

ANTI-DISCRIMINATION AND HARASSMENT POLICY

FORWARD

The University of Louisiana at Monroe is committed to offering all employees and students or users of University facilities a campus environment free from all forms of sexual and workplace harassment. No employee (staff, faculty, and administrator) or student, male or female, should be subjected to unsolicited and unwelcome overtures or conduct, either verbal or physical. All members of the University community should be treated with dignity and fairness without harassing conduct, which stifles productivity and hampers academic and professional motivation.

All students, faculty, staff and administrators will be held accountable for compliance with this policy and any violation of this policy may lead to disciplinary action to include suspension or removal. Every member of the University community is hereby apprised that sexual or workplace harassment may submit an individual not only to institutional discipline but also to personal liability.

HARASSMENT

Harassment may be any behavior that alters a persons terms or conditions of employment because of a characteristic protected by state or federal law. This includes offensive jokes, comments, statements which invoke a person, race, religion, age, national origin, sex, disability, veteran status, color or other protected status.

Harassment does not refer to occasional compliments of a socially acceptable nature. Harassment is a form of misconduct which undermines the integrity of personal, professional, employee and student relationships. It is behavior that is not welcome, is personally offensive and weakens morale. Such behavior may interfere with an employee's or a student's performance, and may create an intimidating, hostile, or uncivil working or learning environment. Such conduct is specifically prohibited at the University of Louisiana at Monroe.

Harassment may occur in a variety of relationships such as supervisor and employee, faculty and student, student and student, employee and employee, or with members of student organizations or other University entities.

One or more of the following circumstances must be present for behavior to be considered harassment:

1. Submission to or tolerance of the conduct is an explicit or implicit term or condition of appointment, employment, admission, or academic evaluation; or
2. Submission to or rejection of such conduct is used as a basis for a personnel decision or an academic evaluation affecting an individual; or
3. The conduct has the purpose or effect of interfering with the work performance of faculty, staff, or student or creating an intimidating, hostile, offensive, or otherwise adverse working environment; or

4. The conduct has the purpose or effect of interfering with a student's academic performance, creating an intimidating, hostile, offensive, or otherwise adverse learning/living environment, or adversely affecting any student.

Harassment includes, but is not limited to, unsolicited, deliberate, or repeated:

1. Frequent and/or repeated touching, sexual flirtation, advances or propositions which are not welcomed and undesired;
2. Unwelcome jokes, stories, comments, innuendoes, or other sexually oriented statements which are specifically designed to embarrass or humiliate through their sexual subject matter content;
3. Unwelcome sexual communications graphic or degrading verbal comments about one's gender related to personal appearance;
4. Unwelcome sexual advances, requests for sexual favors, or other offensive verbal or physical contact of a sexual nature;
5. Unwelcome display of sexually explicit materials, objects or pictures in an individual's place of work or study;
6. Creating or arranging situations specifically designed to violate privacy in an unwelcome and undesired manner.

It is important to safeguard academic freedom and protect the openness and integrity of the teaching process inside the classrooms. As such, it is understood that discussion of certain sexual topics and/or touching of students within certain classroom settings may well be professionally appropriate and do not necessarily constitute "sexual harassment". The context of the actions must be considered.

ROMANTIC RELATIONSHIPS INVOLVING INDIVIDUALS WITH POWER DIFFERENTIALS

Romantic relationships occurring between faculty/teaching assistants and students, supervisors and subordinates, or employees and students are discouraged by the University if these relationships involve a significant power differential. Accordingly, consensual romantic relationships involving significant power differentials are deemed unwise and inappropriate by the University because they place the individuals involved in a working or learning environment, which may be uncomfortable or negative.

Anyone with a supervisory or educational responsibility for an employee, other faculty member, or student should arrange with his or her supervisor to divest himself/herself of that responsibility if a personal involvement develops between the two people. These relationships may be subject to concerns about the validity of consent, conflicts of interest, and unfair treatment of other students or employees. Further, such relationships can undermine the atmosphere of trust essential to the educational process and the employment relationship.

OTHER FORMS OF DISCRIMINATION AND HARASSMENT

It is the policy of the University of Louisiana at Monroe that all employees, students and authorized users of the University's facilities be able to enjoy a campus environment free from all forms of harassment based upon one's race, color, religion, age, national origin, disability or veteran's

status. No person shall be denied any benefit or privilege or be subjected to any difference in treatment based upon their race, sex, age, gender, national origin, religion, color, disability, or veteran status.

Politeness and friendliness are virtues that members of the University community seek to demonstrate in their day-to-day interactions. Rude and/or hostile behavior, not only violates the University's tradition of respect for others, but also undermines rational discourse and interferes with the educational process.

COMPLAINT PROCEDURES

The University of Louisiana at Monroe has adopted the procedures outlined hereinafter to promptly and fairly investigate and resolve complaints of harassment or discrimination. Complaints may be submitted informally or formally. When reporting the alleged violation, the complainant may be accompanied by a colleague, friend or counsel. The complainant and alleged offender will be free from restraint, coercion, discrimination or reprisal.

COMPLAINTS

Complaints should be made as soon as possible after the alleged harassment or discrimination. If possible, the complaint should be in writing, signed by the complainant and should include the following information:

1. Details concerning the incident(s) or conduct giving rise to the complaint; and
2. Dates and locations of incident(s); and
3. Any witnesses to the alleged incident(s) or conduct; and
4. If any previous actions of harassment or discrimination have been reported, if so, to whom and when; and
5. Action requested to resolve the complaint and prevent future violation of the policy.

Written Complaints may be submitted to any of the following University representatives:

- The employee's immediate supervisor or next supervisory level if complaint is due to actions of the employee's immediate supervisor;
- The Equal Employment Opportunity Coordinator (EEOC);
- The Director of Human Resources;
- Department Head;
- Dean, or
- Vice President.

Upon delivery of a complaint to any of the above officials, a special EEO Advisory Committee will be established by the President to investigate and consider the validity of the complaint and possible resolution.

The EEO Advisory Committee will initiate an investigation of the allegation within fifteen (15) working days of the formal complaint filing date. The investigation should include all information collected by the University representative who received the complaint. If possible, a face-to-face meeting between the complainant and the alleged offender may take place.

Following completion of the investigation by the EEO Advisory Committee, if a resolution has not been reached, a report will be provided to the President detailing the findings along with any recommendation for appropriate action. The President will review the report submitted by the EEO Advisory Committee and depending upon the nature and severity of the charges(s), the President may approve the recommended action or recommend an alternate resolution.

The accused offender will be notified of the President's decision. The complainant will be notified when the investigation has been completed that a determination has been made by the President as appropriate.

Employees or students may gain information about the anti-discrimination and harassment policy and be counseled for concerns without further action occurring. Action will be taken to examine impartially and resolve promptly any complaint.

EEO ADVISORY COMMITTEE

The EEO Advisory Committee will consist of no less than three members and no more than five members and may include faculty, administrators, staff and students in a mix suitable to deal with the complaint.

The EEO Advisory Committee will:

1. Review and investigate the complaint;
2. Collect and clarify all available facts about the alleged harassment;
3. May meet with the complainant and the alleged offender.
4. Determine if the University's anti-discrimination and harassment policy has been violated;
5. Recommend appropriate relief and disciplinary action to the President of the University.

Complaints will be addressed as confidentially as possible, considering the specific circumstances of the allegations, to protect the rights of both the complainant and the person accused. The EEO Advisory Committee may gather information from any sources deemed necessary in an effort to fully investigate and resolve the complaint.

EEO ADVISORY COMMITTEE FINDINGS

1. If the EEO Advisory Committee finds that the University's "Anti-discrimination and Harassment Policy" has been violated, the University will act to resolve the complaint. The EEO Advisory Committee will recommend, to the President of the University, disciplinary action suitable for the offense.

Within ten (10) working days of the completion of the EEO Advisory Committee's investigation, the Committee will forward its findings and recommendation for disciplinary action to the University President.

The EEO committee will prepare the findings, recommendations and the terms of the resolution, which states the nature of the complaint and the names of the parties involved. This record will be kept in the EEO committee office. *All proceedings will be kept confidential to the extent possible under state and federal law.*

If the affected individual is not satisfied with the resolution they should bring the matter to the attention of the Vice Presidents, the Provost or the President. Complaints that cannot be resolved by informal means, through help of the officials and services listed above, may be resolved through the University's formal, staff, faculty or student grievance procedures.

RESPONSE FROM ACCUSED

Within ten (10) working days of receiving any complaint (discrimination or harassment), the University Official or the Chair of the EEO Advisory Committee will contact the alleged perpetrator and inform this individual of the complaint and the opportunity to respond. The alleged offender will have ten (10) working days to respond to the complaint. The response shall specifically address each instance of alleged discrimination or harassment stated in the complainant's written complaint. If no response is received, a Notice of Non-response shall be sent to the alleged perpetrator. If no response is received within five (5) working days thereafter, it will be assumed no response is intended and the University Official will note same in the record.

RETALIATION/FALSE INFORMATION

The University of Louisiana at Monroe policy, state and federal laws prohibit retaliation against an individual for reporting any type of discrimination or harassment or for participating in an investigation. The University will not tolerate any form of retaliation against any employee, student and others for filing a bona fide complaint under this policy or for assisting in a complaint investigation.

However, if an individual complainant or witness testifies under oath and files knowingly false information regarding a complaint or parties to the complaint, disciplinary action may be taken against the individual complainant or witness.

APPEALS

Either party may appeal the decision of the University President in accordance with any procedures or policies enacted by the Board of Supervisors of the University of Louisiana System.