

Harassment or discrimination by anyone, whether in the classroom, the office, at a University sponsored function, or within any university environment, will not be tolerated. Individuals found to participate in harassment or discrimination will be subject to disciplinary procedures up to and including termination.

### **Individuals Covered Under the Policy**

Troy University's comprehensive harassment and discrimination policy covers all employees, students, applicants, vendors/contractors, visitors, and all others conducting official business with the University.

### **I. Definition of Harassment**

For purposes of Troy University's policy, harassment is any comments or conduct consisting of words or actions that are unwelcome or offensive to a person in relation to sex, race, age, religion, national origin, color, marital status pregnancy, or disability or veteran's status. This is inclusive of comments or conduct by a person in a position of authority that is intimidating, threatening or abusive. Harassment can also occur between people of similar authority. Harassment occurs when it is known or ought reasonably to be known that such comments or conduct would be unwelcome.

Examples of harassment include gestures, remarks, jokes, taunting, innuendo, display of offensive materials, threats, imposition of academic penalties, hazing, stalking, shunning or exclusion related to the discriminatory or harassment grounds. The victim should directly inform the harasser that the conduct is unwelcome and must stop. The victim should report any complaint as dictated by policy.

NOTE: In any case of harassment, the harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee to include students.

### ***Sexual Harassment***

Sexual harassment is defined by this policy includes 1) unwelcome sexual advances, 2) requests for sexual favors, and 3) any other verbal, graphic, or physical conduct of sexual nature constitutes sexual harassment when submission to, or rejection of this conduct explicitly or implicitly, affects an individual's employment or educational experience, unreasonably interfere with an individual's work performance or academic performance, or creates an intimidating, hostile, or offensive work or educational environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

1. Demanding sexual favors in exchange for favorable evaluations, assignments, promotions, continued employment, grades, letters of recommendation or similar promises.
2. Subtle pressure for sexual activity.
3. Continued or repeated sexual jokes, kidding, teasing, epithets, flirtation, advances, or propositions.
4. Derogatory or demeaning comments about gender, whether sexual or not.
5. Harassment consistently targeted at only one sex, even if the content of the verbal abuse is not sexual.
6. Verbal abuse of a sexual nature.
7. Graphic verbal commentary about an individual's body, clothing, sexual process, or sexual deficiencies.
8. Sexually degrading or vulgar words to describe an individual.
9. Leering, whistling, touching, pinching, brushing the body, assault, coerced sexual acts, or suggestive, insulting, or obscene comments or gestures.
10. The display in the workplace or an academic environment of sexually suggestive objects, pictures, posters or cartoons.
11. Introduction or utilization of inappropriate sexual material in an academic setting.
12. Name calling, relating stories, gossip, comments, or jokes that may be derogatory toward a particular sex.
13. The display of sexually suggestive graffiti.
14. Asking questions about sex

*NOTE:* Anyone witnessing an act of harassment and/or discrimination may report the incident directly to the Human Resources Department.

**The results of the investigation may fall into two categories:**

- **No Merit**

***B. Investigation***

Human Resources will coordinate the investigation of the complaint and file a report with a subcommittee of the Personal Advisory Committee. The subcommittee and the appropriate Senior Vice Chancellor will determine whether there is a reasonable basis for believing the alleged violations of the harassment and discrimination policy has occurred. The investigation may include oral interviews and/or written statements from the complainant, the alleged harasser, any witnesses who may be able to provide pertinent information about the facts of the case, and review of any documentation of previous allegations and/or disciplinary actions related to harassment or discrimination. In the course of the investigation, the alleged harasser will be informed of the allegations and the facts surrounding the allegations and will be afforded a full opportunity to respond.

In general, the investigation process will consist of the following procedures:

1. Interview complainant.
2. Have complainant read, approve, and sign a written report of the incident.
3. Notify accused of complaint. Interview and obtain written report from accused.
4. Interview and obtain written reports from witnesses to the incident of harassment or discrimination.

The University is committed to investigating and resolving any complaint of harassment or discrimination brought to the attention of the University. The investigation process will be completed in an appropriate and timely manner.

An individual who believes he or she is a victim of harassment or discrimination or retaliation is encouraged to keep a record of the objectionable conduct. However, the complainant should be aware that a record kept at the direction of the University may be considered privileged, to any extent possible.

***C. Committee Review and Resolution***

The results of the investigation will be reviewed by an appropriate subcommittee of the Personnel Advisory Committee and the appropriate Senior Vice Chancellor.

<u>Individual Accused</u>	<u>Appropriate Committee to Hear Claim</u>
Student	· Student Services Committee
Faculty	· Executive Vice Chancellor · Dean of college or school · One faculty member · Human Resources Director
Staff or Administrator	· Senior Vice Chancellor of the employee's division · Two staff employee members from the Personnel Advisory Committee · Human Resources Director
Others associated with the University	· Vary depending on circumstances

If a member of the appropriate body is involved in the incident or asked to be recused from the review, another appropriate representative will be appointed to the review committee by the Senior Director of Human Resources.

- Disciplinary warning/reprimand
- Referral to appropriate counseling
- Reassignment
- Temporary suspension
- Termination

*B. Students*

Potential sanctions for harassment include the following:

- Disciplinary warning/ reprimand
- Disciplinary probation
- Suspension
- Expulsion

Troy University compiles and maintains information about students which facilitates educational development of the student

- A. Provost
- B. Senior Vice Chancellor, Student Services and Administration
- C. Senior Vice Chancellor, Finance and Business Affairs
- D. University Registrar
- E. Deans of various schools within the university

These officials shall hereinafter be referred to as “records officials.” Each official is responsible for maintaining a listing of student records within such records official’s area of responsibility, which listing shall indicate the location and general content of the records. Any student request concerning his or her records or files, including requests that information not be disclosed to the public, requests for disclosure to third parties, and requests for access by the student shall be directed to the appropriate records official. Forms for all such requests may be obtained from these officials. The appropriate records official will also attempt to resolve any challenges to the records at an informal hearing with the student and, if an agreeable solution is not reached, the records official will refer the student and his or her challenge to the University Hearing Officer, who shall set a hearing within 10 days thereafter for final decision.

#### **6. ACCESS OF STUDENT RECORDS TO STUDENT.**

The student is accorded the right to inspect and review, in the presence of a university staff member, any records, files and data directly related to the student. To inspect his or her personal folder or file, a student shall submit a written request to the appropriate records official, which request shall be signed by the student and, if not personally submitted by the student, then the student’s signature shall be acknowledged by the affidavit of a Notary Public. The request for inspection shall be acted upon within 45 days from the date such request is received. If, in the opinion of the appropriate records official, inspection can reasonably be accomplished by providing copies of documents, such copies shall be made and provided to the student.

#### **7. LIMITATIONS ON ACCESS.**

The right of inspection of personal information described in paragraph “6” above does not include:

- A. Financial records of the parents of the student or any information contained therein;
- B. Confidential letters and statements of recommendation, which were placed in the education records prior to January 1, 1975, if such letters or statements are not used for purposes other than those for which they were specifically intended;
- C. Other confidential records, access to which has been waived by the student in accordance with policy concerning waivers.

#### **8. CHALLENGING THE CONTENTS OF THE RECORD.**

If, after inspecting the record, a student wishes an explanation or to challenge any part of the contents of such record, then the student shall submit a written request for a hearing in the same manner and under the same procedures as provided by paragraph “5.”

The request for hearing should identify the item or items in the file to be challenged and state the grounds for the challenge, e.g., inaccuracy, misleading nature, inappropriateness, etc. The records official shall examine the contested item, shall hear the person responsible for placing the item in the file if appropriate and possible, and shall examine any documents or hear any testimony the student wishes to present. The records official may decide that the contested item should be retained, that it should be deleted or revised or referred to the Hearing Officer who shall set a hearing within 10 days thereafter for final decision. In the event any part of the challenged item is retained, the student shall be allowed to place a written examination thereof in the file. A writ-

ten decision shall be delivered or mailed to the student within 10 days from the date such hearing is concluded, either by the records official or the Hearing Officer.

#### **9. WAIVER OF ACCESS.**

A student or a person applying for admission may waive their right of access to confidential statements concerning application for admission, financial aid, employment, honorary recognition, or any other benefit made available by Troy University.

The student may sign and return the waiver or may request a list of the names of persons who will be asked for recommendations as to such application prior to signing and returning such waiver or the student may decline to waive the right of access. No such application shall be conditioned upon or prejudiced by the student’s failure or refusal to sign such waiver.

#### **10. PROVIDING RECORDS TO THIRD PARTIES -- CONTENT OF CONSENT.**

The policy of Troy University is to refuse access to student records to third parties without the written consent of the student except as provided in paragraphs 1 and 4. Any records pertaining to a student, which are not excluded by the provisions of paragraph 2, shall be released upon receipt of that student’s written request, directed to the proper records official, specifying the records to be released, the reason for such release, the person to whom the records are to be released, and whether a copy thereof is also to be furnished the student.

#### **11. PARENTAL NOTIFICATION LETTER**

In accordance with (FERPA) Family Educational Rights and Privacy Act, the university must have parental and student consent to allow the university to release student information to the parents and/or legal guardians. This information includes grades, billing information, schedules and judicial files.

#### **12. TRANSFER OF INFORMATION BY THIRD PARTIES.**

Any information released under paragraph “10” shall be expressly conditioned upon the understanding that the party to which the information is being transferred will not permit any other party to have access to such information without the consent of the student. Such conditional understanding shall be in writing, and included in or attached to each release of information.

#### **13. RECORD ACCESS.**

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**15. COST OF COPIES.**

Any copies of records furnished at the request of a student shall be subject to the payment of a reasonable fee, to be established by the university from time to time, for such service.

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**COURSE PREFIXES (KEY TO ABBREVIATIONS)**


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ACT.....	Accounting	IED.....	Interdisciplinary Education
ANT.....	Anthropology	IS.....	Information Systems
ARB.....	Arabic	JRN.....	Journalism
ART.....	Art and Design	KHP.....	Kinesiology and Health Promotion
AS.....	Aerospace	KOR.....	Korean
ASL.....	American Sign Language	LAT.....	Latin
AT.....	Athletic Training Education	LAW.....	Law
BIO.....	Biology	LDR.....	Leadership
BUS.....	Business	MB.....	Marine Biology
CDC.....	Cross Discipline	MGT.....	Management
CHI.....	Chinese (Mandarin)	MKT.....	Marketing
CHM.....	Chemistry	MSL.....	Military Science and Leadership
CJ.....	Criminal Justice		
CLA.....	Classics		
COM.....	Speech Communication		
CS.....	Computer Science		
DRA.....	Dramatic Arts		
ECD.....	International Economic Development		
ECE.....	Early Childhood Education		
ECO.....	Economics		
EDU.....	Education		
ELE.....	Elementary Education		
ENG.....	English		
ESL.....	English as a Second Language		
FIN.....	Finance		
FLN.....	Foreign Language		
FRN.....	French		
GEM.....	Surveying and Geomatics Sciences		
GEO.....	Geography		
GER.....	German		
GRK.....	Greek		
HIS.....	History		
HLT.....	Health		
HON.....	University Honors Program		
HS.....	Human Services		
IDS.....	Interdisciplinary Studies		