



OFFICE OF COMPLIANCE SERVICES
UVM.EDU/POLICIES

POLICY

Title: Discrimination, Harassment, and Sexual Misconduct

Policy Statement

The University of Vermont, including its Schools and Colleges, seeks to maintain a safe learning and working environment. To that end, the University of Vermont strictly prohibits discrimination against, and protected category as defined in the [Equal Opportunity in Educational Programs and Activities](#) and [Equal Employment Opportunity/Affirmative Action](#) Policies as well as retaliation. Any act that falls within the definition of Sexual Misconduct constitutes discrimination or harassment and is a violation of this Policy. Furthermore, UVM makes extensive support resources and measures available to all members of the campus community to ensure access to the educational and work environment, irrespective of whether any resolution process is pursued.

Individuals are strongly encouraged to disclose to the Office of Equal Opportunity, and to University Police Services, as appropriate, immediately following their occurrence. The length of time between an incident and making a disclosure will not affect the willingness of the University to facilitate a resolution process.

making a disclosure. The University recognizes that individuals who experience incidents of discrimination or harassment, in some circumstances, may be reluctant to disclose such conduct to the University because they fear that they themselves may be accused of policy violations, such as underage drinking or drug use at the time of the incident. Accordingly, if the University learns of personal consumption of alcohol or drugs, or other ancillary policy violations, via a disclosure or resolution process, the University will not use this information in a disciplinary process against the complainant, respondent, or any witness unless the conduct placed the health or safety of any other person at risk. For example, this provision will not protect from disciplinary action an individual who knowingly serves alcohol or administers drugs to another person in order to facilitate conduct prohibited by this Policy.

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h its obligations under federal and state law. The University of Vermont recognizes the lasting and detrimental effects of discrimination and harassment on individuals, on our entire community, and on our mission to prepare UVM students to lead productive, responsible, and creative lives. University policy therefore strictly prohibits all forms of discrimination and harassment, including sexual misconduct, as well as retaliation, and is committed to (1)

eliminating, preventing, and addressing the effects of discrimination and harassment; (2) cultivating a climate where all individuals are well-informed and supported in

gestures, threats, graffiti, display or circulation of written or visual material, taunts, and negative references related to any of these protected categories. There are two types of Harassment:

- ◁ A hostile environment exists when evaluated from both a subjective and objective perspective, the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives

- Touching the sexual or other intimate parts of a person, or causing such person to touch your sexual or other intimate parts, including intentional touching of the breasts, buttocks, groin, or genitals, whether clothed or unclothed, or intentionally touching another with any of these body parts, and making another touch you or themselves with or on any of these body parts without consent
- Touching another person without consent;
- Causing the incapacitation of another person (through alcohol, drugs, or force) without their consent or the consent of a person who is not a party to the sexual activity; give consent to sexual activity;

activity or contact. The existence of a dating relationship or a past sexual relationship between the persons engaging in sexual activity or contact is not a sufficient basis to assume consent.

- Consent cannot be gained by threat, force, coercion, or intimidation, or by ignoring words or actions that indicate a lack of consent or object to the activity. Consent cannot be gained by taking advantage of the incapacitation of another where the Respondent knows or reasonably should have known of such incapacitation.
- An essential element of consent is that it be freely given. Freely giv59TJ ET Q q - ET

exploitation⁶ that occurred on or after August 14, 2020, in the context of a UVM educational program or activity against a person in the United States, where a Formal Complaint has been filed.

UVM Reporter:

Individuals with required reporting responsibilities related to incidents of Discrimination and Harassment including Sexual Misconduct that involve a member of the University community (e.g. faculty, staff, student, program participant, or other affiliate), as further outlined in the

education, and training initiatives please visit UVM's Sexual Conduct and Education web site at <https://www.uvm.edu/equality/title-9-sexual-misconduct>

Obtaining Support Measures

The University will offer reasonable and appropriate support measures to Complainants, Respondents, and third parties that are designed to protect individual and community safety and facilitate continued access to University employment or education programs and activities related to concerns of discrimination. 261.62 639.7 Td [(n)5.998 (d)3.

disclosures to

Equal Opportunity

3. [Fill out a Crime Statistic form](#) if the conduct reported may constitute a Clery Act crime, as defined in the [Campus Safety and Security: Clery Act Policy](#), regardless of whether a member of the University community was involved.

The Chief Human Resource Officer is the official responsible for the interpretation and administration of this policy.

Other Campus and Community Resources

UVM Police Services	(802) 6563473 911 (for emergencies)
Chittenden Unit for Special Investigations (CUSI)	(802) 6526800
UVM Medical Center Emergency Department *including SANEs Sexual Assault Nurse Examiners	(802) 8472434
Dean of Students Office	(802) 6563380
UVM Counseling & Psychiatry Services ()	(802) 6563340
Howard Center Mobile Crisis Team () Rapid 24/7 Mental Health Assistance	(802) 4886400
Student Health Center	(802) 6563350
Employee Assistance Program	(802) 864EAPØ (866) 6609533

24-hour free and confidential community services are also available in the greater Burlington community specific to individuals who have experienced sexual harassment, sexual violence, intimate partner violence, or sex-based stalking, regardless of gender identity or sexual orientation:

H.O.P.E. Works	(802) 8631236
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Steps to End Domestic Violence ((802) 6581996

US Department of Education
Office for Civil Rights Boston Office
8th Floor 5 Post Office Square
Boston, MA 02103-9211
Telephone: (617) 289-1111
Email: OCR.Boston@ed.gov

U.S. Department of Education
Office of Civil Rights
Lyndon Baines Johnson Dept. of Ed. Bldg.
400 Maryland Avenue, SW
Washington, DC 20201-1100
Telephone: (800) 421-1000

Related Documents/Policies

- < [Annual Security Report and Crime Statistics \(Clery Act\)](#)
- < [Equal Employment Opportunity/Affirmative Action Policy Statement](#)
- < [Equal Opportunity in Educational Programs and Activities and Harassment Policy](#)
- < [Minors: Reporting Abuse or Neglect of and Crimes Procedure](#)
- < [UVM Reporter Operating Procedure](#)
- < [Vulnerable Adults: Reporting Abuse, Neglect or Exploitation of, and Crises Procedure](#)
- < [Handling and Resolving Discrimination, Harassment, and Sexual Misconduct Complaints involving Employee Respondents Interim](#)
- < [Handling and Resolving Discrimination, Harassment, and Sexual Misconduct Complaints involving Student Respondents](#)

Training Audience:	UVM Staff and Contractors responsible for execution of procedures under this Policy	Delivered By:	Office of Equal Opportunity
Method of Delivery:	On-line Interactive Video or In Person	Frequency:	Annually or as assigned

About this Policy

Responsible Official:	Chief Human Resource Officer	Approval Authority:	President
Policy Number:	V. 7.16.2	Effective Date:	August 26, 2024
Revision History:	<ul style="list-style-type: none"> < V. 7.12.1 effective August 26, 2016 < V. 4.22.2/V. 7.12.2 effective October 10, 2016. Responsible official officially changed the Vice President for Human Resources, Diversity and Multicultural Affairs to the Vice President for Finance and Administration on May 1, 2020. < V. 7.16.1/V. 4.30.1 effective August 13, 2020 replaces the Discrimination and Harassment Policy (V. 4.22.2) and the Sexual Harassment and Misconduct Policy (V. 7.11.2). Interim status removed December 16, 2020. Responsible official officially changed from the Vice President for Finance and Administration to the Chief Human Resource Officer on October 3, 2022 < V. 7.16.2 posted interim on August 26, 2024 		