



## STUDENT LIFE

### **Grievance Procedure (Non-academic Area)**

If a student has a complaint of unfair treatment in a non-academic area that cannot be resolved with the staff or faculty member involved, he/she should contact the vice president for student life/dean of students.

The university's director of human resources also may be consulted on matters pertaining to alleged unfair treatment because of race, gender, age, national origin, religion, disability or sexual orientation.

Moreover, and in particular, each of the behaviors identified and defined as "harassment" and "sexual contact/assault" in the following policy statements is a violation of university policy and Article I, Section 8 (behavioral misconduct) of the Student Conduct Code. As such, each will result in appropriate institutional disciplinary action and also may subject the offender to civil action.

Any students who feel that they have been the object of such behaviors should contact the vice president for student life/dean of students. Faculty who wish to file a complaint should contact their department chairperson or the vice president of academics.

Staff employees may file a complaint with their immediate supervisor or the division supervisor within their area. Any student or employee also may contact the director of human resources to file a complaint or receive additional information.

All complaints will be investigated in a prompt and thorough manner. During such investigations, the confidentiality of all parties will be respected to the extent that it does not interfere with the university's obligation to conduct a thorough investigation and take corrective actions where appropriate and necessary.

## **Harassment Policy**

MSOE intends to provide an environment free from all forms of harassment or intimidation based on age, race, gender, creed, color, disability, marital status, veteran's status, national origin, ancestry or sexual orientation.

Harassment may occur whenever unwelcome conduct, comments, teasing, joking or intimidation derived from any of these bases interferes with work or study or creates an intimidating, hostile or offensive environment.

Unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature also are serious violations of this policy and are prohibited. As a form of sex discrimination, sexual harassment is moreover prohibited by state and federal law – specifically, Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. More detailed information as to actions and behaviors that might constitute "sexual harassment" can be obtained from the Student Life Office and/or the Human Resources Department.

Harassment, regardless of its basis, occurs whenever submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's employment or academic progress, or whenever submission to or rejection of such conduct is used as the basis for employment or academic decisions. Any student, faculty or staff member who violates this policy will be subject to corrective action, which may include discipline up to and including termination of employment or expulsion.

Moreover, student involvement in such matters is of university concern whether it occurs on or off campus, and irrespective of any action or inaction by civil authorities. Whenever such student involvement comes to the attention of the university, the circumstances may render the student subject to suspension or expulsion.

We are aware that conduct, comments or behavior that might be offensive to some individuals might be considered inoffensive by others. Because of this, it is sometimes difficult for administrators, managers or supervisors to learn of and take effective action to halt harassment unless the affected individual alerts an administrator, manager or supervisor both to the occurrence and the fact that the conduct in question is offensive or unwanted.

With these considerations in mind, we make several options available under the Grievance Procedure (outlined in the previous section) to individuals who feel they are subject to harassment. Affected individuals should first approach the alleged harasser and ask him or her to cease the offensive activity. If this is not effective in stopping the harassment or if the individual feels uncomfortable raising the matter with the alleged harasser, the individual should report the conduct to one of the appropriate individuals identified in the Grievance Procedure. If an individual feels uncomfortable raising the matter with the individual identified in the Grievance Procedure, or if the matter is not resolved with that person and the problem persists, the affected individual is free to bring the matter to the attention of any of the other individuals identified in the Grievance Procedure.

We will make every effort to halt any harassment. This policy will not be effective, however, without the cooperation of all members of the MSOE community. Any individual who believes he/she has been subjected to harassment is strongly encouraged to bring this matter to the attention of MSOE promptly so that the problem may be confronted.

We treat all claims of harassment seriously. All claims will be investigated, and confidentiality will be maintained as much as possible during the investigation. If an investigation reveals that harassment has occurred, we will take immediate and appropriate corrective action reasonably designed to halt the harassment and prevent recurrences, which may include discipline, expulsion or discharge of the harasser.

Retaliating or discriminating against someone for complaining about harassment is prohibited.

## **Sexual Contact/Sexual Assault Policy**

Any form of sexual contact without the free and full consent of each involved party is contrary to all value systems that respect the integrity of the human person. Such behavior, identified as sexual assault, is reprehensible and may result in institutional disciplinary and/or civil action. Moreover, student involvement in such matters is of university concern whether it occurs on or off campus and irrespective of any action or inaction by civil authorities. Whenever such student involvement comes to the attention of the university, the circumstances may render the student subject to suspension or expulsion.

In the context of the educational community of MSOE, the following types of behavior (paraphrased and condensed from Wisconsin state statutes) are examples of sexual assault:

- A. Sexual contact with another person without the consent of that person.
- B. Sexual intercourse with another person without his/her consent.
- C. Sexual contact or sexual intercourse with another person by use or threat, force, violence or a dangerous weapon.

The following definitions and distinctions may be of assistance:

1. Sexual contact includes any intentional touching of another person's private areas either directly or through clothing by the use of any body part or object without the consent of that person.
2. Consent means words or overt actions by a person competent to give consent. Failure to resist does not mean consent.
3. Acquaintance assault or "date rape" is a form of sexual assault.
4. Either party's being under the influence of alcohol or drugs does not diminish or relieve personal responsibility on the part of the alleged assailant.

## **Policy Regarding On-Campus Religious Activities**

MSOE encourages spiritual exploration and moral and ethical formation as desirable components of students' personal growth and development. On the other hand, the university asserts every individual's right to make spiritual choices freely, and to form religious associations without coercion or constraint. At minimum, certainly, MSOE must insist as an academic institution that all members of the campus community – students, faculty and staff – be able to pursue their educational and professional objectives without harassment or undue distraction.

No matter how worthy the cause or idealistic the motive, evangelizing efforts and/or "spiritual recruitment" activities that are uninvited, and that are aggressive and persistent to a degree that is unacceptable and unwelcome, cannot be condoned. Moreover, no individual or organization, either internal or external to the university, may carry on activities on campus with the specific purpose to "proselytize" – that is, to make converts of – members of the campus community to a specific church or religious affiliation.

Any student or other member of the MSOE community having a complaint in this regard, or desiring more information regarding this policy, should contact the vice president of student life/dean of students.

## **Student's Right to Know**

Each year university's must provide to enrolled students a notice containing a list of the consumer information it must disseminate, and the procedures for obtaining this consumer information. On this site you will find information regarding the Family Educational Rights and Privacy Act (FERPA), the Clery Act (Campus Security & Crime Statistics), Graduation Rates, Financial assistance information, and the university's academic programs and policies. Please see the students right to know page on MSOE's Web site at [www.msoe.edu](http://www.msoe.edu).

## **Statement on Acquired Immune Deficiency Syndrome (AIDS)**

In our society, the identification of the presence of a life-threatening communicable disease such as AIDS may present a challenge in responding to both the community concerns and the individual's circumstances. Should an AIDS case be reported at MSOE, our response will be based on compassion and concern for the welfare of the afflicted individual as well as on protecting the MSOE community.

Although we do not know with certainty all of the causes of AIDS, current medical knowledge indicates that students or employees with any form of human immunodeficiency virus (HIV) infection do not pose a health risk to other students or employees in an educational community as long as they avoid any direct interchange of bodily fluids. The mere diagnosis of AIDS, AIDS related complex (ARC), or AIDS virus antibodies is not, in itself, sufficient basis for the exclusion or dismissal of students or employees. Emotional and/or physical harassment of individuals suspected of being infected is not acceptable behavior at MSOE, and will be dealt with accordingly.

In any given instance, the university will proceed on a case-by-case basis, with the advice of medical professionals. The diagnosis of the condition, as with other medical information, is confidential.

An important role of the university in this area is education. The university will continue to review, revise and present health education and awareness programs aimed at providing facts and dispelling misunderstandings on this subject.

## **Standards of Conduct and Institutional Sanctions Regarding Alcohol and Illicit Drugs**

The Student Conduct Code of MSOE specifies the minimum level of conduct expected of every student at the university. The policies and procedures given are those that students, faculty and administration have agreed upon to further the educational aims of the institution and to assist all students in the pursuit of their educational and personal development.

The MSOE community will not permit any of its members or nonmembers to violate the rights of any other member of the university community, or to create an environment that is not appropriate to an educational institution or residential campus community. Whenever that occurs, and regardless of the action or nonaction of civil authorities, action will be taken by the university whether or not an individual's conduct has been influenced by the consumption of alcohol and/or use of other drugs.