

University of Wisconsin—Stevens Point Discrimination Policy

STATEMENT OF PURPOSE

It is the policy of the University of Wisconsin-Stevens Point to:

- Foster an environment of respect for the dignity and worth of all students, employees, and guests of the University;*
- Provide an environment which is conducive to the free and open exchange of ideas; and*
- Strive to eliminate bias, prejudice, discrimination, and harassment in all forms and manifestations.*

Discrimination

Discrimination based on an individual's age, race, color, religion, sex, gender identity or expression, national origin, conviction record, membership in the National Guard, state defense force or any other reserve component of the military forces of the United States or this state, or other protected class status is demeaning to all students, employees, and guests; impairs the process of education; and violates individual rights. As defined from the UW System, Board of Regents' 14-6 policy:

Discrimination is conduct that adversely affects any aspect of an individual's employment, education, or participation in an institution's activities or programs, or has the effect of denying equal privileges or treatment to an individual on the basis of one or more characteristics of that individual's protected status or category as defined herein.

Discriminatory Harassment is a form of discrimination consisting of unwelcome verbal, written, graphic or physical conduct that:

1. Is directed at an individual or group of individuals on the basis of the individual or group of individuals' actual or perceived protected status, or affiliation or association with person(s) within a protected status (as defined herein above); and
2. is sufficiently severe or pervasive so as to interfere with an individual's employment, education or academic environment or participation in institution programs or activities and creates a working, learning, program or activity environment that a reasonable person would find intimidating, offensive or hostile.

To constitute prohibited harassment, the conduct must be both objectively and subjectively harassing in nature. Harassment may include but is not limited to verbal or physical attacks, threats, slurs or derogatory or offensive comments that meet the definition set forth herein. Harassment does not have to be targeted at a particular individual in order to create a harassing environment, nor must the conduct result in a tangible injury to be considered a violation of this policy. Whether the alleged conduct constitutes prohibited harassment depends on the totality of the particular circumstances, including the nature, frequency and duration of the conduct in question, the location and context in which it occurs and the status of the individuals involved.

Complaints about discrimination, including sexual harassment should be brought to the Director of Human Resources and Affirmative Action for action under Section 36.12(1), Wisconsin Statutes (within 300 days of the alleged violation), and Title IX of the Education Amendments of 1972. This commitment shall be incorporated into Community Rights and Responsibilities (for students and staff) and the University Handbook (for faculty and staff).

For Resolution of a Discrimination Complaint

Any person (student or staff member) who believes s/he has been the target of discrimination on the basis of race, gender, gender identity or expression, religion, color, creed, disability, sexual orientation, national origin, ancestry, age, marital status, pregnancy, or parental status in employment or as a UWSP student should report it to the Director of Human Resources and Affirmative Action, 133 Old Main, ext. 3975 for resolution. Other campus service providers (i.e., Counseling Center personnel, Health Service care providers, Residence Hall Directors) should refer complainants to the Department of Human Resources and Affirmative for complaint resolution.

Educational Programming

To promote UWSP's goal of creating a discrimination-free educational environment, the Director of Human Resources and Affirmative Action will regularly conduct informational sessions and workshops for faculty and staff on UWSP policies and procedures related to sexual harassment and other forms of discrimination. The Equity and Affirmative Action Committee will serve as a further source of information and programming on these issues.

UWSP PROCEDURES FOR RESPONDING TO DISCRIMINATION COMPLAINTS

Any person (student or staff member) who believes s/he has been the target of discrimination on the basis of age, race, color, religion, sex, gender identity or expression, national origin, ancestry, marital status, pregnancy, parental status, sexual orientation, disability, political affiliation, arrest or conviction record, membership in the National Guard, state defense force or any other reserve component of the military forces of the United States or this state, or other protected class status, should report it to the Director of Human Resources and Affirmative Action, 133 Old Main, ext. 3975 for resolution. Others (counseling center personnel, faculty, residence hall directors, deans, department chairs, personnel office staff, student employment office staff) should refer a complainant to the Department of Human Resources and Affirmative Action unless a resolution is reached by contact with the aforementioned professionals.

I. Informal (Not Written) Complaint

A. The incident(s) will be recorded by the Director of Human Resources and Affirmative Action, or other appropriate official and options for resolution will be discussed with the complainant.

- B. If an informal complaint is brought to a person other than the Director of Human Resources and Affirmative Action, the individual to whom the complaint is brought consults with the Director.
- C. Other than collegial consultation, no action of any kind will normally be taken on any allegations in the absence of a written complaint.
- D. If the Director of Human Resources and Affirmative Action determines that there are compelling reasons to investigate the allegations of discrimination, s/he may do so even in the absence of a formal written complaint. Such an investigation will follow the procedures outlined in the University Handbook, Chapter 4C, Sections 7 & 9, and every attempt will be made to confine university action to collegial consultation whenever a complaint is made informally.
- E. A written record of the complaint will be kept in the Department of Human Resources and Affirmative Action for at least one year.
- F. Complaints should be received within 300 days of the alleged discrimination under Wisconsin Statute. However, complaints about alleged discrimination may be received at any time under Title IX of the Education Amendments of 1972, and Title VII.

II. Formal (Written) Complaints

- A. Whenever the Director of Human Resources and Affirmative Action, or other appropriate official receives a written complaint against a faculty or academic staff member, that official shall inform the complainant that the faculty or academic staff member against whom the allegations have been made must be promptly notified in writing of the allegations and that such notice includes the identity of the complainant. The complainant shall also be informed of the procedures for both informal and formal complaints as described in the University Handbook, Chapter 4, Sections 7 and 9.
- B. The university official will offer to meet with the faculty or academic staff member against whom the complaint is made to afford the individual an opportunity to respond to the allegations. At this meeting, the faculty or academic staff member is reminded that retaliation is prohibited and that if retaliation occurs, it will be dealt with through the line administrative structure.
- C. After reviewing the response, or in the absence of a meeting or response, the official shall either investigate the allegations to determine whether sufficient evidence exists to warrant disciplinary action or, in the case of faculty or academic staff, refer the complaint to the appropriate Mediation Subcommittee.
- D. If an investigation does not lead to a mutually acceptable response, the official forwards a written report to the Chancellor or other appropriate administrator who may invoke a disciplinary response or refer the complaint to the appropriate Mediation Subcommittee.
- E. Referrals, requests for hearings, and disciplinary action will be handled according to:
 - 1. Chapter 4, Section 7 or 9 in the University Handbook and Chapters UWS 4, 6, 11, and 13 of the Wisconsin Administrative Code for faculty and academic staff.
 - 2. Various collective bargaining agreements, the UWSP Classified Employee Handbook and/or Chapter 230 of the Wisconsin Statutes, as appropriate, for classified staff.
 - 3. UW-Stevens Point Community Rights and Responsibilities and Chapter UWS 17 of the Wisconsin Administrative Code.

*Including sexual harassment complaints

RETALIATION PROHIBITED AT UW—STEVENS POINT

Retaliation is defined as adverse action taken against an individual in response to, motivated by or in connection with an individual's complaint of discrimination or discriminatory harassment, participation in an investigation of such complaint and/or opposition of discrimination or discriminatory harassment in the educational or workplace setting. At the University of Wisconsin—Stevens Point, retaliation against an employee or student is also a form of discrimination and will not be tolerated.

Revised: 11/06/2014