

**20.3/70.2.2 Policy on Discrimination, Harassment and Bias Incidents<sup>1</sup>**

**Approval Authority:**

**Cabinet**

**Responsible Officer:**

**Vice President for Human Resources;**

Vietnam-era veteran or recently separated veteran), predisposing genetic characteristics, domestic violence victim status, or any other characteristic protected by applicable law (each, a “Protected Characteristic”).

## 2. Harassment

Harassment is unwelcome, offensive conduct that occurs on the basis of a Protected Characteristic. It is a form of discrimination and violates this Policy. Conduct that violates this Policy is not necessarily a violation of the law.

While it is not possible to identify every form of conduct that can constitute harassment, harassing conduct can occur in various forms, including:

**Verbal Harassment**, including unwelcome sexually suggestive, demeaning or graphic comments; using ethnic, racial, religious or other slurs to refer to a person; jokes or comments that demean a person, in each case on the basis of a Protected Characteristic;

**Physical Harassment**, including unwanted sexual contact; sexual intimidation through physical threats; physical threats toward or intimidation of another person, in each case on the basis of a Protected Characteristic;

**Visual Harassment**, including exposing another person to unwanted pornographic images; creating or displaying racially, ethnically or religiously offensive pictures, symbols, cartoons or graffiti; and

**Communication-Based Harassment**, including phone calls, emails, text messages, chats or blogs that offend, demean or intimidate another person, in each case on the basis of a Protected Characteristic.

A hostile environment is created when the offensive behavior reaches a level of severity or pervasiveness that it interferes with a reasonable person’s ability to participate in the University’s programs (i.e., to work and to learn).

A determination as to whether harassment occurred depends on the totality of the circumstances, including the context of a communication or incident, the relationship of the individuals involved in the communication or incident, whether an incident was an isolated incident or part of a broader pattern or course of offensive conduct, the seriousness or severity of the incident, the intent of the individual who engaged in the allegedly offensive conduct, and its effect or impact on the individual and the learning community. The fact that a person was personally offended by a statement or incident does not alone constitute a violation of this Policy.

Importantly, if the conduct or incident in question did not occur because of one or more Protected Characteristics, such conduct is not regulated by this Policy.

## 3. Bias Incidents or Hate Crimes

A bias incident constitutes violence to a person or damage to property (or a threat to do so) or an act of intimidation that is motivated entirely or partly by hostility toward or intolerance of another person's Protected Characteristic. Individuals who cause bias incidents act in violation of this Policy.

A bias incident may be a hate crime. Federal and state laws prohibit hate crimes, and hate crimes often result in enhanced criminal penalties. Individuals who commit hate crimes may be subject to criminal prosecution in addition to discipline pursuant to this Policy. The fact that a criminal complaint has been filed, prosecuted or dismissed will not prevent Stevens from pursuing disciplinary action.

Bias incidents and hate crimes are forms of discrimination and constitute violations of this Policy.

## **C. Reporting and Investigating Discrimination, Harassment and Bias Incidents**

### **1. Reporting an Incident**

Any member of the University community who has been subject to discrimination, harassment or a bias incident, or who has witnessed clear circumstances of discrimination, harassment or bias, should report it.

Students should report such conduct or incidents to the Office of the Vice President for Enrollment Management and Student Affairs or via the "Report a Concern" link on my Stevens.

Employees should report such conduct or incidents to their supervisor or the Vice President for Human Resources.

Visitors should report such conduct or incidents to a University administrator or a Campus Police officer, who will refer the report to the appropriate office.

Though anonymous complaints can be more difficult for the University to investigate, members of the University community may also report concerns anonymously through the University's EthicsPoint Compliance Hotline at (855) 277-4065, or on the [EthicsPoint website](https://secure.ethicspoint.com/domain/media/en/gui/31028/index.html).<sup>4</sup>

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may also be the subject of retaliation. Retaliation against anyone