



Vermont
College of
Fine Arts

Discrimination & Harassment Policy

Updated 04/2017

Vermont College of Fine Arts is committed to providing faculty, staff, students, artist-teachers, and invited visitors with an environment where they may pursue their careers or studies free from Discrimination and Harassment. The CFO/VP for Administration is ultimately responsible for administering the College's equal opportunity, anti-harassment, and accessibility (ADA) policies, and shares procedural responsibility with the program directors.

The College pledges itself to the broad application of the Civil Rights Act of 1964, as amended, in particular Titles VI and VII, Title IX of the Education Amendments of 1972, the Equal Pay Act of 1963, the Americans and Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and comparable state and local laws. The Assistant Dean and the Vice President for Enrollment are the College's Section 504 and Title IX Coordinators. Procedures related to Sexual Misconduct can be found in a separate policy entitled: "Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy and Procedures."

VCFA is committed to a policy of equal employment and educational opportunity, in compliance with applicable provisions of state and federal law that prohibit discrimination in employment and/or education on the basis of race, color, sex, gender identity, genetic information, age, ancestry, national origin, place of birth, religion, sexual orientation, veteran or military service status, HIV-positive test result status, disability, or any other legally protected characteristic, as and to the extent that such characteristics and prohibitions are defined by applicable law.

The College will not rely inappropriately on such characteristics, or upon related stereotypes or biases, in making employment-related or education-related decisions. Also, in accordance with applicable law, the College will make reasonable accommodations for qualified individuals with known disabilities, unless doing so would result in an undue hardship or otherwise would not be required by applicable law.

Staff members or students should feel free to raise concerns or complaints relating to discrimination or perceived discrimination without fear of reprisal or retaliation from the College, students, faculty, supervisors, or co-workers. Violations of the College's nondiscrimination policy will likely result in disciplinary action or termination. Please refer to the Complaint Procedure below for more information about how you should report any such concerns or complaints.

DISCRIMINATORY HARASSMENT

Harassment may include, but is not limited to, verbal or physical attacks, written threats or slurs, e-mail messages or social media postings, unwelcome banter, teasing, or jokes that are derogatory, or depict individuals in a stereotypical and demeaning manner, or any other conduct which has the purpose or effect of interfering unreasonably with an individual's work or educational performance, and which create an offensive, hostile, or intimidating working environment based on or because of an employee's or student's race, color, sex, gender identity, genetic information, age, ancestry, national origin, place of birth, religion, sexual orientation, veteran or military service status, HIV-positive test result status, disability, or any other legally protected characteristic, as and to the extent that such characteristics are defined by applicable law.

Sexual harassment is a form of sex discrimination, which has been defined by law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, promotion, or academic status; or
- B. Submission to or rejection of such conduct is used as a basis for making an employment or education-related decision affecting an individual; or
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or of creating an intimidating, hostile or offensive working or educational environment.

Sexual harassment may involve the behavior of a person of any gender toward a person of any gender, when that behavior falls within the operative definition of sexual harassment. Harassment without an overt sexual component can also violate the law and College policies under the circumstances outlined in the discriminatory harassment definition where it is shown that the harassment is directed at an individual because of gender.

Sexual harassment is prohibited and will not be tolerated at Vermont College of Fine Arts. Sexual harassment violates the dignity of individuals and impedes the realization of the College's educational mission. The College is committed to preventing and eliminating sexual harassment of faculty, staff, and students through education and by encouraging faculty, staff, and students to report any concerns or complaints about sexual harassment. Prompt corrective measures will be taken to stop sexual harassment whenever and wherever it occurs.

PROCEDURE

The CFO/VP of Administration has primary responsibility for resolving complaints of harassment, discrimination, or related retaliation. Any student, staff member or faculty member with a related concern or complaint should immediately report their concern or complaint to the CFO/VP of Administration or their immediate supervisor. If the complaint involves the CFO/VP of Administration, it should be

directed to the President. The College prohibits retaliation against anyone because they have raised a concern or complaint and/or because they have participated in an investigation. Retaliation will be deemed a violation of this policy.

The College will promptly investigate and resolve complaints with due regard for fairness and the rights of both the complainant and the respondent. The College will make reasonable efforts to protect the privacy of the parties, while balancing the need to conduct an investigation. If there is evidence of discrimination, harassment, or related retaliation, the College will take prompt and effective corrective action appropriate to the situation. Knowingly making false allegations or providing evidence with the knowledge that it is false is prohibited, and will result in disciplinary action.

DISCIPLINARY SANCTIONS

Disciplinary sanctions for violations of this policy, which may range from a warning to dismissal from the College, will be imposed in accordance with applicable College policies.