

UNIVERSITY POLICY EO-01.00-12/01

TO: The University of West Florida Community

FROM: Dr. Morris Marx, President

SUBJECT: Non-Harassment and Discrimination Policy

Responsible Office/Executive: Equal Opportunity and Diversity/Assistant Vice President

Policy/Purpose: To identify commitment to a learning and employment environment free from harassment and discrimination.

The University of West Florida will not tolerate harassment based on sex, race, color, religion, national origin, age, disability, and protected activity. This prohibition covers harassment and discrimination by anyone in the University of West Florida community. Discriminatory harassment undermines the integrity of the employment-academic relationship and is a violation of state and federal laws.

Violation of the University's policy prohibiting harassment and discrimination may subject employees or students to appropriate disciplinary actions up to and including dismissal or expulsion. Faculty and staff who violate this policy may be held personally liable for damages.

Sexual Harassment

Sexual harassment, a form of sex discrimination, is defined by law as unwelcome conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or subtly, a requirement of an individual's job or status as a student,
- Submission to or rejection of, such conduct by an individual is used as the basis for employment or academic decisions affecting the individual, or
- The conduct has the purpose or impact of unreasonably interfering with the person's work or academic success, or creating an intimidating, hostile, or offensive work or school environment.

Sexual harassment is a rule violation of Title VII of the Civil Rights Act of 1964, Civil Rights Act of 1991, and Title IX of the Educational Amendments Act of 1972.

Sexually harassing behavior can take many forms verbal, nonverbal, and/or physical. Some examples are:

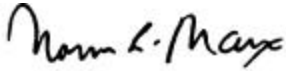
- Unwelcome familiarity; flirtation that continues after it is rejected
- Sexually oriented jokes or remarks that degrade another person or group on the basis of gender
- Sexist remarks regarding a person's body, clothing, or intellectual capacity
- Pornographic screensavers, email, cartoons, posters, or other sexually oriented visuals
- Explicit body language; leering etc.
- Physical advances such as unwelcome hugging, kissing, patting, massaging, brushing up against
- Sexual bribery such as propositions that involve the exchange of sexual favors for higher grades or to prevent lower grades; to keep one's job to get a promotion; or reclassification
- Explicit sexual invitations for sexual contact that are unwanted by the recipient
- Physical assault or sexual coercion

Racial Harassment

Harassment on the basis of race and/or color violates Title VII. Ethnic slurs, racial "jokes," offensive or derogatory comments, or other verbal or physical conduct based on an individual's race/color constitutes unlawful harassment if the conduct creates an intimidating, hostile, or offensive working environment, or interferes with the individual's work or academic performance. Racial and ethnic harassment can take various forms such as:

- Criminal acts such as vandalism
- Malicious intimidation
- Racial epithets
- Physical Assault

Procedures have been established under which complaints of possible discrimination and/or harassment may be investigated and resolved. Any questions or concerns should be directed to the Office of Equal Opportunity and Diversity at 474-2205.

Approved by: 
Morris L. Marx, President

Date: 1/14/02