

Effective Date: **August 1, 2026**

POLICY

ACCESS AND INCLUSION, EMPLOYMENT, SAFETY, STUDENT LIFE

Boston University Non-Discrimination Policy

RESPONSIBLE OFFICE

Equal Opportunity Office

I. Non-Discrimination Statement

Boston University (“BU” or “University”) is committed to establishing and maintaining an environment free from discrimination and harassment for all members of the BU community. A number of University policies and practices, including this Non-Discrimination Policy (“Policy”), the Policy on Reasonable Accommodations for Employees or Applicants for Employment, and the Religious Accommodations Policy help BU realize this commitment.

To help make the Policy readable and enhance its usefulness to our community, BU has simplified some language and placed much of the legal wording in [Appendix A](#), which contains definitions of capitalized terms contained in the Policy. You may also contact the Equal Opportunity Office (“EOO”) if you have any questions at eoos@bu.edu.

While this Policy and its implementation are the responsibility of EOO, University Administrators are responsible for the implementation of non-discrimination in their respective

areas. BU expects every Employee to share its commitment to non-discrimination and to assist BU in achieving this goal.

BU prohibits discrimination, harassment and retaliation against any individual on the basis of race, color, natural or protective hairstyle, religion, sex (including that based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, gender identity or expression and marital or parental status), age, national origin (including shared ancestry and ethnic characteristics and citizenship/residency in a country with a dominant religion or distinct religious identity), ethnicity, physical or mental disability, genetic information, or because of military service or veteran status, in accordance with all Applicable Laws.

II. Scope of the Policy

This Policy and the corresponding Non-Discrimination Procedures (“Procedures”) apply to reports of Prohibited Behavior on or after August 1, 2026.^[1] The Policy and Procedures are applicable to BU Community Members, consisting of Students, Employees, and/or Third Parties. BU Community Members impacted by alleged Prohibited Behavior may receive Supportive Measures, resources, and related information from EOO whether or not they file a complaint.

This protection extends to all behavior occurring in a University Education Program or Activity, including admissions and employment (including applications).

It also may apply to Prohibited Behavior occurring outside of a University Education Program or Activity, if the conduct creates a hostile living, learning, or working environment for a member of the BU community.

Reports of Harassment that do not fall within the scope of this Policy but may have the effect of creating a hostile living, learning, or working environment for a member of the BU community will be addressed through the University’s Bias Review Team.

How This Policy Applies to Sexual Misconduct

While this Policy covers all Prohibited Behavior, it classifies Sexual Misconduct into two categories: (i) sexual misconduct covered by Title IX of the Education Amendments of 1972 and its corresponding 2020 regulations (“Title IX Sexual Misconduct”); and (ii) sexual misconduct not so covered (“Non-Title IX Sexual Misconduct”).

In the case of Title IX Sexual Misconduct, the complaining party must be participating in, or attempting to participate in, the University’s Education Program or Activity at the time of filing a Formal Complaint. In addition, the conduct must have been directed at a person in the United States and occurred in a University Education Program or Activity. Non-Title IX Sexual Misconduct is less restrictive in that it covers conduct which occurs in a University Education Program or Activity, or outside of a University Education Program or Activity if the conduct creates a hostile living, learning, or working environment for a member of the BU community, such as conduct occurring off-campus or on social media platforms.

If conduct falls under both Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct, the procedures applicable to Title IX Sexual Misconduct will be applied.

Protected Speech or Conduct

Speech or conduct protected by [BU’s Statement of Free Speech and Expression](#) or [BU’s Academic Freedom Policy](#) in the Faculty Handbook will not be considered a violation of the Policy. Reports of Harassment based on protected speech or conduct will be referred to BU’s Bias Review Team. If protected speech or conduct creates a Hostile Environment for a BU Community Member based on their protected status(es) under this Policy, <https://www.bu.edu/eoo/community-initiatives/bias-review-team/> BU will provide, on request from the affected Community Member, Responsive Measures designed to eliminate the Hostile Environment and its effects, and prevent it from recurring. BU will not suppress the protected speech or conduct absent exceptional circumstances.

III. Prohibited Behavior

Described below are the general forms of Prohibited Behavior under this Policy. See [Appendix A](#)

for specific definitions.

Discrimination

The Policy prohibits the following general types of behaviors based on the Complainant's actual or perceived protected status:

1. **Disparate Treatment:** Treatment based on a discrete, adverse educational or employment action.
2. **Harassment** (Hostile Environment not including Sexual Misconduct): Behavior that is not wanted and is seen as offensive or undesirable.
3. **Failure to Accommodate:** Failure to provide reasonable accommodations to an employee with a qualified disability^[2] under applicable University reasonable accommodation policies, or for a student or employee's sincerely held religious belief.^[3]

Sexual Misconduct

Sexual Misconduct is an umbrella term comprised of Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct, and includes the following:

- Quid Pro Quo Harassment
- Sexual Harassment (Title IX Sexual Harassment and Non-Title IX Sexual Harassment)
- Sexual Assault Offenses:
 - Rape
 - Criminal Sexual Contact
 - Incest
 - Statutory Rape
- Dating Violence
- Domestic Violence
- Stalking

EOO applies the definitions and procedures required by the 2020 Title IX Regulations to Title IX Sexual Misconduct, which includes Quid Pro Quo Harassment, Title IX Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking. Non-

Title IX Sexual Misconduct covers other forms of sexual misconduct not considered Title IX Sexual Misconduct, and is administered by EOO using the Procedures applicable to Non-Title IX Sexual Misconduct.

Please see [**Appendix A**](#) for complete definitions of terms.

Retaliation

Adverse action taken against a person for the purpose of interfering with any right or privilege secured by the Policy and/or the Religious Accommodation Policy because the person has or is believed to have (1) exercised their rights under the Policy; (2) reported or opposed conduct which was reasonably and in good faith believed to be in violation of the Policy; (3) assisted or participated in an investigation/proceeding under the Policy, regardless of whether the complaint was substantiated; and/or (4) assisted someone in reporting or opposing a violation of the Policy.

Deliberately False and/or Malicious Accusations

Reporting deliberately false and/or malicious accusations under the Policy is a serious offense and is subject to disciplinary action under the applicable code of conduct. This does not include allegations of Prohibited Behavior that are made in good faith but ultimately are shown to be erroneous or do not result in a Policy violation determination.

IV. Reporting

While all Community Members are encouraged to report actual or suspected Prohibited Behavior to appropriate officials immediately, all Employees are considered Required Reporters, as defined below, and must report actual or suspected Prohibited Behavior. A Required Reporter who fails to report Prohibited Behavior may be subject to disciplinary action.

Required Reporters

Employees, except those who are designated as Confidential Resources (see [Appendix B](#)) and are acting within the scope of their confidential duties, must report disclosures of incidents that may reasonably be considered Prohibited Behavior. A Required Reporter must promptly share with the EOO all known details of such a disclosure made to them in the course of their employment, including details they observe or have knowledge of, even if not reported to them by a Community Member. A Required Reporter includes a student-employee who, while operating within their role as an Employee, receives information that may reasonably constitute Prohibited Behavior.

How to Report

Prohibited Behavior can be reported online, in person, by email, or by phone. The Online Reporting form is available here: [Incident Report Form](#).

Information provided to a Required Reporter that reasonably may constitute Prohibited Behavior is considered a report to the University.

Office Contact Information:

Complaints of Prohibited Behavior should be reported to the EOO and/or the University's Executive Director of Equal Opportunity and Title IX Coordinator, Erin Sullivan.

[Equal Opportunity Office](#)

888 Commonwealth Ave., Suite 303

Boston, MA 02215

617-358-1796

eeo@bu.edu

titleix@bu.edu

Student complaints of alleged disability discrimination should be reported to the Director of Disability & Access Services in accordance with the [Student Grievance Procedure in Cases of Alleged Discrimination](#).

Disability & Access Services

25 Buick Street, Suite 300

Boston, Massachusetts 02215

617-353-3658

access@bu.edu

Amnesty

Community Members may be hesitant to report Prohibited Behavior they experienced for fear they may be charged with other policy violations, such as underage alcohol consumption or violation of BU's drug policy. In consultation with the appropriate offices, EOO may, at its discretion and on a case-by-case basis, offer parties and witnesses amnesty from minor policy violations related to the incident.

Public Disclosures of Prohibited Behavior

Public Awareness Events & Campus Surveys

BU supports public events on campus or online (on platforms sponsored by BU) where Community Members can talk about Prohibited Behavior. Sharing experiences at these events won't be considered a disclosure requiring a report to EOO. Similarly, sharing experiences that may constitute Prohibited Behavior within a campus survey will not be considered a disclosure requiring a report to EOO, though BU might use information from these events and/or surveys to help prevent Prohibited Behavior and understand the community's feelings about misconduct and campus resources.

BU will respond if Prohibited Behavior disclosed at a BU sponsored public event, online platform or survey presents a serious and immediate threat to someone's health or safety. But this exception doesn't apply to sharing information that reasonably may constitute Prohibited Behavior outside of BU events or platforms, like at off-campus events, in community spaces, during school assignments, or on social media.

Federal Statistical Reporting Obligations

Some BU officials – those deemed Campus Security Authorities – have a duty to

report certain crimes for federal statistical reporting purposes under the Clery Act. All personally identifiable information is kept private, but statistical information must be shared with the BU Police Department (“BUPD”) regarding the type of incident and its general location (the report will note whether the alleged conduct occurred on or off campus or in the surrounding area without providing an address) for publication in the Annual Security Report and daily campus crime log.

Additional information regarding this requirement can be found at www.bu.edu/safety/network/security.

V. Pregnancy, Pregnancy-Related Conditions, Childbirth, and Parental Status

BU is committed to supporting Students and Employees (including applicants) in their living, learning, and working environments based on their pregnancy, pregnancy-related conditions, childbirth or parental or marital status. BU will provide reasonable accommodations to Employees and Reasonable Modifications to Students for pregnancy, childbirth, or related medical conditions.^[4]

The University also provides lactation spaces which are functional, appropriate, and safe for Employees and Students. More information about lactation spaces is available at this website: <https://www.bu.edu/eoo/pregnancy/lactation-support>

All Employees are encouraged to share the Title IX Coordinator’s contact information when a Student or Employee discloses their pregnancy. Resources and options for Students and Employees (including applicants) regarding pregnancy may be obtained by contacting the Title IX Coordinator, Erin Sullivan:

Email: titleix@bu.edu or eoo@bu.edu

Phone Number: (617) 358-1796

Website: www.bu.edu/eoo

[1] Reports of Prohibited Behavior alleged to have occurred in a University Program or Activity prior to October 15, 2024, are addressed under prior policies and procedures identified in Section VI of the Procedures. Allegations of disability discrimination brought by students are reviewed under a different process, Student Grievance Procedure in Cases of Alleged Disability Discrimination, administered by BU's Disability & Access Services.

[2] For students, please refer to the Student Grievance Procedure in Cases of Alleged Disability Discrimination available here: <https://www.bu.edu/academics/policies/student-grievance-procedure-in-cases-of-alleged-disability-discrimination> .

[3] The Policy on Reasonable Accommodations for Employees or Applicants for Employment is available here: <https://www.bu.edu/policies/policy-on-reasonable-accommodations-for-employees-or-applicants-for-employment/>.

[4] Requests for reasonable accommodations for Employees are facilitated through the EOO as outlined in the following policy: [Policy on Reasonable Accommodations for Employees or Applicants for Employment](#).

END OF POLICY TEXT

Additional Resources Regarding This Policy

Related Policies and Procedures

- [Boston University Non-Discrimination Policy](#) [this Policy] and corresponding [Boston University Non-Discrimination Procedures](#) - effective August 1, 2026
- [Interim Equal Opportunity and Title IX Policy](#) and corresponding [Interim Equal Opportunity and Title IX Procedures](#) - effective October 15, 2024 and apply to conduct that occurs on or after October 15, 2024 and before August 1, 2026.
- [Equal Opportunity/Affirmative Action Policy](#) - This Policy was replaced on October 15, 2024 by the [Interim Equal Opportunity and Title IX Policy](#) and corresponding [Interim Equal Opportunity and Title IX Procedures](#), which are effective October 15, 2024 and apply to conduct that occurs on or after October 15, 2024 and before August 1, 2026.
- [Complaint Procedures in Alleged Cases of Unlawful Discrimination or Harassment](#) - This Procedure was replaced on October 15, 2024 by the [Interim Equal Opportunity and Title IX Policy](#) and corresponding [Interim Equal Opportunity and Title IX Procedures](#), which are effective October 15, 2024 and apply to conduct that occurs on or after October 15, 2024.
- Sexual Misconduct Policy and Procedures that applies to conduct that occurred on or after August 14, 2020 through to October 14, 2024
 - Policy: [Sexual Misconduct Policy](#)
 - Procedures:
 - [Procedures for the Resolution of Non-Title IX Sexual Misconduct Complaints Against Students](#)
 - [Procedures for the Resolution of Non-Title IX Sexual Misconduct Complaints Against Faculty, Staff, Affiliates, and Non-Affiliates](#)
 - [Procedures for the Resolution of Title IX Sexual Misconduct Complaints Against Students, Faculty, Staff, Affiliates, and Non-Affiliates](#)
- Sexual Misconduct Policy and Procedures that applies to past conduct that occurred on or before August 13, 2020
 - [Sexual Misconduct/Title IX Policy and Procedures](#) - Applying to conduct occurring on or before August 13, 2020

Other Related Policies

- [Boston University Notice of Nondiscrimination](#)
- [Policy on Consensual Relationships with Students](#)
- [Sexual Misconduct Hiring Disclosure Policy](#)
- [Code of Ethical Conduct](#)
- [Policy on Responding to Employer Inquiries Regarding Sexual Misconduct](#)

Forms

[Incident Report Form](#)

History

The Boston University Non-Discrimination Policy and corresponding Procedures [this document] are effective August 1, 2026 and apply to conduct that occurs on or after August 1, 2026.

Appendices To This Policy

- [Appendix A](#)
- [Appendix B](#)
- [Appendix C](#)

Related BU Website

- [Equal Opportunity Office \(EOO\)](#)
888 Commonwealth Ave, Suite 303, Boston, MA 02215
Phone Number: 617.358.1796
Email: eoos@bu.edu
- [Disability & Access Services](#)
Email: access@bu.edu
Phone Number: (617) 353-3658
- [Equal Opportunity Office](#)
888 Commonwealth Ave, Suite 303, Boston, MA 02215
Phone Number: 617.358.1796

Email: eoo@bu.edu

- Training on Sexual Misconduct
 - Employees: [University-wide Online Sexual Misconduct Prevention and Harassment and Discrimination Prevention Training for Employees](#). This webpage contains information, updates, and instructions for the Sexual Misconduct/Harassment and Discrimination Prevention trainings for faculty and staff. The Equal Opportunity Office offers in-person departmental training for faculty and staff on a variety of topics, including Sexual Misconduct and Title IX; discrimination and harassment; and accommodation of employees with disabilities. [Please request a training using the form](#) on their website.
 - Students: [Sexual Misconduct Prevention Training for Students](#). This webpage contains information and frequently asked questions about the Sexual Misconduct Prevention Training.
- [Office of Student Conduct and Conflict Resolution \(OSCCR\) - formerly Judicial Affairs](#)
- [Office of the Dean of Students](#)
- [Office of the Provost](#)
- [Human Resources](#)
- [Survivor Advocacy, Response & Prevention \(SARP\)](#)
- [Faculty & Staff Assistance Office - FSAO](#)

Resources

- [Title IX Flow Chart](#)
- [Non-Title IX Flow Chart](#)
- [Sexual Misconduct Gender Based Misconduct Resource Guide](#)
- [BU Free Confidential Resources On and Off Campus](#)

Related BU Memorandums and Information

- Provost & Senior Vice President for Operations Memorandum, [Important Information about Sexual Misconduct Prevention Training Requirements at BU](#), October 28, 2024
- Provost Memorandum, [Important Updates to BU's Nondiscrimination and Harassment Policies and Procedures](#), October 17, 2024

- Provost Memorandum, [Formation of the Bias Review Team at Boston University](#), October 4, 2024
- Provost Memorandum, [BU Sexual Misconduct Policy](#), August 20, 2024

THIS PROCEDURE IS PART OF THE **EMPLOYEE HANDBOOK AND POLICIES MANUAL**, AND SHOULD BE READ IN CONJUNCTION WITH ALL OF THE POLICIES THAT COMPRISE THE HANDBOOK. THE PROVISIONS OF THE EMPLOYEE HANDBOOK DO NOT CONSTITUTE AN EMPLOYMENT CONTRACT AND DO NOT ALTER THE AT-WILL STATUS OF AN EMPLOYEE.

Categories: Access and Inclusion, Campus Visitors, Employee Handbook and Policies Manual, Employment, Faculty, Non-Represented Staff, Safety, Safety and Safe Environments, Sexual Misconduct, Student Life, University Policies Affecting Student Life Keywords: mandated reporting, Non-Discrimination Policy, pregnancy, reporting sexual misconduct, required reporter, required reporters, required reporting, retaliation, sexual misconduct, title XI