

Appendix C: Western Michigan University Policy on Sexual Harassment and Sexism

Introduction

Western Michigan University is committed to an environment which encourages fair, humane, and beneficial treatment of all faculty, staff, and students. In accordance with that fundamental objective, the University has a continuing commitment to assure equal opportunity and to oppose discrimination because of race, color, religion, national origin, sex, sexual orientation, gender identity, age, protected disability, veteran status, height, weight, or marital status. Therefore, in that same perspective, neither sexual harassment nor sexism will be tolerated at Western Michigan University. It is expected that each member of the University community will consider herself/himself responsible for the proper observance of this policy.

Definitions

Sexual Harassment: Sexual harassment is defined as unwelcome sexual conduct which is related to any condition of employment or evaluation of student performance. This definition is intended to include more than overt advances toward actual sexual relations. It applies as well to repeated or unwarranted sex-related statements, unwelcome touching, sexually explicit comments, and/or graphics. All persons should be sensitive to situations that may affect or cause the recipient discomfort or humiliation or may display a condescending sex-based attitude towards a person. Sexual harassment is illegal under both state and federal law. In some cases, it may be subject also to prosecution under the criminal sexual conduct act. Conduct will be defined as sexual harassment when any or all three of the following conditions exist:

1. The sex-related situations are unwelcome by the recipient.*
2. A specific or implied connection with employment or student status is involved.
3. The sexual harassment continues after the recipient has made it clear that the conduct is unwelcome.*

Sexism: Sexism is defined as the perception and treatment of any person, not as an individual, but as a member of a category based on sex. Whether expressed in overt or subtle form such as sex-related jokes or materials, sexism in the classroom or workplace is unacceptable at the University; and its elimination shall be the responsibility of the entire University community. Depending upon the seriousness of the misconduct, informal corrective action may be adequate.

Complaint Procedure: Sexual harassment and sexism constitute acts of misconduct. Therefore, whenever such acts are reported and confirmed, prompt disciplinary action will be taken, up to and including discharge. However, to enable the University to act through these formal procedures, employees and students are encouraged to report such incidents. Employees should report such conduct to the Associate Vice President and

Chief Human Resources Officer, 1300 Seibert Administration Building (387-3620). Students should report it to the Office of Institutional Equity, 1220 Adrian Trimpe Building (387-6316).

The Associate Vice President and Chief Human Resources Officer and the Associate Vice President for Institutional Equity, shall jointly establish appropriate procedures to implement this policy. They shall also investigate thoroughly any complaints of alleged sexual harassment or sexism, and then report the results of such investigations to the President of the University.

If you hesitate to file a sexual harassment complaint for fear of retaliation, you need to know that: Federal and state law, as well as University policies, protect any person who has filed a complaint of sexual harassment or sexism from being intimidated, threatened, coerced, and discriminated against or any other form of retaliation.

Likewise, protection is afforded any person who testifies, assists or participates, in any manner, in an investigation resulting from a sexual harassment complaint.

Therefore, any individual so harassed, intimidated or otherwise retaliated against may file a complaint alleging harassment, intimidation or retaliation. Such complaint should be filed with the Office of Institutional Equity, 1220 Adrian Trimpe Building (387-6316).

Approved by Board of Trustees, May 17, 1985.

*In some cases of overt physical sexual conduct, a blatant threat if sexual favors are not given, or promised reward in exchange for sexual favors, no notice that the conduct is unwelcome shall be necessary, and a finding of sexual harassment may be based on a single occurrence.

Appendix D: Resources for Victims of Sexual Assault

Western Michigan University recognizes that sexual assault is a serious social problem that occurs among college students as well as within other segments of our society. The University makes a strong commitment to work toward preventing sexual assault within our community, to provide support and assistance to sexual assault victims, and to impose sanctions on those who have been found responsible for a sexual assault. Our goal is to foster and protect an environment of mutual respect and concern and a safe community in which learning and growth can occur.

As used here, the term “sexual assault” is synonymous with the University’s definition of “sexual misconduct,” as stated in the Student Code, Article IV: Proscribed Conduct, B. Conduct Policies, item 15, Sexual Misconduct.