



The University of Vermont

Policy V. 7.0.2.3

Responsible Official: Senior Vice
President and Provost

Effective Date: December 9, 2011

Sexual Harassment: Students

Policy Statement

It is the policy of the University of Vermont that no member of the University community may sexually harass any University student. Sexual 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.

Sexual harassment is illegal under both state and federal law. It is also unlawful and a violation of this policy to retaliate against an employee or student for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment. In some cases, sexual harassment may be subject to prosecution under criminal law. The University of Vermont will take strong responsive action to violations of this policy. Sanctions for harassment by employees and students may include the full range of disciplinary actions up to and including termination of employment or separation from the University.

Reason for the Policy

The intent of this policy is to 1) conform with applicable laws; 2) provide guidelines as to what constitutes sexual harassment; and 3) clarify the expectations of University community members.

Strategic Direction

This policy supports the strategic goal of creating an environment that is consistent with and promotes the climate and community reflected 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 as expressed in the University's Strategic Action Plan, and to support the diversity goals of the University.

This policy supports the following goals in the University's Strategic Plan (http://www.uvm.edu/~president/?Page=strategicplan2009_2013.html):

- *Institutional Efficacy*: As an institution, model the highest standard of ethical conduct, accountability and best practice, public service, and strong commitment to lifelong learning.

Applicability of the Policy

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

Policy Elaboration

See Procedures

Definitions

Sexual harassment:

Unwelcome sexual advances, requests for sexual favors, and other verbal, written, visual, or physical conduct of a sexual nature constitute sexual harassment when one or more of the following occur:

1. submission to that conduct is made either explicitly or implicitly a term or condition of a student's education or access to University resources¹;
2. submission to or rejection of such conduct by a student is used as a basis for decisions affecting that student; or
3. the conduct has the purpose or effect of substantially undermining, interfering with or detracting from a student's educational performance or access to university resources or creating an objectively intimidating, hostile, or offensive environment.

Examples of sexual harassment may include, but are not limited to, the following:

- unwelcome sexual propositions
- sexually graphic comments about a person's body
- unwelcome touching, patting, pinching, or leering
- persistent, offensive, and unwelcome sexual jokes and comments
- unwelcome displays of sexually graphic pictures

Procedures

1. University officials (as defined in this paragraph) who become aware of conduct that they believe may violate this policy must report that conduct to the Office of Affirmative Action and Equal Opportunity ("AAEO"). University officials who must report allegations of harassment include, but may not be limited to, a supervisor or manager; a chair, director, or dean of an academic unit; any other person with a title at the level of Director or higher; and Student Affairs personnel with oversight responsibilities for students or employees. Individuals should contact the Office of the General Counsel for assistance or clarification as to whether a person is a "University official" contemplated by this definition.

¹ Students who are also employees of the University and who experience sexual harassment in their employment should refer to the Sexual Harassment: Employees Policy [<http://www.uvm.edu/policies/hr/sexharasemp.pdf>]

2. Any other person who has reasonable cause to believe that sexual harassment may have occurred is urged to report that information to the Director of AAEO, who is also the University's Title IX Coordinator.
3. When the Director of AAEO receives actual notice of alleged conduct that may constitute sexual harassment, the AAEO Office will provide a copy of the University's Sexual Harassment – Students policy to the alleged victim and the alleged perpetrator. The AAEO Office will promptly investigate to determine whether sexual harassment has occurred. Investigations will proceed in accordance with the AAEO Office's Investigation Guidelines or other applicable procedures. University Police Services will be contacted where the alleged conduct may constitute criminal action.
4. If the University determines that the alleged conduct occurred and that it constitutes sexual harassment, the University will take prompt and appropriate remedial action reasonably calculated to stop the sexual harassment.
5. As used in this section, "notice" to trigger an AAEO investigation means a written or oral complaint made to the AAEO Office that sexual harassment may have occurred.

Forms

None

Contacts

Questions related to the daily operational interpretation of this policy or complaints about sexual harassment and inquiries regarding the sexual harassment policy statement should be directed to:

Director, Affirmative Action and Equal Opportunity/Title IX Coordinator
656-3368

Complaints about sexual harassment and inquiries regarding the sexual harassment policy statement should be directed to:

Director, Affirmative Action and Equal Opportunity/Title IX Coordinator
428 Waterman
656-3368

UVM students may also contact the following public agency that enforces the federal and state laws that prohibit sexual harassment:

Vermont Human Rights Commission: <http://hrc.vermont.gov>

U.S. Department of Education, Office for Civil Rights
(<http://www.ed.gov/about/offices/list/ocr/index.html>) or (617) 289-0111

This office investigates complaints of sexual harassment or retaliation brought by students or employees.

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

Related Documents/Policies

Equal Opportunity in Educational Programs and Activities Policy Statement

<http://www.uvm.edu/~uvmppg/ppg/student/equaledu.pdf>

Harassment: Students

<http://www.uvm.edu/policies/student/studentharas.pdf>

Sexual Harassment: Employees

<http://www.uvm.edu/policies/hr/sexharasemp.pdf>

Sexual Misconduct and Assault – Students

http://www.uvm.edu/policies/general_html/sexassault.pdf

Effective Date

V.7.0.2.3 Approved by the President on December 9, 2011

V.7.0.2.2 Approved by the President on January 2, 2008

V.7.0.2.1 Approved by the President on October 22, 2006