

**University of Missouri-St. Louis Procedures for Implementing the
*University of Missouri Collected Rules on Sexual Harassment***

Revised May 3, 2006

Sexual harassment is a form of sex discrimination and includes a spectrum of behaviors. As part of its policy to provide a positive discrimination-free environment, the University of Missouri prohibits sexual harassment in the work place or educational environment (<http://www.umsystem.edu/ums/departments/gc/rules/personnel/330/060.shtml>).

Individuals found to have sexually harassed others are subject to discipline, and victims of sexual harassment may seek redress under the appropriate University grievance procedures as well as through external procedures provided by law.

Sexual Harassment Defined

The *Collected Rules and Regulations* of the University of Missouri define sexual harassment as

1. Unwelcome sexual advances or requests for sexual activity by a University employee in a position of power or authority to a University employee or a member of the student body, or
2. Other unwelcome verbal or physical conduct of a sexual nature by a University employee or a member of the student body to a University employee or a member of the student body, when:
 - a. Submission to or rejection of such conduct is used explicitly or implicitly as a condition for academic or employment decisions; or
 - b. The purpose or effect of such conduct is to interfere unreasonably with the work or academic performance of the person being harassed; or
 - c. The purpose or effect of such conduct to a reasonable person is, to create an intimidating, hostile, or offensive environment.

The University's Obligation

The University has an affirmative obligation to investigate complaints of sexual harassment. Upon receiving notification of a sexual harassment complaint, the University is required to investigate such complaints for the protection of all students and employees from sexual harassment. Accordingly, an investigation will go forward once an accusation has been made. Although complainants cannot be assured of confidentiality, investigations are conducted in a professional and sensitive manner.

Reporting Sexual Harassment to the Office of Equal Opportunity

Reports or complaints about sexual harassment should be directed to the Office of Equal Opportunity (OEO). The OEO has the expertise to conduct such an investigation in an objective, fair, and confidential manner that will protect the interests of the individual bringing the accusation, witnesses, and the accused individual.

The OEO may ask the individual reporting sexual harassment to provide a written statement, indicating the name of the person and the nature of the alleged sexual harassment, specifying the date and location when alleged incidents occurred.

The OEO may contact the individual accused and inform him/her that a written statement will be forthcoming. The OEO may provide the individual accused with a copy of the statement and the name of the person making the complaint. The individual accused may be asked to respond in writing to state his/her position in the matter.

At the end of the investigation, the OEO will inform the individual bringing the allegations of sexual harassment whether disciplinary procedures will be initiated. If the investigation substantiates the accusation, the University will initiate the appropriate disciplinary procedures. If initiated, the person who made the accusation of sexual harassment will be informed about the discipline imposed. There is a five-year limitation period from the date of the occurrence to the date of the filing of a charge that may lead to discipline.

Non-Retaliation. The University prohibits retaliation against any person who brings an accusation of sexual harassment, who assists with the investigation, or who helps resolve the complaint.

False Accusations. The University may discipline an employee or student who has been determined to have brought an accusation of sexual harassment in bad faith.

Opportunities for Redress

Members of the University Community who believe they have been sexually harassed may seek redress using either the campus informal resolution process or by initiating a grievance under the appropriate University grievance procedure, or both. Pursuing an informal resolution or formal grievance does not compromise one's rights to initiate a grievance or seek redress under state or federal laws.

Guidelines for Informal Resolution of Sexual Harassment Complaints

After the initial investigation, the OEO Officer may consult with the individual bringing the accusation and the person accused of sexual harassment to determine if there is interest in resolving the matter informally.

Informal resolution may result in an agreement to end the behavior in question and may involve separate meetings by the OEO Officer or with each party or a joint meeting with the OEO Officer, and if appropriate, the supervisor of the respondent.

Guidelines for Formal Sexual Harassment Grievances

Persons who believe they have been sexually harassed may wish to formalize their allegations using the appropriate University grievance procedure. They may do so even

if informal resolution is also being pursued, as long as they initiate their complaints within the stated time period in the appropriate grievance procedure. The Office of Equal Opportunity will assist alleged victims to understand their rights, including how to file a grievance. Pursuing a grievance does not compromise one's rights to seek redress under state or federal laws.

The University has separate grievance procedures for faculty, staff, and students.

Faculty are referred to Collected Rules Section 370.010, "Academic Grievance Procedures" (<http://www.umsystem.edu/ums/departments/gc/rules/grievance/370/010.shtml>). The Office of the Provost administers the faculty procedures.

Staff are referred to Collected Rules Section 380.010, "Grievance Procedure for Administrative, Service and Support Staff" (<http://www.umsystem.edu/ums/departments/gc/rules/grievance/380/010.shtml>). The Division of Human Resources administers the staff procedures.

Students are referred to Collected Rules Section 390.010, "Discrimination Grievance Procedure for Students" (<http://www.umsystem.edu/ums/departments/gc/rules/grievance/390/010.shtml>). The Office of Student Affairs administers the student procedures.

Additional University Resources

Victims of sexual harassment may have additional needs. UM-St. Louis provides University Health Services (314-516-5671), Counseling Services (314-516-5711), and the Community Psychological Service (314) 516-5824).

