



# LONG ISLAND UNIVERSITY

## NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

### PURPOSE

Long Island University is committed to an environment free from discrimination, harassment, retaliation and/or sexual assault. Discrimination or harassment based on race, gender, gender identity or expression, color, creed, religion, age, national origin, ethnicity, disability, veteran or military status, sex, sexual orientation, pregnancy, genetic information, marital status, citizenship status, or any other legally prohibited basis is unlawful and undermines the character and purpose of the University.

### STATEMENT OF POLICY

Any such discrimination or harassment violates University policy and will not be tolerated.

It is the University Policy to promptly investigate allegations of such discrimination or harassment in the workplace and/or classroom environment consistent with this policy and the procedures set forth herein.

It is the University to investigate allegations of such behavior in the work and classroom environment consistent with this policy and the procedures set forth herein.

#### Prohibited Conduct:

- Discrimination - adverse treatment of any employee based on the employee's actual or perceived membership in a protected class or category of persons to whom he/she belongs, rather than on the basis of his/her individual merit with respect to the terms, conditions, or privileges of employment including, but not limited to hiring, firing, promoting, disciplining, scheduling, training, evaluating, or deciding how to compensate that employee.
- Harassment – a type of discrimination that happens when verbal, physical, electronic, or other behavior based on a person's protected status interferes with their participation in the University's programs and activities and it either creates an environment that a reasonable person in similar circumstances and with similar identities would find hostile, intimidating, or abusive; or where submitting to or rejecting the conduct is used as the basis for decisions that affect the person's participation in the University's programs and activities.
- Sexual or gender-based harassment – Sexual/gender harassment is any harassment that is based on the sex, orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. This conduct may include unwelcome sexual advances, requests for sexual favors and other verbal, physical, or electronic conduct of a sexual nature that creates a hostile, intimidating, or abusive environment; involve verbal, physical, or electronic conduct based on a person's sex, gender, sexual orientation, or sex-stereotyping that creates a hostile,

intimidating, or abusive environment, even if those acts do not involve conduct of a sexual nature; or include harassment for displaying what is perceived as a stereotypical characteristic for one's sex or for failing to conform to stereotypical notions of masculinity and femininity, regardless of the actual or perceived sex, gender, sexual orientation, gender identity, or gender expression of the person(s) involved.

Sexual/gender harassment is not limited to the University premises and can take place while off the premises for University business or activities. Such harassment is also not limited to a physical location and can consist of cell phone activity, emails, text messages, and social media, and take place off-hours or during use of personal devices.

- Sexual assault or sexual violence – attempting to engage in or engaging in a sexual act with another person without their consent or where that person is incapable of giving consent. This includes conduct that would be considered Criminal under the New York Penal code.
- Retaliation – any adverse action (including threats, coercion, or intimidation) taken against a person because they filed a discrimination or harassment complaint with the University or government agency about discrimination in unfavorable employment or educational actions. Included are any persons who participate in the reporting, investigation or resolution of an alleged violation of the Policy, opposing policies, practices, or actions that the person reasonably believes are in violation of the Policy, requesting accommodations on the basis of religion or disability.

## PROCEDURES

*See Non-Discrimination and Anti-Harassment Procedures.*

### **POLICY TYPE: OPERATIONS**