

STOP

discrimination and
harassment



Colorado
University of Colorado at Boulder

OFFICE OF DISCRIMINATION AND HARASSMENT

The University of Colorado is committed to fostering a collegial academic community whose mission requires a positive learning, working, and living environment that values and protects individual dignity and the integrity of human relationships. As a place of work and study, the University of Colorado must be free of discrimination and harassment based upon race, color, national origin, sex, age, disability, religion, sexual orientation, or veteran status and related retaliation. Individuals who violate the University of Colorado at Boulder Policy on Discrimination and Harassment, the University Sexual Harassment Policy, or the University Amorous Relationships Policy will be disciplined or subjected to corrective action, up to and including termination or expulsion.

Discrimination

Discrimination is conduct that deprives an individual of a benefit of employment or educational opportunity on the basis of race, color, national origin, sex, age, disability, religion, sexual orientation, or veteran status.

Examples of discrimination:

- During a tenure review committee meeting Pat, a tenured faculty member, says, “I do not think Susie should be given tenure because she has three children and is obviously not devoted to her research.” Susie was denied tenure because of Pat’s statement.
- Tony was not interviewed for a position because he wears a crucifix.
- Mark was not considered for promotion because he is hearing impaired. Mark has the same qualifications and experience as other candidates, and he can perform the essential duties of the position.

What should I do if I think I have experienced or witnessed discrimination?

Contact the Office of Discrimination and Harassment.

Harassment

Harassment based upon race, color, national origin, sex, age, disability, religion, sexual orientation, or veteran status is conduct that interferes with an individual’s work or academic performance or participation in university programs or activities, and creates a working or learning environment that a reasonable person would find threatening, intimidating, or hostile.

Sexual harassment is unwelcome sexual attention that unreasonably interferes with an individual’s working or learning environment. It may involve intimidation, threats, coercion, sexual advances, request for sexual favors or other verbal, non-verbal, or physical conduct of a sexual nature.

Harassment may occur between individuals of the same or opposite gender and between students, faculty, staff, and administrators. It may occur when one individual holds a position of real or perceived authority over the other or between individuals of equal status. Harassment can occur anywhere on campus, including the classroom, workplace, residence hall, or within any university-sponsored program or activity.

To constitute harassment, the behavior must be severe or pervasive. Harassment can take many forms, and deciding whether harassment has occurred means examining each situation and all of the circumstances.

Harassment may involve:

- physically assaulting or repeatedly intimidating, teasing, mocking, or joking based upon an individual's race, color, national origin, sex, age, disability, religion, religious beliefs, sexual orientation, gender identity, gender expression, or veteran status
- repeatedly directing racial or ethnic slurs at an individual
- repeatedly telling an individual they are too old to understand new technology
- repeatedly pressuring an individual for dates or sexual favors
- repeatedly displaying sexually explicit visual material (calendars, posters, cards, software, and websites)
- repeatedly giving or sending inappropriate gifts, calls, letters, or e-mails
- promises or rewards (a better grade, or a promotion) in return for sexual favors
- unwelcome physical contact (repeatedly brushing against someone)
- sexual assault*

* While all sexual harassment is against the law, sexual assault is a criminal act and should be reported to the campus or city police.

Examples of harassment:

- Julie, a supervisor, repeatedly makes ethnically disparaging comments to Juan, such as, "If you don't do your job correctly, I'm going to send you back south of the border."
- Thomas acts and behaves in a more feminine manner and as a result, his classmates frequently tease him and call him a "queer" and a "girlie man."
- Professor Jones is in her office when her student Steve comes in, closes the door and suggestively says, "I'd do anything for an A in your class."

If you are experiencing discrimination and/or harassment, you may:

- have feelings of confusion, fearfulness, powerlessness, guilt, or shame
- lose motivation
- experience a loss of self-esteem
- drop a class or quit your job
- change majors, change careers, or even leave the university

Supervisory Obligation to Report

Any supervisor who receives a complaint or witnesses discrimination, or harassment based upon an individual's race, color, national origin, sex, age, disability, religion, sexual orientation, or veteran status or related retaliation must promptly report it to the Office of Discrimination and Harassment. If the alleged harasser is a student, the report must be made to the Office of Judicial Affairs. A supervisor is anyone who has the authority to hire, promote, discipline, evaluate, grade, or direct faculty, staff, or students. This includes but is not limited to faculty, teaching assistants, resident advisors, coaches, and anyone who leads, administers, advises, or directs university programs.

What should I do if I think I have experienced or witnessed harassment?

1. *Tell the harasser to stop*

If you feel comfortable doing so, directly and succinctly tell the individual to stop the offensive behavior. The individual may be unaware that you find the behavior to be offensive or unwelcome.

2. *Write a letter*

In many cases, a letter to the individual may clear up any misunderstandings and cause the behavior to stop. The letter should include a statement such as: "When you (stare at me, put your hand on my shoulder, make sexual, racial, or religious comments/jokes), I feel uncomfortable. I want you to stop that behavior immediately."

3. *Tell someone*

Discussing the situation with someone will help you sort out your feelings and decide what to do. You may want to talk to someone you trust, such as a friend, or a confidential resource on campus. (See the resources listed in this brochure.)

4. *Keep a record*

What happened? When? Where? Who were the other people present? How did you feel? Save written notes/correspondence, voice mail, and e-mail messages.

5. *Report the incident promptly*

Incidents of discrimination and harassment should be reported to the Office of Discrimination and Harassment or, if the alleged harasser is a student, to the Office of Judicial Affairs, as soon as possible. Professional staff will work with you to determine the most appropriate means of addressing your concerns.

Retaliation

Retaliation occurs when a materially adverse action is taken against an individual because he or she has, in good faith, reported allegations of discrimination or harassment, or participated in a discrimination or harassment investigation. The materially adverse action must be one that would dissuade a reasonable employee or student from making or supporting an allegation of discrimination or harassment. A determination of whether an action is materially adverse is made on a case-by-case basis.

Examples of retaliation:

- John's supervisor gives him an unsatisfactory performance review because John participated in a sexual harassment investigation.
- Sylvia received a *D* as her final grade after complaining that her professor used racially inappropriate comments in class, even though she received high grades on her assignments and exams.

What should I do if I think I have experienced retaliation?

Contact the Office of Discrimination and Harassment.

Amorous Relationships Involving Evaluative Authority

An amorous relationship exists when two people mutually and consensually understand a relationship to be romantic and/or sexual in nature. When two individuals are involved in an amorous relationship where one person has evaluative authority over the other person, three things must occur:

1. The person in the evaluative position must disclose the relationship to the unit head (chair/dean/appointing authority);
2. Both parties must be present when the disclosure is made; and
3. The unit head must terminate the evaluative relationship.

Office of Discrimination and Harassment

On-Campus Resources

Office of Discrimination and Harassment, 303-492-2127
www.colorado.edu/odh

Office of the ADA Coordinator, 303-492-0956
www.colorado.edu/humres/ADA

Center for Multicultural Affairs, 303-492-5667
www.colorado.edu/studentaffairs/cma

*** Counseling and Psychological Services**, 303-492-6766
www.colorado.edu/sacs/counseling

Director of Faculty Relations, 303-492-0447
www.colorado.edu/facultyaffairs/index.html

Disability Services, 303-492-8671
www.colorado.edu/disabilityservices

*** Faculty Ombuds Office**, 303-492-1574
www.colorado.edu/ombuds/facultyombuds.html

*** Faculty and Staff Assistance Program**, 303-492-3020
www.colorado.edu/studentaffairs/fsap

Gay Lesbian Bisexual Transgender Resource Center, 303-492-1377
www.colorado.edu/GLBTRC

Office of Judicial Affairs, 303-492-5550
www.colorado.edu/studentaffairs/judicialaffairs

Office of Labor Relations, 303-492-0956
www.colorado.edu/humres/support

*** Office of Victim Assistance**, 303-492-8855
www.colorado.edu/studentaffairs/victimassistance

*** Ombuds Office**, 303-492-5077
www.colorado.edu/ombuds

University of Colorado Police Department, 303-492-6666
www.colorado.edu/police

Office of Veterans' Affairs, 303-735-3028
www.colorado.edu/studentaffairs/va

*** Wardenburg Psychological Health and Psychiatry**,
303-492-5654
www.colorado.edu/healthcenter/php

Women's Resource Center, 303-492-5713; TTY 303-735-0377
www.colorado.edu/WomensResourceCenter

**Individuals may obtain confidential assistance from these departments because they are exempt from the supervisory obligation to report alleged discrimination and harassment.*

Office of Discrimination and Harassment

Off-Campus Resources

Boulder County Sheriff Department Emergencies, 911,
other sheriff services 303-441-4444, 1777 6th Street, Boulder

Boulder Department of Police Emergencies, 911,
other police services 303-441-3333, 24-hour victim advocate
303-441-4048, 1805 33rd Street, Boulder

Colorado State Employee Assistance Program, 303-866-4314
www.colorado.gov/dpa/eo/eap

Emergency Psychiatry Services, 303-447-1665,
24-hour availability, including suicide prevention,
1333 Iris Avenue, Boulder

MESA (Moving to End Sexual Assault), 303-443-0400,
24-hour hotline 303-443-7300, Administrative Office
2885 East Aurora Avenue, Suite 10, Boulder

Safehouse Progressive Alliance for Nonviolence,
Outreach Center 303-444-2424, 835 North Street, Boulder

The policies discussed in this brochure will not be interpreted in a manner that limits constitutionally protected expression. Offensive workplace behavior that does not violate these policies should be addressed by the appropriate supervisor or office.

The University of Colorado at Boulder Policy on Discrimination and Harassment, the University Sexual Harassment Policy, the University Amorous Relationships Policy and other useful information are available at **www.colorado.edu/odh** or from the Office of Discrimination and Harassment, Third Floor, Administrative and Research Center, 565 UCB, 303-492-2127.

The University of Colorado is an equal opportunity/nondiscrimination institution.