



The University of Vermont

Policy V. 7.0.4.3

Responsible Official: Senior Vice
President and Provost

Effective Date: December 15, 2011

Harassment: Students

Policy Statement

It is the policy of the University of Vermont that no member of the University community may unlawfully discriminate or harass any University student. Harassment as defined below is a form of unlawful discrimination and therefore harassment directed against any individual or group is prohibited. Any employee or student will be subject to disciplinary action for violation of this policy.

Unlawful harassment is illegal under both state and federal law. It is also unlawful and a violation of this policy to retaliate against any individual for filing a complaint of harassment or for cooperating in an investigation of harassment. In some cases, harassment may be subject to prosecution under criminal law. At the University of Vermont, 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.

Complaints of retaliation will be investigated and may result in independent disciplinary action, up to and including termination of employment or separation from the University.

Reason for the Policy

This policy is intended to conform with applicable law and to provide guidelines for University community members as to what is harassment to clarify expectations of our community.

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, 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 goal in the University's Strategic Plan
http://www.uvm.edu/president/?Page=strategic_planning/strategicplan.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 unlawful harassment, applies to all members of the University community.

Policy Elaboration

See Procedures

Definitions

Harassment: Pursuant to applicable law, the term “harassment” is defined under this policy as follows:

- A. “Harassment” means an incident or incidents of verbal, written, visual, or physical conduct based on or motivated by a student’s or a student’s family member’s actual or perceived race, creed, color, national origin, marital status, sex¹, sexual orientation, gender identity, age or disability that has the purpose or effect of: (1) objectively and substantially undermining and detracting from or interfering with a student’s educational performance or access to University resources; or (2) creating an objectively intimidating, hostile, or offensive environment.
- B. “Harassment” includes conduct which violates subdivision (A) of this definition and constitutes one or more of the following:
 - B.1 Racial harassment, which means conduct directed at the characteristics of a student’s or a student’s family member’s actual or perceived race or color, and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech and negative references to racial customs.
 - B.2 Harassment of members of other protected categories, which means conduct directed at the characteristics of a student’s or a student’s family member’s actual or perceived creed, national origin, marital status, sex, sexual orientation, gender identity, or disability and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories.

¹ Sexual harassment of students is prohibited by and addressed in a separate policy: <http://www.uvm.edu/policies/student/sexharasststudent.pdf>

B.3. Harassment also includes verbal, written, visual, or physical communications and/or conduct based on or motivated by a student's age that has the purpose or effect (1) of substantially interfering with a student's educational performance or access to University resources or (2) of creating an intimidating, hostile, or offensive learning environment. Harassment may include the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, taunts, and negative references related to age.

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.
2. Any other person who has reasonable cause to believe that harassment may have occurred is urged to report that information to the Director of the Office of Affirmative Action and Equal Opportunity ("AAEO").
3. When the Director of AAEO receives actual notice of alleged conduct that may constitute harassment, the AAEO Office will provide a copy of the University's Harassment: Students policy to the alleged victim and the alleged perpetrator. The AAEO Office will promptly investigate to determine whether harassment has occurred. Investigations will proceed in accordance with the AAEO Office's Investigation Guidelines or other applicable procedures, a copy of which will be provided to both parties. 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 harassment, the University will take prompt and appropriate remedial action reasonably calculated to stop the 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 harassment may have occurred.

Forms

None

Contacts

The UVM official responsible for oversight of this policy is the Director of Affirmative Action and Equal Opportunity. Complaints about harassment and inquiries regarding the harassment policy statement should be directed to:

Director of Affirmative Action and Equal Opportunity
428 Waterman
656-3368

The Senior Vice President and Provost is the University 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/policies/student/equaledu.pdf>

Sexual Harassment: Students

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

Sexual Misconduct and Assault – Students

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

Effective Date

Approved by the President December 16, 2011