

**PROPOSAL: Non-Discrimination and Sexual Misconduct Policy**

**Approvals**

Western Michigan University strives to cultivate a healthy and diverse community that recognizes the value of each individual and helps foster safety, civility, and respect for all people. Members of the WMU Community have the right to be free from sexual and protected class discrimination, harassment, violence and all other forms of prohibited conduct described in these Policies. All members of the Community are expected to conduct themselves in a manner that does not infringe upon the rights of others. These Policies have been developed to reaffirm these principles and to prove accountability for conduct that violates these Policies.

The Sexual Misconduct Policy prohibits sex-based discrimination, including sexual harassment, domestic violence, and stalking committed by or against WMU Community members of any gender. It also provides redress for those who have been victims of such behaviors or who have been accused of such behaviors. This policy has been updated to incorporate definitions from the 2020 Title IX Final Rule, changes to the Jeanne Clery Campus Safety Act, the Elliott-Larsen Civil Rights Act, bifurcated the formal resolution process, and was aligned with the proposed Non-Discrimination Policy.

The Non-Discrimination Policy prohibits discrimination and harassment on the basis of protected characteristics, as well as retaliation for engaging in protected activities as set forth in state and federal law. It also provides resources for those individuals whose rights may have been violated and provides accountability for conduct that violates this Policy. This Policy has been updated due to changes in the Jeanne Clery Safety Act and the Elliott-Larsen Civil Rights Act, added gender-based harassment which was formerly in the Sexual Misconduct and Gender Based Discrimination Policy, and was aligned with the proposed Sexual Misconduct Policy

**Recommended Action**

It is recommended that the Board approve the Non-Discrimination Policy and the Sexual Misconduct Policy.