



UNLAWFUL HARASSMENT

A Guide for Faculty, Staff, and Students

2011–12



THE UNIVERSITY OF
CHICAGO

University Resources 2011–12

Any of the resource persons listed below will do her or his best to provide you with appropriate advice and practical assistance to enable you to continue your life in the University without being subjected to unlawful harassment. Ordinarily, every effort will be made to protect your privacy and that of others involved. Complaint Advisors are drawn from different areas but do not represent any particular constituency.

Unlawful Harassment Complaint Advisors

Tamara Felden = Office of International Affairs = 1414 E. 59th St., Rm. 291	4.3802
Vanessa Georg = Graham School = 1427 E. 60th St., 2nd Floor	4.0159
Shawn Hawk = The College = Harper Memorial Library West Tower, Rm. 401	2.8619
Cecily Hensler = Urban Education Institute = 1313 E. 60th St.	4.0938
Jeffrey Howard = Office of LGBTQ Student Life = 5710 S. Woodlawn Ave.	4.1005
Cathe Johnson = Chicago Booth = 5807 S. Woodlawn Ave., Ste. 209	4.3059
Ruth Kmak = Physical Education & Athletics = Ratner Athletics Center, Rm. 251	2.4642
Martina Munsters = Humanities = Walker Museum 111	2.3636
Brooke Noonan = Graduate Student Affairs = Adm 225	2.0871
Dawn Rose = Department of Surgery = AMB O-200	2.6647
Beverly Veal = Alumni Relations & Development = 1427 E. 60th St., Rm. 125	4.8532

Dean-on-Call/Sexual Assault Dean-on-Call 2.8181 or 123

Perspectives 24-hour hotline 800.456.6327

Area Deans of Students

Biological Sciences: Victoria Prince	4.2100
Humanities: Martina Munsters	2.3636
Physical Sciences: Richard Hefley	2.8790
Social Sciences: Patrick Hall	2.8414
The College: Susan Art	2.8609
Chicago Booth: Ann Harvilla	2.8150
Divinity School: Teresa Hord Owens	2.8217
Harris School of Public Policy: Ellen Cohen	4.2576
Law School: Amy Gardner	2.3955
Pritzker School of Medicine: Holly Humphrey	4.2138
School of Social Service Administration: Cecilia M. Bergman	2.1126
Graham School: Raymond W. Ciacci	2.2047

University Student Ombudspersons

Charles J. Otte III (Jody), Student Ombudsperson = ombudsperson@uchicago.edu	2.8422
Alexis Morris, Associate Ombudsperson = ombudsperson@uchicago.edu	2.8422

Pritzker School of Medicine, Office of the Ombudsperson

Dr. Michelle Josephson = mjosephs@medicine.bsd.uchicago.edu	2.2344
Dr. Jerome Klawfta = jklawfta@dacc.uchicago.edu	2.9922

HRS Employee Relations 2.3963

elrelations@uchicago.edu

Office of the Provost

Associate Provost: Aneesah Ali	2.5671
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Unlawful Harassment

The University of Chicago is a community of scholars dedicated to research, academic excellence, and the pursuit and cultivation of learning. Members of the University community cannot thrive unless each is accepted as an autonomous individual and is treated without regard to characteristics irrelevant to participation in the life of the University. Freedom of expression is vital to our shared goal of the pursuit of knowledge and should not be restricted by a multitude of rules. At the same time, unlawful discrimination, including harassment, compromises the integrity of the University. It is the intention of the University to take necessary action to prevent, correct, and, where indicated, discipline unlawful harassment.

Unlawful harassment includes peer harassment among students, staff, or faculty, and same-sex harassment. Unlawful harassment by a faculty member, instructor, or teaching assistant of a student over whom he or she has authority, or by a supervisor of a subordinate, is particularly serious.

Definitions and Key Concepts

Discrimination

Discrimination based on factors irrelevant to admission, employment, or program participation violates the University's principles. In keeping with its long-standing traditions and policies, the University of Chicago considers students, employees, applicants for admission or employment, and those seeking access to programs on the basis of individual merit. The University does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, age, veteran status, disability, genetics, or other protected classes under the law. Such discrimination is unlawful.

Unlawful Harassment

Unlawful harassment based on one of the factors listed above is verbal or physical conduct that is so severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or educational program participation, or that creates an intimidating, hostile, or offensive work or educational environment.

Sexual Harassment

Sexual advances, requests for sexual favors, or sexually directed remarks or behavior constitute sexual harassment when (1) submission to or rejection of such conduct is made, explicitly or implicitly, a basis for an academic or employment decision, or a term or condition of either; or (2) such conduct directed against an individual persists despite its rejection.

Definitions and Key Concepts

Objective Unreasonableness

A person's subjective belief that behavior is offensive, intimidating, or hostile does not make that behavior unlawful harassment. The behavior must be objectively unreasonable.

Retaliation

No one at the University may reprimand, discriminate, or otherwise retaliate against an individual for having initiated an inquiry or complaint in good faith.

Academic Freedom

Expression occurring in an academic, educational, or research context is considered as a special case and is broadly protected by academic freedom. Such expression will not constitute unlawful harassment unless it also is targeted at a specific person or persons, is abusive, and serves no bona fide academic purpose.

Policy Locations

The University's Policy on Unlawful Discrimination and Harassment can be found in the following locations:

- Policy on Unlawful Discrimination and Harassment
uchicago.edu/docs/policies/provostoffice/unlawdiscrimharass2006.pdf
- Sexual Harassment brochure web page
uchicago.edu/sexualharassment
- Unlawful Harassment brochure web page
uchicago.edu/unlawfulharassment
- Student Manual of University Policies and Regulations
studentmanual.uchicago.edu
- Human Resource Service's Personnel Policy web page
hrservices.uchicago.edu/fpg/policies

Scenarios

Scenario 1: *The officers of a multicultural student group reported to an Unlawful Harassment Complaint Advisor that, while in their dorm room planning an event, two students came to their door and said, “This is America. You people should speak English or go back where you came from. You probably don’t even have a green card!”*

Although this offensive, one-time event may not constitute unlawful harassment, an Unlawful Harassment Complaint Advisor can discuss options with you and identify University administrators who will address this incident.

Scenario 2: *A service worker complained to her supervisor that during break time, some coworkers trade racial jokes, using the “n-word” and referring to “welfare mothers.” Now there is a noose hanging from the basement water pipe, and the worker is worried about her safety.*

This is very serious, even though the coworkers claim they are joking. You should ask Human Resource Services to conduct an immediate investigation.

Scenario 3: *A gay student reported to an Unlawful Harassment Complaint Advisor that he has been confronted by different classmates while they followed him home from the library. On separate occasions, his classmates have argued that homosexuality is “unnatural” and “promotes promiscuity.” Yelling, “You don’t even look like a man,” one classmate stated that the student would be “condemned.”*

Sexual orientation and gender identity are protected classes covered by the University’s Policy on Unlawful Discrimination and Harassment. The Unlawful Harassment Complaint Advisor will ask you for details of each incident, including the identity of the students. She or he will explain your options and work with you, your Dean, and the students to stop the conduct.

Resolution Procedures

Members of the University who may have been subjected to or have concerns related to unlawful harassment (including sexual harassment) in the University, can, without fear of retaliation, discuss situations with any of the University officials named in this brochure, who will listen to your concerns, help you consider options, and offer advice.

An incident that troubles you is worth discussing. Resolution procedures include advising, mediation, and the option for University discipline. Every attempt will be made to protect the privacy of the individuals involved in an advising conversation about unlawful harassment. These conversations do not preempt other formal or informal channels available within the University. If an Unlawful Harassment Complaint Advisor learns of allegations that are so serious they obligate the University to act, then, upon the recommendation of the Coordinating Officer or Provost, there will be an administrative response which may include a formal investigation.

Compliance

The University of Chicago complies with federal, state, and local regulations governing nondiscrimination and unlawful harassment, including:

- Age Discrimination in Employment Act
- Americans with Disabilities Act (ADA), as amended
- Civil Rights Acts of 1964 and 1991
- Equal Pay Act of 1963
- Executive Order 11246
- Genetic Information Nondiscrimination Act of 2008
- Rehabilitation Act of 1973, as amended
- Title IX of the Education Amendments of 1972
- Illinois Human Rights Act
- City of Chicago Human Rights Ordinance
- Cook County Human Rights Ordinance

Additional Information

Bias Response Team (for students)

The Bias Response Team is made up of staff members who are available to support and guide students seeking assistance in determining how to handle a bias incident. To contact the Bias Response Team Member-on-Call, call 773.702.2427. For additional resources and a list of area Deans of Students, visit *civility.uchicago.edu*.