Remedies
Upon a determination of prohibited harassment, The University of Montana may take any or all of the following steps to ensure the discriminatory and/or harassing conduct stops and is properly remedied:

• Counseling and training
• Reassignment
• Disciplinary action, up to and including termination
• Redress for the victim employee/applicant, including but not limited to hiring or reinstatement with any documented back pay and attendant benefits, promotional opportunities, or other equitable remedies
• Redress for the victim student/applicant, including but not limited to admission to The University of Montana, removal of a wrongly received negative grade, or other equitable remedies

Retaliation
You are protected from retaliation for making a good faith complaint of discrimination or harassment, even if an investigation results in a finding of no policy violation. You are also protected from retaliation for participating in a proceeding involving a claim of discrimination or harassment against someone else. If you believe that you are the subject of such retaliation, you should immediately contact the Office of Equal Opportunity and Affirmative Action.

For more information and assistance, contact:

Equal Opportunity and Affirmative Action
020 University Hall
243-5710

Dean of Students
022 University Hall
243-5225

Human Resource Services
Emma B. Lommasson Center
Room 252
243-6766
Equal Opportunity – Non-Discrimination

The University of Montana provides to all the equal opportunity for education, employment, and participation in University activities without regard to race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, physical or mental disability, or sexual orientation. Responsibility for effecting equal opportunity accrues to all University administrators, faculty, and staff. This responsibility includes assurance that employment and admission decisions, personnel actions, and administration of benefits to students and employees rest exclusively upon criteria that adhere to the principle of Equal Opportunity. The University prohibits retaliation against a person for bringing a complaint of prohibited discrimination, for assisting someone with a complaint of discrimination, or for participating in any manner in an investigation or resolution of a complaint of discrimination.

Sexual Harassment

The University of Montana provides a learning and working environment that is free from sexual harassment. Sexual harassment is strictly prohibited. This policy applies to all members of the University community, including all employees and students. All members of the University community are responsible to ensure that the University is free from all forms of sexual harassment.

The following conduct is prohibited:

• Making unwelcome sexual advances or requests for sexual favors;
• Threatening an adverse employment or educational consequence for failure to engage in sexual relations;
• Promising positive educational or employment-related favors in exchange for sexual favors;
• Harassing a person based on gender.

The above conduct constitutes sexual harassment when it is sufficiently severe or pervasive as to disrupt or undermine a person’s ability to participate in or receive the benefits, services, or opportunities of the University, including unreasonably interfering with a person’s work or educational performance.

Whether conduct is sufficiently offensive to constitute sexual harassment is determined from the perspective of an objectively reasonable person of the same gender in the same situation.

The University will take appropriate measures to stop sexual harassment, including disciplinary action. Retaliation against an individual for reporting sexual harassment or for participating in an investigation of a complaint of sexual harassment is strictly prohibited.

The University will discipline supervisors who knowingly condone or fail to report or address instances of harassment.

Individuals should report sexual harassment to the Office of Equal Opportunity and Affirmative Action in accordance with the Discrimination Grievance Procedure.

Other Forms of Harassment

Harassment based on age, color, disability, marital/family status, national origin, political ideas, race, religion, sex (including pregnancy), creed, sexual orientation, or veteran status is prohibited at The University of Montana.

To be considered unlawful harassment, the conduct at issue must create a hostile work or educational environment, and must be directed at an individual because of his or her membership in one of the above-listed protected classes.

The conduct comprising the hostile work or educational environment must be sufficiently severe or pervasive. This means that the conduct must unreasonably interfere with work or academic performance or participation in University activities, or a reasonable person would find the conduct sufficiently offensive. Generally, a few isolated incidents do not rise to the level of an unlawful hostile work or educational environment. It is the University’s goal and obligation to end harassing behavior before it rises to the level of breaking the law. The University will take immediate action to end the harassing behavior, including appropriate disciplinary action, when instances of harassment are identified and confirmed. Supervisors who knowingly condone or fail to report incidents of harassment will themselves be subject to discipline. Retaliation against persons who complain about harassment or those who provide information about a claim of harassment is also a violation of laws prohibiting discrimination and will lead to disciplinary action against offenders.

What to Do

It is important to identify and stop discriminatory and harassing conduct as soon as it begins. If you believe that you may be experiencing discriminatory harassment, you should take one or more of the following actions as you deem appropriate to the situation:

Take Direct Action

Tell the harasser to stop. Speak up immediately and clearly state that you are offended by the behavior and want it to stop.

Document all incidents, including dates, times, places, witnesses, and descriptions of events.

Write a letter to the offender that identifies the offending behavior, explains your feelings, and makes clear that you want the behavior to stop. Keep a copy of the letter.

Seek Informal Assistance

If you are uncomfortable or fearful of taking direct action, or if you have been unsuccessful in resolving the matter, discuss your concerns with your academic advisor, appropriate dean or department head, residence life assistant, director, or supervisor.

Contact Human Resource Services and staff will assist you with informal resolution and/or provide mediation services.

If you feel uncomfortable discussing your concerns with administrative or supervisory staff, or if the problems persist despite efforts at resolution, you may speak in confidence with the Director of Equal Opportunity. Speaking informally with the EO Director does not automatically generate a formal complaint.

File a Complaint

You may file a complaint with the University in the Office of Equal Opportunity and Affirmative Action, 020 University Hall. To the extent possible, the University will protect the confidentiality of the individuals bringing discrimination and harassment claims.

If the complaint cannot be easily resolved, the EO Director will conduct a prompt, thorough, and neutral investigation. The full grievance procedure can be found online at www.umt.edu/eo.

Discriminatory harassment of students by other students is also addressed by certain provisions of the Student Conduct Code. Complaints of this nature may be brought to the Dean of Students.

You may contact a state or federal office authorized to receive complaints of discrimination. The Office of Equal Opportunity and Affirmative Action will provide information on how to contact those offices.

File a Complaint