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## **1. Policy Statement**

Oregon Institute of Technology (Oregon Tech) is committed to creating and maintaining a safe, respectful, supportive, and productive environment in which to study, live, work, research, and visit. Oregon Tech strives to maintain an atmosphere that supports educational and career advancement based on reasonable, meaningful, and objective measures, such as academic and job performance. Oregon Tech strives to recruit and retain top talent and people of diverse backgrounds and experiences for its workforce and within its student body.

Oregon Tech recognizes any form of Discrimination or Discriminatory Harassment (defined below) based on protected class status is highly disruptive and contrary to the development and maintenance of a positive working and learning environment.

Discrimination or Discriminatory Harassment constitute serious offenses. Such behaviors have no place on Oregon Tech campuses, facilities, or within the Oregon Tech Community and it will not be

- Outlines the process Oregon Tech uses to investigate formal and informal complaints of violations of this Policy;
- Outlines the administrative and disciplinary processes for students, faculty, and staff who violate this Policy;
- Identifies resources available to members of the Oregon Tech Community involved or impacted by Discrimination and Discriminatory Harassment; and
- Described educational and training activities; preventative, and awareness initiatives Oregon Tech will undertake to reinforce the institution's commitment to creating and maintaining a safe, respectful, supportive, and productive environment in which to study, live, work, research, and visit.

### **3. Applicability/Scope**

This Policy applies to acts of Discrimination and Discriminatory Harassment on the basis of Protected Class (see below Definitions). Some forms of sexual harassment may fall under the Prohibited Sexual Misconduct Policy in addition to or instead of this Policy.

This Policy applies to all current and prospective, students, faculty, staff, volunteers, visitors, contractors, and collaborators (collectively the Oregon Tech Community).

This Policy applies to behavior occurring at any Oregon Tech campus or facility, and off-campus during university-sponsored activities and events.

### **4. Definitions**

**Protected Activity:** As used in this Policy, this refers to (1) a person's good faith reporting of known or suspected Misconduct; (2) a person's good faith participation in the investigation of alleged Misconduct, or (3) a person's reasonable refusal to engage in Misconduct. See the policy on Reporting Misconduct and Whistleblowers.

- Promptly and clearly speak out against Discrimination and Discriminatory Harassment when such conduct is observed; and
- Promptly report all known or suspected acts of Discrimination and/or Discriminatory Harassment.

**b. Prohibited Conduct**

Oregon Tech prohibits any act, whether intentional (*e.g.*, conscious or explicit bias) or unintentional (*e.g.*, unconscious or implicit bias), that unreasonably differentiates or targets a person based on their known or perceived membership in a Protected Class. Prohibited conduct includes conduct that is sufficiently severe or pervasive that it has the effect, intended or unintended, of unreasonably interfering with a person’s work or academic performance because it has created an intimidating, hostile, or offensive environment and would have such an effect on a Reasonable Person of that person’s status.

**Discrimination:** Oregon Tech prohibits Discrimination. Discrimination may include but is not limited to the following, when the decision occurs because of a person’s Protected Class:

- Failure to hire, promote, or admit;
- Termination, demotion, or expulsion; and
- Poor performance reviews or grades.

**Discriminatory Harassment:** Oregon Tech prohibits Discriminatory Harassment, including but not limited to:

- Offensive or degrading written statements, verbal abuse, or other hostile behaviors such as insulting, teasing, mocking, degrading or ridiculing another person or group;
- Racial slurs, derogatory remarks about a person’s accent, or display of racially offensive symbols;
- Unwelcome or inappropriate comments, questions, advances, jokes, epithets or demands;
- Unwelcome or inappropriate physical contact or physical abuse or stalking (see also Violence Free Campus);
- Displays or electronic transmission of derogatory, demeaning or hostile materials;
- Unwillingness to train, evaluate, assist, or work with an employee or student based on their known or perceived membership in a Protected Class;
- Telling someone that they are too old to understand new technology;
- Teasing or mocking a person with a disability;
- Ridiculing a person’s religious beliefs;
- Vandalizing or defacing property with language or symbols intended to insult, intimidate, or degrade;
- Placing written or visual material, such as a swastika or a homophobic epithet, on the door of a person’s living or work area;
- Chalking anti-Semitic language on a campus sidewalk or parking lot;
- Social media posts targeting a member of the Oregon Tech Community based on their



## **Reporting Concerns or Complaints Directed against a Student**

The Office of Student Affairs is responsible for assessing complaints when the suspected Misconduct is conducted by a current or prospective student. Complaints against former students will be assessed on a case-by-case basis to determine the appropriate response. General reporting options for concerns about a student's conduct include:

- Contacting









Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act  
Office of Federal Contract Compliance Programs (OFCCP), 41 CFR Chapter 60  
Oregon Workplace Fairness Act, OAR 839-005-0010(3)(A) & OAR 839-005-0030(4)  
Oregon House Bill 3415  
Oregon Revised Statutes 350.255  
Oregon Revised Statutes 659 and 659A  
Rehabilitation Act of 1973, as amended  
Title VII of the Civil Rights Act of 1964,  
Title IX of the Education Amendment of 1972  
Uniformed Services Employment and Reemployment Rights Act, as amended  
Vietnam Era Veterans Readjustment Assistant Act of 1974, as amended  
Violence Against Women Reauthorization Act of 2013 (VAWA)

## **7. Policy Review/Consultation/Responsible Officer**

This Policy was adopted on an interim basis as a result of new federal regulations applying to Title IX and requiring compliance by August 14, 2020. This Policy was drafted by the Title IX Compliance Task Team and reviewed by various stakeholders. This Policy was then reviewed and approved by Oregon Tech's President under his authority to revise and enact policies when prompted by the necessity of law.

The Responsible Officer for this Policy is Oregon Tech's Chief Human Resource Officer (ph: 541.885.1108; e: [oithr@oit.edu](mailto:oithr@oit.edu)).

## **8. Policy Approval**

Approved by the President on August 12, 2020.

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Nagi G. Naganathan, Ph.D., ASME Fellow  
President

### **Adoption Date**

August 12, 2020 (Effective Auolic