

APPENDIX Q. Reporting Harassment and Discrimination

SECTION 06Q.101 Working Environment

It is Miami University's position that employees and students should have a working, learning, and living environment free from harassment and discrimination. Should students experience harassment or discrimination from other students, employees, or visitors of the University, they should seek assistance from the Office of Equity and Equal Opportunity by visiting the website at www.muohio.edu/oeco, or by calling 529-7157. Students may also contact the Sexual Harassment Referral Service (members may be found online at www.muohio.edu/oeco/SHRSRepresentatives), which will then advise the students of the appropriate procedures to follow in seeking redress.

SECTION 06Q.102 Filing a Complaint

Students who believe they have been the victims of harassment and/or discrimination on the basis of race, sex, religion, color, national origin, age, disability, or sexual orientation should file a complaint with the Office of Equity and Equal Opportunity, located in Hanna House on the Oxford Campus (529-7157). More information about complaint procedures and harassment and discrimination is available on the website at www.muohio.edu/oeco. Students should follow the procedures outlined in Appendix S, Policy Prohibiting Harassment and Discrimination (see also the "University Statement Asserting Respect for Human Diversity" in the Introduction to the *Student Handbook*).

APPENDIX R. Romantic and Sexual Relationships in the Instructional and Supervisory Setting

SECTION 06R.101 Prohibited Supervision

Faculty members and graduate students are prohibited from exercising academic supervision over persons with whom they have a romantic or sexual relationship (academic supervision is defined as assigning grades, sitting on a thesis or dissertation committee, or otherwise exercising decision-making power that affects the student's academic record, academic benefits, or progress toward graduation). Supervisors are prohibited from having supervisory responsibility over persons with whom they have a romantic or sexual relationship. A faculty member, graduate student, or supervisor who has a romantic or sexual relationship with a person over whom he or she has academic or other supervisory responsibility must notify his or her immediate superior of the relationship. The faculty member, graduate student, or supervisor must be removed immediately from all decision-making processes and supervisory roles concerning the person with whom he or she has the relationship. The University

requires the resolution of all conflicts of interest created by the relationship.

SECTION 06R.102 Grounds for Discipline

Failure to report the relationship, cooperate in the transfer of supervisory responsibility, and resolve all conflicts of interest are grounds for discipline, up to and including termination under appropriate University policies.

APPENDIX S. Policy Prohibiting Harassment and Discrimination

IMPORTANT NOTE: To be acted on by the University, a written charge of discrimination or harassment must be filed within 300 calendar days of the most recent occurrence of the alleged harassing or discriminating behavior. A person who believes that he or she has been the victim of harassment or discrimination may proceed directly to the filing of a written charge (see Section 06S.110).

SECTION 06S.101 Harassment and Discrimination Are Prohibited

06S.101.A. Respect for human diversity is an essential element of the Miami University community. Miami University strongly opposes and will not tolerate harassment or discrimination on the basis of age, color, disability, national origin, race, religion, sex, or sexual orientation. This prohibition extends to discrimination in any form and to all forms of harassment, including the creation of an intimidating, hostile, or offensive working, learning, or living environment.

06S.101.B. Discrimination and harassment are also illegal. This policy is not intended to impair or limit the right of anyone to seek a remedy available under state or federal law. Legal remedies may be pursued outside Miami University by contacting the Equal Employment Opportunity Commission, the Ohio Civil Rights Commission, or the United States Department of Education Office for Civil Rights, or by consulting an attorney at the individual's own expense. Under the law, there are various time limits for filing charges outside the University. Individuals should contact the agencies listed above or an attorney to determine the applicable time limits.

06S.101.C. This policy may in some respects exceed the requirements of applicable law. However, this policy will not be enforced so as to infringe upon First Amendment rights, including the right to academic freedom.

SECTION 06S.102 Coverage

This policy prohibits harassment and discrimination by or against all persons on University property, including University employees and students as well as visitors, contractors, and other third parties. This policy also covers students and employees pursuing University-related work or study away from campus.

SECTION 06S.103

Romantic and Sexual Relationships in the Instructional and Supervisory Contexts

The University discourages romantic and sexual relationships between supervisor and employee or faculty and student (see Appendix R). In the event of an allegation of sexual harassment, the University will carefully scrutinize any defense based on a claim that the relationship was consensual when the facts establish that an academic or employment power differential existed within the relationship.

SECTION 06S.104

Information and Assistance

Many offices and individuals on Miami's campuses provide general information and assistance regarding harassment and discrimination. Consultation with any office or individual other than those listed in Section 06S.107 will not be considered a report to the University and will not result in any action under this policy.

SECTION 06S.105

Action

Any person who believes he or she has been the victim of discrimination or harassment is encouraged to pursue relief under this policy. If, as the result of an investigation of a written charge, the University determines that there is reasonable cause to believe that discrimination or harassment has occurred, the University will take action to provide appropriate relief to the victim. The University will also take appropriate action, up to and including disciplinary action, against the perpetrator under Section 06S.114 of this policy.

SECTION 06S.106

Retaliation Is Prohibited

It is a violation of this policy and applicable law for a person to be disciplined or otherwise disadvantaged as a result of a good faith resort to this policy. Any retaliatory action or conduct taken by any individual against a person who has sought relief under this policy is strictly prohibited and will be regarded as a separate and distinct violation of this policy. Examples of retaliatory action include assigning low grades, assigning undesirable teaching schedules, and giving deflated performance evaluations. This protection against retaliation extends to any person who opposes acts of discrimination or harassment or who testifies, assists, or participates in any manner in an investigation, proceeding, or hearing relative to discrimination or harassment.

SECTION 06S.107

Reporting Harassment or Discrimination

06S.107.A. Any person who believes he or she is the victim of harassment or discrimination may report the behavior directly to the Office of Equity and Equal Opportunity. Alternatively, the person may report the behavior to any of the following individuals: a department chair, a dean, an administrative head of office, the director of Human Resources, the assistant provost for personnel and director Academic Personnel Services, or the director of Intercollegiate Athletics. Any person designated in the preceding sentence who receives a report or has knowledge of harassment or discrimination must promptly inform the Office of Equity and Equal Opportunity, which will conduct a preliminary assessment of the report.

06S.107.B. The report should not be made to the same person who has committed the behavior believed to be harassment or discrimination. A person who believes that he or she has been

harassed or discriminated against by someone listed in the preceding paragraph should make the report to someone else on the list.

SECTION 06S.108

Advisers

Any person who reports harassment or discrimination and any person against whom such an allegation is made may be accompanied at all stages of the process described in this policy by a friend, family member, or other individual of his or her choice to provide support and assistance.

SECTION 06S.109

Initial Response to a Report

Upon the receipt of a report of harassment or discrimination, the Office of Equity and Equal Opportunity will make a preliminary assessment of the report. Every effort will be made to handle such reports fairly, impartially, and quickly. In order to protect both the person making the report and the person against whom the report has been made, every effort will be made to handle the matter in a discreet manner. The Office of Equity and Equal Opportunity may facilitate an informal resolution of the report agreed to by all parties. An informal resolution of the report does not bar the subsequent timely filing of a written charge.

SECTION 06S.110

Filing a Written Charge of Harassment or Discrimination

To initiate formal resolution procedures, an individual must file a written charge with the Office of Equity and Equal Opportunity within 300 calendar days of the most recent occurrence of the harassing or discriminatory behavior. This charge specifies the incident(s) of harassment and/or discrimination, and it is signed by the person making the charge. A copy of the charge must be provided to the person against whom the charge is made.

SECTION 06S.111

Investigation of a Written Charge

Within 15 class days of receipt of a written charge, the Office of Equity and Equal Opportunity will conclude its investigation to determine whether there is reasonable cause to believe that harassment or discrimination occurred, including the extent and severity of the violation. At the completion of the investigation, the Office of Equity and Equal Opportunity will issue a written report of its investigation that includes a finding of reasonable cause or no reasonable cause and related recommendations. A copy of the report will be given to both the charging party and respondent. After the report is issued, both the charging party and respondent are permitted to review the Office of Equity and Equal Opportunity's investigation file.

SECTION 06S.112

Review

06S.112.A. If dissatisfied with the report of the Office of Equity and Equal Opportunity, either the charging party or the respondent may request a review by a Harassment/Discrimination Review Panel Committee (the Panel Committee). The request must be made in writing, stating the reasons therefore, to the Office of Equity and Equal Opportunity within ten class days of receipt of the Office of Equity and Equal Opportunity's report.

06S.112.B. The Harassment/Discrimination Review Panel (the Panel) is appointed annually by the President to serve for the undergraduate and graduate student bodies, the faculty, and the classified and