



2.2.16 Workplace Violence Policy

The University of San Diego is committed to maintaining a safe work environment that is free from all forms of violence and threats of violence. To that end, the university prohibits any act of violence or threat of violence committed by or against an employee, student, or visitor.

This policy applies to conduct that occurs on university property, in connection with any university-sponsored event (regardless of location), or at any off-campus location where an employee is engaged in university business. This policy also can apply to conduct by a university employee, student, or visitor that occurs off-campus and not in connection with a university-sponsored event or university business, if that conduct generates a reasonable concern for the safety of another university employee, student, or visitor.

Prohibited Conduct

Examples of conduct prohibited under the policy include but are not limited to:

- Engaging in any conduct (e.g. aggression, intimidation, harassment, epithets, belligerence, or stalking) that has the purpose or effect of creating a reasonable concern for an individual's physical safety.
- Engaging in physical fighting, hitting, pushing, kicking, or other conduct that may be dangerous to others, or encouraging others to engage in such conduct.
- Making a direct or indirect verbal, nonverbal, written, or electronic threat of physical harm towards another person.
- Intentionally damaging university property or the property of another person, or threatening such damage.

Prohibited conduct does not include lawful acts of self-defense or defense of another.

Reporting Prohibited Conduct

Emergencies and immediate threats of harm that occur on campus must be reported immediately to the Department of Public Safety at (619) 260-2222. Emergencies and immediate threats of harm that occur off-campus must be reported immediately to local law enforcement by calling 911.

For situations that do not involve emergencies or immediate threats of harm, reports of prohibited conduct are to be made as soon as possible to one of the following:

Department of Public Safety at (619) 260-7777 or publicsafety@sandiego.edu
Department of Human Resources at (619) 260-4594 or hr@sandiego.edu

Reports may be made anonymously through the Department of Public Safety's anonymous reporting form at www.sandiego.edu/safety/reporting/anonymous.php.

Classroom Conduct and the Faculty

If a student in a classroom or other academic setting displays conduct prohibited by this policy, faculty have the authority to take appropriate action. This action may include asking the individual to stop what he or she is doing, asking the student to leave the classroom or other area, or dismissing the class. Any such situation should be reported immediately to the faculty member's academic unit dean and the Dean of Students. Any situation involving an emergency or imminent threat of harm must be reported immediately to the Department of Public Safety at (619) 260-2222.

Court-Issued Protective Orders

An employee or student who has obtained or otherwise is subject to a court-issued protective order is expected to provide the Department of Public Safety with a copy of the order so that the Department of Public Safety can take appropriate steps to support the enforcement of the order on university property.

Enforcement

The university will investigate every reported complaint of a violation of this policy. Employees accused of a complaint will be informed of both the complaint and the investigation and will be allowed to respond. The university will initiate corrective action as appropriate based on the outcome of the investigation, up to and including separation from the university. In addition, and where appropriate, the university may pursue civil claims and/or criminal prosecution.

The university reserves the right to implement interim measures pending the outcome of an investigation in order to protect the safety and security of the university and its employees, students and visitors.

For students, corrective action will be imposed in a manner consistent with the Student Code of Rights and Responsibilities. If termination of a faculty member is contemplated, the applicable rules governing dismissal for serious cause will be followed. Corrective action short of termination of a faculty member may be appealed to the appropriate dean and Provost. Corrective action decisions short of termination under this policy also may be addressed through the Faculty Grievances Policy (Policy 4.16). If the individual found to have violated this policy is not an employee or student of the university, corrective action within the reasonable control of the university will be initiated.

Retaliation Prohibited

The university prohibits retaliation against any individual who in good faith makes a report under this policy or who is involved as a witness or participant in the complaint or investigation process. Any individual who believes he or she has been subject to retaliation in violation of this provision should report the incident promptly to the Department of Human Resources or the Department of Public Safety.

Resources

Confidential counseling for employees and their family members is available through the Employee Assistance Program. Information about the Employee Assistance Program and how to access the program directly is available through the Department of Human Resources at www.sandiego.edu/hr/.

Students who are in need of assistance are encouraged to contact the Counseling Center, the Center for Health and Wellness Promotion, or the Student Health Center.

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