

Office of Institutional Equity

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Prohibition of Discrimination, Harassment and Related Interpersonal Violence Policy

- Employee Reporting Obligations

- Definition of Responsible Employee
- Duty to Report
- Exceptions to Duty To Report
- Supervisors' Duty to Report
- Failure to Report = Violation

- Amorous Relationships

- Undergraduate Students
- Graduate Students
- Workplace
- Duty to Disclose
- Failure to Disclose/Report = Violation

<http://policies.ucf.edu/documents/2-004ProhibitionOfDiscriminationHarassmentAndRelatedInterpersonalViolence.pdf>

Who is a Responsible Employee?

- Any employee who is not a confidential employee, who are employees entitled under state law to have privileged communications.
 - Health Services, Counseling & Mental Health Services, EAP, Ombuds, Victim Services, Student Legal Services, Volunteer Chaplains
- Responsible employees include:
 - Faculty and staff (full-time and part-time)
 - Resident assistants
 - Graduate students with classroom responsibilities
 - Campus Security Authorities

Responsible Employees' Duty to Report

- Employee Reporting Obligations set forth in section VI (pg. 15)
- Responsible employees are required to **immediately** report to OIE all relevant details about an incident of sex discrimination or sexual violence that involves **any student as a complainant, respondent or witness.**
 - Responsible employee is not required to investigate.
 - Do not attempt mediation.
- Reporting is required when knew or should have known.
 - This includes information learned as a rumor rather than a direct report.
- Failure to report is a violation of University policy.

Three Exceptions to Duty to Report for Responsible Employees

1. Public Awareness Events

- Light of the Night, Clothesline Project, Survivor Speak-Outs

2. Participation as a Subject in IRB-Approved Human Subjects Research

3. Coursework Submitted in Connection with Course Assignment

Supervisors' Duty to Report

- Deans, Directors, Department Heads and Supervisors must report to OIE all relevant details about an incident of discrimination, harassment or retaliation
- Reporting is required when knew or should have known.
- Failure to report is a violation of University policy.



Inappropriate Amorous Relationships

Amorous Relationship is any intimate, sexual, and/or any other type of amorous encounter or relationship, whether casual or serious, short-term or long-term.

- Undergraduate Students

- All employees are prohibited from **pursuing or engaging** in an amorous relationship with any undergraduate student.

- Graduate Students

- All employees are prohibited from pursuing or engaging in an amorous relationship with a graduate student under that individual's authority.
- Authority includes:
 - Teaching
 - Formal mentoring/advising
 - Supervision of research
 - Employment as assistant
 - Responsibility over grades/degrees

Inappropriate Amorous Relationships

In the event of a charge of sexual harassment arising from an amorous relationship, the university will in general be unsympathetic to a defense based upon consent when the facts establish that a faculty-student or staff-student power differential existed within the relationship.

- Graduate Students in Positions of Authority
 - Prohibited from serving in a position of authority over a student that had or has an amorous relationship
- Employment Context
 - All employees are prohibited from pursuing or engaging in an amorous relationship with an employee whom they supervise.

Existence of Inappropriate Amorous Relationship

- Where there is a pre-existing relationship or a relationship develops despite these warnings, the relationship must be disclosed to OIE by the employee in position of authority.
- Appropriate offices (HR, Office of Provost, Applicable Dean or Vice President) will explore steps to eliminate any potential conflict of interest.
- Failure to disclose is a violation of University policy.



Questions?