

Anti-Harassment (III.C.1)

Volume III: Ethics

Chapter C: Equal Opportunity

Responsible Executive: Vice President for Ethics and Compliance

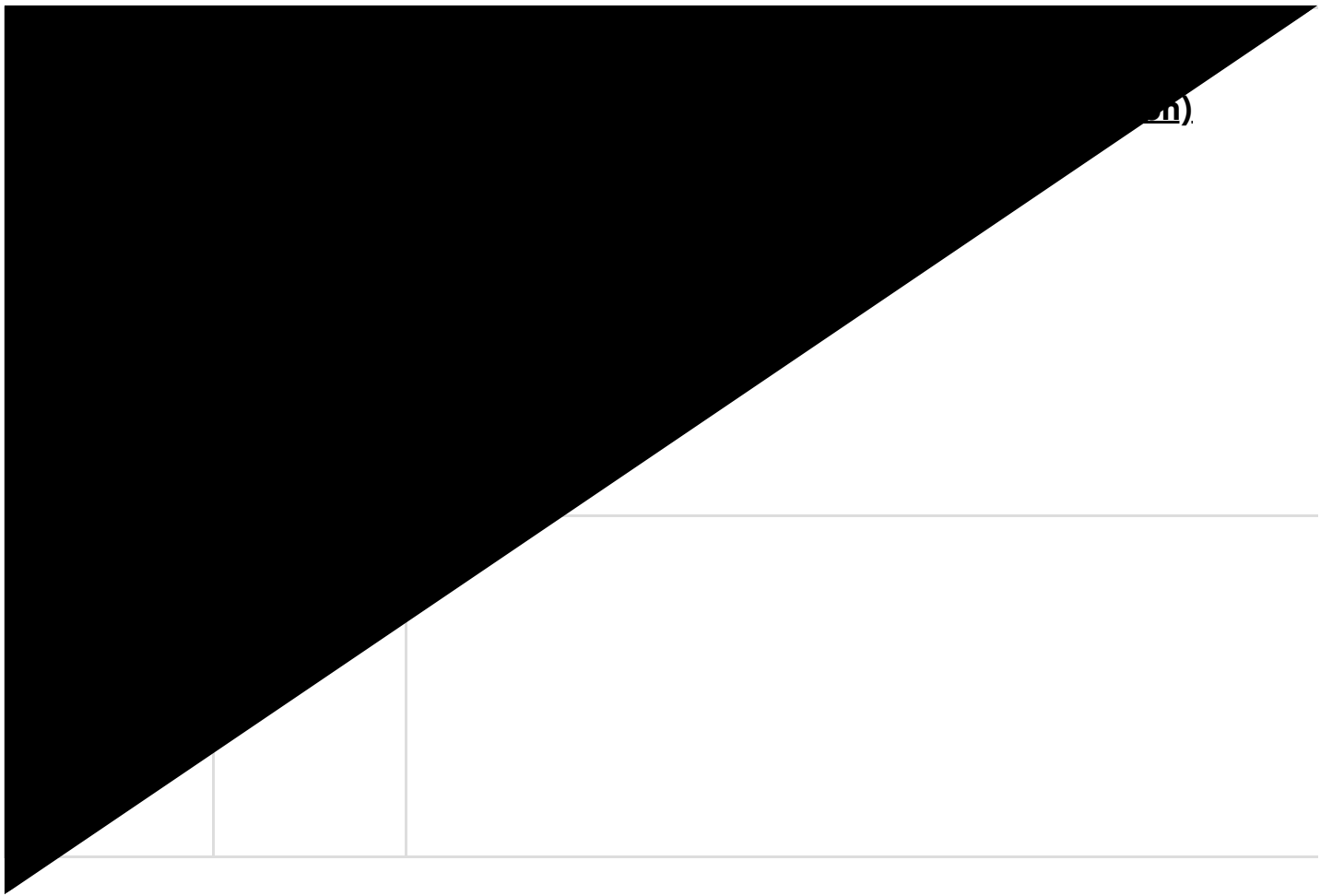
Responsible Office: Office of the Vice President for Ethics and Compliance

Date Issued: December 22, 2010

Date Last Revised: Aug

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| <p>PNW Hammond Campus: Title IX Coordinator – Linda B. Knox</p> | <p><u>219-989-3169</u></p> | <p>Lawshe Hall, Room 231 <u>2200 169</u> St. Hammond, IN 46323 <u>lbknox</u> <u>.pnw.edu (mailto:lbknox .pnw.edu)</u></p> |
| <p>PNW Westville Campus: Title IX Coordinator – Laura Odom</p> | <p><u>219-785-5545</u></p> | <p>Schwarz Hall, Room 25 1401 S. U.S. Highway 421 Westville, IN 46391 <u>odoml</u> <u>.pnw.edu (mailto:odoml .pnw.edu)</u></p> |
| <p>West Lafayette: Title IX Coordinator</p> | | |
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| <p>PNW Hammond Campus:</p> <ul style="list-style-type: none"> • Police Department • Office of the Dean of Students • Housing • Community Care Network Health Clinic | <ul style="list-style-type: none"> • <u>219-989-2220</u> • <u>219-989-4141</u> • <u>219-989-4150</u> • <u>219-989-1235</u> | <ul style="list-style-type: none"> • <u>www.pnw.edu/public-safety/</u> (<u>https://www.pnw.edu/public-safety/</u>) • <u>www.pnw.edu/dean-of-students</u> (<u>https://www.pnw.edu/dean-of-students</u>) • <u>www.pnw.edu/housing/</u> (<u>https://www.pnw.edu/housing/</u>) • <u>www.pnw.edu/health-care-facilities/</u> (<u>https://www.pnw.edu/health-care-facilities/</u>) |
| <p>PNW Westville Campus:</p> <ul style="list-style-type: none"> • Police Department • Office of the Dean of Students • LaPorte Physician Network | <ul style="list-style-type: none"> • <u>219-785-5220</u> • <u>219-785-5230</u> • <u>219-304-6100</u> | <ul style="list-style-type: none"> • |

orientation, gender identity and/or gender expression. The University will not tolerate Harassment of its faculty, staff or students by persons conducting business with or visiting the University, even though such persons are not directly affiliated with the University.

This policy seeks to encourage faculty, staff and students to report and address incidents of Harassment. The **Procedures for Resolving Complaints of Discrimination and Harassment (<https://www.purdue.edu/ethics/resources/resolving-complaints.html>)**, as issued and updated from time to time by the Vice President for Ethics and Compliance, describe the necessary steps for filing complaints of Harassment.

Retaliation against faculty members, staff members or students for reporting or complaining of Harassment, for assisting or participating in the investigation of a complaint of Harassment, or for enforcing this policy is strictly prohibited.

The University reserves the right to investigate circumstances that may involve Harassment in situations where no complaint, formal or informal, has been filed. In appropriate circumstances, sanctions in accordance with this policy will be implemented where the University has initiated an investigation in the absence of a formal or informal complaint.

To determine whether a particular act or course of conduct constitutes Harassment under this policy, the alleged behavior will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context and duration of the questioned behavior. Although

The University prohibits Retaliation against any individual for the purpose of interfering with any right or privilege secured by this policy, or because the individual has made a report or complaint, testified, assisted, or participated an investigation or proceeding under this policy.

The University offers education and primary prevention, risk reduction and y

- Americans with Disabilities Act of 1990, as ame

- In consultation with University officers, Chancellors and legal counsel, oversee and coordinate the provision of education and primary prevention, risk reduction and awareness programs for students, faculty and staff concerning Sexual Harassment, Sexual Violence, Sexual Exploitation, Relationship Violence and Stalking within the University system.

Chancellors

- Maintain an educational and employment environment free from Harassment.

Vice Presidents, Vice Chancellors, Vice Provosts and Deans

- Maintain an educational and employment environment free from Harassment.
- Communicate to all members of their unit the individuals and offices designated as a resource ~~oip~~

- Report all incidents of discrimination, Harassment or retaliation directly to the campus Title IX Coordinator or Equal Opportunity Officer.

Administrators, Supervisors, and Individuals and Offices Designated as a Resource for Assistance with Harassment

The voluntary nature of Consent will be subject to heightened scrutiny in circumstances where someone who has power or authority within the University over another person^e

- j . Creating an intimidating or hostile educational environment, work environment or environment for participation in a University program or activity;
- ƒ. Unreasonably interfering with a person's educational environment, work environment or environment for participation in a University program or activity; or
- £. Unreasonably affecting a person's educational or work opportunities or participation in a University program or activity.

The University is strongly committed to providing a safe and Harassment-free environment for members of those groups that have historically been, and are still likely to be, at greatest risk of Harassment for reasons of prejudice.

Relationship Violence

Any physical, sexual and/or psychological harm against an individual by a current or former intimate or romantic partner. Intimate or romantic partners may be dating, cohabitating, married, separated or divorced, and may be of the same or opposite sex.

Retaliation

Any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation or Harassment against any person or group for reporting or complaining of discrimination and/or Harassment, assisting or participating in the investigation of a complaint of discrimination and/or Harassment, or enforcing University policies with respect to discrimination and/or Harassment.

Sexual Exploitation

An act that exploits someone sexually. Examples of Sexual Exploitation include, but are not limited to:

- Exposing one's own or another person's intimate parts without Consent.
- Recording video or audio of, photographing, or disseminating or transmitting intimate or sexual utterances, sounds or images without Consent of all parties involved.
- Allowing others to view sexual acts (whether in person, through electronic means, or via a video camera or other recording device) without the Consent of all parties involved.
- Engaging in any form of voyeurism.

Sexual Harassment

- A. Any act of Sexual Violence.
- B. Any act of Sexual Exploitation.
- C. Any unwelcome sexual advance, request for sexual favors or other written, verbal or physical conduct of a sexual nature when:
 - j . Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education or participation in a University program or activity;
 - ¢. Submission to, or rejection of, such conduct by an individual is used as the basis for, or a factor in, decisions affecting that individual's employment, education or participation in a University program or activity; or
 - £. Such conduct has the purpose or effect of u

would cause a reasonable person to suffer substantial emotional distress or fear of bodily injury or de

- **West Lafayette (https://catalog.purdue.edu/content.php?catoid_13&navoid_16335):** catalog.purdue.edu/content.php?catoid=13&navoid=16335

Websites for governing bodies with oversight for applicable laws and regulations:

- **Indiana Civil Rights Commission (<https://www.in.gov/icrc>):** www.in.gov/icrc
- **U.S. Department of Education Office for Civil Rights (<https://www2.ed.gov/about/offices/list/ocr/index.html>):**
www2.ed.gov/about/offices/list/ocr/index.html
- **U.S. Department of Justice, Americans with Disabilities Act (<https://www.ada.gov/>):** www.ada.gov/
- **U.S. Department of Labor Office of Federal Contractor Compliance Programs (<https://www.dol.gov/agencies/ofccp>):** www.dol.gov/agencies/ofccp
- **U.S. Equal Employment Opportunity Commission (<https://www.eeoc.gov>):**
www.eeoc.gov

www.purdue.edu/policies/ethics/iic1.html (iic1.html)

August 1, 2021: Interim status removed.

August 14, 2020: Updated Contacts section. Added new sections to Statement of Policy on (1) False Allegations, Statements and Evidence and (2) Retaliation Prohibited that expand the previous language. Noted exclusion for issues addressed under the policy on Title IX Harassment. Updated definitions of Mandatory Reporters and Sexual Harassment. Updated links in Related Documents, Forms and Tools section.

September 12, 2019: Contacts and Related Documents, Forms and Tools sections updated.

July 1, 2018: Contacts section updated.

August 1, 2017: Minor updates throughout policy. Definitions of Harassment, Racial Harassment, Sexual Exploitation and Sexual Harassment updated.

July 1, 2016: Minor updates throughout policy. Clarified the language regarding sanctions. Several updates to Contacts section.

June 1, 2015: Policy formatted into new template. Responsibilities for Title IX Coordinators and Mandatory Reporters added. Definitions of Consent and Retaliation updated. Contacts and hyperlinks updated.

May 6, 2014: Contacts section updated.

March 1, 2014: The following additions were made: 1) education, prevention, risk reduction and awareness program language, 2) a definition of stalking and 3) a modification of certain disciplinary actions for students. Several website URLs were updated throughout.

April 1, 2012: Language pertaining to Sexual Violence added in the Statement of Policy and Definitions. Procedures updated to refer all complaints under this policy to the Procedures for Resolving Complaints of Discrimination and Harassment.

November 18, 2011: Policy number changed to III.C.1 (formerly X.2.1) and website address updated. Links to other policies updated as well.

July 1, 2011: Definition of Sexual Harassment amended.

May 1, 2011: A definition for Regulations Governing Student Conduct was added. This policy supersedes Anti-Harassment, Interim (X.2.1) dated December 22, 2010.

December 22, 2010: This policy supersedes the Anti-Harassment Policy (Executive Memorandum No. C-33) dated September 16, 1994. It has been formatted in the current policy template and updated to comply with the Board of Trustees' resolution dated December 18, 2010, which expands the University's nondiscrimination commitment to include the bases of genetic information, gender identity and gender expression.

There are no appendices to this policy.