

AUBURN UNIVERSITY at MONTGOMERY

POLICY REGARDING PROHIBITED SEX DISCRIMINATION

1. INTRODUCTION

Auburn University at Montgomery is committed to providing a working and academic environment free from prohibited discrimination and harassment and to fostering a nurturing and vibrant community founded upon the fundamental dignity and worth of all its members.

2. POLICY

In accordance with applicable federal law, Auburn University at Montgomery complies with all regulations regarding unlawful discrimination against or harassment of its students. Any form of discrimination or harassment related to a student's race, color, sex (which includes sexual orientation, gender identity, and gender expression), religion, national origin, age, sexual orientation, veteran status, genetic information, or disability (protected classes) is a violation of University policy. Any violation of this policy will be treated as a disciplinary matter. This policy is intended to cover any prohibited harassment of or discrimination against a student by other students, employees, or University agents. This policy also covers harassment of students by non-employees on University property or while engaged in University sponsored activities, as well as prohibited discrimination against students by University contractors. Student-on-student complaints of sexual harassment or sexual misconduct, up to and including sexual assault, will be handled according to the University's [Title IX Grievance Procedures](#).

3. DEFINITION

Harassment in academic settings and in the employment arena where students are involved is defined as:

Conduct (physical, verbal, graphic, written, or electronic) that is (1) unwelcome; (2) discriminatory on the basis of race, color, sex, religion, national origin, age, sexual orientation, veteran status, genetic information, or disability; (3) directed at an individual or group in one of the protected classes outlined in this policy; and (4) so severe or pervasive and objectively offensive that it unreasonably interferes with the victim's ability to participate in or to realize the intended benefits of an institutional activity, opportunity, or resource, unreasonably interferes with the victim's work or living environment, or deprives the victim of some other protected right.

4. PROHIBITION AGAINST RETALIATION

It is a violation of this policy to take an adverse employment action against any employee, because he/she opposed a practice they reasonably believed to be discriminatory; or filed an internal or external complaint, grievance, or charge; or participated in any investigation or proceeding, in accordance with this policy.

If an employee feels that he or she is being harassed by any other employee (including supervisor, coworker, etc.) because of race, color, sex, religion, national origin, age, disability, veteran status, sexual orientation or genetic information, the employee should at once make this known to his or her immediate supervisor. The supervisor will promptly notify the Office of Human Resources whose responsibility it is to see that the matter is investigated, and that, where appropriate, disciplinary action is taken. If the employee does not feel the matter can be discussed with the supervisor, the employee should arrange for a conference with the Office of Human Resources to discuss the complaint.

Prohibited harassment of University employees in connection with their work by non-employees may also be a violation of this policy. Any employee who becomes aware of prohibited harassment of an employee by a non-employee should report such harassment to his or her supervisor or to the Office of Human Resources, whose responsibility it is to investigate such matters. Appropriate action will be taken against non-employee violators of this policy.

5. REPORTING AND RESOLUTION PROCEDURES

Students who believe they have been discriminated against on the basis of their protected class should report incidents to the [Office Human Resources \(304 Taylor Center\)](#) or [Student Affairs \(163 Taylor Center\)](#). All faculty, staff, and administrators should assist students in directing their harassment and/or discrimination complaints to the Office of Human Resources.

Employees who believe they have been discriminated against on the basis of their protected class should report incidents to the [Office Human Resources](#).

Representatives from Human Resources will investigate the incident and will consult with witnesses and other appropriate University officials as necessary. Complaints will be handled on a “need to know” basis with a goal toward protecting the complaining party from possible reprisal and protecting the accused from irresponsible or mistaken complaints.

6. MANDATORY REPORTING

There may be a time when an employee or AUM representative becomes aware of behaviors that are disruptive or of concern. Once they are made aware, regardless of how they choose to respond, the University has been put on notice and will be held liable for the action or inaction that is taken. We recognize that a natural inclination may be to avoid it, resolve it, let the parties work it out, etc. However, in situations that could involve harassment of any type, we are required by law to do more. Additionally, employees and those representing AUM have to consider that they are not necessarily privy to all the information (similar incidents, past decisions, new rulings, etc.) needed to make the necessary determinations in these types of situations. As such, in order to protect everyone, each person should notify the Office of Human Resources immediately once they are made aware or receive a complaint of:

- Hostile environment
- Harassment
- Sexual Harassment
- Discrimination
- Drug/Alcohol Abuse
- Sexual misconduct
- Retaliation
- Threats of violence

Please note that there is no specific language that the employee must use. However, if there is a belief or suspicion that an incident has occurred, send the employee to the Office of Human Resources and follow-up with the Chief HR Officer at 334 244-3639 to personally ensure that the situation has been redirected appropriately. We want to work with the leadership on our campus to be vigilant about preventing and immediately correcting these behaviors and ensuring a culture and a workplace free from criminal, discriminatory, and harassing behaviors.