

**THE ST. LAWRENCE
NONDISCRIMINATION
AND DISCRIMINATORY
HARASSMENT
POLICIES**

For further information contact Susan M. Cypert,
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315-229-5584, Vilas G1

or

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Associate Dean of Student Life
315-229-5551, Student Center

WHAT KINDS OF BEHAVIORS CONSTITUTE DISCRIMINATORY HARASSMENT?

St. Lawrence University Policy prohibits discriminatory harassment. Discriminatory harassment is behavior or communication of some kind – words, gestures, posters – that affect a person’s ability to work or to get an education by creating an intimidating, threatening or abusive educational or work environment. Usually it is behavior that is persistent, pervasive or repetitious.

Discriminatory harassment is behavior that gets in the way of the person who wants to get on with being a student or to do his or her work. Discriminatory harassment is **NOT** about *good manners*, it is **NOT** about being able to *take a joke*, it is **NOT** about being *oversensitive*. Discriminatory harassment is behavior that frightens, demeans, or belittles, and that interferes with a person’s academic or work life. Discriminatory harassment, because it is discriminatory behavior, is against the laws that protect everyone’s civil rights.

IMPACT – NOT INTENT

*DISCRIMINATORY HARASSMENT IS ABOUT IMPACT-
NOT INTENT.*

The real question is **WHAT IMPACT DID THE BEHAVIOR HAVE?**
not Did the harasser mean any harm?

WHAT’S THE FUSS?

DOES DISCRIMINATORY HARASSMENT REALLY AFFECT PEOPLE?

Discriminatory harassment can make people feel angry, afraid, embarrassed, degraded and intimidated, and can have negative physical and psychological impact.

WHO SETS THE STANDARDS ON WHAT’S ACCEPTABLE – AND WHAT ISN’T?

At SLU the important standard is mutual respect including a respect for and support for diversity.

St. Lawrence University Nondiscrimination, Discriminatory Harassment & Sexual Harassment Policies
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Nondiscrimination Policy

All members of the St. Lawrence community are valued equally. We are committed to multicultural diversity in our faculty, staff, student body and curriculum. Awareness training for students, faculty and staff is designed to eliminate all forms of discrimination. St. Lawrence University subscribes fully to all applicable federal and state legislation and regulations (including the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act; the Age Discrimination in Employment Act (ADEA); the Age Discrimination Act of 1975; New York State Human Rights Law; and Part 53, Section 607 of the New York State Educational Law) regarding discrimination, as well as the Drug Free Workplace Act of 1988. The University does not discriminate against students, faculty, staff, or other beneficiaries on the basis of race, color, gender, religion, age, disability, marital status, veteran's status, sexual orientation, or national or ethnic origin in admission to, or access to, or treatment, or employment in its programs and activities. Retaliatory action of any kind taken by any employee, student, or beneficiary against any other employee, student, or beneficiary as a result of that person's seeking redress under this policy is prohibited. St. Lawrence University is an Affirmative Action/Equal Opportunity Employer. For further information contact St. Lawrence University's Age Act, Title IX, and Section 504 Coordinator, Susan M. Cypert, Special Assistant to the President for Equity Programs, Vilas Hall Room G1, St. Lawrence University, Canton NY 13617, 315-229-5584, FAX 315-229-7431, scypert@stlawu.edu .

Office of Equity Programs

Rev. Feb. 2008

Discriminatory Harassment Policy

It is the policy of St. Lawrence University that all our employees and students should be able to enjoy a work and educational environment free from all forms of discrimination and discriminatory harassment, including sexual harassment. St. Lawrence University provides for the development of a climate of tolerance and pluralism and prohibits expressive behavior which is demeaning, intimidating or hostile, communicated verbally, physically or with other communication device, including telephonic or electronic means. It is expressly against University policy for any employee or student to engage in discriminatory harassment which is defined as any demeaning, intimidating or hostile verbal, physical or symbolic behavior that is based on race, religion, ethnicity, age, gender, national origin, marital or veteran's status, disability or sexual orientation, and has the effect of interfering with a

reasonable person's academic or work performance or of creating, as experienced by a reasonable person, an intimidating or hostile situation or environment. Such behaviors include, but are not limited to, the use of slurs, epithets, gestures, demeaning jokes or derogatory stereotypes.

***Sexual harassment is one form of discriminatory harassment, and is covered by this policy.**

It is expressly against University policy for any employee or student to engage in sexual harassment. A charged atmosphere is often involved in instances of sexual harassment, which is defined as any unwelcome sexual advancement, request for sexual favors, or other physical or verbal conduct of a sexual nature when:

- 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
- 2) submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
- 3) such conduct has the purpose or effect of unreasonably interfering with an individual's academic or professional performance or creating an intimidating, hostile or offensive employment, educational, or living environment.

No forms of discriminatory harassment of students or employees will be tolerated. Any employee or student will be subject to disciplinary action for violation of this policy, up to and including termination or expulsion. Discrimination and harassment may be found to be illegal under both state and federal law. In some cases, it may be susceptible to prosecution under criminal sexual law.

This policy is not intended to proscribe, and should not limit free discussion of, the merits of any issue relating to ethnic, racial, religious or other multicultural difference or open inquiry into any material or issue relevant to the academic content of a course.

Not all offensive conduct or language that might be derogatory concerning an individual or group necessarily constitutes discriminatory harassment. Whether a specific act does in fact constitute discriminatory harassment must be determined on a case-by-case basis in light of all relevant circumstances.

If you believe you have experienced or are experiencing discriminatory harassment, talk to the person or persons who may be responsible for the problem. If that is not possible, or doesn't work, speak to someone for help or advice. Any St. Lawrence University employee having a complaint of harassment is urged to notify his or her immediate supervisor at once. If the complaint is against the immediate supervisor, or if the complainant for any other reason is not comfortable with or is unable to contact his or her supervisor, the University's Office of Equity Programs, the Human Resources Office or the Office of Security & Safety may be contacted.

If you are a student you may speak to your academic advisor, the chairperson of the department, any staff member in student life, particularly residential learning, security, counseling, or the Associate Dean of Student Life, or to the special assistant for equity programs.

If you are an employee, speak with the human resources office, the vice president or dean of the area involved (academic affairs, administrative operations, admissions and financial aid, business and finance, information technology, student life, university advancement), the equity programs office or the Office of Security & Safety.

Formal complaints of alleged discriminatory harassment are heard by the Discriminatory Harassment Hearing Board, which is described in the Student Handbook and on the SLU website under *Policies* or *Human Resources* as well as a Section 504/ADA Grievance Procedure for complaints relative to those regulations. For more information about the DHHB or other venues for complaints contact Susan M. Cypert, Special Assistant to the President for Equity Programs in Vilas G1, 229-5584, Fax 315-229-7431, scypert@stlawu.edu .

Retaliatory action of any kind (such as, but not exclusive to adverse action vis-à-vis standing in employment or student status, adverse decisions re salary, job performance or student performance, or adverse action taken re opportunity for advancement for an employee or student) taken by any employee (including faculty, department heads, supervisors, and co-workers), student or beneficiary of the University against any other employee, student, or beneficiary as a result of that person's seeking redress through an appropriate means, including under the procedures of the DHHB, cooperating in any appropriate inquiry in the matter, or otherwise participating in any proceedings under the procedures of the DHHB or appropriate University body is prohibited. Any such retaliatory action can be the basis for a separate complaint.

Any person may also contact outside authorities to file complaints. External agency rules, or procedures internal to St. Lawrence University, may obviate further internal review in the event a complainant chooses an external route.

For more information about the DHHB consult the SLU Policies website [SLU/Faculty & Staff/Policies] @ <http://www.stlawu.edu/policies/index.html> or contact Susan M. Cypert, Special Assistant to the President for Equity Programs, Vilas G1, 315-229-5584, FAX 315-229-7431, scypert@stlawu.edu .

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EXAMPLES OF DISCRIMINATORY HARASSMENT

POISONED ATMOSPHERE

The work or study environment is demeaning or hostile or belittling based on persistent comments or things like jokes, teasing, pictures or cartoons. The offensive or hostile atmosphere gets in the way of a student being a student (e.g. being unwilling to speak up in class, difficulty concentrating, cutting class, skipping a lab or assignment or avoiding working with a certain individual or group, avoiding getting special help from a faculty member or tutor) or of being a worker (e.g. being late or not coming to work, avoiding certain job tasks in order to avoid certain co-workers or situations, being unable to concentrate or to work effectively).

THE LIVING ENVIRONMENT

A poisoned atmosphere can be created in a residential setting. One or more students – male or female – can create a hostile environment for others – male or female – that could be discriminatory harassment. The “poison” can include persistent and repeated notes on a message board, emails or voice mail messages, whistles, sneers, or other comments, posters or cartoons or spreading rumors. The harasser is often acting anonymously while “poisoning” the victim’s life. Persistent, repetitive, or unwelcome behavior of this kind could be found to be discriminatory harassment.

If you believe you have or are experiencing discriminatory harassment, **speak to someone** (see the recommendations below), you do not have to “go it alone”. Seek advice, seek help!

<p style="text-align: center;">WHAT SHOULD I DO IF I EXPERIENCE DISCRIMINATORY HARASSMENT?</p>

THE THREE R'S: RESPOND... REPORT ... RECORD

RESPOND: If you are being harassed you can confront the harasser and make it very clear that you want the harassment to stop. You can communicate this in writing or person-to-person. Consider having another person with you for support.

REPORT: If you can't confront the harasser, or you confront the harasser and the harassment doesn't stop, **SEEK FURTHER HELP.** See below.

RECORD: DOCUMENT DOCUMENT DOCUMENT what is going on. A written diary of what happens when and where and at what time is important. It helps you get a full picture of what is going on, as well as creating the full picture for anyone else who gets involved.

GET SUPPORT! TALK TO SOMEONE! Harassment does not go away by itself. Just ignoring it will probably not make it stop. Talk to someone, at least for support. Your supervisor, your faculty advisor, your department chairperson, a staff member in Student Life or Human Resources (see below for contacts).

WHERE TO FILE A COMPLAINT:

STUDENTS: talk to a faculty member or advisor, someone in the FYE, the chair of your academic dept., a staff member in Student Life (such as Residence Life, Security and Safety), or the Special Assistant for Equity Programs.

The Counseling Center can provide counseling but due to confidentiality, the counselors can't process complaints or talk to anyone else.

EMPLOYEES: talk to a supervisor, the Security & Safety Office, or the Human Resources/Equity Programs Office. The Employee Assistance Program can provide counseling, but must protect confidentiality and can not report or process complaints.

Alternatives outside SLU: Your concern may be one that can be submitted as a complaint with outside authorities, such as the local law enforcement agency (i.e. the Canton Village Police), a state agency (i.e. the New York State Division of Human Rights), or a federal agency (i.e. the EEOC [Equal Employment Opportunity Commission] or Department of Education).

WHAT HAPPENS WHEN THERE IS A COMPLAINT OF DISCRIMINATORY HARASSMENT?

Complaints can be informal or formal, the difference being whether the complainant wants her/his name known, and what the complainant wants done.

ADVICE AND SUPPORT

Advice and support is provided to a complainant with any report. A first and primary concern is the complainant's well-being. Is the complainant in any immediate danger? If so the issues of safety must be addressed first. It might mean keeping the alleged harasser off campus and seeking assistance from the Canton Police.

CEASE AND DESIST – An Informal Complaint

The most common request from a complainant is *Make it stop, I just want to get on with my life*. The complainant often doesn't want her/his name used, so it is considered an informal complaint. When this is the situation the Special Assistant or the Associate Dean of Student will try to find a way to talk to the alleged harasser, without revealing the complainant's identity. The talk identifies behaviors that shouldn't be happening and that must stop, if they are.

The Cease and Desist approach does not involve an investigation, hence there isn't a decision about who's "guilty". The alleged harasser is warned against any future action, but there is no discipline for what action might have occurred up to that point.

If the Cease and Desist doesn't work the complainant can proceed to a formal complaint which involves revealing names, investigating, and possible discipline. The Cease and Desist can be a first step, not the final step.

Formal complaints of alleged discriminatory harassment are heard by the Discriminatory Harassment Hearing Board, which is described in the Student Handbook and on the SLU website under "Policies" or "Human Resources". For more information about the DHHB contact Susan M. Cypert, Special Assistant to the President for Equity Programs in Vilas, G-1, 315-229-5584.

WHAT CAN I DO TO PREVENT DISCRIMINATORY HARASSMENT?

Support and encourage knowledge and understanding. Talk with friends and colleagues. Sponsor educational events or programs. Think about the issues, the behavior of groups you belong to or your friends, and your own behavior.

Remember, it's not what you meant, it's how the other person is affected. Think about how you behave in a group of peers, think about what kind of behavior you've learned to accept as *just the way we are* or *that's just the way it is*. Is it? Can't it change?

WHAT CAN I DO TO SUPPORT A VICTIM OF DISCRIMINATORY HARASSMENT?

Listen, provide support, and help the person talk to someone who can be of further help (see the list below).

Encourage the victim to R-R-R: respond / report / record.

CONTACTS:

Security & Safety	229-5555
Student Life Office	229-5311
Office of Residence Life	229-5250
Associate Dean of Student Life	229-5550/5551
Counseling Center	229-5391
Office of Human Resources	229-5596
Special Assistant for Equity Programs	229-5584/5509
Employee Assistance Program	(1-800-327-2255)
Canton Village Police	386-4561