University Policy 1-012: University Non-discrimination Policy. Revision 2. Effective date February 14, 2017

I. Purpose and Scope

The University of Utah is committed to providing and fostering an environment that is safe and free from prohibited discrimination.

This is the primary Policy that informs the University community of the University’s commitment to preventing prohibited discrimination and fostering an academic, employment, and health care environment that is free from prohibited discrimination, including harassment and Sexual Misconduct.

This policy applies to all academic and administrative units of the University, and to all members of the University community, including faculty, staff, students, patients, visitors, and participants in University programs or activities. The application of this Policy’s associated regulations to staff who are also students, such as teaching assistants, research assistants, Medical Housestaff, or other University staff members who are also enrolled as students in a graduate education or other degree program, will be determined by the respective roles of those involved in any alleged violation.

[User note: This Policy was formerly titled as Interim Policy 1-012 Sexual Misconduct, Sexual Assault, Dating Violence, Domestic Violence and Stalking Prevention and Response. As of February 2017 it was re-titled and significantly revised, along with enactment of a set of associated Rules and procedures. Some contents of the revised Policy and the new Rules and Procedures formerly appeared in Policy 5-210 Discrimination and Sexual Harassment and Response. As of February 2017 this Policy and the set of associated Rules and Procedures replaces Policy 5-210 as the primary University Policy applicable to complaints of discrimination.]

II. Definitions
For purposes of this Policy, the definitions of prohibited discrimination and other words and phrases used in this Policy and its associated Rules and Procedure are provided in Rule R1-012.

III. Non-discrimination Policy

The University of Utah does not discriminate against individuals on the basis of race, ethnicity, color, religion, national origin, age, disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or protected veteran’s status (“protected class”), in employment, treatment, admission, access to educational programs and activities, or other University benefits or services. Additionally, the University provides reasonable accommodations to ensure equal access to qualified persons with disabilities.

Retaliation against individuals for engaging in protected activities, such as filing a discrimination complaint or participating in a discrimination complaint process, is prohibited.

Inquiries regarding the University’s Non-discrimination Policy and requests for accommodations may be referred to:

Director, Office of Equal Opportunity and Affirmative Action
Title IX/ADA/Section 504 Coordinator
201 South Presidents Circle, Rm.135
Salt Lake City, UT, 84112
801-581-8365 (voice/tdd)
801-585-5746 (fax)
www.oeo.utah.edu

[Note: Parts IV-VII of this Regulation (and all other University Regulations) are Regulations Resource Information – the contents of which are not approved by the Academic Senate or Board of Trustees, and are to be updated from time to time as}
determined appropriate by the cognizant Policy Officer and the Institutional Policy Committee, as per Policy 1-001 and Rule 1-001.]

IV. Rules, Procedures, Guidelines, Forms and other Related Resources

A. Rules

Rule 1-012: Discrimination Complaint Rule

Rule 1-012A: Discrimination Complaint Process Rule

Rule 1-012B: Sexual Misconduct Complaint Process Rule

B. Procedures

Procedure 1-012: Discrimination Hearing Procedure

C. Guidelines

None

D. Forms

None

E. Other related resource materials

[reserved]

F. References:

20 U.S.C. § 1092(f)

20 U.S.C. § 1681 et seq.

29 U.S.C. § 794 et seq.

42 U.S.C. § 2000e et seq.
42 U.S.C. § 6101 et seq.
42 U.S.C. § 12112
42 U.S.C. § 12132
42 U.S.C. § 18116
Utah Code Ann. § 76-5-106.5 Stalking—Definitions—Injunction—Penalties
Utah Code Ann. § 76-5-402 to -405 Sexual Offenses
Utah Code Ann. § 76-5-406 Sexual offense against the victim without consent of victim—Circumstances
Utah Code Ann. § 76-5b Sexual Exploitation Act
Utah Code Ann. § 76-9-702.7 Voyeurism offenses—Penalties
Utah Code Ann. § 77-36-1 Definitions
Utah Code Ann. § 78B-7-402 Definitions

Board of Regents Policy No. R256: Student Disciplinary Processes
Board of Regents Policy No. R831: Minimum Requirements for Non-Faculty Staff Employment Grievances Policy
Board of Regents Policy No. R841: Minimum Requirements for Disciplinary Sanctions and Termination of Staff Personnel
Policy 1-004: Violence in the Workplace and Academic Environment
Policy 1-011: Campus Security
Rule 1-012: Discrimination Complaint Rule
Rule 1-012A: Discrimination Complaint Process Rule
Rule 1-012B: Sexual Misconduct Complaint Process Rule

Policy 5-102: Staff Employment Policy

Policy 5-106: Equal Opportunity and Nondiscrimination Employment

Policy 5-107: Consensual Relationships

Policy 5-117: Americans with Disabilities Act (ADA) Policy

Policy 5-203: Staff Employee Grievances

Policy 6-011: Senate Consolidated Hearing Committee

Policy 6-316: Code of Faculty Rights and Responsibilities

Policy 6-400: Code of Student Rights and Responsibilities

V. Contacts

The designated contact officials for this Policy are:

A. Policy Owner (primary contact person for questions and advice): Office of Equal Opportunity and Affirmative Action

B. Policy Officer: Vice President and General Counsel

VI. History


Editorial revisions to current version: None

Background information on Revision 2.

B. Earlier Versions.

Revision 0. Effective dates January 10, 2011 to October 1, 2014.

C. Policy 5-210. This Policy 1-012 replaces Policy 5-210 as the primary University policy applicable to complaints of discrimination.