

UNIVERSITY POLICIES

University Equality of Opportunity Policy

Wayne State University is committed to a policy of non-discrimination and equal opportunity in all of its operations, employment opportunities, educational programs and related activities.

This policy embraces all persons regardless of race, gender, color, sex (including gender identity), national origin, religion, age, sexual orientation, marital status, familial status, disability, arrest record, weight, qualified Vietnam era veterans, qualified special disabled veterans, recently separated veterans and other protected veterans, or any other characteristic protected by applicable federal or state law. It expressly forbids discrimination, sexual harassment or any form of harassment in hiring, terms of employment, tenure, promotion, placement and discharge of employees, admission, training and treatment of students, extra-curricular activities, the use of University services, facilities and in the awarding of contracts.

This policy also forbids retaliation and/or any form of harassment against an individual as a result of filing a complaint of discrimination or harassment, or participating in an investigation of a complaint of discrimination or harassment.

Wayne State University, as an equal opportunity/affirmative action institution, complies with all applicable federal and state laws regarding non-discrimination and affirmative action. In furtherance of this policy, the University is also committed to promoting institutional diversity to achieve full equity in all areas of University life and service and in those private clubs and accommodations that are used by University personnel. No off-campus activities sponsored by or on behalf of Wayne State University shall be held in private club facilities or accommodations which operate from an established policy barring membership or participation on the basis of race, color, sex (including gender identity), national origin, religion, age, sexual orientation, familial status, marital status, height, weight, disability or veteran status. Affirmative action procedures, measures and program may be used to the extent permitted by law to establish, monitor and implement affirmative action plans for all budgetary units and the University as a whole.

Inquiries regarding equal opportunity Academic/Administrative policies or complaints may be made to:

Office of Equal Opportunity
4324 Faculty/Administration Building
Wayne State University
Detroit, Michigan 48202
Telephone: 313-577-2280
or <http://www.oeo.wayne.edu>

Disability Non-Discrimination Policy

In accordance with federal requirements of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, there shall be no discrimination on the basis of disability in Wayne State University's programs, operations and activities, in the hiring, terms and conditions or privileges of employment or any matter directly or indirectly related to such employment, or in the admission, education and treatment of students. The Student Disability Services Office (<http://studentdisability.wayne.edu>) has complete information on services available to students.

Drug and Alcohol Free Workplace Policy

Wayne State University is committed to providing a drug-free environment for its faculty, staff, and students. The Board of Governors

has made this commitment a formal policy of the University. All faculty, staff and students must abide by the terms of the Board policy as a condition of employment or enrollment at the University. The unlawful possession, use, distribution, sale or manufacture of drugs or alcohol is prohibited on University premises, at University activities, and at University work sites.

Pursuant to that policy, the unlawful possession, use, distribution, dispensation, sale or manufacture of any illicit drugs, and the unlawful possession, use or distribution of alcohol on University property, or at any University work site, or as part of any University activity, is prohibited.

Any employee or student employee who is convicted of a criminal drug offense occurring at the workplace is subject to appropriate employee discipline in accordance with established University policies and collective bargaining agreements, and may be required to participate satisfactorily in a drug abuse or rehabilitation program as a condition of further employment or enrollment.

Any student or employee who, while on University premises or at any University activity, engages in the unlawful possession, sale, manufacture, distribution, or use of drugs or alcohol shall be subject to appropriate sanctions, in accordance with established University policies, the Student Code of Conduct, and collective bargaining agreements, and in conformity with local, state and federal law, up to and including expulsion or termination.

The University encourages employees who may have a problem with the use of illicit drugs or with the abuse of alcohol to seek professional advice and treatment. Individuals who seek assistance with such problems may obtain additional information on a confidential basis by telephoning the Employee Assistance Program (EAP) at 1-800-448-8326. Students may also seek referral assistance by contacting University Counseling and Psychological Services (CAPS), at 313-577-3398.

Policy Governing the Use of Alcoholic Beverages on Campus

The use or possession of alcoholic beverages is expressly prohibited in classrooms, lecture halls, laboratories, the libraries, the chapel and within buildings or arenas where athletic events, lectures, and concerts are held. The use of alcoholic beverages is expressly prohibited in all public areas of campus buildings except as follows: the use of alcoholic beverages, subject to State law, is permitted in areas designated by, and with the approval of, the Office of the President, and the use of alcoholic beverages at student social events, subject to State law, is permitted in areas designated by, and with the approval of, the Office of the President.

Sexual Discrimination, Harassment, and Assault Policy

Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. Under Title IX, discrimination on the basis of sex can include sexual harassment or forms of sexual assault, such as rape, sexual assault or sexual battery.

Sexual discrimination is prohibited by Title IX and by University Policy. (WSU Statute 2.28.01).

Sexual harassment is a form of sex discrimination that is prohibited by Title IX and by University policy. It is the policy of Wayne State University that no member of the University community may sexually harass another. (WSU Statute 2.28.06).

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:

1. Submission to such conduct or communication is made a term or condition either explicitly or implicitly to obtain employment, public accommodations or public services, education, or housing.
2. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment, public accommodations or public services, education, or housing.
3. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, educational, or housing environment, or creates an intimidating, hostile or offensive employment, public accommodations, public services, educational or housing environment.

In the area of speech, what the law and this policy prohibit is speech as action: that is, sexual communication which is either directly coercive as demanding favors, or indirectly coercive, as rising to that level of offensiveness which interferes substantially with the victim's education or employment. The determination of what level of offensiveness is actually coercive, and therefore unlawful and prohibited by this policy, will in some cases be difficult. A significant element in the determination is provided by the fact that an unequal power relationship underlies sexual harassment. The more unequal the relationship, the greater the risk is of substantial interference with the victim's education or employment.

In the area of physical contact, physical contact which is unwelcome is so gravely offensive that it always has the effect of substantially interfering with the victim's employment or educational environment. Employees and students should not take for granted that they are welcome to touch other employees or students, since if their contact is in fact unwelcome, they will be in violation of the law and of this policy. (WSU Statutes 2.28.06.010-2.28.06.080).

Sexual harassment is also unwelcome behavior of a sexual nature that creates a hostile or abusive work or educational environment. Sexual harassment is also unwelcome behavior of a sexual nature that is severe or pervasive and interferes with an individual's work or performance in a course or program

Sexual assault is also prohibited by Title IX and by University policy (01-5 University Policy). Sexual assault includes, but is not limited to any of the following:

1. Any intentional, unconsented, unwelcome physical contact or threat of unwelcome physical contact or attempt thereof, of:
 - a. an intimate body part of another person, such as a sexual organ,
 - b. any body part of another person with one's sexual organs, or
 - c. any part of another person's body with the intent of accomplishing a sexual act; or
2. Unwanted, inappropriate disrobing of another person, or purposeful exposure of one's genitals to another without the other's consent; or
3. Forcing, or attempting to force, any other person to engage in sexual activity of any kind without her or his consent; or
4. Any behavior that is proscribed as "criminal sexual conduct" under the Michigan Penal Code, notwithstanding whether criminal charges have been brought against the individual alleged to have engaged in such behavior. This may include rape, attempted rape, sexual assault or sexual battery.

Date rape and acquaintance rape are forms of sexual assault.

For purposes of the University's statutes/policies on sexual discrimination, sexual harassment and sexual assault, consent shall not be deemed to have occurred if given by a person who is unable to make a reasoned judgment concerning the nature or harmfulness of the activity because of his or her intoxication, unconsciousness, mental deficiency or incapacity, or if the product of threat or coercion. (WSU Statute 2.28.06.060).

Any employee or student will be subject to disciplinary action for violation of any of these policies. If any staff, faculty or student of the University community learns of a sexual discrimination, harassment or assault incident, they should immediately report that incident to either the Title IX Coordinator or the Deputy Coordinator, who are:

Linda Galante, Esq. - Interim Title IX Coordinator
Associate General Counsel
4259 Faculty Administration Building
656 W. Kirby Avenue
Detroit, Michigan 48202
Telephone: 313-577-2280
Fax: 313-577-7738
Email: lgalante@wayne.edu

Dean David Strauss - Deputy Title IX Coordinator
Dean of Students
351 Student Center
Detroit, Michigan 48202
Telephone: 313-577-1010
Email: ak3096@wayne.edu

The Title IX Coordinator's responsibilities include overseeing all Title IX complaints, identifying and addressing any patterns or systemic problems that arise during the review of such complaints, and coordinating the training, education, communication and administration of grievance procedures for faculty, staff, students and other members of the University community.

The Deputy Coordinator is responsible for Title IX compliance for matters involving students, including training, education, communication and administration of grievance procedures for all complaints against WSU students.

Students or employees having a complaint against a WSU student for sexual harassment, sex discrimination or sexual assault, should contact the Deputy Coordinator by phone or email or file a Student Care Report available on Dean of Students' website (<http://www.doso.wayne.edu>). Any such complaint can also be filed with the Title IX Coordinator.

The University statutes/policies prohibiting discrimination and sexual harassment/sexual violence can be found on the Board of Governors' website (<http://www.bog.wayne.edu/code>) and among the general university policies (<http://policies.wayne.edu>). These are also posted by the Office of Equal Opportunity (<http://www.deo.wayne.edu>) and the Dean of Students Office (<http://www.doso.wayne.edu>). The purpose of these policies is to assure the fullest possible awareness of WSU's stand on sexual discrimination/harassment/assault and to confirm and regularize WSU's procedures regarding the handling of complaints.

Additional Resources

In addition to filing a complaint with the Title IX Coordinator or Deputy Coordinator, in instances involving rape, sexual assault or sexual battery, students and/or employees should also contact the WSU Police Department at:

6050 Cass Avenue
Detroit, Michigan 48202

Violence in the Workplace Policy

Wayne State University is committed to providing a work and educational environment that is free from threats, assaults, or acts of violence. Threats of violence or of physical harm, and any form of physical or sexual assault or threats of physical assault are prohibited. This includes conduct that harasses, disrupts, or interferes with another person's work performance or creates an intimidating, offensive or hostile work or educational environment.

The University has also adopted a Campus Safety Ordinance (WSU Statute 2.87.03) which applies to all property owned, leased or otherwise controlled by Wayne State University and applies to all individuals when present on such property, regardless of whether the individual has a concealed weapons permit or is otherwise authorized by law to possess, discharge or use any device referenced in therein. The ordinance states that no person shall, while on any property owned, leased, or otherwise controlled by WSU:

1. possess or carry on his or her person any firearm, explosive or chemical weapon;
2. carry on his or her person any sword, switchblade knife, or other knife with a blade longer than three inches; and
3. carry on his or her person any other object or device with the intent of intimidating or injuring another person.

Upon conviction of any violation of this ordinance, the violator shall be sentenced to a fine not to exceed \$500.00. In addition, violations of this policy may result in disciplinary action under existing University administrative policies. Limited exceptions to this policy exist for University employees expressly authorized to possess or use such weapons, devices or substances, law enforcement officials so authorized, and any individual whose possession or use is in connection with a research or regularly scheduled educational program authorized by the University, for which the Chief of the Wayne State University Police Department has been given at least one week's advance notice.

University personnel are expected to notify appropriate management personnel of any violent or threatening behavior, when that behavior is work-related, carried out on University property, or is connected to University employment. Any individual who has obtained a personal protection order that identifies the workplace as a protected area should provide that information to the Wayne State University Police Department.