



SEXUAL HARASSMENT POLICY

Rationale

The Board of Visitors has a substantial and compelling responsibility to prohibit conduct by members of the University community which adversely affects the learning process, the unique academic working environment, or the University's academic image and reputation. Sexual harassment by any member of the campus community subverts the educational mission of the University and endangers the educational experiences, the careers, and the mental, physical, and/or financial well being of faculty, students, and staff. The Board of Visitors expects the highest standards of personal behavior from its faculty, staff and students.

Prohibited Acts

The Board of Visitors defines sexual harassment as being any unwelcome sexual advance, unwelcome request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature that meets one or more of the following three conditions:

1. Such conduct requires submission/acceptance explicitly or implicitly as a term or condition of an individual's employment or educational pursuit.
2. Agreement to submit/accept or the rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual.
3. Such conduct has the purpose or effect of substantially and unreasonably interfering with any individual's performance or of creating an intimidating, hostile or offensive working or learning environment for any individual.

Sexual harassment by any member of the University community is a violation of both law and University policy and will not be tolerated.

Sanctions

Violations of this policy by faculty, staff, or students shall be sanctioned under the appropriate disciplinary procedures for faculty, staff, or students. In cases involving sanctions for the conduct of faculty, sanctions include dismissal pursuant to section II.2.c.12) or II.2.c.13), as appropriate, of the *University Handbook*, including:

- a) academic misconduct in one or more areas of teaching, research, public service, or administration;
- b) violation of Board policies;
- c) violation of the terms of the employment contract; or
- d) violation of the rights and freedom of students, Board members, or employees of the University. In cases involving sanctions for the conduct of students, the *Code of Student Rights, Responsibilities, and Conduct* shall apply. In cases involving sanctions for the conduct of classified employees, the applicable standards of conduct established by the Department of Human Resource Management, promulgated pursuant to the Virginia Personnel Act, shall apply.

Complaints

Complaints of sexual harassment shall be directed to the Director of Equal Opportunity for investigation.

False or Malicious Charges

This policy shall not be used to bring false or malicious charges against fellow students, faculty members, or employees. Disciplinary action under University personnel policies or the *Code of Student Rights, Responsibilities, and Conduct*, as appropriate, shall apply.