



Title of Policy:	Harassment, Discrimination and Retaliation
Policy No. #	1.7007
Type of Policy:	Administrative
Effective Date:	October 1, 2020
Last Revised:	New
Policy Owner:	Florida Memorial University
Policy Contact:	Office of Human Resources

I. Reason for Policy

The purpose of the Harassment, Discrimination and Retaliation Policy is to comply with local, state and federal standards of protection for students and University employees against words, actions, conduct or practices which inhibit the educational experience, or which would make it hostile, uncomfortable or unsafe. No student or employee may be intimidated, forced, coerced, ridiculed or mistreated. Any conduct which negatively impacts the mission of the University to provide equal access to a quality educational or work environment is prohibited by this Policy.

Federal law protects the rights of all persons on a university campus against harassment and discrimination, including aggressive or threatening words, gender-based physical violence, verbal or physical threats and intimidation, sexual harassment and assault, unwanted speech or touching, dating and intimate partner abuse or violence, hazing, stalking, bullying, cyberbullying and milder forms of harassment such as unwanted pressure, spoken words, or repeated but unwanted advances. This list is not exhaustive. Individuals are also protected from retaliation for reporting alleged violations of this Policy or participating in investigations of alleged violations of this Policy.

II. Policy Statement

Florida Memorial University (FMU) prohibits harassment or discrimination on the basis of race, color, religion, sex, national origin, political affiliation, sexual orientation, gender identity, marital status, disability and genetic information, age, membership in an employee organization, or other basis prohibited by law. FMU also prohibits retaliation for reporting alleged violations of this Policy or participating in investigations of alleged violations of this Policy. The University prohibits all conduct, words, practices or traditions which foster or create harassment, discrimination, or retaliation of any kind. Any action against a student or employee without consent constitutes harassment and/or discrimination and violates the Code of Conduct.

III. Scope

The Harassment, Discrimination and Retaliation Policy applies to all faculty, staff, students and third parties. This Policy also includes Title IX protections against sexual harassment and gender discrimination.

IV. Definitions

Term	Definition
Harassment	Harassment is any persistent action by a student or employee which creates hostility, discomfort or a feeling of not being safe or secure in the University community.
Sexual Harassment	Sexual Harassment refers to unwelcome conduct of a sexual nature or that is gender-based: Hostile Environment – constant, ongoing, persistent harassment. Quid Pro Quo – “This for that” or giving something in exchange for a sexual favor. This can be conveyed verbally or through physical conduct – especially by a person having authority over another.
Discrimination	Discrimination includes any action which creates a hostile learning or work environment, preventing education, promotion or advancement or pay increases or preventing access to University resources.
Consent	Consent is willful, voluntary, informed, active or clear words that indicate permission to engage in mutually agreed upon sexual activity. If consent is not given, any action taken against that person violates Title IX. Minors cannot give consent.
Retaliation	Retaliation is when an employer takes a materially adverse action because an individual asserts rights protected by applicable law.

V. Responsibilities

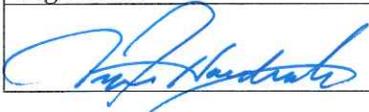
Every member of the FMU community is responsible for adhering to this Policy.

VI. Enforcement

This Policy shall be enforced by University administrators. It is the responsibility of the Office of Human Resources to oversee enforcement of this Policy. Any employee who violates this Policy will be subject to disciplinary action that may result in warning, probation, suspension or separation from the University.

The University Policies and Procedures Library is updated regularly. In order to ensure a printed copy of this document is current, please access it online at <http://policies.fmuniv.edu>.

Approved:

Signature	Title	Date
	<i>President</i>	<i>12/1/2020</i>