

# SAINT LOUIS UNIVERSITY

## Harassment Policy

**Version Number: 2.0**

**Effective Date: August 22, 2013**

**Responsible University Office: Office of Diversity and Affirmative Action**

### 1.0 INTRODUCTION

Saint Louis University is a Catholic, Jesuit institution with a distinctive educational mission and philosophy emphasizing Christian humanism, human dignity, and the development of the total human being. These core values are manifested in the University's commitment to foster a workplace and learning environment that is free from any form of prohibited harassment.

### 2.0 PURPOSE

Saint Louis University prohibits harassment because of sex, race, color, religion, national origin, ancestry, disability, age, sexual orientation, marital status, military status, veteran status, gender expression/identity, genetic information, pregnancy, or any other characteristics protected by law. This policy is intended to complement other University policies, including but not limited to, the

### **3.0 PERSONNEL AFFECTED**

This policy applies to all University faculty, staff, and volunteers, with the exception of Saint Louis University Madrid employees. In addition, this policy applies to all students of Saint Louis University.

### **4.0 DEFINITIONS**



## 5.0 POLICY

~~SAINT LOUIS UNIVERSITY POLICY ON SEXUAL HARASSMENT~~ Because of sex, race, color, religion, national origin, ancestry, disability, age, sexual orientation, marital status, military status, veteran status, gender expression/identity, genetic information, pregnancy, or any other protected classification is detrimental to its mission and values. The University endeavors to take steps reasonably necessary to prevent such behavior from occurring, including providing education and training to faculty, staff, and students as to their rights and responsibilities, informing persons of the appropriate procedures for reporting inappropriate behavior, promptly investigating complaints, and imposing appropriate sanctions.

Amorous relationships that occur in the context of educational or employment supervision and evaluation present serious concerns about the validity of consent. The disparity of power between persons involved in amorous relationships, such as those between a teacher and student, supervisor and subordinate, or senior and junior colleagues in the same department or unit, makes these relationships susceptible to exploitation. Those who abuse their power in such a context violate their responsibility to the University community.

Anyone who engages in a sexual relationship with a person over whom s/he has any power or authority within the University structure must understand that the validity of the consent may be questioned. In the event of a complaint is filed, the University will give very critical scrutiny to any defense based upon consent when the facts establish that a power differential existed within the relationship.

This policy shall be applied in a manner consistent with the University's provision on academic freedom set forth in *The Faculty Manual of Saint Louis* ~~at~~ *University*

Any person who, in bad faith, files a false complaint or provides false information to University officials investigating a complaint shall be deemed to have violated this policy. This is not in any way meant to discourage legitimate complaints or consultation.

## 7.0 PROCEDURES

The following procedures have been developed to receive and investigate harassment complaints. Any person who believes that s/he has been subjected to harassment may elect to pursue the matter as either an informal or formal complaint.

**A. Where to Get Help--Informal Complaints.** The persons listed below have been designated as the contact person(s) for informal complaints and to provide information and consultation regarding harassment prohibited by this policy:

Informal complaints against students involving conduct in the residence halls should be directed to the Resident Advisor, Residence Hall Coordinator, or the Director of Housing and Residence Life. All other informal complaints against undergraduate students should be reported to the Assistant Vice President for Student Development/Dean of Students or the Office of Diversity and Affirmative Action (“DAA”). Informal complaints against graduate or professional students should be directed to DAA or the Dean of the accused’s or the complainant’s School or College. It is recommended that the complainant keep a record of prohibited conduct such as a journal of his/her experiences, reflecting dates, times, places, nature of the incident, and names of any witness(es).

Informal complaints directed against staff should be reported to the employee’s immediate supervisor, department head, unit vice president, Vice President for Human Resources, or DAA. Informal complaints directed against faculty should be reported to the faculty member’s Chair, Dean, Vice President of Academic Affairs, or DAA.

All complaints involving persons who are not members of the University community, such as employees of outside vendors, should be reported to DAA.

Informal resolutions are designed to operate in an expeditious manner and to empower the parties to reach a mutually satisfactory agreement with the assistance of a neutral third party. The contact person does not make a determination of fact as to whether University policy has been violated as part of the informal resolution process. Instead, the contact person will use conflict resolution techniques to attempt to resolve the concern(s) brought forward in a manner that is satisfactory to all parties. Informal resolution is flexible and invites active participation of all the parties in order to resolve the matter. Moreover, the contact person will only speak to the individuals whose involvement is necessary to facilitate a resolution. In some instances, this might include only the parties directly involved. The informal complaint may be concluded by one of the following: (1) the complainant, or the designated contact person, may meet with the accused, discuss the behavior of the accused, and, request that such behavior be stopped, (2) a resolution of the informal complaint by agreement of the parties, (3) a decision to stop further action on the informal complaint, or (4) initiation of a formal complaint. Possible resolutions by



the accused and the complainant, up to and including suspension from employment pending investigation.

The investigation will include interviews of the complainant and the accused. The accused will be furnished with a copy of the complaint and will have an opportunity to respond and submit additional information. DAA will interview other witnesses and collect such additional information as DAA deems reasonably necessary to determine whether a violation of this policy did or did not occur. Within a reasonable period of time after commencing the investigation, DAA will submit a report to the appropriate Vice President, the accused, and the complaining party outlining

All interim and final disciplinary or corrective action shall be initiated consistent with the specific policies and procedures applicable to faculty, staff, or students depending upon the particular status of the accused. Disciplinary action against undergraduate students will be processed under the Code of Student Conduct contained in the Student Handbook of Saint Louis University. Cases involving disciplinary action against graduate or professional students will be referred to the Dean of the respective School or College for handling under policies and procedures governing Harassment or matters relating to the student's qualifications and fitness to continue in a particular program. Disciplinary action against faculty will be governed by the procedural requirements and standards contained in *The Faculty Manual of Saint Louis University*. Depending on the nature of the action(s) sought by the University administration, the faculty member may invoke the grievance procedures, procedures for challenging serious sanctions short of termination, or the procedures for challenging termination for cause set out in *The Faculty Manual*. Any disciplinary action against staff will be implemented consistent with the policies and procedures set forth in the Human Resources Policies and/or the Staff Handbook of Saint Louis University except where otherwise provided for employees who are covered by a collective bargaining agreement. All disciplinary actions are to be communicated to DAA.

**D. Notice of Outcome.**



Vice President, Human Resources, Vice President and General Counsel, and the University's Title IX Coordinator. This Policy has been approved by the President's Coordinating Counsel.

## **10.0 RESOURCES**

### *University Resources:*

Department of Public Safety and Emergency Preparedness

Wool Center, Rm. 114

Emergencies: (314) 977-3000

General Information: (314) 977-2376

Employee Assistance Program

Ph: (800) 859-9319

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Office of the Assistant Attorney General, Main  
Washington, D.C. 20530  
Ph: (202) 514-4609

U.S. Equal Employment Opportunity Commission  
Robert A. Young Federal Building  
1222 Spruce St., Rm 8.100  
St. Louis, MO 63103  
Ph: 800-669-4000

<b>11.0 REVISION HISTORY</b>		
<b>EFFECTIVE DATE</b>	<b>REVISION NUMBER</b>	<b>MODIFICATION</b>
October 30, 2007	1.0	