



Anti-Harassment

Valdosta State University is committed to maintaining a fair and respectful environment for living, working and studying. To that end, and in accordance with federal and state law, Board of Regents' policy, and University policy, the University prohibits any member of the faculty, staff, administration, or student body from harassing any other member of the University community because of that person's sex, sexual orientation, gender, gender identity and/or expression.

DEFINITION

SEXUAL HARASSMENT

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment or status in a course, program or activity;
2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or
3. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from an educational program or activity.

Examples of sexual harassment may include, but are not limited to the following:

1. Physical assault.
2. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, compensation, promotion, grades, or letters of recommendation.
3. Sexual advances, physical or implied, or direct propositions of a sexual nature. This activity may include inappropriate/unnecessary touching or rubbing against another, sexually suggestive or degrading jokes or comments, remarks of a sexual nature about one's clothing and/or body, preferential treatment in exchange for sexual activity, and the inappropriate display of sexually explicit pictures, text, printed materials, or objects that do not serve an academic purpose.
4. A pattern of conduct, which can be subtle in nature that has sexual overtones and is intended to create or has the effect of creating discomfort and/or that, humiliates another.
5. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history that does not serve a medical or academic purpose.

Sexual harassment can occur regardless of the relationship, position or respective sex, sexual orientation, gender, gender identity and/or expression of the parties. Same sex harassment violates this policy as does harassment by a student of a faculty member or a subordinate employee of a supervisor.

AFFIRMATIVE ACTION OFFICER

The Affirmative Action Officer is the individual designated by the President to be primarily responsible for providing education and training about sexual harassment to the University



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community, and for investigating reports and complaints of sexual harassment in accordance with this policy. The Affirmative Action Officer can be reached at the Office of Human Resources.

SCOPE

APPLICABILITY

The University's Anti-Harassment Policy applies to all faculty, staff, administration, and students.

OFF CAMPUS PROGRAMS AND ACTIVITIES

Students and employees who feel that they have experienced sexual harassment while participating in off-campus programs and activities should immediately report such incidents to the program director or the Affirmative Action Officer. Off-campus programs and activities include, but are not limited to, study abroad programs, internships, student teaching and applied learning experiences.

PROCESSING OF DISCRIMINATION REPORTS AND HARASSMENT REPORTS AND COMPLAINTS

REPORTS AND COMPLAINTS

TIMELINE FOR REPORTING

All reports and complaints of sexual harassment will be promptly investigated and appropriate action will be taken as expeditiously as possible. Complaints and reports of sexual harassment should be reported as soon as possible after the incident(s) in order to be most effectively investigated. Complaints of sexual harassment should be reported within fifty (50) days of the incident. The University will make reasonable efforts to protect the rights of both the complainant and the respondent. The University will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses in a manner consistent with the University's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations required by law.

RESPONSIBILITY OF STUDENTS AND EMPLOYEES

No student or employee should assume that an official of Valdosta State University knows about their particular situation. The University encourages anyone who feels they have been sexually harassed to report the incident to the Affirmative Action Officer. Administrators and supervisors must report to the Affirmative Action Officer in timely manner any and all incidents of discrimination and harassment which are reported to them.

INVESTIGATION AND RESOLUTION

PROCEDURES

When safe and possible, the complainant should clearly explain to the alleged offender that the behavior is objectionable and request that it cease. If the complainant is not able to confront the alleged offender,



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or the behavior does not stop, or if the complainant believes some adverse employment or educational consequences may result from the discussion, the complainant should go to the Affirmative Action Officer or to the next higher level of supervision to document the complaint. The Affirmative Action Officer must be contacted in order to initiate a complaint. The complaint should be brought as soon as possible after the most recent incident. During the investigation, the Affirmative Action Officer will keep private the information gathered during the investigation to the extent permitted by state and federal law. The Affirmative Action Officer shall exercise due care in sharing identifiable information about students, staff, or faculty.

UNIVERSITY ACTION/ RIGHT TO APPEAL

The University will take the appropriate remedial action based on results of the investigation and will follow up as appropriate to ensure that the remedial action is effective. Complainants are encouraged to report any reoccurrences of conduct which were found to violate the Anti-Harassment policy. The Affirmative Action Officer will notify the complainant and respondent, in writing, of the results of the investigation. The complainant and respondent shall have the right to appeal the decision of the Affirmative Action Officer to the President pursuant to this policy. A written appeal must be made within ten (10) working days after written notification of the decision which is being appealed. A decision will be made within a reasonable time and the Affirmative Action Officer, the complainant, and the respondent will be notified of the decision.

PROHIBITION AGAINST RETALIATION

Students and employees who, in good faith, report what they believe to be sexual harassment, or who cooperate in any investigation, will not be subjected to retaliation. Students or employees who believe they have been the victim of retaliation for reporting sexual harassment or cooperating in an investigation should immediately contact the Affirmative Action Officer.

AFFECTED STAKEHOLDERS

Indicate all entities and persons within the university affected by this policy:

- Alumni
- Graduate Students
- Undergraduate Students
- Staff
- Faculty
- Student Employees
- Visitors
- Vendors/Contractors
- Other: _____

POLICY ATTRIBUTES

<i>Responsible Office(s)</i>	Human Resources, 1205 N. Patterson St., 229-333-5709, hrstaff@valdosta.edu
<i>Approving Officer or Body</i>	University Council
<i>Date Approved</i>	02/27/2012



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<i>Revised</i>	02/22/2022: added gender identity and/or expression and other categories protected under the law not currently in the policy; replaced binary, non-inclusive language; revised department location of Affirmative Action Officer
<i>Next Review Date</i>	02/22/2024