

University of the Pacific
Arthur A. Dugoni School of Dentistry
Policy Statement Regarding
Prohibited Sexual and Other Unlawful Harassment

The School of Dentistry is committed to maintaining the community as a place of work and study for faculty, staff and students, free of sexual and other unlawful harassment. The School of Dentistry prohibits unlawful harassment of any member(s) of the Dental School community. This policy is designed to provide procedures to assist the School of Dentistry to implement this commitment.

Harassment based on race, gender, gender identity, sexual orientation, national origin, ancestry, color, religion, religious creed, age, marital status, cancer-related or genetic-related medical condition, disability, citizenship status, military service status, or any other status protected by federal, state or local law, ordinance or regulation is prohibited by University policy. Prohibited harassment in any form, including verbal and physical conduct, visual displays, threats, demands and retaliation is a violation of this policy and will not be tolerated.

The School of Dentistry's policies and procedures are supported by, and consistent with, federal and state law prohibiting unlawful harassment. This policy thus accepts the mandate set forth in Title IX of the Educational Amendments of 1972, Title VII of the Civil Rights Acts of 1964 and California State law.

All members of the School of Dentistry community must comply with this policy. The School of Dentistry will take prompt and effective corrective action in response to any complaint showing a violation of this policy. Students, faculty and staff who believe they have been the victims of harassment have access to the complaint procedures as described in this policy statement. Under this policy, student employees may bring complaints against employees but not against other students, except when that student is a University work supervisor. Otherwise, complaints of students regarding harassment by other students should be presented in the manner stated in the Student-to-Student Sexual Harassment Policy, available in the Office of Student Life.

Prohibited Behavior

Prohibited acts that constitute harassment may take a variety of forms. Examples of the kinds of conduct that may constitute harassment include, but are not limited to:

- Verbal conduct such as epithets, derogatory comments, slurs, or unwanted sexual advances, invitations, or comments;
- Visual conduct such as derogatory posters, photography, cartoons, drawings or gestures;
- Physical conduct such as unwanted touching, blocking normal movement, or interfering with work because of gender or any other status protected by law;

- Threats and demands to submit to sexual requests in order to keep your job or avoid some other loss, and/or offers of job benefits or conditions in return for sexual favors;
- Retaliation in the form of adverse actions for opposing, reporting or threatening to report harassment or for participating in a related investigation, proceeding or hearing.

Sexual Harassment

Sexual harassment occurs when an individual's behavior constitutes (1) unwelcome sexual advances or (2) unwelcome requests for sexual favors, or (3) other unwelcome verbal or physical behavior of a sexual nature WHERE:

- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's education or employment; or
- Submission to, or rejection of, such conduct by an individual is used as the basis for academic or employment decisions affecting the individual's welfare; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's welfare, academic, residential life or work performance, or creates an intimidating, hostile, or offensive educational, living or work environment.

Complaint Process

The School of Dentistry encourages individuals who believe they may be victims of unlawful harassment in violation of University policy, or are aware that another person has allegedly engaged in sexual or other unlawful harassment, as previously defined, to report such information using the complaint process described below. It is expected that review of these matters will begin as expeditiously as needed, ordinarily no later than 14 days from the date of the filing of the complaint, and that complaints will be resolved as promptly as necessary and ordinarily no later than 30 days from initiation of review. Confidentiality will be maintained to the extent appropriate in consideration of the circumstances.

Complaints of violations of this policy should be made promptly and should be made orally or in writing, addressed in person or by email or written memorandum to the Director of Human Resources or to the Director of Academic Affairs.

The School of Dentistry will take prompt and effective action in response to the complaint. This may warrant an initial investigation of the complaint. If an investigation is conducted, the School of Dentistry may utilize dental school personnel and/or may retain an independent investigator. In either case, the investigator will proceed expeditiously and appropriately to investigate the matter, including interviews of individuals, if necessary, and will prepare a written report.

An outcome will be determined by the School of Dentistry consistent with the particular facts and circumstances of the complaint. The first relevant factor is whether the evidence shows a violation of the University policy against sexual and other unlawful harassment. Other relevant factors may include but are not limited to the nature of the conduct and

injury involved, the nature of the relationship between the parties, the degree of intentionality or purposefulness of the behavior, the prior history or documented misconduct, if any, and whether the accused individual abused a position of authority or power.

Sanctions

The School of Dentistry may determine that the complaint does not show a violation of the school policy against sexual and other unlawful harassment. If the school determines that the complaint in whole or in part shows a violation of the school policy against sexual or other unlawful harassment, the school shall determine what corrective action is appropriate, which may include disciplinary action including but not limited to warning, suspension or termination.

Non-Retaliation

No individual may be subject to interference, coercion or reprisal for seeking advice concerning a sexual or other unlawful harassment matter, filing a harassment complaint, or otherwise participating in good faith in the processing of a harassment complaint. The school will not retaliate against any person making a complaint of harassment and will not knowingly permit retaliation.