

Proposal/Bill # _____ Date: April 10th, 2005 Committee: _____

(Bill must be typed here. For Senator use only)

WHEREAS James Madison University does not currently have a uniform policy relating to sexual orientation non-discrimination; and

WHEREAS the JMU Student Government Association has previous recognized the right to equal treatment regardless of sexual orientation in the Student Bill of Rights and Responsibilities; and

WHEREAS JMU's faculty, staff, and administration are valued members of the community who have dedicated their lives to the goals and values of higher education; and

WHEREAS, under current Virginia law, an individual may be discharged from their employment because of perceived or actual sexual orientation without punishment; and

WHEREAS the law of the Commonwealth of Virginia does not ban the implementation of sexual orientation non-discrimination clauses by private or public entities;

THEREFORE, BE IT RESOLVED that the James Madison University Student Government Association ask that the JMU Board of Visitors add sexual orientation to all non-discrimination policies at JMU.

Submitted by Senator: Gene Wong Date: January 27th, 2005

Committee Action/Vote:
Approval Amount:

Date:

Senate Action/Vote:
Approval Amount:

Date:

Executive Council Action/Vote:
Approval Amount:

Date:

FACULTY HANDBOOK

Amended 1/9/04

III.A.5. Conflict of Interests

A potential conflict of interests occurs when there is a divergence between an individual's private interests and his or her professional obligations to the university such that an independent observer might reasonably question whether the individual's professional actions or decisions are determined by considerations of personal gain, financial or otherwise. A faculty member shall be sensitive to the potential for such conflicts, and shall avoid a conflict of interests. For details, see *Manual of Policies and Procedures*, Policy 1106, Conflict of Interest and the State and Local Government Conflict of Interests Act, Code of Virginia, Title 2.1, Chapter 40.1, Section 2.1-639.1 et seq.

III.A.6. Faculty-Student Relationships

The university prohibits intimate relationships between faculty members and students in their classes or under their supervision, e.g. teaching or graduate assistants. Such relationships raise the specter of exploitation and/or sexual harassment. A faculty member has a responsibility to avoid any apparent or actual conflict between his or her professional responsibilities and personal interest in dealings or relationships with students.

III.A.7. Equal Opportunity

All faculty members are expected to understand and support the university's equal opportunity and affirmative action policy, which prohibits discrimination on the basis of race, color, national origin, religion, gender, age, veteran status, political affiliation, or disability with respect to employment or admissions, or in connection with its programs or activities. See *Manual of Policies and Procedures*, Policy 1302, Equal Employment and Affirmative Action.

III.A.8. Harassment

Harassment of any kind is prohibited. Such behavior is not consistent with the commitment to excellence that characterizes the nature of the university. A goal of the university is to create an environment in which every individual can work, study and live without being harassed. Harassment may result in sanctions up to and including dismissal.

Harassment is unwelcome offensive conduct, verbal or physical, when submission to the conduct is made a condition of employment, admission or continuation as a student, explicitly or implicitly, or when an individual's submission to or rejection of such conduct is used as a basis for employment or evaluation decisions affecting the individual. Harassment is also unwelcome offensive conduct, verbal or physical, when a reasonable person would find that such conduct creates an intimidating, hostile or offensive educational, work or living environment.

Conduct constituting harassment includes, but is not limited to, unwelcome offensive behaviors based on a classification protected by federal or state law.

Sexual harassment compromises the integrity of human relationships, affects morale and performance, and threatens the individual's sense of security and well-being. Behaviors such as unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a

Student Handbook

J16-100 Harassment

It is the established policy of JMU to provide a work and study environment for faculty and staff members and students free from all forms of harassment, intimidation and exploitation. Prohibited harassment is offensive verbal or physical conduct when:

J16-101 Submission to the conduct is made a condition of employment or admission of an applicant;

J16-102 Submission to or rejection of the conduct is the basis for personnel action (recommendation for promotion or grades);

J16-103 The conduct seriously affects an employee or student's performance or creates an intimidating, hostile or offensive work or study environment. The conduct includes but is not limited to behaviors referring to a person's race, color, national origin, religion, gender, **sexual orientation**, age, veteran status, political affiliation, or disability.

Honor Code

Introduction

In a university community, there can be no doubt that honor and the pursuit of knowledge are inexorably intertwined. An honor system must be believed in, supported by and administered by those who belong to it. Upon enrollment at James Madison University, each student is automatically subject to the provisions of the Honor System. Each student has a duty to become familiar with the Honor Code and the provisions of the Honor System. Ignorance of what constitutes an Honor Code violation cannot be used as a defense in an honor hearing. The Honor System at JMU does not discriminate based upon race, color, religion, national origin, political affiliation, gender, **sexual orientation**, age or disability.