

Longwood University Faculty Senate
PROPOSAL/POLICY COVER SHEET

This cover sheet is intended to provide information to members of the Faculty Senate about a new proposal/policy or about revisions to an existing proposal/policy. **If you are proposing a new policy, then attach the text of the policy to this form. If you are proposing a change to an existing policy, then attach the text of the current policy with any deleted language marked by a strikethrough and with new language marked by an underline. If you are deleting a policy, then attach the text of the policy to be deleted.**

COMMITTEE(S) that authored or sponsored this proposal:

Office of Academic Affairs

TOPIC:

Revision of Section I. D. Statement on Sexual Harassment

BACKGROUND (Provide a brief statement describing the origins of this proposal, the nature of the problem it addresses, and the work completed to devise the proposal):

In early May 2020, the Department of Education published new Title IX regulations. Universities are required to comply with the new regulations by August. And the new regulations, unlike the Dear Colleague letters from the Obama administration, are law.

Subpart E of 34 C.F.R. Part 106 specifically prohibits discrimination on the basis of sex "in employment in education programs or activities." The final Title IX regulations emphasize that the new requirements relating to sexual harassment apply to student and employee matters. So for schools that have not already done so, it means close examination of current sexual harassment policies and procedures to determine if and how they need to be revised to apply to employees.

As part of this broader effort to bring Longwood's policies in line with the new federal regulations, we need to update the "Statement on Sexual Harassment" that appears in the Faculty Manual. The proposed new language is below; the current language is attached for reference at the end of this document.

SUMMARY OF NEW POLICY OR PROPOSED CHANGES OR DELETIONS TO AN EXISTING POLICY (Provide a brief list or statement describing the content of the policy or the proposed changes or deletions):

This language below would replace the current Statement on Sexual Harassment.

Longwood University is committed to providing a healthy living, learning and working environment; an atmosphere that emphasizes the dignity and worth of the individual, which promotes personal integrity, civility and mutual respect, and creates an environment that is free from sexual harassment. Sexual harassment is not tolerated by Longwood University and is prohibited by law and university policy. Employees and students must be allowed to

work and learn in an environment free from sexual harassment. All faculty members are “Responsible Employees,” which means that they are required to report any information that they have received, whether intentionally or not, about instances of sexual misconduct or sexual harassment to the University’s Title IX coordinator within 24 hours. Reporting is critical to the well-being and safety of the University community.

Faculty should refer to the University Title IX Policy for details. This policy prohibits sexual misconduct, including sexual discrimination, sexual harassment, sexual assault, sexual violence, dating and relationship violence, and stalking by employees, students, or third parties. This policy addresses sexual misconduct that involves members of the Longwood community who are involved in an education program or activity which includes locations, events or circumstances over which Longwood University exercises substantial control over both the alleged respondent and the context in which the sexual harassment occurs. The intent of this policy is to provide the campus community with information, common definitions, and strategies to report incidents that occur.

RATIONALE FOR THE POLICY OR PROPOSED CHANGES (Provide a brief statement as to why the new policy, the changes, or the deletion is needed):

This statement will bring the University in line with changes required by the federal government in Title IX policies and procedures.

Routing information and signature lines:

Date submitted to Senate Executive Committee for Consideration: Action(s) Taken:

Date first read at Faculty Senate:

Action(s) Taken:

Date final action taken by Faculty Senate:

Action(s) Taken:

Senate Chair: _____

Date submitted to the PVPAA (within 5 working days of Senate approval): Action(s) Taken:

PVPAA: _____

Date: _____

Date submitted to other administration:

Action(s) Taken:

Administrator: _____

Date (within 15 working days of PVPAA’s signature): _____

Date submitted to the Board of Visitors:

(existing Sexual Harassment Statement)

D. STATEMENT ON SEXUAL HARASSMENT

Sexual harassment is not tolerated by Longwood University. Employees and students must be allowed to work and learn in an environment free from unwelcome and unsolicited sexual overtones. Any unwelcome conduct of a sexual nature is a form of discrimination that undermines Longwood's educational and professional mission.

Sexual harassment is defined as unwelcome sexual attention or the seeking or offering of advancement, gain, or consideration in return for sexual favors. Sexual harassment includes a wide range of behaviors, from actual coercion of sexual relations to inappropriate emphasis of sexual identity. Verbal, written, or physical conduct of a sexual nature constitutes harassment when:

1. Submission to such conduct is made explicitly or implicitly a condition of any individual's employment or educational status; or
2. Submission to or rejection of such conduct is used as the basis for an employment or educational decision affecting an individual; or
3. Such conduct is unwelcome and has the purpose or effect of unreasonably interfering with an individual's work or educational performance or of creating an intimidating, hostile, or offensive environment for work or learning.

Sexual harassment is prohibited by law and by the rules and regulations of Longwood University. Students and employees engaging in sexual harassment shall be subject to appropriate disciplinary action, up to and including dismissal. Any student or employee accused of sexual harassment under this policy who retaliates against his or her accuser, or any student or employee making an intentionally false accusation of harassment, shall be subject to disciplinary action, up to and including dismissal. This policy is designed to protect all members of the Longwood community.

Approved by the Longwood College Board of Visitors, July 26, 1993.