

Sexual Discrimination/Misconduct Policy, Rev. 4-30-19
Indiana University of Pennsylvania
Excerpt:

A. Purpose

The purpose of this policy is to set forth Indiana University of Pennsylvania (the “University”)’s position regarding sexual misconduct, including discrimination on the basis of sex/gender in any education program, activity or employment for the University community. The University is committed to creating an educational and employment environment free of sexual discrimination for all of its employees, students, and University community. Discrimination on the basis of sex/gender may constitute a violation of Title VII of the U.S. Civil Rights Act of 1964 (“Title VII”), a violation of Title IX of the Education Amendments of 1972 (“Title IX”), and/or a violation of the Pennsylvania Human Relations Act, Section 5A (“PHRA”). Sexual misconduct includes unlawful discrimination or harassment based on sex or gender. In addition, this policy outlines the procedures to be followed when reporting complaints of sexual misconduct. Following these procedures will assure that a prompt, adequate, reliable and impartial investigation is undertaken by the University. The goal of this policy is to prevent sex- and gender-based discrimination and sexual misconduct and effectively remedy the discriminatory effect of sexual misconduct when it occurs.

B. Scope

This policy is applicable to all students and employees of the University, as well as designated volunteers, contractors, and vendors. This policy is applicable to all University operations, programs, sites, and covers acts committed on- or off-University property when that activity is deemed to constitute sexual discrimination/misconduct.

C. Objective

Members of the University community have the right to be free from all forms of sex- and gender-based harassment, discrimination, and misconduct. All members of the University community are expected to conduct themselves in a manner that does not infringe upon the rights of others.

This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define University community standards and establish a mechanism for determining when those expectations are alleged to have been violated.

This policy is not meant to inhibit or prohibit educational content or discussions that include controversial or sensitive subject matters protected by academic freedom. Academic freedom extends to topics that are pedagogically appropriate and germane to the subject matter of courses or that touch on academic exploration of matters of public concern. This policy shall be implemented in a manner that recognizes the importance of rights to freedom of speech and expression, as well as the principles of academic freedom. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state laws including Title VII, Title IX, and the PHRA.