

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 includes sexual harassment.

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 the University's Interim Title IX Policy [cite]. It is the policy of Wayne State University that no member of the University community may sexually harass another. (WSU Statute 2.28.06).

Under the regulations that went into effect on August 14, 2020, and which are reflected in the Interim Title IX Policy, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).
 - a. sexual assault - The term "sexual assault" means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
 - b. dating violence – violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - i. The length of the relationship.
 - ii. The type of relationship.
 - iii. The frequency of interaction between the persons involved in the relationship.
 - c. domestic violence – includes felony or misdemeanor crimes of violence committed by:
 - i. a current or former spouse or intimate partner of the victim,
 - ii. by a person with whom the victim shares a child in common,
 - iii. by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
 - iv. by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or
 - v. by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Michigan.
 - d. Stalking - means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

For the purpose of the Interim Title IX Policy, "consent" means knowing, voluntary and clear permission by word or action to engage in sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity. Consent cannot be given if force, coercion, or incapacitation as defined below are present:

1. **Force** is the use of physical strength or action (no matter how slight), violence, threats of violence or intimidation (implied threats of violence) as a means to engage in sexual activity. A person who is the object of actual or threatened force is not required to physically, verbally or otherwise resist the aggressor.
2. **Coercion** is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes it clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

3. **Incapacitation**– A person is incapacitated when they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

Reporting Sexual Misconduct

There are several options for reporting sexual misconduct:

Title IX coordinator

All reports of sexual misconduct, including sex discrimination, sexual harassment and retaliation, may be made to the university's Title IX coordinator:

Brandy Banks, Title IX coordinator
656 W. Kirby,
Suite 4249 Faculty/Administration Building
Detroit, MI 48202
Phone: 313-577-9999
Email: titleix@wayne.edu
Website: <https://titleix.wayne.edu/>

Deputy Title IX coordinators

These University officials are available to assist individuals with reporting sexual harassment, seeking supportive measures and filing a formal complaint.

Deputy Title IX coordinator for students: David J. Strauss, Ph.D.,
Dean of Students 301 Student Center Building 5221 Gullen Mall
Detroit, MI 48202 313-577-1010 davidstrauss@wayne.edu.

Deputy Title IX coordinator for employees: Shalandria Cooper,
OEO lead secretary Office of Equal Opportunity 656 W. Kirby, Suite
432442 Detroit, MI 48202 313-577-2280 oeo@wayne.edu.

Deputy Title IX coordinator for athletics: Theresa Arist, Senior
Woman Administrator/Associate Athletics Director 5101
John C. Lodge 101 Matthaei Detroit, MI 48202 313-577-4282
theresa.arist@wayne.edu.

Deputy Title IX coordinator for the School of Medicine: Dr. Beena
G. Sood, Associate Dean for Professional Development, School
of Medicine Scott Hall, Room 1310 540 E. Canfield St. Detroit, MI
313-577-9877 bsood@med.wayne.edu.

Deputy Title IX coordinator for residential life: Nikki Dunham,
Director of residential Life, 582 Student Center Building 5221 Gullen
Mall Detroit, MI 48202 313-577-2116 ndunham@wayne.edu.

WSU Police

Individuals are encouraged to report sexual misconduct that may also violate criminal law to the Wayne State police at 313-577-2222.

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.