

OUTDOORS AT UVA

Harassment, Discrimination, & Sexual Misconduct Policy

Last updated December 10, 2023



Objective

Outdoors at UVA will not tolerate discrimination, harassment, or sexual misconduct of any kind. Through enforcement of this policy and by education of club members, Outdoors at UVA will seek to prevent, correct and discipline behavior that violates this policy.

All club members, regardless of their positions, are covered by and expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any club member who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or expulsion from the club. Sexual misconduct will be met with expulsion from the club, or other disciplinary actions depending on what the victim communicates to us.

Officers and trip leaders who knowingly allow or tolerate discrimination, harassment, sexual misconduct, or retaliation, including the failure to immediately report such misconduct, are in violation of this policy and subject to discipline as far as expulsion from the club.

Definition of Prohibited Conduct

Discrimination & Harassment

It is a violation of The Outdoors Club's policy to discriminate in the provision of trip waitlisting, benefits or privileges; to create discriminatory conditions; or to use discriminatory evaluative standards in the outdoors if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, sex, sexual orientation, gender identity or expression, genetic information, or marital status. Discrimination in violation of this policy will be subject to disciplinary measures up to and including expulsion.

Outdoors at UVA prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any unwanted behavior, physical or verbal (or even suggested), that makes a reasonable person feel uncomfortable, humiliated, or mentally distressed. This may include, but is not limited to conduct designed to threaten, ridicule, intimidate or coerce a club member, tripler, officer, or any person on behalf of Outdoors at UVA.

The following examples of harassment are intended to be guidelines and *are not exclusive* when determining whether there has been a violation of this policy:

- **Verbal harassment** includes comments that are offensive or unwelcome. It is considered discriminatory verbal harassment if it is on the basis of an individual or group's national origin, race, color, religion, age, sex, sexual orientation, pregnancy,

appearance, disability, gender identity or expression, marital status or other protected status, including epithets, slurs and negative stereotyping.

- **Nonverbal harassment** includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group. It is considered discriminatory nonverbal harassment if it is on the basis of the individual or group's national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital status or other protected status.

Sexual Misconduct

Outdoors at UVA has zero tolerance for sexual misconduct. As defined by Title IX and drawn from the website for the University of Virginia office for Equal Opportunity and Civil Rights, sexual misconduct is defined as including:

“Quid Pro Quo Harassment, Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking on the basis of sex in an education program or activity ("Title IX Prohibited Conduct") and other forms of sexual and gender-based misconduct, including Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse, Sexual Exploitation, Intimate Partner Violence, Stalking, Quid Pro Quo Harassment, Hostile Environment Harassment, Complicity in the commission of any act prohibited by the Sexual Misconduct Policy, and Retaliation against a person for the good faith reporting of any of these forms of conduct or participation in any investigation or proceeding under the Sexual Misconduct Policy ("Sexual or Gender-Based Prohibited Conduct") (collectively "Prohibited Conduct").”

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Interferes with a club member's club involvement or creates an intimidating, hostile or otherwise offensive environment.
 - This includes having been harassed outside of a club context by another club member.
- Is made explicitly or implicitly a term or condition of trip admittance, membership, or club status.
- Is used as a basis for a trip admittance, membership, or club status decision.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and *are not exclusive* when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.

- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters, notes, facsimiles, e-mails, photos, text messages, internet postings; or other forms of communication that are sexual in nature and offensive.
- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced/coerced/nonconsensual sexual intercourse or assault.

Courteous, mutually respectful, pleasant, noncoercive interactions between club members that are appropriate in the club environment and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

Other more specific forms of harassment include (but are not limited to):

- **Website Privacy**
 - The Outdoors Club website displays personal information that club members often forget is public. This includes personal phone numbers, email addresses, and mailing or home addresses. This information is meant to be used as a networking and communication tool specifically related to trips and the club. Examples include: calling or emailing the members of a trip to inform them of changes in the itinerary, using the address to pick up or drop off members for a trip, or reaching out to a club member if there is a case of emergency or unexpected event on a trip that requires assistance. Using personal information outside of these circumstances, or ones of a similar nature is considered misuse of personal information and a breach of digital privacy. A warning will be issued to the person misusing the information, after which disciplinary action will be taken if the behavior continues.
- **Stalking**
 - This is considered to be a pattern of behavior directed at a specific person that causes them to feel fear. Even if the repeated actions are considered harmless individually, they can perpetuate fear in a larger context or timeline.
 - While perception of stalking can vary from person to person, we define it by the following feelings the victim may experience: vulnerable, unsafe, unsure of who is trustworthy, and/or fear of what the stalker is capable of doing. Behavioral symptoms of being stalked include but are not limited to: missing work, school, or club events for fear of seeing or running into the stalker, and/or changes in normal or preferred habits to avoid interaction with the stalker.
 - A non-exhaustive list of stalking behaviors include: repeated phone calls, following, sending unwanted texts, emails, voicemails, letters, or gifts, property damage, violation of digital privacy (including using the website

information), lingering near certain locations in order to increase the chance of contacting the victim, threatening the victim or their friends & family, attempting to control, track, or frighten the victim, using other people to try to communicate with victim (family, friends, strangers), and mimicking the victim's behavior or physical characteristics (such as buying the same clothing or accessories). These behaviors do not have to happen within a club context to be met with disciplinary action.

- If someone uses the Outdoors club (or the Outdoors club website information, such as phone numbers, email, home addresses, and/or addresses and times of trips) to contact—or increase opportunities to contact—someone who has already communicated they do not want to be contacted, we will assume that is their primary reason for their involvement in the club. This will result in expulsion from the club. If the perpetrator claims otherwise, Outdoors club can provide them resources for other clubs or organizations in their area of interest.

Outdoors Club reserves the right to implement disciplinary measures up to expulsion of club members engaging in these behaviors.

Additionally, Outdoors club has a club house that serves two important functions: holding specific gear for club activities (such as bikes & paddleboards), and hosting social events for the club (such as bonfires or parties). Outdoors club has the right to remove people from the club house, and to prevent certain members from attending events held at the house based on their behavior. The club house is not only meant to host events or provide gear. It is first and foremost a living space for resident club members. Our members deserve to feel safe in their home—if removing someone from the house or preventing them from attending events is necessary for a club member's safety, then that action can and will be taken.

Consensual Romantic or Sexual Relationships

Outdoors at UVA recognizes that due to the nature of being within a university means that romantic or sexual relationships between club members is common and unavoidable. Additionally, because the club relies on trip leaders and encourages members to become leaders, romantic or sexual relationships between trip leaders and non-trip leaders are also common and unavoidable, as well as relationships between officers and non-officers. However, these relationships should not create compromising conflicts of interest or the appearance of such conflicts. Such a relationship may give rise to the perception by others that there is favoritism or bias in trip admittance decisions affecting club involvement of other members. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a welcoming and healthy club environment and dynamic. If there is such a relationship, the parties need to be aware that they are expected to remain unbiased and faithful to the club's standard trip admittance of first come, first serve enrollment off the waitlist.

Reporting and Adjudication Process

Members of the Outdoors Club who have experienced harassment, discrimination, or sexual misconduct at the hands of another club member need only report to the DEI Chair or [THIS](#) anonymous form. Instances of harassment, discrimination, and sexual misconduct will be handled on a case by case basis due to the lack of formally documented precedents within the club. Based on the intensity of the offense, disciplinary action may include verbal or written reprimand, suspension, or expulsion, however the reporter/survivor has the ability to request an alternate response on the part of the club, such as ensuring that the two members do not attend trips together or preventing the offending member from attending certain club activities. The only people who will see form responses are the current President and DEI chair, and if there is a conflict of interest, authority will be deferred to a non-conflicting officer (primarily the Vice President or previous DEI chair).

Retaliation

No hardship, loss, benefit or penalty may be imposed on a club member in response to:

- Filing or responding to a complaint
- Appearing as a witness in the investigation of a complaint
- Serving as an investigator of a complaint

Lodging a complaint will in no way be used against the club member or have an adverse impact on the individual's participation in the club. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation. Any person who is found to have violated this aspect of the policy will be subject to discipline up to and including expulsion.

Retaliation against a reporter is prohibited. This includes but is not limited to retaliation by the direct subject of the report, their associates, or other parties. Retaliation will be met with further disciplinary measures, up to expulsion from the club.

Furthermore, it is strictly prohibited for an individual to initiate contact with individuals who they suspect may have reported them about the subject. The DEI Chair and Officers involved in the case serve as an intermediary between both parties and no direct contact should occur unless initiated by the reporter.

Statement of Support for Survivors

In order to promote a culture of sexual respect, it is critical that we recognize the prevalence of sexual misconduct in our society and the stigma against its survivors. Knowing this, we will always believe and support survivors, and ask that our members do the same.

Confidentiality

All reports and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the report is usually revealed to the parties involved during the investigation, and the DEI Chair will take adequate steps to ensure that the reportant is protected from retaliation during and after the procedure. All information pertaining to a report or investigation under this policy will be maintained by the DEI Chair, and the President if necessary. In the case of a conflict of interest, authority will be deferred to a non-conflicting officer (primarily the Vice President or previous DEI chair).

Zero-Tolerance Policy

We as a CIO take sexual misconduct and harassment very seriously, under all circumstances. If you feel as though you have experienced any harassment, please fill out our response form,. If you would rather confidentially talk to an officer, you can reach out to any of the ones listed at the end of this document regarding sexual misconduct. Zero tolerance includes officers, trip leaders, and members of the Outdoors Club House, not just general members of the club. Though reporting in any of these circumstances can feel intimidating, we want our club to be a safe place for *all* of our members and if there is any member, of any status, causing it to be an unsafe place, we want to address the issue.

Document Changes

This document is subject to change as the DEI Chair and Officer Corps improve their understanding of best practices in reporting situations. Protocols may be updated from time to time as situations arise, in order to best support the values of our club and support club members. The date at which the document was most recently updated is displayed on the title page. Additionally, club members will be notified via an email announcement when changes are made to the document.

Resources

Confidential Resources:

National Sexual Assault hotline: (800) 656-4673

Madison House HELPLine: (434) 295-8255

Sexual Assault Resource Agency (SARA): <https://saracville.org/>

Resources for UVA Students:

Counseling and Psychological Services: (434) 924-5556

Just Report It: <https://justreportit.virginia.edu/>

Maxine Platzer Lynn Women's Center:

<https://womenscenter.virginia.edu/confidential-advocates>

Student Health & Wellness: <https://www.studenthealth.virginia.edu/>

Multicultural Student Services: <https://multicultural.virginia.edu/>

LGBTQ Student Services: <https://lgbtq.virginia.edu/>

HELP Line: <https://www.helplineuva.com/>

Outdoors at UVA:

[Website Resources](#)

[Outdoors at UVA Equity Reporting Form](#)

[Outdoors at UVA General Response Form](#)

[Code of Conduct](#)

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