University policy and campus responsibility

The University of Massachusetts Dartmouth's policies, and federal and state laws, including Title IX, require equal opportunity for all members of the University community and prohibit harassment of any of its community members. It is a matter of law and the policy of the University to promote a community that is free of harassment of any type, including sexual harassment.

“Harassment” means unwelcome conduct, whether verbal, physical, written or through an electronic medium (including, but not limited to the internet, electronic communications, facsimile transmission, instant messages or other technology) that is based on a characteristic protected by law, such as race, color, religion, gender, gender identity or expression, age, sexual orientation, national origin, ancestry, disability, military status, or genetic information. The university will not tolerate harassment or discrimination that affects employment or educational conditions, that interferes unreasonably with an individual’s school or work performance, or that creates an intimidating, hostile, or offensive work or school environment. Further, retaliation against an individual who has engaged in a protected activity such as, but not limited to, retaliation against an individual who has complained about harassment, or retaliation against individuals for cooperating with an investigation of a harassment complaint, is similarly unlawful and will not be tolerated.

Office of Diversity, Equity & Inclusion
305 Foster Administration Building
508.999.8008
eeo@umassd.edu

Harassment includes, but is not limited to:

1) display or circulation of written materials or pictures that are degrading to a person or group as previously described; and
2) verbal abuse or insults about, directed at, or made in the presence of an individual or group as previously described.

“Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic work;
2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or
3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working or academic environment.

“Sexual violence,” as defined by Title IX, refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.

A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX.

“Sexual assault” is more broadly defined as any sexual activity that is forced, coerced or unwanted. Any unwanted sexual contact constitutes a sexual assault and is a violation of the University’s code of conduct and Massachusetts state law.

“Sexual Coercion” is the act of using pressure, alcohol, drugs or force to have sexual contact with someone against his or her will. It is also persistent attempts to have sexual contact with someone who has already refused. “Pressure” can be, but not limited to, physical pressure, social pressure or the threat of social isolation, verbal pressure or emotional pressure.

The University takes allegations of harassment or violation of equal opportunity seriously and will respond promptly to complaints. Notwithstanding any provision of this policy, the University reserves the right to investigate and take action on its own initiative in response to behavior and conduct which may constitute discrimination or harassment or otherwise be inappropriate, regardless of whether an actual complaint has been filed.

All individuals (i.e., employees, students, contractors, visitors) are expected to fully cooperate in the procedure. An unwillingness to cooperate by an individual may result in a sanction(s).

Where it is determined that inappropriate conduct has occurred, the University will impose corrective action as necessary, which may include disciplinary action up to and including termination of employment or school-related discipline.

If you feel you are being discriminated against or harassed, immediately report it to a supervisor and/or the Office of Diversity, Equity & Inclusion. It is essential that all complaints be submitted to the Assistant Chancellor of Diversity, Equity & Inclusion and Title IX & ADA Coordinator within 180 days of the action that prompts a complaint.

Confidentiality
Information provided during and after the review of a complaint or investigation of alleged “harassment” will be maintained as confidential to the extent possible.
What should I do?

To report or file a complaint of possible discrimination, harassment or sexual violence, or to make a reasonable accommodation request, contact one of the following people listed below:

Deborah Majewski
Interim Assistant Chancellor for Diversity, Equity, and Inclusion, Title IX Coordinator, ADA, and 504 Coordinator
Foster Administration Building, Room 305
508.999.9293 TTY: 508.999.9250
dmajewski@umassd.edu

Other Title IX Resources

Public Safety Counseling Center
508.999.8107 508.999.8648

Center for Women, Gender and Sexuality
Office of Student Conduct and Dispute Resolution
508.999.9153 508.910.4584

Athletics
508.999.9114

Housing & Residential Education
508.999.8145

Between the hours of 5pm and 8am on weekdays, and anytime during weekends and holidays, individuals wishing to report a concern, issue, or sexual harassment complaint should call 508.999.9191, the university’s police emergency line.

Link to Complaint Procedures and Form:

umassd.edu/eeo/complaintprocedures/
eeocomplaintproceduresandform/

Outside agencies

Complaints may also be filed with local state and federal enforcement agencies:

The United States Equal Employment Opportunity Commission (EEOC)
John F. Kennedy Federal Building, Room 475
Government Center
Boston, MA 02203
617.565.3200 or 1 800.669.4000
TTY 617.565.3204 or 1 800.669.6820
www.eeoc.gov

The Massachusetts Commission Against Discrimination (MCAD)
Boston Office
One Ashburton Place, Room 601
Boston, MA 02108
617.994.6000
TTY 617.994.6196
www.mass.gov.mcad

Students may also file complaints with:

Office for Civil Rights/ED
8th Floor
5 Post Office Square, Ste. 900
Boston, MA 02109-3921
617.289.0111
ocr.boston@ed.gov

Each agency has a specific time period for filing a claim: the EEOC allows 300 days (may be longer in some circumstances), the MCAD allows 300 days, and the OCR allows 180 days (may be longer in some circumstances) from the alleged incident, or when the complainant became aware of the incident, for filing a claim.