

misc nduct; and "Chief Civil Ri hts Officer" t refer t the university's Chief Civil Ri hts Officer & Title IX C rdinat r.

II. Policy Jurisdiction

This P licy applies t all students, staff, faculty, university partners, and ther individuals participatin in r seekin t participate in, r bene t fr m, the university's pr rams r activities, whether n r ff campus, includin educati n and empl yment.

F r claims a ainst students and student r anizati ns, jurisdicti n is de ned by the Student C nduct C de.

F r claims a ainst empl yees, this P licy applies t c nduct that: (1) ccurs n campus r pr perty wned r c ntr lled by the university (university pr perty), (2) ccurs in the c ntext f a university empl yment r educati nal pr ram r activity, (3) uses university res rces, such as w rkplace teleph nes, vide c nferencin techn l y, e-mail, r ther means f electr nic c mmunicati n, r (4) creates a h stile envir nment f r r causes substantial disrupti n t the university c mmunity r any f its members, r seri usly threatens the health r safety f any pers n. The university will f ll w applicable c llective bar ainin a reements, p licies and pr cedures in determinin whether c rrective acti n can be imp sed f r behavi r that ccurs durin n n-w rk h urs.

F r claims a ainst third parties, such as c ntract rs, visit rs, alumni, and uests, the university will determine the appr piate manner f res luti n, which may include with ut limitati n referral t l cal law enf rcement r t the sch l r empl yer f the third-party resp ndent, and/ r restricti n fr m access t campus r university pr rams r activities. The university's ability t take disciplinary acti n a ainst a third-party resp ndent is limited and will be determined by the nature f the misc nduct and the university's relati nship t the third-party resp ndent.

III. Definitions of Discriminatory Misconduct

The university pr hibits Discriminat ry isc nduct, which is de ned t include the f ll win :

1. **Discrimination:** An adverse acti n taken a ainst an individual r r up n the basis f the individual's r r up's pr tected characteristic(s). Discriminati n takes tw f rms: disparate treatment and disparate impact. Disparate treatment ccurs when the adverse acti n is m tivated in wh le r in part by the pr tected characteristic. Disparate impact ccurs when a



policy, requirement, or regularized practice, although neutral on its face, adversely impacts persons in a protected class and is not necessary to achieve an important university purpose. An adverse action includes actions that significantly change the terms and conditions of employment or actions that have a significant detrimental impact on a student's education.

2. **Harassment:** Unwelcome verbal or physical conduct based on a protected characteristic that is sufficiently severe or pervasive that it substantially interferes with an individual's employment, education or access to university programs, activities, or opportunities, and would have such an effect on a reasonable person who is similarly situated. Harassment may include, but is not limited to, verbal or physical

Protected activity includes (1) opposing a practice that is unlawful or that the individual
"in violation of" public policy

safety of any university community member, the university may independently notify law enforcement. An individual may make a report to the university, to law enforcement, to neither, or to both.

The university's resolution process and law enforcement investigations may be pursued simultaneously but will operate independently of one another. The university will, when appropriate, coordinate information with law enforcement if law enforcement is notified. The university, upon request, may also temporarily pause its investigation to allow preliminary fact-fathering by law enforcement. Under Oregon law, there are different time limits for prosecuting different crimes, and charges must be filed within the applicable statute of limitations for a given crime.

4. Confidential Resources

The university also offers a number of confidential resources for individuals who are unsure whether to report misconduct or who seek confidential or other emotional support in addition to, or instead of, reporting to the university. A link to these resources, including confidential resources, is included at the end of this policy.

VI. Expectations of Employees When Notified

After receiving a report of Discriminatory conduct, the university may implement interim action(s) V.B.s

- An employee claiming to be aggrieved by discrimination, harassment, or sexual assault may, however, voluntarily request to enter into a settlement, separation, or severance agreement which contains a non-disclosure, non-disparagement, or non-rehire provision and will have at least seven days to revoke any such agreement.

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