

# Regulations and Policies

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### Organization/General

#### Non-Discrimination, Equal Opportunity and Inclusion Regulations

**Number:**

10040R

**Regulation Status:**

Minor/Technical Revision

**Responsible Division/Department:**

Human Resources & Finance / Office of Equal

Opportunity & Inclusion

**Effective Date:**

08/11/20

**Revised Date:**

10/14/21

## I. OBJECTIVE

Sexual misconduct, such as sexual harassment and sexual violence, is covered by a separate regulation.  
See the Sexual Misconduct and Title IX Sexual

have severe consequences. Good-faith complainants not considered a False Report, even if the case is dismissed or the Respondent is not found responsible.

"Harassment" means unwelcome conduct toward an individual based on the protected class that is objectively offensive and sufficiently severe, persistent or pervasive as to deny or limit a student's ability to participate in or benefit from the University's educational programs or activities, or substantially interfere with or alter the conditions of employment. Harassment includes, but is not limited to, acts such as making slurs, physical assaults or threats, intimidation, when such conduct rises to the level provided above. Please refer to the University's Sexual Misconduct and Title IX Sexual Harassment Regulation, 100.0R, for the definition of sexual harassment.

"Obstruction of an EOI Investigation" means improper actions to discourage or mar participation in an EOI investigation, including but not limited to intimidating witnesses or other participants in the investigation.

- E "Protected activity" means requests for reasonable accommodations or religious accommodations, good-faith actions in opposition to unlawful discrimination, harassment, or retaliation and/or participation in an investigation, proceeding, or hearing for alleged unlawful discrimination, harassment, or retaliation. Some examples of protected activity include, but are not limited to, filing a discrimination charge, testifying or participating in an investigation, proceeding, or lawsuit, and opposing practices that one reasonably believes discriminate against individuals on the basis of a protected class.
- F "Protected classes" means individuals who are provided protection against discrimination or harassment under this Regulation on the basis of age, race, color, creed, religion, ancestry, disability, national origin, citizenship status in employment for those authorized to work in the United States, sex, gender identity, gender expression, sexual orientation, marital status, genetic information, L/S/HIV status, sickle cell trait, veteran status, or any other basis protected by federal, state, or local law.
- G "Reasonable accommodation for a disability" means an accommodation or auxiliary aid or service that enables a qualified individual with a disability to participate in the University's programs, events, activities, or employment, so long as the requested accommodation does not fundamentally alter the nature of the program, event, or activity, or impose an undue hardship.
- H "Reasonable religious accommodation" means an accommodation to enable an individual with sincerely held religious beliefs to participate in the University's programs, events, activities, or employment when that individual's religious beliefs otherwise conflict, so long as the requested accommodation does not impose an undue hardship.
- I "Retaliation" means taking an action against an individual that might well dissuade a reasonable person from engaging in a protected activity. It includes, but is not limited to, intimidating, threatening, coercing, or discriminating against an individual for the purpose of interfering with engaging in a protected activity or any right or privilege provided under civil rights laws or this Regulation.



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For all other respondents, if the investigation concludes that the preponderance of the evidence demonstrates that the Regulation was violated, the matter will be referred to the Provost and Vice President for Academic and Student Affairs, if the respondent is a faculty member, or to Human Resources if the respondent is a staff member, for appropriate further action. All other types of respondents will be referred to the Vice President for the responsible area for further appropriate action.

In all cases, the respondent is presumed innocent unless the preponderance of the evidence shows otherwise. The totality of all evidence available, from all relevant sources, is considered.

Students who are found to have violated this Regulation will be subject to disciplinary action as set forth in the Student Code of Conduct. Faculty and staff who are found to have violated this Regulation will be subject to disciplinary action pursuant to applicable collective bargaining agreements and UNF's Personnel Program. Third parties (including contractors and guests) who are found to have violated this Regulation may be barred from the campus and/or conducting business with UNF. Disciplinary actions against students, employees and third parties will be determined on a case-by-case basis.

## VII. CRIMINAL COMPLAINTS

It is important to recognize that some violations of this Regulation constitute criminal conduct. University community members who witness discrimination, harassment, and/or retaliation that places individuals or groups in fear for their health or safety are strongly encouraged to contact law enforcement. The health, safety, and welfare of all members of the University community should be a shared concern of all.

The criminal process is separate from UNF's investigation and disciplinary process. The University has an obligation to promptly respond to allegations of discrimination, harassment, and retaliation and will proceed, unless exceptional circumstances dictate otherwise, with its own investigative and disciplinary procedures while the criminal process is pending. Therefore, the University's sole discretion may proceed with an investigation under this Regulation before, during, or after any law enforcement investigation or criminal proceedings.

## VIII. CONFIDENTIALITY

The University recognizes the importance of confidentiality and understands that some individuals may want their identity to remain anonymous and/or confidential when filing complaints or otherwise becoming involved in an investigation. In all cases, issues of confidentiality must be balanced against the University's need to investigate and take appropriate action. The University will respect the privacy and confidentiality of individuals involved in an investigation to the fullest extent possible. If you have any questions regarding confidentiality, [please contact the Title IX Coordinator](#).



**IX. REASONABLE AC**



Tom and Betty Petway Hall (Building 7

Room 100

( 04 20-27

<https://www.unf.edu/sac/>

**Office of Human Resource**

JJ Daniel Hall (Building 1

Room 1101

( 04 20-203

<https://www.unf.edu/hr/>

**Lebin, Gay, Biexul, Transgender Resource Center**

Student Union East (Building 8

Room 1111

( 04 20-4720

<https://www.unf.edu/lgbtqcenter/>

**Office of Student Accountability & Resolution**

Tom and Betty Petway Hall

Building 7, Suite 270

( 04 20-37

<https://www.unf.edu/conduct/>

**Office of the Student Ombudsman and Dean of Student**

Tom & Betty Petway Hall

Building 7

Suite 2700

( 04 20-14 1

<https://www.unf.edu/ombuds/>

<https://www.unf.edu/deanofstudents/>

**UNF Women's Center**

Founders Hall (Building 2 Room 2100

( 04 20-2 28

<https://www.unf.edu/womenscenter/>

*Authority:* Board of Governors Regulations 1 001 Titles VI and VII of the Civil Rights Act of 1 64 Title IX of the Education Amendments Act of 1 72

*Approved by the BOT as amended 10/14/21.*