported to the Department of Human Resources and Equal Opportunity (HR/EO), (785) 864-4946, [hreo.ku.edu](http://hreo.ku.edu). Complainants are encouraged to file their complaints within one calendar year of the most recent occurrence of alleged harassment. HR/EO will consider complaints received after one calendar year of the alleged harassment. However, HR/EO may determine that the complaint cannot be investigated effectively due to the significant lapse of time. Following an evaluation of any complaint, HR/EO staff will determine the appropriate action required.

When necessary, HR/EO staff will contact the appropriate administrator responsible for the area or department where the alleged harassment occurred. HR/EO staff and the appropriate administrator may determine that further inquiry and discussion with the individuals involved may resolve the problem.

Other informal resolution measures may be taken including mediation between the parties, assignment to relevant workshops, letters of apology, restoration of personal property, or other actions. Or HR/EO staff and the appropriate administrator may determine that an investigation of the complaint should occur. The investigation will follow the procedures for investigation set forth in the university's Discrimination Complaint Resolution Process. Investigations will be prompt and will be kept confidential. Recommendations for disciplinary action will be made when the investigators find violations of this policy.

Filing a false complaint of racial and ethnic discrimination or harassment is also subject to sanction.

### **RETALIATION PROHIBITED**

Retaliation against persons who file racial or ethnic harassment complaints is also a violation of this policy and of the law. Complainants who seek assistance as a result of this policy should not be subjected to retaliation. Retaliation can result in disciplinary action.