

# Bullying Prevention and Response

Standards of Conduct

**EWU Policy 901-04**

**Effective: October 5, 2018**

**Authority: EWU Board of Trustees**

**Proponent: Human Resources**

**Purpose:** This policy describes university standards for managing incidents of bullying. It also establishes procedures for handling related complaints or incidents of policy violations.

**History:** This policy revises and supersedes the previous version dated November 16, 2010.

**Applicability:** This policy applies to all university personnel, students, vendors, contractors, volunteers, and guests. It applies on University property and at off-campus locations where University business is conducted.

## CONTENTS

Chapter 1 – Introduction

Chapter 2 – Bullying

Chapter 3 – Responsibilities

Chapter 4 – Complaint Process

## CHAPTER 1 – INTRODUCTION

### 1-1. General

Eastern Washington University is committed to providing a community where students, faculty, staff, volunteers and guests are safe from bullying behaviors. This policy establishes university standards for prevention of workplace bullying and prescribes standard measures and procedures for responding to behaviors or complaints of bullying. Through a combination of emphasis, accountability, training, and systematic response, EWU intends to deter bullying acts and behavior and to provide timely response when incidents of bullying occur.

### 1-2. Policy

Eastern Washington University will not tolerate bullying behavior, as defined below, directed toward any member of the university community or to any person on university property.

### 1-3. Scope

This policy applies to all conduct engaged in on university property or as part of a university program or activity. All employees, students, vendors, contractors and guests are required to comply with this policy. EWU employees and students conducting university business at a location off-campus, i.e. business trips, internships, etc, are also subject to the provisions of this policy.

### 1-4. Reprisal or Retaliation

It is a violation of this policy for any person to engage in reprisal or retaliation against an individual because that individual has, in good faith, filed a complaint, testified, assisted, or participated in any process under this policy, or has attempted to do so.

### 1-5. Confidentiality

To protect the privacy of those involved, all information will be maintained in a confidential manner to the fullest extent permitted by law and university policy. During any process under this policy, complaint information will be

disseminated on a need-to-know basis. Files subject to public disclosure will be released to the extent required by law.

### 1-6. References

- University Guideline 401-01, Investigations
- WAC 172-121, Student Conduct Code
- Collective Bargaining Agreements with unions

## CHAPTER 2 – BULLYING

### 2-1. Bullying Definition

Bullying: Bullying is behavior that is:

- Intentional;
- targeted at an individual or group; and,
- creates an intimidating and/or threatening environment that is so severe or pervasive, and objectively offensive, that it substantially interferes with another's ability to work, study, participate in, or benefit from the university's programs and activities.

The following examples of bullying behaviors are prohibited and punishable only when the conduct meets the definition of bullying above.

Bullying behavior may take many forms, including, but not limited to, physical, verbal, or written acts or behaviors. It may also manifest as excluding behavior such as ignoring or dismissing individuals or groups.

In determining whether conduct is severe or pervasive, the University will consider all relevant circumstances from both an objective and subjective perspective including the type of bullying (verbal or physical); the frequency and severity of the conduct; the age, sex, and relationship of the individual involved; the degree to which the conduct affected the victim; the setting and context in which the

conduct occurred; whether other incidents have occurred at the University; and other relevant factors.

Offensive behaviors may include, but are not limited to, inappropriate behaviors such as abusive language, derogatory remarks, insults, or epithets. Other offensive behaviors may include the use of condescending, humiliating, or vulgar language, swearing, shouting or use of unsuitable language, use of obscene gestures, or mocking.

**2-2. Sanctions or Disciplinary Action**

If an investigation determines that an act of bullying, as defined in this policy, did occur, the supervisor or other appropriate official will take action to prevent future violations and to administer appropriate sanctions. This may include discipline up to and including termination.

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**CHAPTER 3 – RESPONSIBILITIES**

**3-1. Employees, Students, Vendors, Contractors, Volunteers, and Guests**

University employees, students, vendors, contractors, volunteers, and guests have a responsibility to behave in a respectful manner and not engage in conduct that constitutes bullying. Victims or witnesses of bullying are encouraged to report their concerns.

**3-2. University President**

The University President is responsible for overall compliance with pertinent federal and state laws. The president will ensure development and implementation of university policies and programs designed to prevent and respond to bullying behavior. The President will promote those programs and policies and monitor university compliance.

**3-3. University Officials and Employees with Supervisory Responsibilities**

University employees with supervisory responsibilities must take reasonable steps to ensure that the work or learning environment for which they are responsible is free from bullying behaviors.

- a. Supervisors and other university officials shall:
  - (1) Attend training on this policy and related procedures
  - (2) Treat all complaints and incidents of bullying seriously
  - (3) Manage all complaints of bullying in a timely and confidential manner
  - (4) Handle reports of bullying in accordance with the procedures described in this policy
- b. During any of the procedures under this policy, university officials involved shall:
  - (1) Listen impartially to the concerns and perceptions of each party involved

- (2) Ensure that all parties involved are treated fairly and that assistance is available to all parties
- (3) Ensure that all reported incidents of bullying are responded to promptly
- (4) Ensure that the environment is safe for all parties

**3-4. Human Resources**

Human Resources will offer training to supervisors, faculty, and staff regarding bullying.

**3-5. Vice President for Student Affairs**

Provides students annual training on this policy.

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**CHAPTER 4 – COMPLAINT PROCESS**

**4-1. Where to Report Bullying**

Any person who wishes to report an incident of bullying should contact an appropriate university official as shown in Table 4-1 below. If a complainant has concerns about discussing the issue with the Preferred Official, they should contact an Alternate Official.

**Table 4-1. Officials for Complaints of Possible Bullying**

	<b>Preferred Official</b>	<b>Alternate Officials</b>
<b>Employees</b>	<b>Immediate Supervisor</b> <i>Employees are encouraged to seek resolution for bullying complaints by going to their immediate supervisor first</i>	<b>Human Resources; other official</b> <i>If an employee has concerns about going to the supervisor, they may contact Human Resources or another university official for assistance.</i>
<b>Students</b>	<b>Dean of Students</b>	<b>Other University Official</b> <i>(i.e. Department Chair, Office of Student Affairs, Academic Advisor)</i>
<b>Others</b>	<b>Human Resources</b>	<b>President’s Office</b>

**4-2. Informal Complaint Process**

The goal of the informal process is to resolve bullying complaints at the lowest level and as quickly as possible.

- a. Methods: The following methods of informal resolution are available:
  - (1) Ask your supervisor or a co-worker to intervene on your behalf.
  - (2) Engage in an informal meeting with the alleged offender and his/her supervisor or manager.
  - (3) Request Mediation with the alleged offender. Mediation will be performed through the use of a

neutral third party. Human Resources may be contacted for assistance in identifying a mediator.

b. Mediation: To conduct a mediation, the designated mediator will:

(1) Notify all parties named that there has been a request for mediation.

(2) Conduct, if appropriate, a meeting with all parties. While this stage is not required, in many cases a meeting with the independent mediator can assist the parties in understanding their differing points of view and can lead to constructive resolution of the issues.

(3) Convene a mediation conference.

(a) The calling of a mediation conference does not imply there is a case to answer or that any conduct complained of has occurred. It is not the mediator's role to make a formal finding but to assist the parties to reach a mutually agreed resolution to the problem.

(b) Each party is encouraged to have a support person of their choosing present during the mediation process. This precludes legally trained representative at this stage.

(4) Document the outcome of the process.

Use of the informal process does not restrict the complainant from the formal complaint process. If the informal process is unsuccessful or no longer an option, the formal process is available to resolve the complaint.

**4-3. Formal Complaint Process & Investigation**

Any party directly involved may file a formal complaint with Human Resources. The complaint will be handled in accordance with EWU Guidelines 401-01, Investigations.

Human Resources  
314 Showalter Hall  
(509) 359-2381  
cir@ewu.edu