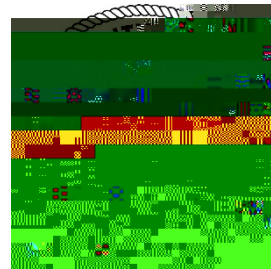

UNIVERSITY OF WYOMING REGULATIONS

Subject: Discrimination and Harassment
Number: UW Regulation 4-2



I. PURPOSE II. DEFINITIONS

Appointing Authority: The individual with the authority or delegated authority to make ultimate personnel decisions concerning a particular employee.

Complainant: A person who is subjected to alleged Protected Class discrimination, harassment or related retaliation.

Dean of Students Office: The disciplinary authority for student respondents.

Disciplinary Authority : The individual who or office that has the authority or delegated authority to impose discipline upon a particular employee or student.

Discrimination: Occurs when an individual suffers an adverse consequence on the basis of the individual's Protected Class, including but not limited to failure to be hired or promoted or denial of admission to an academic program.

Equal Opportunity Report and Response Unit Investigates allegations of discrimination, harassment or related retaliation based on individual's Protected Class. This office does not have the authority to impose discipline.

Harassment Verbal or physical conduct that unreasonably interferes with an individual's work or academic performance or creates an intimidating or hostile work or educational environment. This definition encompasses specific conduct and behaviors defined in UW Regulation 43 (Title IX and Sexual Misconduct)

Hostile Environment: Unwelcome conduct by an individual against another individual based upon the individual's Protected Class that is sufficiently severe or pervasive that it alters the conditions of education or employment and creates an environment that a reasonable person would find intimidating, hostile or offensive. The determination of whether an environment is "hostile" must be based on all of the circumstances. These

- B. Complaints involving a University Extension site or the University of Wyoming at Casper. When an alleged violation involves a University Extension site or the University of Wyoming at Casper, the complaint shall be handled pursuant to this Regulation.
- C. Complaints by and against University employees and students arising at an affiliated entity. University employees and students often times work or study at the worksite or program of another organization affiliated with the University. When a violation is alleged by or against University employees or students in those circumstances the University may, in its discretion, choose to: (1) conduct its own investigation; (2) conduct a joint investigation with the affiliated entity; (3) defer to the finding of an investigation by the affiliated entity where the University has reviewed the investigative process and is satisfied that it was fairly conducted; or (4) use the investigation and findings of the affiliated entity as a basis for further investigation.
- D. No limitation on existing authority. No provision of this Regulation shall be construed as a limitation on the authority of an appointing authority/disciplinary authority under applicable policies and procedures to initiate appropriate action. If an investigation is conducted under this Regulation and no violation is found, the University shall not be liable for any damages, including reasonable attorney's fees and costs.

History:

University Regulation 5, Revision 1; adopted ~~7/2008~~ Board of Trustees meeting

Revisions adopted 11/~~16~~12 Board of Trustees meeting

Revisions adopted ~~7/17~~2014 Board of Trustees meeting

Revisions adopted 9/13/2017 Board of Trustees meeting effective 7/1/2018: previously UW Regulation 45, now UW Regulation ~~4~~)