

Table of Contents

1. Non-Discrimination 3

2. Definitions..... 5

3. Drug Free Work Place..... 9

4. Smoking and Tobacco Use 10

5. Alcoholic Liquor and Cereal Malt Beverage..... 10

6. Conflict Of Interest 11

7. Internal Audits 12

8. Sensitive Information Protection and Identity Theft Prevention..... 12

9. Reporting Wrongful Conduct and Protection from Retaliation 13

10. Tuberculosis Control and Prevention 14

11. Social Media 14

12. Kansas Open Records Act..... 15

13. Religious Accommodations 15

14. Bulletin Boards and Posting 16

15. Behavioral Assessment 17

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A. General Topics.

1 Non-Discrimination—(Harassment, Sexual violence, and Retaliation).

1.1 University Commitment to Equal Opportunity. Washburn University is committed to providing an environment for individuals to pursue educational and employment opportunities free from discrimination and/or harassment. The University prohibits discrimination on the basis of race, color, religion, age, national origin, ancestry, disability, sex, sexual orientation, gender identity, genetic information, veteran status, or marital or parental status (hereafter referred to as “**protected status**”). Each unit within the University is charged with conducting its programs and activities in accordance with the University’s commitment to equal opportunity for all.

1.1.1. Discrimination based on protected status is prohibited by this policy and Federal and state laws: Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.; the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.; 42 U.S.C. §§ 1981, 1983, and 1985; Title VI and VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq., as amended by the Civil Rights Act of 1991, 42 U.S.C. § 1981a; the Rehabilitation Act of 1973, 29 U.S.C. § 791 et seq.; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681; the Clery Act as part of the Higher Education Act of 1965, as amended in 2008 (HEOA) and 2013 (VAWA), 20 U.S. C. § 1092(f); the Kansas Acts Against Discrimination, 44 K.S.A. § 1001 et seq.;

1.1.2. Sex discrimination includes sexual harassment (2.9), sexual violence (2.10), and some forms of relationship violence such as domestic violence (2.4), dating violence (2.2) and stalking (2.11).

1.1.3. If a violation of the policy is found, the University will take immediate action to eliminate the hostile environment, prevent its recurrence and remedy the discriminatory effect.

1.2 Equal Educational Opportunity. Equal educational opportunity includes, but is not limited to, admissions, recruitment, extracurricular programs and activities, counseling and testing, financial aid, health services, and employment.

1.3 Equal Employment Opportunity. Equal employment opportunity includes, but is not limited to, recruitment, hiring, assignment of duties, tenure and promotion determinations, compensation, benefits, training, and termination.

1.4 Responsibility. Responsibility for monitoring and implementation of this policy is delegated to the Equal Opportunity Director, who is also designated as our Title IX Coordinator; however, all Employees will share in the specific activities necessary to achieve these goals.

1.4.1. The Equal Opportunity Director Phone: 785-670-1509. Email: eodirector@washburn.edu. The EOD also serves as the Title IX and ADA Coordinator. (In this policy, hereinafter referred to as EOD/Title IX Coordinator.)

1.4.2. Responsibility for maintaining a harassment free campus environment rests with all Employees and Students, and others while on the University campus or involved in University-sponsored activities.

1.4.3. Any faculty member, Department Head, Area Head, or anyone in a supervisor role who becomes aware of sexual harassment on campus or during University-sponsored activities must take steps to prevent its recurrence and must report the matter to the EOD/Title IX Coordinator.

1.5 Who is Covered. The policy covers employees, students, applicants for employment or admission, contractors, vendors, visitors, guests, and participants in University-sponsored programs or activities. All individuals, regardless of sexual orientation of either party, are subject to this policy. This means that it applies to conduct between two students, between two employees, between an employee and student, and between an employee or student and a non-employee or non-student (third-party).

1.5.1. The policy applies whether behavior occurs on or off campus if the conduct adversely impacts an individual's equal educational or employment opportunity on campus, or the conduct poses an imminent or continuing threat to the safety of the University community.

1.5.2. All persons covered under this policy are required to fully cooperate with the EOD/Title IX Coordinator during an investigation and to provide information and materials such as official personnel or student files and records, and other materials necessary to complete a thorough review of complaints. All information, materials, and proceedings will be kept confidential and only shared with those who have a legitimate need to know.

Also see Regulations Section 2.6 for more detailed confidentiality provisions and Regulations Section 1.8, 1.27, and 2.9 for retaliation provisions.

1.6 Complaints. Complaints of discrimination or harassment are to be made to the EOD/Title IX Coordinator. See Section A.1. of Regulations and Procedures for the process and more information.

1.7 Sanctions. Persons who violate this policy are subject to sanctions, up to and including exclusion from the campus, dismissal from employment, or expulsion from the University. A list of all possible sanctions the University may impose can be found in the Regulations Section 3.6.

1.7.1. For third-parties found to violate the policy, the University's ability to take action may be limited. The University will take steps to provide appropriate remedies to the extent possible, while providing support (options as in Regulation Section 2) for the Complainant and campus community.

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- 1.8 Retaliation.** Retaliation against any person is prohibited under this policy and may result in sanctions or other disciplinary action. See Policy Section 2.11 for the definition of retaliation.
- 1.9 False Complaints, Misleading Information, or Breach of Confidentiality.** Persons who knowingly file a false complaint, provide false or misleading information, or violate the confidentiality provision of this policy are subject to disciplinary action. Disciplinary action will not be taken against persons who make a good faith complaint, even if the allegations are not substantiated.
- 1.10 Accommodations.** Consistent with state and federal laws, reasonable accommodations will be provided to those with a qualified disability.
- 1.11. Freedom of Expression.** This policy shall not be construed or applied to restrict academic freedom at the University, nor shall it be construed to restrict constitutionally protected expression, even though such expression may be offensive, unpleasant, or even hateful.
- 1.12 Record Retention.** The EOD/Title IX Coordinator will maintain records of all reports, decisions, and other documents under this Policy in order to track patterns and systemic behaviors. All documents will be retained for five years after the case was closed.
- 1.13 Establishment of Regulations.** The Administration shall develop regulations and procedures consistent with this policy.

2. DEFINITIONS

- 2.1 Consent.** Consent is the communication of an affirmative, conscious and freely-made decision by each party to engage in agreed upon forms of sexual contact. Consent is not to be inferred from silence, passivity, or a lack of resistance.
- 2.1.1.** There is no requirement that an individual verbally or physically resist unwelcome sexual contact for there to be a violation of this Policy.
- Consent is not to be inferred from an existing or previous dating or sexual relationship.
 - Consent to one form of sexual contact does not constitute consent to any other form of sexual contact.
 - Consent with one person does not constitute consent to sexual contact with any other person.
 - Consent on one occasion is not consent to engage in sexual contact on another occasion.
 - Consent cannot be obtained by coercion or force.
 - Consent cannot be obtained in any situation involving sexual contact with an individual who is incapacitated and the person engaging in that sexual contact, knew, or should have reasonably known, that the individual was incapacitated.

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- 2.1.2.** Consent may be withdrawn at any time. Once consent is withdrawn, the sexual contact must cease immediately.
- 2.1.3.** This definition is used for these policy purposes. Kansas statutes define consent in K.S.A. Section 21-5503.
- 2.2. Dating Violence.** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.
- 2.2.1.** Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of domestic violence.
- 2.2.2.** This definition is used for these policy purposes and is also considered a crime for Clery reporting purposes. Kansas statutes include dating violence as a type of domestic violence. K.S.A. 21-5111(i)(1).
- 2.3. Discrimination.** Behavior (verbal, physical, electronic, or other behavior) directed at an individual based on his/her protected status where (1) the individual is treated adversely without a legitimate, nondiscriminatory reason for the treatment, or (2) seemingly neutral policies, practices, or requirements have a disparate impact on employment, on-campus housing, or academic opportunities of a person's protected status without a valid business or academic reason. Discrimination includes failing to provide reasonable accommodations to a qualified individual with a disability and/or religious beliefs. (See WUPRPM Section A.13. Religious Accommodations.)
- 2.3.1.** Sex Discrimination includes sexual harassment and sexual violence.
- 2.4. Domestic Violence.** Felony or misdemeanor crimes of violence committed by a current or former family or household member.
- 2.4.1.** Family or household member means persons 18 years of age or older who are spouses, former spouses, intimate partner, parents or stepparents and children or stepchildren, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or who have lived together at any time. Family or household member also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.
- 2.4.1.1.** Crimes of violence include the use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse directed toward the family or household member. It can be a single act or pattern of behavior in a relationship.

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- 2.4.2.** This definition of domestic violence is used for policy purposes and is a crime for Clery reporting purposes. For purposes of criminal prosecution in our local jurisdiction, the crime would be reported as domestic battery. Kansas Statutes define “domestic violence” more broadly to include threats of violence as well as acts of violence, between family or household members and in a dating relationship, as well as crimes against person or property. K.S.A. 21-5111(i)
- 2.4.3** Kansas Statutes define the crime of domestic violence as 1) knowingly or recklessly causing bodily harm by a family or household member against a family or household member; or 2) knowingly causing physical contact with a family or household member by a family or household member when done in a rude, insulting or angry manner. See K.S.A. 21-5414.
- 2.5 Harassment.** Harassment is a form of discrimination and is defined as unwelcome verbal, physical, electronic, or other conduct based on an individual’s protected status. Harassment violates this policy when:
1. Enduring the offensive conduct becomes a condition of continued employment or education,
- OR**
2. The conduct has the purpose or¹ effect of creating a work, education, or on-campus housing environment that a reasonable person would consider intimidating, hostile, or abusive.
- AND**
3. The conduct must be sufficiently severe or pervasive to alter the terms, conditions or privileges of an individual’s employment, education, or on-campus housing.
- 2.5.1. Discrimination and Harassment can be behavior that:**
- May be overt or implicit, and involve a threat or that any educational or employment decision may be affected by an individual's unwillingness to tolerate or accept the behavior.
 - May or may not include the intent to harm.
 - May be offensive conduct that becomes a condition of continued employment, education, or residence in on-campus housing.
 - May adversely affect an individual's educational or employment opportunities by an individual's refusal to comply with or tolerate the prohibited activity.
 - May not be legitimately related to the subject matter of a course.

¹ For classroom instructional purposes, the behavior must have both the purpose AND effect

- May be a pattern of behavior or, if sufficiently severe, a one-time event.
- May take the form of threats, assault, property damage, economic abuse, violence, threats of violence, or stalking.
- May include harassing or retaliatory behavior directed to a sexual or romantic partner, family member, friend, or pet of the complainant.
- May be committed by anyone, regardless of protected status, position, or authority.

2.5.2. Examples include, but are not limited to the following: offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance, academics or on-campus housing.

2.6. Relationship Violence. Refers collectively to domestic violence, dating violence, and stalking in this policy and procedure. Relationship violence may be a form of sexual harassment prohibited by this policy.

2.6.1. Examples of relationship violence may include, but are not limited to, the following:

- Telling his/her partner that he/she is crazy, ugly, stupid, etc.
- Constantly calling or texting his/her partner when they are not together;
- Threatening to “out” the victim if in a same-sex relationship
- Insisting on always knowing the location his/her partner
- Refusing to acknowledge a problem that his/her partner feels is important
- Withholding sex and/or affection as a form of punishment
- Forcing another faith practice on his/her partner
- Mocking, ridiculing, or insulting his/her partner’s religious or spiritual beliefs
- Threatening to expose private or damaging information to his/her partner’s faith community
- Hiding or destroying documents, such as visas or immigration paperwork

2.7 Responsible Employee. For purposes of this policy, “Responsible Employees” are deans, directors, chairpersons, administrators, supervisors, faculty, Washburn Institute of Technology Instructors, academic advisors, resident assistants, coaches, advisors to student groups, and any other individual meeting the definition under the implementing regulations for Title IX. Any University employee who accompanies students off-campus on a University-sponsored trip is considered a Responsible Employee. Responsible Employee includes anyone designated as a Campus Security Authority under the Clery Act, identified as such in Washburn University Campus Security Report

(<http://www.washburn.edu/securityreport>). Employees who have a legally recognized confidential relationship with the complainant, (professional counseling services provider, for example) do not constitute Responsible Employees.

2.8. Retaliation Any attempted or completed adverse action taken against someone because he/she filed a complaint under this Policy, participated in the resolution of a complaint under this Policy, or opposed policies or practices he/she reasonably believed are discriminatory under this Policy.

2.8.1. This includes action taken against a witness (e.g. Bystander) who intervened to stop or attempt to stop discrimination, harassment, or sexual misconduct.

2.8.2. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's complaint or participation. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy.

2.8.2.1. If the retaliatory behavior is taken by a third-party, acting for either to the Complainant or Respondent, against another person who is complaining or participating in this process, then the party for whom they are acting shall be deemed responsible for the retaliatory behavior by that third-person.

2.9 Sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- 1a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
- 1b. Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual;

OR

2. The conduct has the purpose or² effect of:
 - a. Unreasonably interfering with an individual's work, education, or on-campus housing; or
 - b. Creating an intimidating, hostile, or offensive work, educational, or on-campus housing environment;

AND

² For classroom instructional purposes, the behavior must have both the purpose AND effect

Smoking and Tobacco Use policy applies to faculty, staff, students, contractors, and visitors to Washburn University and Washburn Institute of Technology campuses. Tobacco includes all forms of tobacco and tobacco use, including but not limited to cigarettes, cigars, pipe tobacco, electronic cigarettes, vapor-delivery devices, and chewing tobacco.

5. Alcoholic Liquor and Cereal Malt Beverage.

5.1 Purpose. This statement sets forth the policies applicable to the possession, serving, and consumption of alcoholic liquor and cereal malt beverages on University premises.

5.2 Establishment of Regulations. The Administration shall establish regulations and procedures governing the possession, serving, and consumption of alcoholic liquor and cereal malt beverages on University premises consistent with Board policies and applicable laws and regulations.

5.3 Serving Areas. Alcoholic liquor and cereal malt beverages may be served and/or consumed at an event only in or on the following designated areas:

- President's residence and adjacent grounds;
- International House;
- White Concert Hall foyer;
- Carole Chapel;
- Mulvane Art Museum and Mulvane Art Museum foyer;
- Lobby area adjacent to Libation Station and the lobby area adjacent to the administrative offices of the Law School building;
- Memorial Union meeting rooms and adjacent lobbies;
- Bradbury Thompson Alumni Center;
- Gray University Theatre foyer;
- Hospitality areas of the Bianchino Pavilion;
- McPherson Room in Petro Allied Health Center;
- Lee Arena in Petro Allied Health Center;
- Athletic Conference Room; and,
- All outdoor areas of the University's campus; provided, however, the sponsoring organization shall designate and identify, subject to approval by the President, a specified area within which the consumption of alcoholic liquor and cereal malt beverages shall be limited.

5.4 Nonalcoholic Beverages. Nonalcoholic beverages must be provided at all events at which alcoholic liquor and/or cereal malt beverages are served.

6. Conflict Of Interest.

6.1 Purpose. This statement sets forth policies applicable to conflict of interest and ethical conduct in the operation of University business.

6.2 Establishment of Regulations. The Administration shall establish regulations and procedures governing conflict of interest and standards of conduct consistent with Board policies and sound and equitable business. These regulations and procedures shall serve to ensure University business is conducted fairly and impartially and confidence in the University is maintained by its many constituents.

6.3 Ethical Conduct. Employees and others acting for and/or on behalf of the University shall conduct themselves in an ethical manner, beyond reproach, exemplifying the principles of professionalism, honesty, trustworthiness, respect, and accountability.

6.4 Conflict of Interest. No Employee or other person acting for or on behalf of the University shall engage in any activity which is in conflict with, or appears to be in apparent conflict with, the interests of the University in dealing with any person or entity having or seeking to have any relationship with the University. A conflict of interest may exist in any situation in which financial or personal considerations of an individual may compromise or appear to compromise such individual's judgment in the performance of his/her duties for and/or on behalf of the University, creating actual or apparent impropriety, creating negative publicity and/or having the potential of loss or harm to the University including, but not limited to:

- Loss of confidence in the University;
- Monetary loss; or
- Erosion of Employee morale.

6.4.1 All persons involved in projects receiving federal funds shall review and comply with applicable federal laws, regulations and/or federal agency conflict of interest policies.

6.5 Supervisor's Role. Each supervisor shall ensure all persons acting for or on behalf of the University under his or her supervision are familiar with this policy and with the policies and procedural requirements of his/her position.

6.6 Disclosure

6.6.1 Each person acting for or on behalf of the University shall promptly and fully disclose any conflict, or potential conflict, of interest she or he has or may have individually, as a family member, or through other relationship with others and refrain from participating in any matter to which the conflict pertains until the conflict has been resolved in the best interests of the University.

6.6.2 Certain designated Employees of the University shall, on an annual basis, make a disclosure of all business interests, affiliations, or relationships which could reasonably give rise to a conflict of interest, or an apparent conflict of interest with the University.

6.7 Disciplinary Action. Disciplinary action, which may include suspension from or termination of employment, shall be taken when conduct by a person acting for or on behalf of the University is deemed to violate this policy and its regulations.

6.8 Enforcement. Enforcement of this policy is the ultimate responsibility of the President who may delegate authority for enforcement to other University officials.

7. Internal Audits. For the purpose of maintaining proper accounting and management controls and efficient systems and procedures, the Administration shall, as it deems appropriate, conduct internal audits of University operations.

8. Sensitive Information Protection and Identity Theft Prevention.

8.1 Purpose. To set forth policies to protect University and individuals from loss or damage, including identify theft, arising from the disclosure of sensitive information related to Employees and Students and establishing an identity theft prevention program.

8.2 Establishment of Regulations. The Administration shall establish regulations and procedures for the use of sensitive information or personally identifiable information in conducting the business of the University and for implementing an identity theft prevention program consistent with Board policies and applicable laws and regulations.

8.3 Administrative Review. The Administration shall periodically review the programs and procedures established to ensure compliance with these policies and related regulations, and shall periodically update regulations and procedures in response to changes in risks.

8.4 Security of Information. The regulations shall require secure storage of printed sensitive information and secured access to sensitive information in electronic format.

8.5 Identity Theft Prevention. The regulations shall include reasonable procedures designed to:

- Identify relevant patterns, practice, or specific activity which indicates possible existence of identity theft (red flags) for accounts which are designed to permit multiple payments or transactions;
- Detect red flags; and,
- Respond appropriately to any red flags detected to prevent and mitigate identity theft.

9. Reporting Wrongful Conduct and Protection from Retaliation. Washburn University is committed to a policy prohibiting retaliation for good faith disclosures of unlawful acts or violation of University policies, regulations and procedures, including financial irregularities. This policy does not prohibit an employment action or any other action that would have been taken regardless of disclosure of information. The report of wrongful conduct will be investigated and the rights of the Employees protected. Reports that are frivolous, vindictive, and without support or merit may constitute a violation of this policy and may result in disciplinary action.

9.1 Reporting allegations. Employees or Students who have knowledge of specific acts which they reasonably believe violate federal, state or local law or which violate the policies, regulations and procedures of Washburn University may report those acts to University Counsel: Morgan Hall, Room 208C, 785-670-1712, or the appropriate University official as shown below:

Sexual Harassment, Discrimination or other Equal Opportunity issues:

Director, Equal Opportunity: Morgan Hall, Room 308A, 785-670-1509

Environment, Health or Safety:

Director, Safety Planning: Memorial Union, 785-670-1779

Misuse of Funds or Financial Irregularities:

Vice-President for Administration: Bradbury Thompson Alumni Center,
Room 208, 785-670-1634; AND,
Chair, Washburn Board of Regents

Student Misconduct:

Dean of Students: Morgan Hall, Room 104, 785-670-2100

NCAA Violations:

Director of Athletics: Petro Allied Health Center, Room 200, 785-670-1974

9.2 Retaliation prohibited. Employees or Students who engage in retaliatory conduct against one who has reported allegations pursuant to this policy will be subject to disciplinary actions pursuant to established University procedures, up to and including termination of employment or Student status.

9.3 Confidentiality. It is the obligation of administrators and supervisors to whom allegations are reported to maintain confidentiality to the extent possible.

10. Tuberculosis Control and Prevention. The Administration shall establish regulations and procedures governing the control and prevention of tuberculosis among Students consistent with Board policies and applicable laws and regulations.

10.1 Screening. A system of screening shall be established, the purpose of which shall be to identify the possibility of existing tuberculosis infection or past exposure to tuberculosis.

10.1.1 The screening shall be done on entering Students and on Students who have traveled for 90 or more consecutive days in countries with endemic Tuberculosis.

10.2 Restrictions. When evidence indicates a Student may have active tuberculosis, the Administration shall prevent the Student's physical presence in University classes or facilities until said Student is cleared by the Shawnee County Health Agency. Further, when any Student fails to follow prescribed procedures set forth in the screening process, the Administration shall impose appropriate restrictions on that Student until the Student has complied.

11. Social Media.

11.1 Purpose. To set forth policies for the creation and management of official Washburn University social media accounts/sites, as well as for proper content published and shared using these accounts. An official Washburn University social media account/site is one which carries the official university brand and speaks on the behalf of the University. This policy does not address the personal use of social media services by faculty, staff or students when not acting on behalf of the University. The University encourages the use of social media to strengthen its connection with current and future students, parents, alumni, donors, Employees, and the community.

11.2 Establishment of Regulations. The Administration shall establish regulations and procedures governing the development and maintenance of social media sites such as, but not limited to, FaceBook, Twitter, YouTube, and blogs, which are used to further the University's mission.

11.3 Permitted Participants. University Departments, University Groups, Employees, and Students are permitted to use social media sites within the established regulations.

12. Kansas Open Records Act. The Administration shall allow inspection and provide copies of public records of the University consistent with K.S.A. 45-215 *et seq* and amendments.

12.1 Official Record Custodian. The VPAT shall be the University's Official Record Custodian (ORC) and shall be responsible for the maintenance of public records, regardless of whether such records are in the ORC's actual personal custody and control.

12.2 Freedom of Information Officer. The University Counsel shall be the Freedom of Information Officer and shall upon request assist individuals seeking access to University records.

13. Religious Accommodations.

13.1 Purpose. To set forth policies applicable to the provision of reasonable accommodations to Students and Employees with respect to their religious beliefs.

13.2 Establishment of Regulations. The Administration shall establish regulations and procedures governing the reasonable accommodation to Employees and Students for observances of special significance to their sincerely held religious beliefs. These regulations and procedures shall be consistent with Board policies, applicable laws and regulations, and fair and equitable practices.

13.3 Reasonable Accommodation. Employees' sincerely held religious beliefs shall be subject to reasonable accommodation with respect to work schedules and other workplace requirements. Students' sincerely held religious beliefs shall be reasonably accommodated with respect to academic requirements and scheduling.

13.4 University Commitment. Washburn University is committed to respecting the religious beliefs and practices of all members of the University community and prohibits discrimination by its Employees or Students on the basis of religion.

14. Bulletin Boards and Posting.

14.1 Purpose. To set forth policies promoting the use of bulletin board type postings as an effective, efficient, and inexpensive medium of communication within the University.

14.2 Establishment of Regulations. The Administration shall establish regulations and procedures for the use of bulletin boards, building walls, and other appropriate University facilities for the posting of flyers, posters, sidewalk chalk messages, and other similar material, consistent with Board policies and applicable laws and regulations.

14.3 Safety Issues. The regulations shall include provisions for protecting the safety of individuals and University property.

15. Behavioral Assessment.

15.1 Purpose. The purpose is to set forth the policies for reporting, assessing, and responding to concerns regarding Student or Employee behavior that is troubling, disruptive, or threatening to individuals or the University community.

15.2 Establishment of Regulations. The Administration shall establish regulations and procedures governing the reporting, assessing, and responding to behavior that is troubling, disruptive, or threatening to the University community.

15.3 General Statement. The safety and security of University Employees, Students, and visitors are very important. **Threats, threatening behavior, acts of violence, or any conduct which disrupts another's work or academic performance or the University's ability to execute its mission will not be tolerated.**

15.3.1 Any individual who makes threats, exhibits threatening or disruptive behavior, or engages in violent acts on University-owned or controlled property may be removed from the premises pending the outcome of an investigation. Threats, threatening or disruptive behavior, or other acts of violence executed off University-owned or controlled property but directed at Employees, Students, or members of the public while conducting official University business is a violation of this policy. Off-site threats include, but are not limited to, threats made via the telephone, fax, electronic or conventional mail, or any other communication medium.

15.3.2 Violations or retaliation for reporting violations of this policy will lead to disciplinary action that may include suspension or expulsion, dismissal, arrest, and prosecution. In addition, if the source of such inappropriate behavior is a member of the public, the response may also include barring the individual(s) from University-owned or controlled premises, termination of business relationships with that individual, and/or prosecution of the individual(s).

15.4 Behavioral Assessment Team. The President shall appoint a University Behavioral Assessment Team to assess and respond to behavioral concerns and violations of this policy.

15.5 Responsibility. The University Counsel will convene the University Behavioral Assessment Team monthly, or more frequently as needed. When notified of a threat or act of violence, the University Behavioral Assessment Team will initiate a prompt review assessing the level of concern and formulate a plan in response.

15.6 Confidentiality. The University Behavioral Assessment Team will keep information confidential to the greatest extent possible.

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