NON-DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY/EXPRESSON

PREAMBLE: This section was added to the Handbook in January of 1995. For further information, contact the Affirmative Action Officer (208-885-6591).

A. The University of Idaho regards discrimination on the basis of sexual orientation and gender identity/expression to be inconsistent with its goal of providing a discrimination-free atmosphere in which students, faculty, and staff may learn, work, and live. The University of Idaho values the benefits of cultural diversity and pledges to students, prospective students, employees, and the public that it will defend pluralism in the academic community, and warmly welcomes all men and women of good will without regard to sexual orientation or gender identity/expression.

B. Practices or regulations that discriminate on the basis of sexual orientation or gender identity/expression are neither condoned nor permitted. This policy applies to only the following University of Idaho operations:

B-1. personnel decisions;

B-2. student admissions and evaluation;

B-3. student disciplinary regulations;

B-4. student housing, however this policy shall not affect the discretion of the university housing office to reallocate rooms and room assignments based on the needs of individual students nor UI housing policies which offer housing on the basis of parenthood or the existence of a legally recognized marriage;

B-5. use of dining halls, classrooms, or other facilities; or

B-6. in the provision of educational services, by its employees.

C. The University of Idaho will apply this policy consistently with its obligation to continue to provide Reserve Officer Training Corps (ROTC) programs under federal law. To the extent this policy conflicts with federal regulations of the ROTC program, the requirements of the federal program will prevail.

D. To the extent this policy conflicts with contractual obligations or state or federal laws or regulations, those obligations and laws or regulations will prevail.

E. In determining whether a breach of this policy has occurred, a person claiming discrimination must show that the challenged action would not have occurred but for the person’s sexual orientation or gender identity/expression. The University’s anti-retaliation policy, FSH 3810, applies.

F. Nothing in this policy affects UI policies implemented on the basis of legally recognized marriage.