

City University of San Francisco

Non-Discrimination Policy

POLICY STATEMENT

City University of San Francisco prohibits the discrimination, harassment, and assault of any members of the university community, as well as any retaliatory behavior related to harassment reports. This policy applies to all interactions that involve learners. Interactions that do not involve learners are covered under the "Sexual and other Unlawful Harassment" policy located on in the Employee Handbook.

RATIONALE

This policy provides an university statement regarding the prohibition of discrimination, harassment, and assault, and clarifies the definitions and procedures to protect all members of the CUSF Community against these actions.

DEFINITIONS

Community

Community includes all learners, faculty, administrators, staff, contracted workers, and others who participate in CUSF activities.

University Administrator

A university administrator is a university employee who holds a position of responsibility at a supervisory or managerial level, or higher.

Discrimination

Discrimination is the segregation or separation of individuals based on race, gender, age, ethnicity, religion, national origin, disability, sexual orientation, marital status, or status with regard to public assistance, as more precisely defined under the Minnesota Human Rights Act and Title VII of the Civil Rights Act.

Harassment

Harassment encompasses any unwanted behavior that results in a hostile environment.

Sexual Harassment

Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, including, but not limited to, the following:

- Submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's employment or education.
- Submission to or rejection of such conduct by an individual is used as a basis for employment or educational decisions affecting such individual.
- The conduct interferes with an individual's work or academic performance or creates an intimidating, hostile, or offensive working or academic environment.
- Unwelcome, unnecessary or coerced touching, kissing, grabbing, hugging, cornering, or other physical contact, which is of a sexual nature or sexually motivated.
- Unwanted sexual compliments or comments.
- Demand for sexual favors accompanied by implied or overt threats concerning employment, grades, compensation, tangible benefits, or recommendations.

- Unequal academic or employment performance standards, discipline, or work regulations because of sex.
- Deliberate or careless use of offensive or demeaning language, which has a sexual connotation.
- Deliberate or careless dissemination of materials such as cartoons, articles, pictures, or graffiti that have a sexual content, which are not necessary for the employment or academic environment, and which are offensive to learners and employees.

Assault

Assault is the commission of an act with the intent to cause fear of immediate bodily harm or death, or the intentional infliction or attempt to inflict bodily harm upon another.

PROCEDURES

I. Education

CUSF believes that education can be proactive in minimizing incidents of discrimination, harassment, or assault and offers education for learners, faculty, and staff. Information is disseminated via the Internet through the employee training program.

II. Procedures for Addressing Discrimination, Harassment, or Assault

- A. Any member of the university community who believes that he or she has been discriminated against, harassed, or assaulted may request assistance from any university administrator or a staff member in charge at any university-related event.
- B. A university administrator will inform the complainant of university procedures. Individuals will be directed to university policy *4.02.03 Learner Grievance*.

III. Procedures for Addressing Sexual Assault

In cases of sexual assault, the grievant follows the university policy *4.02.03 Learner Grievance* and has the following additional rights:

- A. Receiving prompt assistance of CUSF administrators, at the grievant's request, in notifying appropriate law enforcement personnel.
- B. Having an advocate present during disciplinary proceedings concerning the sexual assault (the advocate will act as a support person, and shall be a faculty member, staff member, or learner).
- C. Receiving assistance of CUSF administrators in preserving the grievant materials relevant to a CUSF grievance proceeding.

IV. Retaliatory Action

- A. Retaliatory actions include actions taken against a grievant, the person against whom a grievance is brought, or those participating in the grievance procedure.
- B. Retaliatory actions may be grounds for a discriminatory/harassment complaint as described in this policy.

V. Physical Scope of Coverage

CUSF prohibits discrimination, harassment, or assault on any CUSF premises, including offices, teaching sites, campuses and parking facilities, vehicles used for CUSF business, or anywhere while conducting university business or engaging in university-facilitated learning.