Sexual Harassment, Discrimination, and Conflicts of Interest Policies and Procedures of East Carolina University

Section I. Rationale

Well-publicized policies and procedures such as these will help to create an atmosphere in which individuals who believe that they are the victims of sexual harassment or discrimination are assured that their grievances will be dealt with fairly and effectively. It is more important still to create an atmosphere in which instances of sexual harassment or discrimination are discouraged. Toward this end, all members of the University community should understand that sexual harassment, sexual discrimination, and sexual exploitation of professional relationships violates the University's policy and will not be tolerated. Members of the University community are encouraged to express freely, responsibly, and in an orderly way their opinions and feelings about any problem or complaint of harassment or discrimination prohibited under these policies. East Carolina University will take every step to resolve grievances promptly and confidentially. Any act by the University's employees or students of reprisal, interference, restraint, penalty, discrimination, coercion, or harassment against a student or an employee for using these policies responsibly interferes with free expression and openness, and violates this policy. Accordingly, members of the University community are prohibited from acts of reprisal against individuals who bring charges, are involved as witnesses, or otherwise try to use these policies responsibly.

Section II. Policy on Sexual Harassment, Discrimination, and Conflicts of Interest

A. Introduction

Sexual harassment and discrimination are illegal and endanger the environment of tolerance, civility, and mutual respect that must prevail if the University is to fulfill its mission. East Carolina University is committed to providing and promoting an atmosphere in which employees can realize their maximum potential in the workplace and students can engage fully in the learning process. Further, amorous relations between a student and a University employee who is responsible for supervising or evaluating the student, or between an employee and the person supervising that employee, may derogate the merit principle of supervision and evaluation. This policy is the University's statement of its intent to prohibit sexual harassment and discrimination, and to prohibit amorous relations between University employees and students, and employees and supervisors when these relations create a risk of favoritism.

B. Definitions

B-1. Sexual Harassment

The following constitute sexual harassment:

a. Making verbal remarks or committing physical actions that propose to people of either sex that they engage in or tolerate activities of a sexual nature in order to avoid some punishment or to receive some reward;

b. Singling out people of either sex and creating or attempting to create a hostile university or working environment or otherwise attempting to harm or harming people because of their sex; and

c. Continuing verbal or physical conduct of a sexual nature when the person or persons the conduct is directed toward has indicated clearly, by word or action, that this conduct is unwanted.

B-2. Sexual Discrimination: Sexual discrimination consists of actions that subject employees or students to unequal treatment on the basis of their sex.

B-3. Conflicts of Interest

Consensual amorous relationships in which one person is responsible for supervising or evaluating the other create conflicts of interest because they impair or reasonably can be expected to impair the professional judgment of the supervisor.

C. Policy

It is the responsibility of members of the University community to strive to create an environment free of sexual harassment and discrimination, and free of unprofessional bias in the supervision and evaluation of students and employees.

C-1. It is against the policies of East Carolina University for its employees or students to propose to other employees or students that they engage in or tolerate activities of a sexual nature in order to avoid some punishment or to receive some reward.

C-2. It is against the policies of East Carolina University for its employees or students to create a hostile University or workplace environment for an individual or group because of the individual's or the group's sex.

C-3. It is against the policies of East Carolina University for its employees or students to subject other employees or students to unequal treatment on the basis of their sex.

C-4. It is against the policies of East Carolina University for its employees or students to continue verbal or physical conduct of a sexual nature when the employees or students of the University toward whom such conduct is directed have indicated clearly, by word or action, that such conduct is unwanted.

C-5. It is against the policies of East Carolina University for any employee of the University to engage in consensual amorous relationships with students or other University employees whom the employee is or will be supervising or evaluating. (This policy does not apply in cases where both the amorous relationship and the supervising or evaluating relationship were initiated before the policy's adoption date.)

Section III. Grievances Against East Carolina University Students

Complaints brought against East Carolina University students by East Carolina University students, faculty, staff, administrators, or visitors are governed by the grievance procedures available on the Dean of Students Office's website except complaints filed by an East Carolina University SPA employee, which are governed by the grievance procedures presented in the ECU Mediation and Grievance Procedure for SPA Employees in the University Policy Manual and/or the procedures in the Notice of Nondiscrimination Policy.

Section IV. Grievances Filed By East Carolina University SPA Employees

Complaints filed by an East Carolina University SPA employee are governed by the grievance procedures presented in the ECU Mediation and Grievance Procedure for SPA Employees in the University Policy Manual and/or the procedures in the Notice of Nondiscrimination Policy available on the Office for Equity and Diversity website.

Section V. Grievances Against East Carolina University Staff

Complaints brought against East Carolina University faculty by East Carolina University students, faculty, staff, administrators, or visitors are governed by the grievance procedures stated in the ECU Equal Employment Opportunity Plan and/or the procedures in the Notice of Nondiscrimination Policy.

Section VI. Grievances Against East Carolina University Faculty Members or Administrators Holding Faculty Status

Complaints brought against East Carolina University faculty members or administrators holding faculty status by East Carolina University students, faculty, staff, administrators, or visitors are governed by the grievance procedures stated in the ECU Equal Employment Opportunity Plan and/or the procedures in the Notice of Nondiscrimination Policy.

Section VII: Disciplinary Action

See Grievance Procedures for Complaints of Unlawful or Prohibited Harassment, Discrimination or Improper Relationships Brought Against East Carolina University Faculty Members or Administrators Holding Faculty Status in the ECU Faculty Manual except complaints filed by an East Carolina University SPA employee, which are governed by the grievance procedures presented in the ECU Mediation and Grievance Procedure for SPA Employees in the University Policy Manual and/or the procedures in the Notice of Nondiscrimination Policy.