

## **Anti-Discrimination and Anti-Harassment Policy at BukhSU**

At Bukhara State University, we're dedicated to ensuring that everyone in our community can learn, work, and live without facing discrimination or harassment. Our policy clearly states that discrimination and harassment are not tolerated here, and it applies to everyone - students, faculty, staff, and visitors.

If anyone in our community experiences discrimination or harassment based on factors like race, religion, gender, age, disability, or other protected characteristics, we take it seriously. We respond promptly to all complaints and ensure they're handled according to our policies and the law.

When we're made aware of a complaint, we investigate the matter deeply. Depending on the circumstances, we take appropriate action to address the discrimination or harassment and prevent it from happening again. The actions we take may include disciplinary measures, depending on the severity of the situation.

### **Definitions**

**Protected characteristics** are qualities or beliefs protected by law from discrimination or harassment. These include race, religion, gender, pregnancy, age, disability, national origin, ancestry, physical or mental disability, veteran status, marital or domestic partnership status, and/or other traits recognized by the law.

**Discrimination** occurs when someone is treated unfairly because of a protected characteristic, rather than their individual abilities. This can include actions like singling someone out for harsher treatment, refusing to hire them, or firing them based on a protected trait.

**Harassment**, according to this policy, is unwelcome behaviour directed at someone because of a protected characteristic. It becomes harassment when it's severe or happens frequently enough to create an offensive environment. Examples include making jokes about someone's race, or religion, or displaying offensive posters about a protected characteristic. This policy also covers all forms of communication, including electronic ones, that violate these guidelines.

### **Retaliation.**

The University strictly prohibits any form of retaliation against members of the University community who, in good faith: (1) report a concern, complaint, or grievance under this policy (or with an external entity); (2) reasonably oppose an action believed to violate this policy; (3) participate in University investigations, compliance reviews, or disciplinary proceedings under this policy; or (4) request an accommodation under a University policy. Retaliatory actions, as defined in this policy, may include intimidation, threats, coercion, discrimination, or adverse educational or employment actions. Acts of impoliteness generally do not qualify as retaliation.

Depending on the circumstances, retaliatory actions may include but are not limited to:

- Taking adverse employment actions;
- Implementing adverse actions related to participation in an educational program;
- Unreasonably interfering with the academic or professional career of another individual;
- Engaging in behaviour constituting stalking, harassment, or assault;
- Encouraging others to retaliate on one's behalf.

### **Jurisdiction**

The University has authority over and will address allegations of Discrimination or Harassment that happen on the University's premises, during University-affiliated activities, or involving a student, faculty member, or staff member as either the complainant or respondent. Additionally, if the conduct occurs off University premises but involves two University-affiliated individuals, the University retains jurisdiction. However, except for cases where the University Police Department may conduct a criminal investigation as needed, the University does not have jurisdiction over allegations involving visitors or non-affiliated persons under this Policy.

## **Prohibited Behavior**

### **Discrimination and Harassment**

This Policy strictly prohibits Discrimination and Harassment and will not tolerate such actions. The University condemns Discrimination and Harassment against any member of the University Community based on their affiliation with a Protected Class.

Examples of Discrimination include, but are not limited to:

- refusing to hire an applicant due to their affiliation with a Protected Class, taking negative actions against an individual's employment or academic status because of their Protected Class; excluding someone from a University activity based on their Protected Class; neglecting to provide reasonable accommodations for documented disabilities, pregnancy-related conditions, or sincerely held religious beliefs.

Examples of Harassment include, but are not limited to:

- derogatory language or comments, threats, intimidation, or hostile behaviors or statements, and the distribution or display of written or visual material in the educational, residential, or work environment, provided such conduct reaches a level where it is actionable.
- Merely feeling intimidated, threatened, or offended by behavior is not enough to establish Discrimination or Harassment. The conduct must meet the criteria for Discrimination or Harassment from both a subjective and objective viewpoint. To determine if Discrimination or Harassment has occurred, the university will consider various factors including the context, nature, frequency, duration, and location of incidents, as well as the relationships between individuals involved, applying the appropriate standards outlined in the relevant complaint resolution procedures.
- Minor instances of disrespectful behavior, such as slight remarks or gestures, including microaggressions, do not meet the threshold for Discrimination or Harassment. Concerns about general professionalism should be handled according to regular departmental procedures. The Equal Opportunity office may redirect concerns regarding general professionalism to supervisors for review and appropriate action.

### **Retaliation**

Retaliation under this Policy refers to any adverse action in employment or education taken against individuals who report unlawful Discrimination or Harassment, file a charge under this Policy, testify, assist, or participate in any investigation, proceeding, or hearing under this Policy, or engage in activities covered by this Policy ("Retaliation").

The University treats reports of Discrimination and Harassment seriously and will not tolerate Retaliation against those who report such incidents or participate in related investigations or proceedings.

Any actual or threatened Retaliation, or any attempt to intimidate or obstruct the reporting of Discrimination or Harassment, may be viewed as a separate violation of this Policy and may lead to disciplinary measures.

### **Reporting Incidents**

If someone wants the University to address a faculty or staff member's violation of harassment or discrimination policies, they can make a complaint with the University Staff and Student Union Committee or use the online complaint form.

The complaint should include details such as the parties involved, a description of the harassing or discriminatory behavior, including the protected characteristic involved, when and where it happened, and any witnesses or evidence. These complaints should be treated confidentially and only shared with the designated individuals mentioned above.

### **Preliminary Response Procedures**

Upon receiving a report alleging a violation of this Policy, the University will take necessary steps to determine if additional actions, apart from a formal investigation and potential disciplinary measures, are necessary. These actions may be taken regardless of whether a Formal Complaint has been filed or whether a violation has been found.

When the University Staff and Student Union Committee receives a report of an alleged Policy violation, it will:

- Inform the Complainant and the Respondent of their rights and options under this Policy, as appropriate.
- Implement any suitable Supportive Measures.
- Conduct a preliminary investigation if deemed necessary.
- Inform the relevant department(s) about the results of any preliminary investigation and the responsibilities under this Policy, if applicable.