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STATEMENT ON ILLEGAL GAMBLING

Saint Joseph's University expects students to abide by federal and state laws prohibiting illegal gambling. Such prohibited activity includes, but is not limited to: betting on, wagering on, or selling pools on any athletic event; possessing on one's person or premises (e.g., room, residence unit, car) any card, book or other device for registering bets; knowingly permitting the use of one's premises or one's telephone or other electronic communications device for illegal gambling; knowingly receiving or delivering a letter, package, or parcel related to illegal gambling, offering, soliciting, or accepting a bribe to influence the outcome of an athletic event; and, involvement in bookmaking or wagering pools with respect to sporting events. Students involved in illegal gambling, particularly bookmaking, risk suspension or dismissal from the University.

POLICY PROHIBITING HARASSMENT

Approved by University Council May 15, 2003

I. Purpose

It is the purpose of this document to state Saint Joseph's University's ("SJU") Policy Prohibiting Harassment and to identify the procedures and resources available to individuals who believe they have been subjected to such harassment in violation of this policy. This policy covers harassment on the basis of race, age of 40 or over, color, religion, national origin, ethnic origin, sex/gender, sexual orientation, disability, marital status, military leave, veteran status and any other status protected by law (referred to in this policy as "Protected Classifications"). Students who believe they have been or are being subjected to harassment by other student(s) should refer to the policies and procedures set forth in the Student

Handbook.

II. *Policy*²

SJU prohibits harassment on the basis of any Protected Classification. All forms of such harassment are equally egregious and will be dealt with following the same procedures set forth in this policy. Harassment derogates another's dignity and privacy and is inconsistent with the values inherent in Jesuit teaching. If found, it may result in the offender's discipline or removal from the University. On the other hand, allegations of harassment are serious and can be extremely harmful to the alleged offender. Accordingly, these allegations should only be made in good faith.

III. *Persons Covered*

This policy prohibits harassment toward any member of the SJU community – faculty, students, administration, professional and staff, including union members. When the complainant and the respondent are both students, the existing procedures for Community Standards violations will be followed.

IV. *Definition of Harassment*

Harassment is unwelcome severe, pervasive or persistent verbal or physical conduct, directed at an individual based upon race, age of 40 or over, color, religion, national origin, ethnic origin, sex/gender, sexual orientation, disability, marital status, military leave, veteran status and any other status protected by law, which unreasonably disrupts or interferes with another's academic or work performance, or which creates an intimidating, offensive or hostile environment. Examples of unacceptable conduct include the use of insulting epithets, racial or ethnic slurs or nicknames, the display of insulting or offensive cartoons, pictures, slogans or symbols, intimidation through physical acts or threats of violence or other conduct that is so objectively offensive as to alter the conditions of the victim's academic experience or employment.

Harassment based on sex/gender includes unwelcome sexual advances, requests for sexual favors, and other communication

²This policy does not apply to sex offenses. Individuals who believe they are victims of sexual assault or violence are encouraged to immediately contact the Public Safety and Security Office for assistance and information on SJU's Sex Offenses Policy.

(oral or written, including electronic mail) or physical behavior of a sexual nature when (a) submitting to that conduct is explicitly or implicitly a term or condition of employment or academic standing; (b) submitting or refusing to submit to that conduct is used as a basis for any decision affecting an individual's employment or academic standing; or (c) that conduct has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment. Sexual harassment covers harassment by men toward women, women toward men, men toward men, and women toward women.

V. Report Procedures

All members of the SJU community are encouraged to report a potential violation of this policy immediately. In order to facilitate maximum use of the policy, both informal and formal procedures are available. It is not necessary to pursue the informal procedure before initiating a formal complaint. Any individual may go directly to the Formal Complaint Procedure at his or her discretion. Both the complainant and the alleged offender may have a support person from the SJU community, who may act in a support role only, and not as an advocate or spokesperson, accompany him or her during any of the procedures in this section.

A. *Informal Procedures*

1. *Consultation*

This procedure is available to members of the SJU community who wish to discuss questions or concerns about harassment on a consultative basis. A consultation may be initiated by contacting any member of the Harassment Advisory Team. Harassment Advisors are appointed by the President and are authorized only to deal with questions and concerns about this policy and to discuss such matters with those seeking consultation. Harassment Advisors do not have the power to investigate and/or mediate such matters, decide whether there has been a violation of this policy, or take any action against anyone accused under this policy. Harassment Advisors shall refer anyone seeking mediation or any other informal resolution to the Resolution Officer (identified below). Individuals can also be referred to the Formal Complaint Procedure set forth below.

The Harassment Advisory Team comprises appointees representing faculty, students, administration, professional and staff, including union members. The Executive Committee of the University Council shall appoint the chair of the Team annually. In addition, the University's Equal Employment Opportunity/ Affirmative Action Officer ("EEO/AA Officer") serves as an ex-officio member. Team members will be appointed for two-year terms in such a way as not to result in a complete turnover of the Team in any one year. The names of the Harassment Advisors can be obtained by consulting the list of committees in the fall edition of HawkEye or The Hawk, from the Office of Human Resources, and/or by accessing the SJU website, www.sju.edu/hr (under "Handbooks"). The Team will meet at least once per year to review its responsibilities and procedures and to make recommendations and reports to the President, as it deems appropriate, and as may be necessary to effectuate the purposes of this policy. The EEO/AA Officer may also convene the Team as s/he deems necessary. Records of the Harassment Advisory Team shall be kept by the EEO/AA Officer.

2. Resolution

Anyone may contact the applicable Resolution Officer directly to facilitate an informal resolution. The Resolution Officer may take whatever steps are deemed appropriate to resolve the matter informally and may conduct mediation with the consent of the complainant and alleged offender. Records of the Resolution Officer shall be kept by the EEO/AA Officer.

3. Guidelines

Several guidelines that apply to both of these informal procedures are as follows:

- a. A matter brought under this section will not be regarded as the initiation of a formal complaint.
- b. An individual seeking consultation from a member of the Harassment Advisory Team may choose to speak with the chair and/or any other member of the Team.
- c. Harassment Advisors will advise of available resources and of the procedures set forth in this policy.
- d. Since this is an informal process designed to provide consultation and/or resolution, no decision will be made as to

whether an individual(s) has violated this policy.

B. Formal Complaint Procedure

This procedure is designed to investigate and resolve the formal complaint. Any person can initiate a formal complaint by providing a written complaint to or contacting the appropriate Resolution Officer identified below. If the complainant is uncomfortable bringing the complaint to the Resolution Officer, then the complaint shall be reported to the EEO/AA Officer, who will appoint an alternate Resolution Officer. If appropriate reasons prevent reporting the complaint to the EEO/AA Officer, then the complaint should be reported to the Vice President/Assistant to the President, who will appoint an alternate Resolution Officer.

Except as noted above, complaints should be reported as follows:

Alleged Offender	Resolution Officer
Faculty	Provost
Staff (including union members), Administrator or Professional	Director of Human Resources
Student ³	VP for Student Life

The Resolution Officer may designate a representative to conduct the investigation, who will then report his/her findings to the Resolution Officer who will make the final decision. The designee shall have the same powers to conduct the investigation as the Resolution Officer. The complaint will be promptly investigated with the following guidelines:

- a. The investigation shall be completed as expeditiously as possible.
- b. The current policy will be issued and explained to both parties.
- c. The Resolution Officer does not represent the complainant or the alleged offender, but, rather, is an impartial fact finder in the matter. The Resolution Officer will request written statements, which may be provided to both parties. The alleged offender will have an opportunity to respond in writing to the allegations and forward it to the Resolution Officer.
- d. In addition to providing written statements, both parties will

³When the complainant is a faculty or staff member.

be interviewed and both parties may provide witnesses' names and information regarding the matter. The Resolution Officer may interview witnesses s/he deems necessary. In appropriate situations, the Resolution Officer may attempt to resolve the issues to the parties' mutual satisfaction. The parties may be asked to sign a resolution agreement.

e. In keeping with the gravity with which the University views complaints of harassment, the Resolution Officer will have authority to interview any member of the University community, and secure any relevant physical evidence (such as notes, e-mails, pictures, etc.). All members of the University community are expected to cooperate fully in an investigation of harassment. Persons contacted for an interview by the Resolution Officer are expected, if necessary, to rearrange their schedules to the extent feasible to make themselves available for the interview.

f. After the investigation concludes, the Resolution Officer will determine whether there is sufficient evidence to support the allegations and inform the complainant and the alleged offender of his/her decision. A written decision will be made part of the record maintained by the EEO/AA Officer.

g. Although SJU will endeavor to maintain confidentiality, it cannot conduct an effective investigation without revealing certain information to the alleged harasser and witnesses. SJU retains the right to inform persons it deems to have a need to know and to utilize information obtained during the investigation for legitimate University purposes.

If a violation of this policy is found, the Resolution Officer will take immediate and appropriate action, including discipline. If the discipline against a faculty member who is covered by the Separation and Appeals Procedures in the Faculty Handbook is dismissal, the University must follow such procedures. The complainant will be informed whether discipline is recommended, but the specific disciplinary action may be kept confidential at the discretion of the Resolution Officer.

VI. Other Rights and Responsibilities

This policy shall not be deemed to take away any rights or responsibilities of faculty members under the Faculty Handbook, administrators and professionals under the Administrators and Professionals Handbook, staff members under the Staff Handbook and union members under their

contracts.

VII. Records

Records shall be maintained in confidence to the extent possible without compromising the purposes of this policy. The EEO/AA Officer will maintain records of consultations with the Harassment Advisory Team as well as records of the Resolution Officer of both informal and formal matters. Disposition of the case will become part of the record. The EEO/AA Officer shall review these records and make such reports or recommendations as may be necessary to effectuate the purpose of this policy to the President. If a report or recommendation pertains to a particular individual, then the EEO/AA Officer will first consult with the appropriate Resolution Officer. Records of formal complaints will serve as the basis for an annual statistical report prepared by the EEO/AA Officer and made public to the University community. Names will not be revealed in the annual statistical report. The report will state the number and type of complaint.

VIII. Right to Address Claims Promptly

SJU reserves the right to take appropriate action to address claims of harassment. Such action may be taken at any time, regardless of the status of any investigation and may include, but is not limited to, transfers, separation of the parties and suspension.

IX. Follow-up

For a period not to exceed one year, unless circumstances dictate otherwise, the Resolution Officer will be charged with periodically contacting the parties involved in a formal or informal complaint in order to ensure that there has been no retaliation or repeat offense.

X. Third-Party Harassment

SJU does not tolerate harassment by a third-party (i.e., a non-member of the SJU community, e.g., vendors, salespeople or potential business associates). Anyone who is subject to such harassment should report the incident promptly in accordance with the above procedures and the matter will be investigated and resolved in a manner similar to that set forth above.

XI. Sanctions

The sanctions which may be imposed for violation of this policy include, but are not limited to, one or more of the following: attendance at educational programs, awareness activities, community service, individual assessment, removal from courses, teaching assignments and extracurricular activities, disciplinary action, including suspension or dismissal.

XII. Non-Retaliation

Complaints made in good faith under this policy will not result in any adverse action against the complainant, and no other person who participates in good faith in an investigation will be treated adversely because of that participation.

Anyone who believes s/he has been retaliated against for invoking this policy, opposing violations of this policy or participating in an investigation should report the matter as set forth in this policy. It will be investigated and dealt with as any other complaint brought under this policy.

XIII. Academic Freedom

SJU strongly supports and protects the principle of academic freedom. All members of the University community have a right to use the academic forum, provided by the University, to discuss controversial subjects and to express ideas that some or most of the members of the community strongly oppose. Harassment is not about voicing unpopular ideas. It is a form of intimidation that is unprofessional and that can silence some members of the University community. As the American Association of University Professors states in its policy statement on sexual harassment:

“Intimidation and harassment are inconsistent with the maintenance of academic freedom on campus. This statement is no less germane if one is being made unwelcome because of sex, rather than unwelcome because of race, religion, politics, or professional interests.” *Academe*, September-October 1990, pp. 42-43.

XIV. Campus Resources

- Harassment Advisory Team
- Fall edition of HawkEye or The Hawk; www.sju.edu



Policies, Regulations, Statements and Guidelines

- Human Resources Office 610-660-3309
- EEO/AA Officer 610-660-3336
- Counseling Center 610-660-1090
- Public Safety and Security 610-660-1111
(for Sex Offenses and Safety)

For further information or details of campus resources, contact the Human Resources Office at 610-660-1290 or visit the SJU website at www.sju.edu.

For students, when the complainant and the alleged offender are both students, the complaint is handled through the student disciplinary process. (See Community Standards).

When the alleged offender is a student and the complainant is faculty or staff, then the above Harassment Policy is followed and the resolution officer is the VP for Student Life.

When the alleged offender is an employee of the University, the above Harassment Policy is followed and the resolution officer is dependent upon the position of the alleged offender. When the complainant is a student and the alleged offender is a faculty member, then the resolution officer is the Provost.

When the complainant is a student and the alleged offender is staff, then the resolution officer is the Director of Human Resources.