

Discrimination, Harassment, Sexual Misconduct, Dating & Domestic Violence, Stalking and Retaliation

Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking and Retaliation Policy and Grievance Procedures

Montana State University is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran's status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Such an environment is necessary to a healthy learning, working, and living atmosphere because discrimination and harassment undermine human dignity and the positive connection among all people at our University.

Acts of discrimination, harassment, sexual misconduct (including sexual assault), dating violence, domestic violence, stalking, and retaliation will be addressed by the University through the Discrimination, Harassment, and Retaliation Policy (<https://www.montana.edu/equity/policies/>) and the related Discrimination Grievance Procedures (<https://www.montana.edu/equity/policies/grievanceprocedures.html>). The Office of Institutional Equity (OIE) is responsible for implementing informal and formal resolution via the Policy, and ensuring compliance with local, state, and federal civil rights laws. OIE also facilitates informal and formal resolution processes via the Discrimination and Harassment Policy and Discrimination and Harassment Procedure. To report or to get more information, please see below.

Mandatory Reporting: All employees, including except those hired to operate under a license or state law which provides confidentiality or privilege, are required to report known or suspected discrimination, harassment, sexual misconduct, dating violence, domestic violence, stalking and retaliation. Every member of the Montana State University community and our guests are strongly encouraged to report these issues.

Retaliation is action taken by someone against a person because that person has opposed behavior that is prohibited by Montana State University Policy, including if the person filed a complaint, testified, assisted, or participated in any manner in an investigation or proceeding under the Policy. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment, or sexual misconduct. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against an individual because of their complaint or participation.

Sexual Harassment

Sexual harassment is prohibited by University policy, and is defined as conduct that: (1) occurs within a University Program or Activity located in the United States; (2) affects an individual participating or attempting to participate in a University Program or Activity at the time the Formal Complaint is filed; (3) is based on sex, gender identity, gender expression, or sexual orientation; and (4) satisfies the elements of Quid Pro Quo

Conduct, Hostile Environment, Sexual Assault, Domestic Violence, Dating Violence, Stalking, or Sexual Exploitation, as defined in the Discrimination, Harassment, and Retaliation Policy (<https://www.montana.edu/equity/policies/>) ([montana.edu/equity/policies/](https://www.montana.edu/equity/policies/)).

Title IX of Education Amendments of 1972 (Title IX)

Title IX of the Education Amendments of 1972 ("Title IX") and the Montana Human Rights Act prohibit discrimination on the basis of sex in education programs and activities. Discrimination based upon sex can include sexual harassment or sexual violence. Title IX also prohibits gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

The Title IX Coordinator for Montana State University is:

Kyleen Breslin, Director and Title IX Coordinator

Office of Institutional Equity
Montana State University
P.O. Box 172430
Bozeman, MT 59717-2430

Tel: (406) 994-2042

Fax: (406) 994-7999

E-mail: [oe \(%20oie@montana.edu\)@montana.edu](mailto:oe (%20oie@montana.edu)@montana.edu) (oe@montana.edu)

Location: 311 Montana Hall

<http://www.montana.edu/equity> (<http://www.montana.edu/equity/>)

Consensual Relationships

Relationships with Students Policy: https://www.montana.edu/policy/relationships_students_policy.html

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as faculty and student, supervisor and employee). Certain types of relationships (between employees and students) are prohibited or limited, because these relationships may be less consensual than perceived by the person whose position confers power.

A consensual romantic relationship in which one party has supervisory or evaluative responsibilities for the other is a conflict of interest and, as such, and as provided in the University Conflict of Interest (COI) Policy the party in the evaluative or supervisory position must promptly disclose the relationship to his or her supervisor and to the campus official responsible for COI reporting. The supervisor and the University official responsible for COI management shall take steps to ensure that the situation is appropriately managed in accordance with the campus COI Policy. This could result in the removal of the employee or student from the supervisory or evaluative responsibilities by their romantic partner. As provided in the COI Policy, an employee's failure to promptly disclose a conflict of interest may result in discipline.

Non-Discrimination Policy Based on Disability

The University is committed to eliminating disability-based discrimination against qualified persons with disabilities and to making appropriate reasonable accommodation for any known disability that interferes with an

applicant's ability to compete in a selection process, an employee's ability to perform the essential functions of a job, a student's ability to meet the essential requirements of an academic program, or a person's ability to benefit from a University service or participate in a University-sponsored or hosted event.

All applicants, employees, students, or participants, including those with disabilities, are expected to be able to perform the essential functions of the position or program, with or without reasonable accommodation.

It is the responsibility of the applicant, employee, student or participant with a disability to inform the appropriate person, as indicated below, that an accommodation is needed:

1. **To request an accommodation in a job application or interview process, contact:** The hiring authority or chair of the search committee of the search, as indicated on the vacancy announcement or contact Human Resources, recruitment@montana.edu or (406) 994-3651. https://www.montana.edu/hr/disability_accommodation/index.html (https://www.montana.edu/hr/disability_accommodation/)
2. **To request accommodation in employment, including concerns about job duties, contact:** The direct supervisor or the MSU ADA Coordinator for Faculty and Staff, (406) 994-3651 or https://www.montana.edu/hr/disability_accommodation/index.html (https://www.montana.edu/hr/disability_accommodation/)
3. **To request an accommodation when applying for admission to the University, contact:** Director of Admissions, (406) 994-2452, if applying for undergraduate admission; or the Dean of the Graduate School, (406) 994-4145, if applying for graduate admission; or Office of Disability Services, (406) 994 - 2824 or <https://www.montana.edu/disabilityservices/index.html> (<https://www.montana.edu/disabilityservices/>);
4. **To request an accommodation when applying for housing or to request housing accommodation, contact:** Residence Life and University Food Service, (406) 994-2661, if applying for housing in the residence halls; or Family Housing, (406) 994-3730, if applying for family or graduate housing; or the Office of Disability Services, (406) 994 - 2824 or <https://www.montana.edu/disabilityservices/index.html> (<https://www.montana.edu/disabilityservices/>).
5. **To request accommodation related to an academic program or requirement, class, or other educational opportunity or activity, contact:**
The Office of Disability Services disabilityservices@montana.edu or (406) 994 -2824. The Office of Disability Services is located at 137 Romney Hall.
6. **To request public accommodation or accommodation to participate in a University sponsored or hosted event, contact:** The Event Sponsor, The Office of Disability Services, (406) 994 - 2824, or the Office of Institutional Equity, (406) 994-2042.

To file an anonymous report: you may call 855-753-0486 to file an anonymous report. Please note that submitting anonymous reports may impact the ability of the institution to take action if additional information is needed.

All employees, with the exception of the VOICE Center, Counseling and Psychological Services, and Student Health Services are required to report known or suspected discrimination or harassment to OIE.

Anyone can make a report by calling OIE, going to the OIE office, e-mailing, or making a report on-line.

Office of Institutional Equity (<http://www.montana.edu/equity/>)
PO Box 172430
Bozeman MT 59717-2430
Tel: (406) 994-2042
Email: oie@montana.edu
Location: 311 Montana Hall

Montana State University's Title IX Coordinator is the Director of the Office of Institutional Equity.

They may be reached by phone at 406-994-2042 or email at oie@montana.edu.

Office of Institutional Equity (<http://www.montana.edu/equity/>)
PO Box 172430
Bozeman MT 59717-2430
Tel: (406) 994-2024
Email: oie@montana.edu
Location: 311 Montana Hall

www.montana.edu/equity

Reporting, Filing a Complaint or Questions

Anyone who believes they have been discriminated against or harassed based on a protected class, and anyone who has experienced sexual violence (sexual assault or exploitation), dating or domestic violence, stalking, or retaliation, has the right to file a report with the University. The Director of Office of Institutional Equity/ Title IX Coordinator and OIE staff are available to discuss options, explain University policies and procedures, and provide education on relevant issues. Reports may also be reported securely online through the online Reporting Form (https://cm.maxient.com/reportingform.php?MontanaStateUniv&layout_id=9).