

**VERMONT COLLEGE OF FINE ARTS
ACADEMIC POLICIES
ADMINISTRATIVE POLICIES**

**DISCRIMINATION & HARASSMENT POLICY
Approved: May 26, 2009**

POLICY:

Vermont College of Fine Arts is committed to providing faculty, staff, students, artist-teachers, and invited visitors with an environment where they may pursue their careers or studies free from discrimination. The Chief Financial Officer is ultimately responsible for administering the college's equal opportunity, anti-harassment and accessibility (ADA) policies, and shares procedural responsibility with the program directors. The Office exists, in part, to ensure that all members of the College community understand their responsibility to create and maintain an environment free from discrimination and harassment.

The College pledges itself to the broad application of the Civil Rights Act of 1964, as amended, in particular Titles VI and VII, Title IX of the Education Amendments of 1972, the Equal Pay Act of 1963, the Americans and Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975 and comparable state and local laws.

DEFINITIONS:

For purposes of this policy, discrimination and sexual harassment are defined as follows:

Discriminatory Harassment

Discriminatory harassment is conduct of any nature, which denies equal privileges or treatment to a particular individual because of sex, race, color, religion, national origin, gender, age, marital status, disability, and status as a Vietnam veteran, or sexual orientation, and/or any other classification protected by law. Harassment may include, but is not limited to, verbal or physical attacks, written threats or slurs, unwelcome banter, teasing, or jokes that are derogatory, or depict individuals in a stereotypical and demeaning manner, or any other conduct based on the protected classification which has the purposes or effect of interfering unreasonably with an individual's work or academic performance or creates an offensive, hostile, or intimidating working or learning environment.

Sexual Harassment

Sexual harassment is a form of sex discrimination and has been defined by the U.S. Equal Employment Opportunity Commission as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, promotion, grades or academic status; **or**
- B. Submission to or rejection of such conduct is used as a basis for making an employment or academic decision affecting an individual; **or**

- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or of creating and intimidating, hostile or offensive environment for work or learning.

Sexual harassment may involve the behavior of a person of either gender toward a person of the same or opposite gender when that behavior falls within the operative definition of sexual harassment. Harassment without an overt sexual component can also violate the law and College policies under the circumstances outlined in the discriminatory harassment definition where it is shown that the harassment is directed at an individual because of the individual's gender.

Sexual harassment is prohibited and will not be tolerated at Vermont College of Fine Arts. Sexual harassment violates the dignity of individuals and impedes the realization of the College's educational mission. The College is committed to preventing and eliminating sexual harassment of faculty, staff and students through education and by encouraging faculty, staff and students to report any concerns or complaints about sexual harassment. Prompt corrective measures will be taken to stop sexual harassment whenever and wherever it occurs.

PROCEDURE:

The Chief Financial Officer has primary responsibility for resolving complaints. Students should first bring any concerns to their program director; any other member of the College community who has a complaint should immediately report the incident to the CFO or their immediate supervisor. The College prohibits retaliation against anyone who files a complaint and/or participates in an investigation.

The College will make every effort to promptly investigate and resolve complaints with due regard for fairness and the rights of both the complainant and alleged offender. The College will make every effort to protect the privacy of the parties. If there is evidence of harassment, the College will make the prompt and effective corrective action appropriate to the situation. Knowingly make false allegations of harassment or providing evidence with the knowledge that it is false are also violations of College policy and will subject that person to disciplinary action.

DISCIPLINARY SANCTIONS:

Disciplinary sanctions for violations of this policy, which may range from a reprimand to dismissal from the College, will be imposed in accordance with applicable College policies.