

## **Cheyney University Policy SE-2010-6006**

### **Policy on Harassment, Intimidation and Disruptive Conduct**

**Approved by:** Social Equity Council/ President's Cabinet

**History:** Revised -- 12-17-2009

**Related Policies:** n/a

**Additional References:** n/a

#### **Harassment, Intimidation and Disruptive Conduct**

1. No person shall engage in harassing, intimidating, or threatening conduct. This includes stalking.
2. No person shall exhibit behavior that harms or threatens to harm another person or another person's property. This includes, but is not limited to, harassing, intimidating or threatening conduct, physical harm, or conduct that results in property damage.
3. No person shall physically harm or exhibit threatening, intimidating, or harassing conduct toward a University employee related to the performance of his or her job.
4. No person shall physically harm or exhibit threatening, intimidating, or harassing conduct toward any party or witness involved in a judicial case, or cause damage to his or her property, with the intent of influencing outcomes or for retaliation.
5. No person shall engage in conduct that constitutes unlawful discrimination based on another person's race, color, sex, religion, age or national origin.
6. No person shall engage in hazing activities or intimidating practices toward other persons.
7. No person shall engage in conduct that is disorderly, unnecessarily disturbs others, and/or is disruptive to the normal practices, processes, and functions of the University or the local municipalities.
8. No person shall engage in, or attempt to engage in, a sexual assault. Sexual assault is the imposition of non-consensual sexual conduct (excluding rape). It includes, but is not limited to caressing, fondling, or touching a person's genitalia, buttocks, or breasts. It shall also be considered sexual assault when the victim is compelled to caress, fondle, or touch the assailant's genitalia, buttocks, or breasts.
9. No person shall commit, or attempt to commit, a rape. Rape (date, acquaintance, and stranger) includes all acts of non-consensual sexual intercourse involving any penetration of a bodily cavity with a foreign object, tongue, digit, or genitalia. A rape occurs when imposed under any of the following circumstances:

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- a) When the complainant is incapable of giving legal consent for mental, developmental, or physical reasons and this fact is known or reasonably should have been known by the person committing the act;
- b) When the act is committed without the person's explicit consent or is against the person's wishes. Rape incorporates any or all of the following: the use of force, threat, intimidation, coercion, duress, violence, or by causing a reasonable fear of harm;
- c) When the complainant is prevented from consenting or resisting because of intoxication or unconsciousness at the time of the act.