Hate Mail Policy and Procedures
(All definitions and procedure are from UM Standard Practice Guide)

Discrimination and Harassment

1. Some examples of conduct that may constitute prohibited discrimination may include, but are not limited to:
    a. Instigating or allowing an environment that is unwelcoming or hostile based on a person's race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight or veteran's status.

2. **RESPONSE AND PROCEDURES**
    a. **Prevention and Education.** The University is committed to preventing and eliminating impermissible discrimination and harassment of students, faculty, and staff. To that end, this policy will be published on the University's web site. Information regarding discrimination and this policy will be included in orientation materials for new students, faculty, and staff and made available in the Office of Institutional Equity and other appropriate locations on each campus. In addition, appropriate educational sessions will be conducted by the University on an ongoing basis to (1) inform students, faculty, and staff about identifying and preventing discrimination and harassment and the problems they cause, (2) advise members of the University community about their rights and responsibilities under this policy, and (3) train personnel in the administration of this policy.
    b. The University can take corrective action only when it becomes aware of problems. **Therefore, the University encourages persons who believe that they have experienced or witnessed discrimination or harassment as prohibited by this policy to come forward promptly with their inquiries, reports, or complaints and to seek assistance within the University.** Individuals also have the right to pursue a legal remedy for discrimination or harassment that is prohibited by law in addition to or instead of proceeding under this policy.
    c. **Investigation and Investigation Procedures.** The University will handle discrimination and harassment complaints under this policy consistently with procedural guidelines developed to ensure prompt and equitable resolution of such complaints. Complainants and Respondents will be given copies of the procedural guidelines, and the guidelines will also be made readily available to the University community. The matter will then proceed to investigation or other form of effective and fair review. The investigation or review may be performed by the Office of Institutional Equity, or jointly with another office, as determined by OIE. The purpose of an investigation, which will include interviewing the parties and witnesses, is to gather and assess evidence. During the course of an investigation, the investigating office will work collaboratively with other appropriate University offices. For example, if a faculty member is involved in a

complaint, the Office of Institutional Equity would generally work collaboratively with the Office of the Provost; the appropriate Dean, Director or Department Head; and Academic Human Resources. If a staff member is involved in the complaint, the Office of Institutional Equity would work collaboratively with Staff Human Resources, the supervisor, the Unit Human Resources Representative and other appropriate departmental and University officials. Possible outcomes of an investigation are (1) a finding that the allegations are not warranted or could not be substantiated, (2) a finding that the allegations are substantiated and constitute discrimination or inappropriate behavior and, if so, (3) referral to the appropriate administrative authority for corrective action.

d. **University Action.** The University may assume the role of a complainant and pursue a report or complaint, either informally or formally. The University may respond to complaints or reports by persons external to the University community about alleged discriminatory and harassing conduct by University employees. If the accused is a faculty member to whom Regents' Bylaw 5.09 applies, the Provost or executive authority of the relevant unit may initiate the procedures of Bylaw 5.09 at any stage in the process, if the circumstances indicate that such action is warranted.
e. **Retaliation.** The University will take appropriate steps to assure that a person who in good faith reports, complains about, or participates in an informal resolution or formal investigation of a discrimination or harassment allegation will not be subjected to retaliation. The University also will take appropriate steps to assure that a person against whom such an allegation is made is treated fairly. The University will also take appropriate follow-up measures to assure the goals of this policy are met. Persons who believe they are experiencing retaliation are strongly encouraged to lodge a complaint with the University using the same procedure for lodging a discrimination or harassment complaint.

Solicitation

1. The distribution or circulation of leaflets, pamphlets, circulars, cards or other literature is not permitted during working time or in work areas, unless specifically authorized by the Vice President and Chief Financial Officer, the Vice President for Academic Affairs, or their designated representative.

Freedom of Speech

1. Freedom of speech in this context will be taken to encompass all forms of communication and artistic expression as well as the freedom to listen, watch, protest, or otherwise participate in such communication. It is hoped that this reaffirmation will win the support, in spirit and in letter, of people representing the entire spectrum of opinion of the University community in order to create a truly open forum, one which diverse opinions can be expressed and heard.
2. When a speech or some form of artistic expression such as a play or concert is prevented by disruptive protest from taking place or concluding, the effect is just as surely an attack on freedom of speech or artistic expression as the deliberate

suppression or prohibition of a speaker or artist by authorities. At the same time, however, the rights of free expression enjoyed by speakers or performers do not negate the rights of free expression of those who would protest the speech or performance.

3. They apply to settings in which an audience has been assembled for a talk or performance, or in which a talk or performance takes place in a public setting at the University, but do not apply to the classroom. They are not general guidelines concerning freedom of expression among individuals or in other University settings where protest might occur. Moreover, they do not cover acts of physical violence, or verbal harassment or threat directed at individuals in which there is no intent to communicate publicly or with a wider audience. Nor do these guidelines in any way restrict the application of civil or criminal law. Finally, these are not guidelines concerning appropriate or civil conduct at speeches or artistic performances. Rude or offensive behavior, though inconsistent with the standards of civility that we hope would prevail on a university campus, sometimes falls within the legitimate exercise of freedom of speech and, when it does, may not be suppressed.
4. **Guidelines**
    1. It is the right of members of the University community (including students, faculty, staff, and administrators), speakers, artists, and others invited by members of the University community to set forth their views and opinions at the University.
    2. Within its lawful authority to do so, the University will protect the right of any member of the University community, or any invited speaker or artist, to speak or perform, and also will protect the rights of those members of the University community who wish to hear and communicate with an invited speaker or artist.
    3. It is the responsibility of University officials or the organizers of an event to make a judgment when there is a clear and present danger that the rights of free expression and communication of a member of the University community, invited speaker, or invited artist will be infringed upon, and to take appropriate measures, consistent with these Guidelines, to safeguard these rights.
    4. It is inconsistent with full respect for freedom of speech and expression--though itself a form of protected speech--for members of the University community to exert pressure to revoke an invitation for a speaker to appear at the University because of the potential for a violent reaction to the speech, or the threat of disruption of the speech, and such pressure should be resisted. Likewise, refusal to invite an individual to speak solely because his or her presence may invite violence and disruption contrary to the intellectual ideals of the University.
    5. Within the confines of a hall or physical facility, or in the vicinity of the place in which a member of the University community, invited speaker, or invited artist is addressing an assembled audience, protesters must not interfere unduly with communication between a speaker or artist and members of the audience. This prohibition against undue interference does not include suppression of the usual range of human reactions commonly displayed by an audience during heated discussions of controversial topics. Nor does this prohibition include various expressions of protest, including heckling and the display of signs (without sticks

or poles), so long as such activities are consistent with the continuation of a speech or performance and the communication of its content to the audience.

6. Protesters have rights, just as do speakers and artists. The standard of “undue interference” must not be invoked lightly, merely to avoid brief interruptions, or to remove distractions or embarrassment. The University has an obligation to provide members of the community, and invited speakers and artists, with personal security and with reasonable platforms for expression; moreover, it has an obligation to insure audience access to public events. The University does not, however, have the obligation to insure audience passivity. The University cannot accept stipulations by invited speakers or artists of terms of appearance that are inconsistent with allowing full freedom of expression to the University community. Protesters and other members of the University community, for their part, have an obligation not to abuse their rights of expression to harass or intimidate speakers in ways that unduly interfere with free expression or communication (see Guideline 5). It is, of course, always within the rights of protesters to express their opposition to a speaker in appropriate ways outside of the hall or physical facility or area where a lecture, meeting, or performance is being held, or to organize alternative forums.
7. Speakers are encouraged to exchange ideas with members of the audience and to engage in dialogue so that points of contention can be addressed directly. It is the responsibility of all parties that such dialogue not become a means of interfering unduly with free expression and communication, as understood in Guidelines 5 and 6.
8. If any of the parties within the confines of the hall or physical facility interfere unduly with freedom of expression or communication, the organizers of the event or University representative must, if possible, put such parties on notice that they are interfering unduly with such rights. If the notified parties do not stop their undue interference, the organizers or University representative should proceed with those measures deemed necessary to stop it, which may include the physical removal of individuals from the area. Canceling, stopping an event, adjourning to another time or place, or allowing protracted interruption of a speech, meeting, or performance is inconsistent with full respect for the rights of free expression and communication of those present. The overriding goal of the organizers or University representative during a disruption should be to reestablish with deliberate speed an atmosphere conducive to communication between the speaker or artist and the audience, and to full respect for the rights of all parties.
9. Because freedom of speech and expression play such a critical role in the functioning of a university, undue interference with the exercise of these freedoms by members of the University community may constitute grounds for resort to law or other formal action. Any University procedures for formal action must be even-handed in their application to all parties--whether organizer, protester, or audience member, or administrator, staff, faculty, or student--and must provide full due process and equal standing to bring a complaint.

10. It is the responsibility of all members of the University community and their guests to observe and facilitate these Guidelines. Any institutional procedures for enforcement other than resort to law fall within the jurisdiction of the Regents Bylaws.
11. Officers of the University's Department of Public Safety will act in accordance with the procedures outlined in this document. When non-University security forces are summoned, it is understood that they are not under the direct control of the University, but they should be made aware of University policies set forth in these guidelines.
12. The University should provide appropriate platforms for free speech and artistic expression. Whenever areas surrounding a public event are cordoned off for security purposes, this must not be done in such a way as to remove the possible location of any protest so far from the center of action that the protest is thereby rendered totally ineffectual. Organizers of the event or University representatives should make clear in advance which areas have been cordoned off, and for what purpose.
13. Whenever possible, lines of communication between those sponsoring or managing an event and those considering protesting the event should be arranged and maintained during the event.

Violence in the University

1. Acts of violence and aggression include verbal or physical actions that create fear or apprehension of bodily harm or threaten the safety of a supervisor, co-worker, faculty member, student, patient, general public or the University community at large. Examples of such behavior include on or off duty or off premises acts that adversely affect the University:
    a. Any act which is physically assaulting
    b. Behavior or actions that would be interpreted by a reasonable person as carrying a potential for violence and/or acts of aggression
    c. Any act that threatens harm to another person or damage to property