

**Policy on Sexual Harassment - VI-1.20.01**  
**Revised July 1, 2004**  
**Introduction**

The UMBC Policy on Sexual Harassment has been developed in accordance with the USM Policy on Sexual Harassment, No.VI-1.20, adopted by the Board of Regents, June 5, 1992 which states in part:

*"The University System of Maryland is committed to creating and maintaining an environment in which every individual can work and learn without being harassed. All members of the academic community should support the principle that sexual harassment represents a failure in ethical behavior and that sexual exploitation of professional relationships will not be condoned. Sexual harassment is inconsistent with commitment to the goals of quality, access and choice that characterize the activities of the System and its constituent institutions."*

The University of Maryland, Baltimore County does not discriminate on the basis of race, color, national origin, ethnic background, ancestry, sex, disability, age, marital status, sexual orientation, veteran's status, or religion in admission to and participation in educational programs and activities, or employment practices. Sexual harassment is a form of sex discrimination which violates federal and state law, University System of Maryland policy and the University of Maryland, Baltimore County policy.

In general, sexual harassment impedes the ability of the community to support the intellectual, professional, personal and social development of students, faculty and staff. Specifically, sexual harassment threatens the legitimate expectation of all members of the UMBC campus community that academic or employment opportunity and progress is determined only by the published requirements for job, academic, and extra curricula performance.

I. **Policy Statement**

It is the policy and commitment of the University of Maryland, Baltimore County to maintain a campus environment which is free of discrimination and permits equal access and opportunity for all campus members. Sexual harassment, a form of sex discrimination, is prohibited.

Sanctions against UMBC faculty and staff for violations of this sexual harassment policy may range from formal reprimand to termination. Likewise, sanctions against UMBC students, for violations of this sexual harassment policy, may range from formal reprimand to suspension or expulsion from UMBC educational programs or extra curricula activities.

Retaliation against persons raising concerns about sexual harassment, or persons who are parties to sexual harassment complaints, is also prohibited. Any act of retaliation in regards to the implementation of this

policy will constitute separate grounds for sanctions up to and including termination of employment, or expulsion, from the University.

## II. **Application of Policy**

### A. **Definitions**

For the purposes of this Policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, or of creating an intimidating, hostile, or offensive educational or working environment; or
2. Submission to such conduct is made either explicitly or implicitly a term or condition of employment or for participation in a UMBC - sponsored educational program or activity; or
3. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions.

Sexual harassment may occur within any relationship in the University. This may include peer, superior/subordinate, faculty/student, client, vendor, different gender or same gender relationships.

In assessing whether a particular act constitutes sexual harassment under this Policy, the standard shall be the perspective of a reasonable person within the UMBC campus community. The rules of common sense and reason shall prevail. Allegations of sexual harassment shall be judged with attention to the facts particular to the case and the context in which the alleged incident(s) occurred. Nothing in this Policy is intended to abrogate an individual's right to academic freedom.

### B. **Complaints**

1. Any member of the UMBC campus community who believes that s/he is a party to sexual harassment may utilize the **[Procedures for Filing Sexual Harassment Complaints](#)** to file a complaint with the UMBC Human Relations Office or an alternate UMBC representative as identified in the **[Procedures for Filing Sexual Harassment Complaints](#)**. Complaint forms may be obtained from the Human Relations Office, the Human Resources Offices, or from the Human Relations website. <http://www.umbc.edu/ola/hr.html>

2. Alternatively, complaints of sexual harassment may be filed with the following external agencies:
  - a. Equal Employment Opportunity Commission (EEOC)  
10 Howard Street, Third Floor  
Baltimore, Maryland 21201
  - b. Maryland Commission on Human Relations  
20 East Franklin Street  
Baltimore, Maryland 21202
  - c. United States Department of Education  
Office of Civil Rights  
3535 Market Street, Room 6300  
Philadelphia, Pennsylvania 19104-3326

**C. Confidentiality**

Complaints brought under this policy, and actions taken pursuant to investigation and or resolution of complaints of sexual harassment, will be confidential.

**D. Responsibilities**

1. **Office of Human Relations Programs** - The Director of Human Relations is responsible for the dissemination, implementation and coordination of this Policy. In addition, the Director of Human Relations shall serve as the primary campus resource for sexual harassment complaint investigation and resolution and general sexual harassment prevention education and advising.

The Director of Human Relations will publish annually the operative portions of this policy statement, including the resources available to advise, counsel and assist in the mediation of sexual harassment allegations, in the UMBC Student Handbook, the UMBC Faculty Handbook, the campus newspaper, *The Retriever*, the Personnel Policies and Rules for Professional and Classified Staff, and other widely available printed or electronic sources, as practical.

In cooperation with the UMBC Human Relations Committee, the Director of Human Relations shall develop and implement a campus-wide sexual harassment prevention training program for faculty, staff and students. This training shall be mandatory for all persons with supervisory/management responsibilities.

The Office of Human Relations Programs shall gather data from offices and departments across the campus and publish annually summary statistics of all complaints of sexual harassment, including, but not limited to a listing of all verbal and written complaints, and resolutions. The statistics should include gender and professional status of both the complainant and the alleged harasser, but shall not include any names or other identifying characteristics. This annual report will be available through the Provost's Office and the Human Relations Office.

2. **Campus Management** (Administrative Officers, Deans, Department Chairs, Department Heads) - Each member of UMBC campus management shall be responsible for developing and maintaining a work and educational environment that is free from any form of sex discrimination, including sexual harassment. This includes informing complainants about the University's sexual harassment policy and procedures for filing sexual harassment complaints, participating in university sponsored sexual harassment training programs, cooperation with any complaint investigation or resolution efforts, and, if required, the implementation of recommended sanctions if necessary. The Director of Human Relations should be notified immediately of any sexual harassment complaint received by any member of campus management.
3. **UMBC Campus Community** - Each member of the UMBC campus community is responsible full compliance with this policy.

### III. **UMBC Resources**

The following campus resources are available to provide information and or instructions regarding the implementation of this policy. They include:

- A. [The Human Relations Office](#)
- B. [The Human Resources Office](#)
- C. [University Health Services](#)
- D. [University Counseling Center](#)
- E. [University Police](#)
- F. [Deans, Department Chairs, Directors and University Officers](#)
- G. [The Office of Student Judicial Programs](#)
- H. [Residence Life Office](#)

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