



**FOSTERING HONESTY TRUST
RESPECT
ACCOUNTABILITY INTEGRITY FAIRNESS
VALUES CREATING
COMMUNITY**

**EQUAL ACCESS AND EQUAL OPPORTUNITY
AT PURDUE UNIVERSITY**





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RESPECT
ACCOUNTABILITY INTEGRITY FAIRNESS
VALUES CREATING
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NONDISCRIMINATION POLICY STATEMENT

Purdue University is committed to maintaining a community which recognizes and values the inherent worth and dignity of every person; fosters tolerance, sensitivity, understanding, and mutual respect among its members; and encourages each individual to strive to reach his or her own potential. In pursuit of its goal of academic excellence, the University seeks to develop and nurture diversity. The University believes that diversity among its many members strengthens the institution, stimulates creativity, promotes the exchange of ideas, and enriches campus life.

Purdue University views, evaluates, and treats all persons in any University related activity or circumstance in which they may be involved, solely as individuals on the basis of their own personal abilities, qualifications, and other relevant characteristics.

Purdue University prohibits discrimination against any member of the University community on the basis of race, religion, color, sex, age, national origin or ancestry, genetic information, marital status, parental status, sexual orientation, gender identity and expression, disability, or status as a veteran. The University will conduct its programs, services and activities consistent with applicable federal, state and local laws, regulations and orders and in conformance with the procedures and limitations as set forth in Purdue's Equal Opportunity, Equal Access and Affirmative Action policy which provides specific contractual rights and remedies. Additionally, the University promotes the full realization of equal employment opportunity for women, minorities, persons with disabilities and veterans through its affirmative action program.

Any question of interpretation regarding this Nondiscrimination Policy Statement shall be referred to the Vice President for Ethics and Compliance for final determination.

EQUAL OPPORTUNITY, EQUAL ACCESS AND AFFIRMATIVE ACTION

[X.2.2]

Volume X: Ethics

Chapter 2: Compliance

Responsible Executive: President

Responsible Office:

Office of the Vice President for Ethics and Compliance

Date Issued: December 22, 2010

Date Last Revised: May 27, 2011

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STATEMENT OF POLICY

Purdue University is committed to maintaining an inclusive community that recognizes and values the inherent worth and dignity of every person; fosters tolerance, sensitivity, understanding and mutual respect among its members; and encourages each individual to strive to reach his or her own potential. In pursuit of its goal of academic excellence, Purdue University seeks to develop and nurture its diversity. The University believes that diversity among its many members strengthens the institution, stimulates creativity, promotes the exchange of ideas and enriches campus life.

Purdue University views, evaluates and treats all persons in any university-related activity or circumstance in which they may be involved solely as individuals on the basis of their own personal abilities, qualifications and other relevant characteristics.

Purdue University does not condone and will not tolerate Discrimination against any individual on the basis of race, religion, color, sex, age, national origin or ancestry, genetic information, disability, status as a veteran, marital status, parental status, sexual orientation, gender identity or gender expression. Purdue University promulgates policies and programs to ensure that all persons have equal access to its employment opportunities and educational programs, services and activities. The principal objective of this policy is to provide fair and consistent treatment for all students and employees of the University. Purdue is committed to increasing the recruitment, selection and promotion of faculty and staff at the University who are racial or ethnic minorities, women, persons with disabilities and veterans. The University also is committed to policies and programs that increase the diversity of the student body.

All aspects of the employment relationship, including recruitment, selection, hiring, training, professional development, tenure, promotion, compensation and separations, are administered in accordance with this policy. Purdue University provides Reasonable Accommodations to qualified employees with disabilities. It also promotes the full realization of equal employment opportunity through a comprehensive affirmative action program applying to all units.

All policies and procedures applicable to students are administered in accordance with this policy. Purdue University provides Academic Adjustments and Auxiliary Aids and Services to qualified students with disabilities in accordance with federal law.



This policy seeks to encourage faculty, staff and students to report and address incidents of Discrimination. Retaliation against faculty members, staff members or students for reporting or complaining of Discrimination, for participating or assisting in the investigation of a complaint of Discrimination or for enforcing this policy is strictly prohibited. It inhibits the ability of the University to address complaints and contributes to distrust of complaint procedures.

As a federal contractor, each campus within the Purdue University system is required to develop and maintain a written affirmative action program, which is a set of specific results-oriented actions and procedures to which the University commits itself. These programs must be updated annually and be made available for inspection.

Any individual or group of individuals found to have violated this policy will be subject to disciplinary or remedial action, up to and including termination of employment or expulsion from the University. Faculty and staff who are determined to have violated this policy also may be held personally liable for any damages, settlement costs or expenses, including attorney fees incurred by the University.

Nothing contained in this policy should be interpreted as a waiver by Purdue University of its sovereign immunity, immunity pursuant to the 11th Amendment of the U.S. Constitution or any other immunity or defense available under state or federal laws.

REASON FOR THIS POLICY

As a land-grant university, Purdue University is committed to the principles of affirmative action and equal opportunity in education and employment. We take seriously our responsibility to provide leadership in ensuring that equal employment opportunity is the norm rather than an aspiration.

This policy helps to further the resolution of the Board of Trustees and to ensure the University's compliance with state and federal laws and regulations, including but not limited to:

- Age Discrimination in Employment Act of 1967
- Americans with Disabilities Act of 1990, as amended
- Executive Order 11246, as amended
- Equal Pay Act of 1963
- Genetic Information Nondiscrimination Act of 2008
- Immigration Reform and Control Act of 1986
- Indiana Civil Rights Act of 1971
- Pregnancy Discrimination Act
- Sections 503 and 504 of the Rehabilitation Act of 1973
- Title VI of the Civil Rights Act of 1964, as amended
- Title VII of the Civil Rights Act of 1964, as amended
- Title IX of the Education Amendments of 1972
- Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended

INDIVIDUALS AND ENTITIES AFFECTED BY THIS POLICY

All Purdue University community members.

WHO SHOULD KNOW THIS POLICY

President
Chancellors
Vice Presidents
Vice Chancellors
Vice Provosts
Deans
Directors
Department Heads/Chairs
Faculty
Staff
Students
University Community Members

EXCLUSIONS

There are no exclusions to this policy.

WEBSITE ADDRESS FOR THIS POLICY

www.purdue.edu/policies/pages/ethics/x_2_2.shtml

CONTACTS

Policy Clarification

Vice President for Ethics and Compliance

765-494-5830

vpec@purdue.edu

www.purdue.edu/ethics

Discrimination Complaints and Requests to Inspect Written Affirmative Action Programs

Calumet

Affirmative Action/Equal Employment Opportunity

219-989-3169

webs.calumet.purdue.edu/hr/affirmative-actioneeo/

Fort Wayne

Office of Institutional Equity

260-481-6106

www.ipfw.edu/eoaa

North Central

Equal Opportunity/Affirmative Action Office

219-785-5545

www.pnc.edu/ed/policy/index.html

West Lafayette

Office of Institutional Equity

765-494-7253

equity@purdue.edu

www.purdue.edu/ethics/oi



Reasonable Accommodations

Calumet

Human Resources

219-989-2251

webs.calumet.purdue.edu/hr/

Affirmative Action/Equal Employment Opportunity

219-989-3169

webs.calumet.purdue.edu/hr/affirmative-actioneeo/

Fort Wayne

Human Resources

260-481-6840

www.hr.ipfw.edu

Office of Institutional Equity

260-481-6106

www.ipfw.edu/eoaa

North Central

Human Resources

219-785-5354

www.pnc.edu/depts/HR/

Equal Opportunity/Affirmative Action Office

219-785-5545

www.pnc.edu/cd/policy/

West Lafayette

Human Resources

765-494-1679

www.purdue.edu/hr

Office of Institutional Equity

765-494-7253

equity@purdue.edu

www.purdue.edu/ethics/oie

Academic Adjustments and Auxiliary Aids and Services

Calumet

Student Support Services

219-989-2455

webs.calumet.purdue.edu/stusuprt/

Office of Student Affairs

219-989-2367

vcsa@calumet.purdue.edu

webs.calumet.purdue.edu/studentaffairs/

Fort Wayne

Services for Students with Disabilities

260-481-6657

www.ipfw.edu/ssd/

Dean of Students

260-481-6601

www.ipfw.edu/dos/

North Central

Disability Services

219-785-5374

www.pnc.edu/s3/DSS.htm

Student Support Services

219-785-5312

www.pnc.edu/depts/s3/

West Lafayette

Disability Resource Center

765-494-1247

drc@purdue.edu

www.purdue.edu/odos/drc

Office of the Dean of Students

765-494-1747

www.purdue.edu/odos/welcome.php

ADA Coordinators

Calumet

Assistant Director, Office of Disability Resources
219-989-2455
webs.purduecal.edu/odr/

Fort Wayne

Director, Office of Institutional Equity
260-481-6106
new.ipfw.edu/offices/equity/contact.html

North Central

Assistant Director, EEO and Training
219-785-5545
www.pnc.edu/cd/policy/

West Lafayette

Director of the Office of Institutional Equity
765-494-7253
equity@purdue.edu
www.purdue.edu/ethics/oie

DEFINITIONS

Academic Adjustments

An academic modification or adjustment that minimizes or eliminates the impact of a disability, allowing the individual to gain equal access and have an equal opportunity to participate in the University's courses, programs, services, activities and facilities.

ADA Coordinator

The Americans with Disabilities Act Coordinator.

Auxiliary Aids and Services

A wide range of services and devices that enable persons with disabilities to have an equal opportunity to participate in, and enjoy the benefits of, Purdue University's programs and activities.

Board of Trustees

The Board of Trustees of The Trustees of Purdue University.

Contractually Protected Category

Additional bases above and beyond those required by state or federal laws for which an individual may not be discriminated against as per this policy. Such bases are specifically: marital status, parental status, sexual orientation, gender identity or gender expression.

Discrimination

The process of illegally differentiating between people on the basis of group membership rather than individual merit. *Systemic discrimination* may occur when unequal treatment results from neutral institutional practices that continue the effect of past discrimination. *Individual discrimination* may result when a person is subjected to unequal treatment on the basis of race, religion, color, sex, age, national origin or ancestry, genetic information, disability, status as a veteran, marital status, parental status, sexual orientation, gender identity or gender expression.

EO/AA Officer

Equal Opportunity/Affirmative Action Officer.

Purdue University, Purdue and University

Any campus, unit, program, association or entity of Purdue University, including but not limited to Indiana University-Purdue University Fort Wayne, Purdue University Calumet, Purdue University North Central, Purdue University West Lafayette, Purdue Cooperative Extension Service and Purdue University College of Technology Statewide.

Reasonable Accommodations

A wide range of modifications that allow otherwise qualified applicants or employees with disabilities to perform the essential functions of a position. Such modifications may be deemed reasonable if they do not result in an undue burden on Purdue University or its operations.

Retaliation

Any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment, against any person or group for exercising rights under this policy.

RESPONSIBILITIES

President of Purdue University

Overall responsibility for the successful implementation of Purdue University's equal opportunity, equal access and affirmative action policies.

Chancellor

Establish goals and action-oriented programs that integrate equal opportunity, equal access and affirmative action principles and objectives into all decisions concerning employees and students on his or her campus.

Appoint an EO/AA Officer and an ADA Coordinator for his or her campus.

Vice President for Ethics and Compliance

Serve as Purdue University's equal opportunity officer.

Develop system-wide policies pertaining to equal opportunity, equal access and affirmative action in cooperation with other university officers.

Coordinate the resolution of all Discrimination complaints filed with external agencies and oversee and coordinate internal Discrimination grievance procedures in consultation with university officers, chancellors and legal counsel.

Serve as Title IX officer for the West Lafayette campus.

Vice President for Human Resources

Ensure equal employment opportunity, equal access and affirmative action concepts are included in University personnel policies and procedures and that recruitment and hiring practices and training programs follow those same concepts where applicable.

Provide guidance and support to University offices or departments in the exercise of their equal employment opportunity, equal access and affirmative action responsibilities.

Vice President and Vice Chancellors for Student Affairs

Ensure equal opportunity and equal access concepts are included in the policies, procedures, programs, services and activities of the University concerning students.

Vice Presidents, Vice Chancellors, Vice Provosts and Deans

Establish goals and action-oriented programs within their units that integrate equal opportunity, equal access and affirmative action principles and objectives into all decisions within their areas of responsibility.

Review recommendations for hiring, compensation, promotion, transfer, reassignment and termination for compliance with the University's affirmative action program in both procedure and outcome, and review the qualifications of applicants and reasons for selection to ensure that minorities, women, persons with disabilities and veterans are given full opportunities for hire and promotion (or designate responsibility for such).

Director of the Office of Institutional Equity

Develop and disseminate affirmative action data.

Provide technical assistance to regional campus EO/AA Officers.

Serve as a resource to and coordinator of system-wide equal employment opportunity, equal access and affirmative action activities and programs.

Serve as the campus liaison with federal and state enforcement agencies and community action groups and as the ADA Coordinator for the West Lafayette campus.

At the West Lafayette campus, develop policies, procedures and programs related to equal employment opportunity, equal access and affirmative action in coordination with other university offices; assist individual units with the development, implementation and oversight of their equal employment opportunity, equal access and affirmative action programs for academic and nonacademic employees; develop internal monitoring and reporting systems; and perform required analyses of affirmative action data.



EO/AA Officers at the Calumet, Fort Wayne and North Central Campuses

Develop, implement and monitor their campus' equal employment opportunity, equal access and affirmative action programs and coordinate these efforts with the Director of the Office of Institutional Equity as necessary.

Serve as the Title IX officer for their respective campuses.

Department Heads, Directors and Supervisors

Promote equal employment opportunity and make good faith efforts to achieve affirmative action goals.

All Units

Include equal employment opportunity, equal access and affirmative action efforts and results in evaluations of administrators and supervisors.

PROCEDURES

Reasonable Accommodations, Academic Adjustments, and Auxiliary Aids and Services

Requests for Reasonable Accommodations, Academic Adjustments, and Auxiliary Aids and Services may be made to the appropriate campus office listed in the Contacts section of this policy.

Discrimination Complaints

Discrimination complaints will be addressed promptly and consistently, using procedures that are fair and effective from the point of view of the person and the University, and be resolved at the lowest organizational level possible. The Procedures for Resolving Complaints of Discrimination and Harassment [<http://www.purdue.edu/ethics/resolvingcomplaints.html>], as issued and updated from time to time by the Vice President for Ethics and Compliance, describe the necessary steps for filing complaints of Discrimination.

The Vice President for Ethics and Compliance will be notified promptly of any written complaint at any campus filed internally and/or with external agencies that alleges Discrimination on the basis of race, religion, color, sex, age, national origin or ancestry, genetic information, disability, status as a veteran, marital status, parental status, sexual orientation, gender identity or gender expression. In consultation with University officers, Chancellors and legal counsel, the Vice President for Ethics and Compliance will coordinate the resolution of all Discrimination complaints filed with external agencies and oversee and coordinate internal Discrimination grievance procedures. Resolutions of formal complaints involving litigation or financial obligations for the University will be subject to review by cognizant University officers and approval by the President.

Complaints Alleging Discrimination on the Basis of Membership in a Contractually Protected Category

Purdue University has gone beyond the requirements of state and federal laws in prohibiting Discrimination against any person in the University community on the basis of marital status, parental status, sexual orientation, gender identity or gender expression. Any complaint alleging Discrimination against a person in one of these Contractually Protected Categories must be filed with the Vice President for Ethics and Compliance within 120 days of the alleged occurrence or be forfeit. Complaints must conform to the requirements of the Procedures for Resolving Complaints of Discrimination and Harassment [<http://www.purdue.edu/ethics/resolvingcomplaints.html>] implemented pursuant to this policy.

A person may not initiate a suit against the University or any employee or agent of the University alleging Discrimination on the basis of membership in a Contractually Protected Category unless the person's claim has first been denied in whole or in part under the University's Procedures for Resolving Complaints of Discrimination and Harassment [<http://www.purdue.edu/ethics/resolvingcomplaints.html>]. Any such suit is further barred unless it is filed within one year of the alleged Discrimination. Jurisdiction and venue for litigation alleging such Discrimination lie exclusively with the courts in Tippecanoe County, Indiana, and any person who files such a suit hereby consents to service of process from said courts.

Notwithstanding the prohibition against Discrimination on the basis of membership in a Contractually Protected Category, the University may, without violating this prohibition, provide different benefit packages to employees who have a spouse, same-sex domestic partner and/or dependent children than are provided to other employees.

The combined aggregate liability of Purdue University and any employee or agent of the University, acting within the scope of his or her employment, for Discrimination against any one person in a Contractually Protected Category will be limited to \$25,000 in damages, consequential, incidental or otherwise. In calculating such damages, neither Purdue University nor any employee or agent of the University will be liable for punitive damages, exemplary damages, damages for pain and suffering, emotional distress damages or attorney's fees.

RELATED DOCUMENTS, FORMS AND TOOLS

Anti-Harassment (X.2.1):

www.purdue.edu/policies/pages/ethics/x_2_1.shtml

Board of Trustees resolution dated Dec. 18, 2010

Nondiscrimination Policy Statement:

www.purdue.edu/purdue/ea_eou_statement.html

Procedures for Resolving Complaints of Discrimination and Harassment:

<http://www.purdue.edu/ethics/resolvingcomplaints.html>

Websites for governing bodies with oversight for applicable laws and regulations:

- Indiana Civil Rights Commission:
www.in.gov/icrc
- U.S. Department of Education Office for Civil Rights:
www.ed.gov/ocr
- U.S. Department of Justice, Americans with Disabilities Act:
www.ada.gov/
- U.S. Department of Labor Office of Federal Contractor Compliance Programs:
www.dol.gov/ofccp
- U.S. Equal Employment Opportunity Commission:
www.eeoc.gov



HISTORY AND UPDATES

May 27, 2011: Contacts section updated.

May 1, 2011: This policy supersedes Equal Opportunity, Equal Access and Affirmative Action, Interim (X.2.2) dated December 22, 2010.

December 22, 2010: This policy supersedes the Reaffirmation of University Policy on Equal Employment Opportunity and Affirmative Action (Executive Memorandum No. D-1) dated January 8, 2001, and revised December 31, 2002. It has been formatted in the current policy template and updated to comply with the Board of Trustees' resolution dated December 18, 2010, which expands the University's nondiscrimination commitment to include the bases of genetic information, gender identity and gender expression.

APPENDIX

There are no appendices to this policy.

ANTI-HARASSMENT

[X.2.1]

Volume X: Ethics

Chapter 2: Compliance

Responsible Executive:
Vice President for Ethics and Compliance

Responsible Office:
Office of the Vice President for Ethics and Compliance

Date Issued: December 22, 2010

Date Last Revised: July 1, 2011

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STATEMENT OF POLICY

Purdue University is committed to maintaining an environment that recognizes the inherent worth and dignity of every person; fosters tolerance, sensitivity, understanding and mutual respect; and encourages its members to strive to reach their potential. The most effective way to work toward preventing Harassment is through education that emphasizes respect for every individual.

It is essential that Purdue University demonstrate its intellectual and ethical leadership by reaffirming its strong position against Harassment in all forms. All members of the University community must be able to pursue their goals, educational needs and working lives without intimidation or injury generated by intolerance and Harassment.

Harassment in the workplace or the educational environment is unacceptable conduct and will not be tolerated. Purdue University is committed to maintaining an educational and work climate for faculty, staff and students that is positive and free from all forms of Harassment. This policy addresses Harassment in all forms, including Harassment toward individuals with legally protected status for reasons of race, gender, religion, color, age, national origin or ancestry, genetic information or disability and Harassment toward individuals for other reasons such as sexual orientation, gender identity, gender expression, marital status or parental status. The University will not tolerate Harassment of its faculty, staff or students by persons conducting business with or visiting the University, even though such persons are not directly affiliated with the University.

This policy seeks to encourage faculty, staff and students to report and address incidents of Harassment. Retaliation against faculty members, staff members or students for reporting or complaining of Harassment, for assisting or participating in the investigation of a complaint of Harassment, or for enforcing this policy is strictly prohibited.

Freedom of thought and expression are the lifeblood of our academic community and require an atmosphere of mutual respect among diverse persons, groups and ideas. The maintenance of mutually respectful behavior is a precondition for the vigorous exchange of ideas, and it is the policy of the University to promote such behavior in all forms of expression and conduct. The University reaffirms its commitment to freedom of speech as guaranteed by the First Amendment to the United States Constitution. Accordingly, any form of speech or conduct that is protected by the First Amendment is not subject to this policy. The University reaffirms its commitment to academic freedom, which is essential to its educational mission and is critical to diversity and intellectual life.



Any individual or group of individuals found to have violated this policy will be subject to disciplinary or remedial action, up to and including termination of employment or expulsion from the University. Faculty and staff who are determined to have violated this policy also may be held personally liable for any damages, settlement costs or expenses, including attorney fees incurred by the University.

Sanctions for conduct that constitutes Harassment as defined by this policy are subject to enhancement when such conduct is motivated by bias based on a person's legally protected status as defined by federal and state law: e.g., race, gender, religion, color, age, national origin or ancestry, genetic information or disability. This enhancement of sanction is applicable to University faculty, staff, students and recognized student organizations, including fraternities, sororities and/or cooperatives.

This policy may not be used to bring knowingly false or malicious charges against any faculty, staff, students or recognized student organizations, including fraternities, sororities and/or cooperatives. Disciplinary action will be taken against any person or group found to have brought a charge of Harassment in bad faith or any person who, in bad faith, is found to have encouraged another person or group to bring such a charge.

The University reserves the right to investigate circumstances that may involve Harassment in situations where no complaint, formal or informal, has been filed. In appropriate circumstances, sanctions in accordance with this policy will be implemented.

This anti-harassment policy augments, but does not supersede, other University policies covering discrimination. Although Harassment as described and prohibited by this policy includes a wide range of behavior, it does not include certain discriminatory conduct, even though that conduct may be otherwise unlawful, offensive, or prohibited by other University policies.

REASON FOR THIS POLICY

This policy is designed to prevent and sanction incidents of Harassment within the Purdue University community. The University believes that Harassment, which is a form of discrimination, is repugnant and inimical to our most basic values.

As a land-grant university, Purdue University is committed to the principles of equal opportunity in education and employment. We take seriously our responsibility to provide leadership in ensuring that equal opportunity is the norm rather than an aspiration.

This policy helps to promote this commitment through compliance with both state and federal laws and regulations, including but not limited to:

- Age Discrimination in Employment Act of 1967
- Americans with Disabilities Act of 1990, as amended
- Executive Order 11246, as amended
- Equal Pay Act of 1963
- Genetic Information Nondiscrimination Act of 2008
- Immigration Reform and Control Act of 1986
- Indiana Civil Rights Act of 1971
- Pregnancy Discrimination Act
- Sections 503 and 504 of the Rehabilitation Act of 1973
- Title VI of the Civil Rights Act of 1964, as amended
- Title VII of the Civil Rights Act of 1964, as amended
- Title IX of the Education Amendments of 1972
- Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended

INDIVIDUALS AND ENTITIES AFFECTED BY THIS POLICY

All Purdue University community members.



WHO SHOULD KNOW THIS POLICY

President
Chancellors
Vice Presidents
Vice Chancellors
Vice Provosts
Deans
Directors
Department Heads/Chairs
Faculty
Staff
Students
Recognized Student Organizations
Contractors
Visitors

EXCLUSIONS

There are no exclusions to this policy.

WEBSITE ADDRESS FOR THIS POLICY

www.purdue.edu/policies/pages/ethics/x_2_1.shtml

CONTACTS

Policy Clarification

Vice President for Ethics and Compliance
765-494-5830
vpec@purdue.edu
www.purdue.edu/ethics

Harassment Complaints

Calumet

Affirmative Action/Equal Employment Opportunity
219-989-3169
webs.calumet.purdue.edu/hr/affirmative-actioneeo/

Fort Wayne

Office of Institutional Equity
260-481-6106
www.ipfw.edu/eoaa

North Central

Equal Opportunity/Affirmative Action Office
219-785-5545
www.pnc.edu/cd/policy/index.html

West Lafayette

Office of Institutional Equity
765-494-7253
equity@purdue.edu
www.purdue.edu/ethics/oie

DEFINITIONS

Harassment

Conduct towards another person or identifiable group of persons that has the purpose or effect of:

1. Creating an intimidating or hostile educational environment, work environment or environment for participation in a University activity;
2. Unreasonably interfering with a person's educational environment, work environment or environment for participation in a University activity; or
3. Unreasonably affecting a person's educational or work opportunities or participation in a University activity.

Use of the term Harassment includes all forms of harassment, including Racial Harassment and Sexual Harassment.

Purdue University, Purdue or University

Any campus, unit, program, association or entity of Purdue University, including but not limited to Indiana University–Purdue University Fort Wayne, Purdue University Calumet, Purdue University North Central, Purdue University West Lafayette, Purdue Cooperative Extension Service and Purdue University College of Technology Statewide.

Racial Harassment

Conduct that demonstrates hostility towards another person (or identifiable group of persons) on the basis of race, color, national origin or ancestry and that has the purpose or effect of:

1. Creating an intimidating or hostile educational environment, work environment or environment for participation in a University activity;
2. Unreasonably interfering with a person's educational environment, work environment or environment for participation in a University activity; or
3. Unreasonably affecting a person's educational or work opportunities or participation in a University activity.

The University is strongly committed to providing a safe and Harassment-free environment for members of those groups that have historically been, and are still likely to be, at greatest risk of Harassment for reasons of prejudice.

Regulations Governing Student Conduct

The rules and procedures that govern student conduct and disciplinary action as set forth by each campus. Links to each campus's regulations are listed in the Related Documents, Forms and Tools.

Retaliation

Any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any person or group for exercising rights under this policy.

Sexual Harassment

- A. Any unwelcome sexual advance, request for sexual favors or other written, 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, education or participation in a University activity;
 2. Submission to, or rejection of, such conduct by an individual is used as the basis for, or a factor in, decisions affecting that individual's employment, education or participation in a University activity; or
 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's employment or academic performance or creating an intimidating, offensive or hostile environment for that individual's employment, education or participation in a University activity.
- B. Any act of sexual violence, including but not limited to, rape, sexual assault, sexual battery and sexual coercion.

Anyone who engages in a sexual relationship with a person over whom he or she has any power or authority within the University structure must understand that the validity of the consent can and may be questioned. In instances of such relationships, the individuals involved must adhere to the University's policy on Amorous Relationships (IV.7.1). In the event of a charge of Sexual Harassment, the University will give very critical scrutiny to any defense based upon consent when the facts establish that a power differential existed within the relationship. Those who abuse their power in such a context violate their duty to the University community.

Relationships between faculty and students are particularly susceptible to exploitation. The respect and trust accorded a member of the faculty by a student, as well as the power exercised by faculty in giving grades or recommendations for future study and employment, make voluntary consent by the student suspect.

RESPONSIBILITIES

Vice President for Ethics and Compliance

In consultation with University officers, chancellors and legal counsel, oversee and coordinate enforcement of policies and procedures dealing with Harassment for all campuses and operations within the Purdue University system.

Chancellors

Maintain an educational and employment environment free from Harassment.

Vice Presidents, Vice Chancellors, Vice Provosts and Deans

Maintain an educational and employment environment free from Harassment.

Communicate to all members of their unit those individuals and offices designated as a resource for people seeking assistance with Harassment.

Administrators, Supervisors, and Individuals and Offices Designated as a Resource for Assistance with Harassment

Take immediate steps in accordance with University policy and procedure to deal with any conduct involving Harassment or complaints of Harassment brought to their attention that involve University faculty, staff or students under their administrative jurisdiction.

Individuals Who Believe They Have Experienced or Witnessed Harassment

Report the incident through either the Procedures for Resolving Complaints of Discrimination and Harassment [<http://www.purdue.edu/ethics/resolvingcomplaints.html>] or the Regulations Governing Student Conduct, as appropriate.

PROCEDURES

Individuals who believe they have experienced or witnessed Harassment are encouraged to bring forward a complaint under the Procedures for Resolving Complaints of Discrimination and Harassment [<http://www.purdue.edu/ethics/resolvingcomplaints.html>], as issued and updated from time to time by the Vice President for Ethics and Compliance, or, in situations involving only students acting in their capacities as students, the Regulations Governing Student Conduct.

To determine whether a particular act or course of conduct constitutes Harassment under this policy, the alleged behavior will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context and duration of the questioned behavior. Although repeated incidents generally create a stronger claim of Harassment, a serious incident, even if isolated, can be sufficient.

RELATED DOCUMENTS, FORMS AND TOOLS

Board of Trustees resolution dated December 18, 2010

Equal Opportunity, Equal Access and Affirmative Action (X.2.2):
www.purdue.edu/policies/pages/ethics/x_2_2.shtml

Policy on Amorous Relationships (IV.7.1):
www.purdue.edu/policies/pages/human_resources/iv_7_1.html

Procedures for Resolving Complaints of Discrimination and Harassment: <http://www.purdue.edu/ethics/resolvingcomplaints.html>

Regulations Governing Student Conduct:

- **Calumet:**
www.calumet.purdue.edu/deanofstudents/student-conduct.pdf
- **Fort Wayne:**
<http://bulletin.ipfw.edu/content.php?catoid=19&navoid=487#Code>
- **North Central:**
www.pnc.edu/cd/Policy/conduct.html
- **West Lafayette:**
www.purdue.edu/univregs/studentconduct/index.html

Websites for governing bodies with oversight for applicable laws and regulations:

- Indiana Civil Rights Commission: www.in.gov/icrc
- U.S. Department of Education Office for Civil Rights: www.ed.gov/ocr
- U.S. Department of Justice, Americans with Disabilities Act: www.ada.gov/
- U.S. Department of Labor Office of Federal Contractor Compliance Programs: www.dol.gov/ofccp
- U.S. Equal Employment Opportunity Commission: www.eeoc.gov

HISTORY AND UPDATES

July 1, 2011: Definition of Sexual Harassment amended.

May 1, 2011: A definition for Regulations Governing Student Conduct was added. This policy supersedes Anti-Harassment, Interim (X.2.1) dated December 22, 2010.

December 22, 2010: This policy supersedes the Antiharassment Policy (Executive Memorandum No. C-33) dated September 16, 1994. It has been formatted in the current policy template and updated to comply with the Board of Trustees' resolution dated December 18, 2010, which expands the University's nondiscrimination commitment to include the bases of genetic information, gender identity and gender expression.

APPENDIX

There are no appendices to this policy.

PROCEDURES FOR RESOLVING COMPLAINTS OF DISCRIMINATION AND HARASSMENT

Date Last Revised: May 15, 2011

I. INTRODUCTION

Purdue University is committed to maintaining an environment that recognizes the inherent worth and dignity of every person, fosters tolerance, sensitivity, understanding and mutual respect, and encourages its members to strive to reach their potential.

Any employee, student, campus visitor or person participating in a University activity who believes he or she has experienced or witnessed discrimination and/or harassment is encouraged to report the incident(s) promptly. Prompt reporting of complaints is vital to the University's ability to resolve the matter.

There are both informal and formal processes for resolving complaints of discrimination and harassment. A Complainant may elect to invoke either the informal or formal resolution process. If the Complainant finds that initial informal efforts are unsatisfactory, the Complainant may then seek formal resolution.

The University reserves the right to investigate circumstances that may involve discrimination and/or harassment where no complaint, formal or informal, has been filed. In such situations, the University may elect to investigate and, if warranted, impose disciplinary sanctions pursuant to these or other established University procedures.

The University also reserves the right to take provisional, emergency actions departing from these Procedures; provided, however, that such actions shall be followed as promptly as possible by steps giving Respondents the notice and opportunity to respond as specified in the Formal Resolution Process set forth in Section VI hereof.

Any question of interpretation regarding these Procedures shall be referred to the Vice President for Ethics and Compliance for final determination.

II. DEFINITIONS

Advisory Committee on Equity

The committee appointed by the Vice President for Ethics and Compliance upon the nomination of the Provost, a Chancellor, the University Senate, the Administrative and Professional Staff Advisory Committee and the Clerical/Service Staff Advisory Committee to advise the Chancellors and the Director pursuant to Section VI of these Procedures.

Complainant(s)

A person or persons making a complaint under the Informal Resolution Process or the Formal Resolution Process.

Contact Person

A Complainant's department head or any other person who has supervisory responsibility for the Complainant or a designated individual within the following University offices: (a) on the West Lafayette campus, the Office of Institutional Equity, Office of the Vice President for Human Resources, Graduate School and Office of the Dean of Students; (b) on the Calumet campus, the Office of Affirmative Action/EEO, Office of Student Affairs and Department of Human Resources; (c) on the Fort Wayne campus, the Office of Institutional Equity, Office of the Dean of Students and Department of Human Resources; and (d) on the North Central campus, the Equal Opportunity/Affirmative Action Office, Dean of Students Office and Human Resources.

Days

Calendar days.

Director

The Director of the Office of Institutional Equity on the West Lafayette campus.

Formal Complaint

A written complaint filed pursuant to Section VI of these Procedures.

Formal Resolution Process

The process for resolving complaints of discrimination and/or harassment set forth in Section VI of these Procedures.

Informal Complaint

A complaint made pursuant to Section V of these Procedures.

Informal Resolution Process

The process for resolving complaints of discrimination and/or harassment set forth in Section V of these Procedures.

Procedures

The procedures set forth in this document.

Regulations Governing Student Conduct

The rules and procedures that govern student conduct and disciplinary action as set forth by each campus.

Respondent(s)

The person or persons whose conduct is the subject of concern under these Procedures.

University

Any campus, unit, program, association or entity of Purdue University, including but not limited to Indiana University-Purdue University Fort Wayne, Purdue University Calumet, Purdue University North Central, Purdue University West Lafayette, Purdue Cooperative Extension Service and Purdue University College of Technology Statewide.

University Investigator

A person designated by the Vice President for Ethics and Compliance to investigate a Formal Complaint pursuant to Section VI of these Procedures.

III. GENERAL PROVISIONS

To protect both the Complainant and the Respondent, complaints of discrimination and/or harassment will be treated with the greatest degree of confidentiality possible. Complainants are advised, however, that confidentiality can only be respected insofar as it does not interfere with the University's obligation to investigate allegations of misconduct that require it to take corrective action.

A Complainant may have an advisor or support person present when reporting discrimination and/or harassment or at any point in these Procedures. A Respondent may also have an advisor or support person present if and when he or she becomes a party to an Informal Resolution Process or a Formal Resolution Process. An advisor or support person may not however, stand in place of either the Complainant or the Respondent, act as legal counsel for a party or otherwise participate in the Informal Resolution Process or the Formal Resolution Process. An advisor or support person may, however, be an attorney.

All employees and students have an obligation to cooperate in the conduct of these Procedures. Failure to do so may result in disciplinary action. In the event that a Complainant does not cooperate by failing to furnish information requested by the University Investigator or to make himself or herself available for interview by the University Investigator, the Chancellor or Director may dismiss the Complaint. The Chancellor or Director shall provide written notice of such dismissal to the Complainant(s) and the Respondent(s). In the event that a Respondent does not cooperate by failing to furnish information requested by the University Investigator or to make himself or herself available for interview by the University Investigator, the University Investigator may conclude that such information or interview, if provided or conducted, would be adverse to the Respondent.

Allegations of discrimination and/or harassment involving only students acting in their capacities as students will be adjudicated under the Regulations Governing Student Conduct. Allegations of discrimination and/or harassment by recognized student organizations will be adjudicated in accordance with procedures established for student organizations. An investigation and determination of all other complaints alleging discrimination and/or harassment against a student may be conducted under these Procedures or under the Regulations Governing Student Conduct. At the West Lafayette campus, the final decision regarding which procedure will be used for the investigation and determination will be made jointly by the Vice President for Ethics and Compliance, the Vice President for Student Affairs, the Dean of Students

and, as appropriate, the Dean of the Graduate School. At the Calumet, North Central and Fort Wayne campuses, the final decision regarding which procedure will be used for the investigation and determination will be made by the Chancellor. Employees who are students involved in activities subject to these Procedures may be treated either as students, employees or both at the sole option of the University.

When extenuating circumstances warrant, a Chancellor or the Director, as the case may be, has the authority to extend any of the time limits contained in these Procedures except those relating to the filing of complaints or the filing of appeals.

In the event that a complaint concerns the conduct of the Director, the Vice President for Ethics and Compliance shall designate an individual who shall be responsible for implementing the responsibilities of the Director pursuant to these Procedures. In the event that a complaint concerns the conduct of the Vice President for Ethics and Compliance or a Chancellor, the President shall designate an individual who shall be responsible for implementing the responsibilities of the Vice President for Ethics and Compliance or such Chancellor pursuant to these Procedures. In the event that a complaint concerns the President, the Chairman of the Board of Trustees shall be responsible for implementing the responsibilities of the President pursuant to these Procedures.

Notwithstanding any provision contained in these Procedures to the contrary and in accordance with the Equal Opportunity, Equal Access and Affirmative Action (X.2.2) policy, a complaint alleging discrimination on the basis of marital status, parental status, sexual orientation, gender identity or gender expression will be barred unless a formal complaint is filed in accordance with these Procedures within 120 days of the alleged occurrence.

IV. RESOURCES FOR RESOLVING COMPLAINTS OF DISCRIMINATION AND HARASSMENT

Inquiries and complaints about discrimination and/or harassment may be brought to a Contact Person. The management of all complaints of discrimination and/or harassment, regardless of where they are initially received, and the implementation of these Procedures is the responsibility of the Vice President for Ethics and Compliance.

V. INFORMAL RESOLUTION PROCESS

Persons who believe they have experienced or witnessed discrimination or harassment are encouraged to report the incident promptly to a Contact Person. To file an Informal Complaint, a Complainant must (1) notify a Contact Person within 120 days of the incident of discrimination or harassment or, where the discrimination or harassment is of an ongoing nature, within 120 days from the most recent incident and (2) sign a completed Complaint Information Form.

Contact Persons will take steps to ensure confidentiality of the Complainant and Respondent during the Informal Resolution Process to the extent maintenance of confidentiality does not interfere with the University's obligation to address allegations of discrimination and/or harassment.

Any member of the University community may consult a Contact Person for advice, without obligation to file a complaint. If the potential Complainant declines to participate in the completion of the Complaint Information Form, however, the Contact Person may have no obligation to invoke the Informal Resolution Process or otherwise process the Informal Complaint.

A. Processing of Informal Complaints

Within three days following its receipt by a Contact Person, the Contact Person must (1) forward a copy of the signed Complaint Information Form to the Office of the Vice President for Ethics and Compliance or, in the event that the matter involves persons from a Regional Campus, the Chancellor, and (2) either attempt to resolve the Informal Complaint or refer the matter for resolution to another Contact Person.

Prior to completing the Informal Resolution Process, and upon the Complainant's request, a Chancellor or the Director may determine that no useful purpose is served by pursuing the Informal Resolution Process and may move the dispute to the Formal Resolution Process. In such situations, the Contact Person shall complete and submit his or her Status Report Form as described below.

B. Conclusion of the Informal Resolution Process

The Informal Resolution Process is designed to empower the parties to an Informal Complaint to reach a mutually satisfactory agreement. The Informal Resolution Process will be concluded by one of the following: (1) a decision to stop further action on the Informal Complaint, (2) a resolution of the Infor-

mal Complaint by agreement of the parties or (3) initiation of the Formal Resolution Process. Possible resolutions by agreement of the parties may include, but are not limited to: an apology to the Complainant, assisting the Respondent to better understand the effects of his or her conduct and ways in which this behavior could be changed, participation in educational programs about equal opportunity or harassment, verbal or written reprimands, or other interventions or actions aimed at ending the misconduct. The Contact Person will attempt to conclude the Informal Resolution Process within 30 days.

Within 10 days following conclusion of the Informal Resolution Process, the Contact Person must complete and submit a Status Report Form. A copy of the Status Report Form is to be submitted to the Vice President for Ethics and Compliance or Chancellor, but not normally to any other campus-level office.

In the event the Informal Resolution Process demonstrates that the Complainant filed knowingly false or malicious charges, appropriate discipline will result.

VI. FORMAL RESOLUTION PROCESS

Upon the election of a Complainant, or if there is no mutually acceptable resolution of an Informal Complaint during the Informal Resolution Process, a Formal Complaint of discrimination and/or harassment may be filed. To be considered properly received, a Formal Complaint must be filed with the appropriate Chancellor or the Director by the Complainant within the earlier of 10 days of the conclusion of the Informal Process or 120 days following the incident of discrimination and/or harassment. Where the discrimination and/or harassment is of an ongoing nature, a Formal Complaint must be filed within the earlier of 10 days of the conclusion of the Informal Process or 120 days from the most recent incident. The Formal Complaint must be signed and dated by the Complainant and describe the alleged incident(s) with relevant date(s), name(s) of the Respondent(s) and name(s) of witnesses. Notwithstanding the foregoing, a Complaint relating to alleged discrimination or harassment occurring during a Complainant's employment by the University must be properly filed within 10 days following termination of the Complainant's employment with the University.

Within 10 days following receipt of a Formal Complaint, the Chancellor or Director will assign a University Investigator to investigate the Formal Complaint. Persons eligible to serve as University Investigators shall be designated by the Vice President for Ethics and Compliance.

A. Notification of Formal Complaint and Response

Prompt notification of a Formal Complaint will be provided by the Chancellor or Director to the Respondent(s), to the department head or supervisor and to the appropriate Vice President, Dean or head of other major unit by delivery of a copy of the Formal Complaint through certified or express mail or by hand delivery. The notification to the Respondent(s) will include a copy of the Formal Complaint, the identity of the Complainant(s), a copy of any relevant University policy and these Procedures.

The Respondent(s) will be requested to respond in writing to the Formal Complaint within a reasonable time, not to exceed 10 days from the date of certified or express mailing or hand delivery of the notification of the Formal Complaint. Any extension of time must be approved by the Chancellor or Director. A copy of the Respondent(s)'s response will be provided to the Complainant.

B. Investigation of Formal Complaints

As soon as practicable following appointment, the University Investigator will interview the Complainant(s). Within three days following the completion of his or her interview with the Complainant(s), the University Investigator will notify the Chancellor or Director in writing as to whether or not the allegations set forth in the Complaint, if substantiated, would constitute a violation of University policy. If the University Investigator's notification indicates that such allegations, if substantiated, would not constitute a violation of University policy, the Chancellor or Director may dismiss the Complaint, and that decision shall be final. The Chancellor or Director shall provide the Complainant(s) and Respondent(s) with written notice of such dismissal.

In the event that the University Investigator's notification indicates that the allegations set forth in the Complaint, if substantiated, would constitute a violation of University policy, or if the Chancellor or Director determines that the matter should be investigated, the University Investigator will conduct a thorough fact-finding investigation and will meet separately with both the Complainant(s) and the Respondent(s), interview pertinent witnesses and review relevant documents regarding the Formal Complaint. The investigation shall be completed within 30 days following the assignment of the Formal Complaint to the University Investigator, unless an extension of time is approved by the Chancellor or Director.

Within seven days following the conclusion of the investigation, the University Investigator will prepare and deliver a report to the Chancellor or Director. The report will include a finding based upon a preponderance of the evidence that (1) the allegations cannot be substantiated, (2) some or all of the allegations are substantiated or (3) the Formal Complaint was knowingly false or malicious. No violation of University policy will be presumed unless a preponderance of the evidence standard supports the finding of a violation. This preponderance of the evidence standard requires that the evidence supporting each finding is more convincing than the evidence offered in opposition to it. The report will include the basis upon which the University Investigator reached his or her conclusions. The report will also include the University Investigator's determination of whether a violation of any University policy has occurred and a recommendation of the sanctions to be imposed, if any.

C. Determination

Within 15 days of receipt of the University Investigator's report, the Chancellor or Director will convene a meeting with and seek advice from a three-member panel selected by the Chancellor or Director from the Advisory Committee on Equity consisting of at least one participant who is a member of the faculty and one participant who is not a member of the faculty. At least two members of the panel shall be representatives of the campus from which the Formal Complaint originated. Prior to the meeting, members of the panel shall be furnished with a copy of the University Investigator's report and copies of any complaint or response of the parties. At the meeting, the panel will be afforded the opportunity to ask questions of the University Investigator. Upon request, the Complainant and the Respondent will be afforded an opportunity to meet with the Chancellor or Director and the panel.

Within 10 days following the meeting with the panel from the Advisory Committee on Equity, the Chancellor or Director shall make a written determination whether a violation of University policy has occurred.

In the event the charge of discrimination and/or harassment is not substantiated following the written determination of the Chancellor or Director, reasonable efforts will be taken to restore the reputation of the Respondent.

VII. SANCTIONS

At the West Lafayette campus, sanctions will be determined by the appropriate Vice President or Dean and the Director. In the event of a disagreement, the Director and such Vice President or Dean will refer the disagreement to the Provost for resolution.

At the Calumet, Fort Wayne and North Central campuses, sanctions will be determined and imposed by the Chancellor.

The Chancellor or Director will send the Complainant and the Respondent the written determination and final outcome, including sanctions, if any, of the matter by certified or express mail or by hand delivery. The appropriate Vice President, Vice Chancellor, Vice Provost or Dean is responsible for imposing the sanction.

Sanctions will be decided on a case-by-case basis and will be in accordance with University policy. Possible sanctions for employees include, but are not limited to, the following: a letter of reprimand, suspension or leave of absence without pay, reassignment of teaching or other responsibilities, removal of graduate faculty certification, denial of a merit pay increase, demotion, probation or termination. Sanctions for students acting as students are listed in Regulations Governing Student Conduct and may include without limitation verbal or written warnings, probation, probated suspension, suspension or expulsion.

If the accused is a faculty member and the sanction has been to recommend termination of employment, the procedures for termination of a faculty member (as outlined in Executive Memorandum No. B-48 or its successor) will be followed; provided, however, that the report of the University Investigator and the written determination of the Chancellor or Director shall be accepted into evidence at the faculty member's termination hearing without the necessity of the Complainant testifying as a witness. Except as provided herein, sanctions imposed pursuant to these Procedures may not be appealed or made the subject of a grievance under any other University policy.

In the event the investigation of a Formal Complaint demonstrates that the Complainant filed knowingly false or malicious charges, appropriate discipline will result.

VIII. SANCTIONS FOR BIAS MOTIVATED BEHAVIOR

If a University employee, student or recognized student organization engages in conduct that constitutes discrimination or harassment motivated by bias based on a person's race, gender, religion, color, age, national origin, ancestry or disability, the sanctions for such conduct are subject to enhancement in accordance with these Procedures.

IX. RETALIATION PROHIBITED

Retaliation against any person for reporting or complaining of discrimination and/or harassment, assisting or participating in the investigation of a complaint of discrimination and/or harassment, or enforcing University policies with respect to discrimination and/or harassment is strictly prohibited. Overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation or harassment against an individual or group for exercising rights or performing duties under these Procedures will be subject to appropriate and prompt disciplinary or remedial action.

X. APPEAL

The Complainant and the Respondent each have the right to appeal the decision of the Chancellor or Director and imposition of any sanction to the Vice President for Ethics and Compliance. The appeal must be in writing and filed within 20 days of the issuance of notification of the decision with all supporting materials attached. Decisions not appealed within such time are deemed final.

The Vice President for Ethics and Compliance will issue a decision on the appeal to all parties involved. Normally this decision will be made within 30 days from the date the appeal was received. The written decision of the Vice President for Ethics and Compliance on the appeal shall constitute the University's final action.

XI. FILING WITH EXTERNAL AGENCIES

Persons who believe that they have been subjected to discrimination and/or harassment may be able to file a complaint with the Indiana Civil Rights Commission, the U.S. Equal Employment Opportunity Commission or the U.S. Department of Education's Office for Civil Rights. Information regarding filing charges with any of these agencies may be obtained from the Office of Institutional Equity on the West Lafayette campus.

POLICY ON AMOROUS RELATIONSHIPS

[IV.7.1]

Volume IV: Human Resources

Chapter 7: Ethics

Issuing Office:

Office of the Vice President for Ethics and Compliance

Responsible Officer:

Vice President for Ethics and Compliance

Responsible Office:

Office of the Vice President for Ethics and Compliance

Originally Issued: January 1, 2009

Most Recently Revised: July 22, 2011

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STATEMENT OF POLICY

Purdue University is committed to maintaining an environment in which learning and discovery take place in a professional atmosphere of mutual respect and trust. Amorous relationships can develop within the University community between faculty, students and staff.

The disparity of power between persons involved in amorous relationships between a student and a faculty member, a graduate teaching or research assistant, or any other Purdue employee who has educational responsibility over the student, supervisor and subordinate, or senior and junior colleagues in the same department or unit makes them susceptible to exploitation. Amorous relationships that occur in the context of educational or employment supervision and evaluation between a student and a faculty member, a graduate teaching or research assistant, or any other Purdue employee who has educational responsibility over the student, or supervisor and subordinate undermine professionalism and hinder the fulfillment of the University's educational mission. Relationships between faculty and students are particularly susceptible to exploitation. The respect and trust accorded a member of the faculty by a student, as well as the power exercised by faculty in giving grades, approvals, or recommendations for future study and employment, make voluntary consent by the student suspect.

Those who abuse their power in the context of an amorous relationship where there is educational or employment supervision and evaluation violate their duty to the University community. Voluntary consent by the student or subordinate in a romantic or sexual relationship is difficult to determine given the asymmetric nature of the power structure in the relationship. Because of the complex and subtle effects of the power differential in the relationship, the individual with power may perceive the existence of consent that may not exist or not exist at the level perceived by the individual with power. The possibility exists that, if the relationship sours, these individuals may be subject to a claim of sexual harassment.

Amorous relationships may have an effect on others in the course, department or unit. Others may perceive that the student or subordinate in the amorous relationship is favored and afforded undue access and advantage above others in the same course, department or unit. These individuals may perceive the environment created as a result of the amorous relationship to be hostile and/or perceive forward progress and benefits are obtained through engaging in a romantic or sexual relationship with the person in power.



Therefore, Purdue University prohibits amorous relationships between a student and any Purdue employee who has educational responsibility over the student, and supervisors and subordinates where there is a supervisory or evaluative relationship between the parties. Individuals engaged in an amorous relationship in violation of this policy are subject to disciplinary action ranging from a written reprimand up to and including termination.

Individuals engaged in an amorous relationship prior to the existence of a supervisory or evaluative relationship within the educational and/or employment context, or who find themselves entering into such a relationship, have a duty to report the existence of the amorous relationship to the department or unit head who must ensure that arrangements are made to sever the supervisory or evaluative relationship between the parties. The parties must abide by the University Policy Concerning Nepotism.

Responsibility for the interpretation and enforcement of this policy rests with the Vice President for Ethics and Compliance.

REASON FOR POLICY

Purdue University is committed to maintaining an environment in which learning and discovery take place in a professional atmosphere of mutual respect and trust. Amorous relationships that occur in the context of educational or employment supervision and evaluation between a student and a faculty member, a graduate teaching or research assistant, or any other Purdue employee who has educational responsibility over the student, or supervisor and subordinate undermine professionalism and are disruptive to the educational and work environment. Ultimately, amorous relationships hinder the fulfillment of the University's educational mission.

DEFINITIONS

Amorous Relationships

Romantic or sexual relationships between two individuals of the opposite or same sex who are not married to each other or in a domestic partnership with each other, and who mutually and consensually understand the relationship to be romantic and/or sexual in nature.

Educational or Employment Supervision and Evaluation

To (A) assess, determine or influence (1) one's academic or research performance, progress or potential, (2) one's employment performance, progress or potential, (3) one's entitlement to or eligibility for any institutionally conferred right, benefit or opportunity; or (B) to oversee, manage or direct one's academic, research, employment, co-curricular, athletic or other institutionally prescribed activities.

WHO SHOULD KNOW THIS POLICY

President
Provost
Chancellors
Vice Presidents
Vice Provosts
Vice Chancellors
Deans
Directors/Department Heads/Chairs
Faculty
All Employees
Undergraduate Students
Graduate Students
All University Community Members

RELATED DOCUMENTS

Policy on Anti-Harassment (X.2.1)
Procedures for Resolving Complaints of Discrimination and Harassment
Executive Memorandum No. C-37, University Policy Concerning Nepotism

CONTACTS

Vice President for Ethics and Compliance

765-494-5830
vpec@purdue.edu

Vice President for Human Resources

765-494-7395
hrs@purdue.edu

Director of the Office of Institutional Equity

765-494-7253
equity@purdue.edu

PROCEDURES

Concerns related to harassment are governed by the Procedures for Resolving Complaints of Discrimination and Harassment.

RESPONSIBILITIES

Person

Vice President for Ethics and Compliance

Responsibility

Interpretation and Enforcement

HISTORY

July 22, 2011: Related Documents and Contacts sections updated.

January 1, 2009: This Policy supersedes the provision on amorous relationships previously contained in Executive Memorandum No. C-33, Antiharassment Policy, dated September 16, 1994.

CONTACTS

West Lafayette

Office of Institutional Equity	765-494-7253
Vice President for Human Resources	765-494-7395
Graduate School	765-494-2604
Office of the Dean of Students	765-494-1239
TTY	765-496-1343

Calumet

Affirmative Action Office	219-989-2571
Vice Chancellor for Student Services	219-989-2367
Department of Human Resources	219-989-2251
TTY	219-989-2729

Fort Wayne

Office of Institutional Equity	260-481-6106
Dean of Students	260-481-6601
Department of Human Resources	260-481-6840
TTY	260-481-6082

North Central

Affirmative Action/Equal Opportunity Office	219-785-5545
Dean of Students	219-785-5368
Human Resources	219-785-5300
TTY	800-743-3333

Title IX Officer

Vice President for Ethics and Compliance	765-494-5830
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Any questions regarding this publication should be directed to:

Office of the Vice President for Ethics and Compliance
Purdue University
Ernest C. Young Hall, Room 1029
155 S. Grant St.
West Lafayette, IN 47907-2114
765-494-5830
www.purdue.edu/ethics

ONLINE RESOURCES

Use your smartphone to scan the code below to access Purdue University's policies online.



www.purdue.edu/policies

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ETHICS AND COMPLIANCE
Ernest C. Young Hall, Room 1029
155 S. Grant St.
West Lafayette, IN 47907-2114

www.purdue.edu/ethics

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