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II-14.2 Policy

(Amended 5/15; 7/15; 9/21/18; 1/20; 6/10/21; 7/1/25)

Effective July 1, 2025, this policy has been revised. For the most current version without redlining, return to [II-14.2](#).

Harassment of any member of the university community is prohibited.

- a. Definition of harassment. "Harassment" means intentional conduct, including speech, directed toward an identifiable person or persons that
- (1) threatens serious harm and is directed or likely directed to provoke imminent unlawful actions; or
  - (2) is sufficiently severe, pervasive, and subjectively and objectively offensive that it unreasonably interferes with work or educational opportunities or benefits, including, without limitation, on-campus living or participation in a university activity on or off campus
- See *Iowa Code 261H.3.5*: "This chapter shall not be interpreted as preventing public institutions of higher education from prohibiting, limiting, or restricting expression that the first amendment to the Constitution of the United States does not protect, including but not limited to a threat of serious harm and expression directed or likely directed to provoke imminent unlawful actions; or from prohibiting harassment, including but not limited to expression which is so severe, pervasive, and subjectively and objectively offensive that the expression unreasonably interferes with an individual's access to educational opportunities or benefits provided by a public institution of higher education."
- b. Conduct that constitutes a protected exercise of an individual's rights under the First Amendment to the United States Constitution (and related principles of academic freedom) shall not be deemed a violation of this policy. Note: Sexual harassment is addressed by the University's Policy on Sexual Harassment and Sexual Misconduct ([II-4](#)).
- c. Evidence of harassment. Behavior that may constitute, or be evidence of, prohibited harassment includes, but is not limited to, the following:
- (1) repeated contact with another in person, by telephone, in writing, or through electronic means (see also [II-19](#) Acceptable Use of Information Technology Resources), after the recipient has made clear that such contact is unwelcome.
  - (2) harassment proscribed by the *Iowa Criminal Code*, [Chapter 708](#), including, for example, stalking, the placement of simulated explosives, ordering merchandise or services with intent to annoy, or false reports to police.
  - (3) stalking as a course of conduct that is directed at a specific person that would cause a reasonable person to feel fear.
  - (4) domestic/dating violence which is coercive, abusive, and/or threatening behavior toward a current or former intimate or romantic partner.
- d. Penalty enhancement. The university reserves the right to impose more severe sanctions on individuals whose actions in violation of this policy are motivated by the race, creed, color, religion, national origin, age, sex, pregnancy (including childbirth and related conditions), disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, **gender-identity**, or associational preferences of the impacted party.
- e. In determining whether alleged conduct constitutes prohibited harassment, the investigator will consider all available information and will review the totality of circumstances, including the context in which the alleged incident(s) occurred. Although repeated incidents generally create a stronger claim of harassment, a single serious incident can be sufficient. Determinations will be made on a case-by-case basis.
- f. Definitions of other terms used in this policy:
- (1) Academic or administrative officer includes the following:
    - (a) Collegiate deans (including associate deans and assistant deans),
    - (b) Faculty members with administrative responsibilities at the level of departmental executive officer (DEO) or above,
    - (c) Any staff member whose primary job responsibility is to provide advice regarding a student's academic pursuits or other university-related activities,
    - (d) A faculty member serving as departmental (or collegiate) director or coordinator of undergraduate or graduate studies, or as a director or coordinator of any departmental, collegiate, or university off-campus academic program (including any study-abroad program),
    - (e) The President, the directors of the Office of Civil Rights Compliance, the Title IX Coordinator, vice presidents (including assistant and associate vice presidents), and Provost (including assistant and associate provosts), and those persons' designees,
    - (f) Directors and supervisors in an employment context, including faculty and staff who supervise student employees, in relation to matters involving the employees they supervise (other than Campus Safety personnel when receiving criminal complaints or reports), and
    - (g) Human resource representatives (including all central University Human Resources staff).
  - (2) Allegations: to the extent possible, allegations of policy violations should provide factual details such as, but not limited to, time, place, actions, participants, and witnesses. Allegations do not necessarily have to be based on firsthand observation of events to be "specific and credible," but direct observation normally results in greater specificity and credibility than indirect knowledge.
  - (3) Graduate assistant: a graduate student employed by the university as a research assistant or teaching assistant.
  - (4) Human resources representative: the individual designated as a unit's departmental authority on human resource policies and procedures, and all central human resources staff.
  - (5) Impacted party: a person who allegedly has been harassed.
  - (6) Instructor: a person engaged in teaching students or in evaluation or supervision, direct or indirect, of a student's academic work.
  - (7) Member of the university community: any university student, or faculty or staff member.
  - (8) Protected interests: university employment, education, on-campus living, or participation in a university activity.
  - (9) Reporting party: the person who brings a complaint of violation of this policy, who could be an impacted party, a third-party reporter, or an academic or administrative officer of the university.
  - (10) Responding party: a person who has been accused of harassment.
  - (11) Stalking:
    - (a) "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
      - (i) Fear for their safety or the safety of others; or
      - (ii) Suffer substantial emotional distress.
    - (b) Examples of stalking include:
      - (i) Attempting to gather information about the target of unwelcome conduct;
      - (ii) Vandalism, including attacks on data and equipment;
      - (iii) Direct physical and/or verbal threats against an impacted party or an impacted party's loved ones, including animal abuse;
      - (iv) Gathering of information about an impacted party from family, friends, co-workers, and/or classmates;
      - (v) Manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to the impacted party;
      - (vi) Defamation or slander against the impacted party, posting false information about the impacted party and/or posing as the impacted party to post to websites, newsgroups, blogs, or other sites that allow public contributions, encouraging others to harass the impacted party;
      - (vii) Posing as someone other than oneself to initiate transactions, financial credit, loans, or other contractual agreements;
      - (viii) Arranging to meet an impacted party under false pretenses.
  - (12) Supervisor: a person who has authority either: 1) to undertake or recommend tangible employment decisions (those that significantly change an employee's employment status, such as, but not limited to, hiring, firing, promoting, demoting, reviewing performance, reassigning, and compensation decisions) affecting an employee, or 2) to direct the employee's daily work activities.
  - (13) Third-party reporter: a person who brings a complaint alleging that someone else has been harassed. A third-party reporter does not need to be a member of the university community (i.e., a current university faculty, staff, or student).