



*The*  
**UNIVERSITY**  
*of* **VERMONT**

Policy V. 7.0.4.2

Responsible Official: Provost and Senior  
Vice President

Effective Date: October 11, 2010

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## **Harassment: Students - Interim**

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### **Policy Statement**

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

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.

Retaliation for filing a complaint of harassment or for participating in the investigation of such complaints is also prohibited. 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 enshrined 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, both as expressed in the University's Strategic Action Plan.

This policy supports the following goal in the University's Strategic Plan  
[http://www.uvm.edu/president/?Page=strategic\\_planning/strategicplan.html](http://www.uvm.edu/president/?Page=strategic_planning/strategicplan.html) :

- Create an outstanding student experience that promotes personal and intellectual development

## Applicability of the Policy

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

## 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, sex, sexual orientation, or disability that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student’s educational performance or access to school resources or 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. Sexual harassment, which means conduct that includes unwelcome sexual advances, requests for sexual favors and other verbal, written, visual, or physical conduct of a sexual nature when one or both of the following occur:

B.1.a Submission to that conduct is made either explicitly or implicitly a term or condition of a student’s education.

B.1.b Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

B.2 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.3 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, 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.

C. 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. Any person who has reasonable cause to believe that harassment may have occurred is urged to immediately bring that information to the attention of the Director of the Office of Affirmative Action and Equal Opportunity ("AAEO").
2. When the Director of AAEO receives actual notice of alleged conduct that may constitute harassment, the University will provide a copy of its harassment policy to the alleged victim and the alleged perpetrator. The University will promptly investigate to determine whether harassment has occurred. Investigations will proceed in accordance with the Affirmative Action Office's Investigation Guidelines or other applicable procedure, a copy of which will be provided to both parties. University Police Services will be contacted where the alleged conduct may constitute criminal action.
3. 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.
4. As used in this section, "notice" means a written complaint or oral information that harassment may have occurred, which has been provided to the designated AAEO official from another employee, the student allegedly subjected to the harassment, another student, or any other individual who has reasonable cause to believe the alleged conduct may have occurred. If the complaint is oral, the designated AAEO official shall promptly reduce the complaint to writing, including the time, place, and nature of the conduct and the identity of the participants and complainant.

## 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>

## **Effective Date**

Approved by the President on October 11<sup>th</sup>, 2010