

Non-Discrimination, Harassment and Retaliation Policy

Policy/Procedure

Eliminating All Forms of Discrimination

Dickinson College is an intellectual and social community that values justice, free inquiry, diversity, and equal opportunity. It is a fundamental policy of the college to respect pluralism, civility and mutual understanding within its community. The college does not discriminate on the basis of race, color, national origin, sex, disability, religion, age, veteran status, gender identity or expression, sexual orientation or any other protected class.

This Anti-Discrimination, Harassment and Retaliation Policy is intended to keep the college in compliance with state and federal laws and regulations, including but not limited to the Pennsylvania Human Rights Act. If the college has any other policy or procedure that more specifically addresses any of the issues outlined herein, the more specific policy or procedure controls. Any conflicts between policies or procedures will be resolved by the vice president or provost over the division in question, in consultation with general counsel.

Dickinson College provides equal employment opportunity for qualified applicants and employees, as well as equal opportunity for all individuals taking part in its academic programs and activities - and promotes the full realization of such equal opportunity through positive, continuing programs in every department. This commitment applies not just to college administrators, but also every member of the Dickinson community, as we are all charged with respecting the rights of others. To this extent, even when not specifically required to do so by law, Dickinson implores its community to be respectful of each other and to not harass, discriminate or otherwise exhibit bias against each other on the basis of any immutable (or alternatively, not easily changed) characteristic. As such, all work together to ensure continued success of these ideals, whether legally mandated or aspirational in nature. What follows are the procedures Dickinson College will take to provide for the prompt, fair and impartial consideration of all complaints of discrimination, harassment and retaliation.

Eliminating All Forms of Discriminatory Harassment

Harassment based upon a person's race, color, national origin, sex, disability, religion, age, veteran status, gender identity or expression, sexual orientation, or any other protected class is strictly prohibited. These characteristics are personal in nature and are protected under federal and state laws. The college prohibits all forms of harassing conduct based upon these protected characteristics. No person should be subjected to harassment or discriminated against because he or she is a member of a certain group.

Certain conduct that may constitute discrimination or harassment includes, but is not limited to: preferential or derogatory treatment based upon protected characteristics; using severe or pervasively insulting or degrading language that would reasonably offend members of a given race, color, national

mediation /facilitated discussion within ten (10) working days of the start of the process. The conciliator will facilitate the discussion between the disputing parties to help find a mutually agreeable solution to the conflict. The conciliator may make recommendations on how to resolve the dispute but will not impose a solution, will not share any of the recommendations to resolve proffered by anyone involved in the process, and will not be subjected to being called as a witness by either party in a hearing, grievance or similar process. The mediator will keep no records of proceedings except for a general document outlining whether the parties participated in the conciliation and a copy of any negotiated agreement reached by the parties. At any time during the process, either with or without reaching an agreement, a party may opt out and request to proceed with a formal complaint.

Formal Complaint

A formal complaint requires an appropriate college officer to carry out a thorough investigation, to determine the facts of the case, and, where discrimination or harassment occurred, to take appropriate actions which may include disciplinary and corrective actions designed to prevent future occurrences. This is the proper course of action if either party is dissatisfied with the outcome of informal processes, or if formal charges are filed without pursuing informal resolutions. While complaints can be taken to a myriad of college leaders, generally the following positions will be involved with the cases as referenced below:

- Complaints concerning sexual harassment and misconduct – Title IX Coordinator
 - Contact Information: Kat Matic, 717-254-8316, TitleIX@dickinson.edu
- Complaints concerning students’ disability accommodations - Director of Access and Disability Services
 - Contact Information: Marni Jones, 717-245-1734, access@dis.dickinson.edu
- Complaints concerning all forms of discrimination, harassment, disability accommodations and retaliation impacting employees – Director of Human Resource Services
 - Contact Information: Dennette Moul, 717-245-1026, mould@dickinson.edu
- Complaints concerning all forms of discrimination, harassment and retaliation impacting students – Chief Diversity Officer
 - Contact Information: Tony Boston, 717-245-1125, bostont@dickinson.edu

Note that allegations of sexual harassment are processed in accordance with the Sexual Harassment and Misconduct Policy. If an employee is a complainant or respondent in an alleged sexual harassment case, and there is a reasonable basis to believe that the case is governed whole or in part by Title IX regulations, the Title IX Coordinator will manage the process, and a member of Human Resource Services will participate in the investigation process and/or assist with the adjudication of the matter as a member of the Review Panel.

Complainants who believe that separation or other protection issues are a condition of the process of a formal complaint or appeal may, as part of their complaint or by separate letter, specifically request that the college arrange for separation meaning either temporary or permanent removal from campus or on-campus physical separation from the respondent to provide adequate space to navigate campus.

with less fear or concern) or other protection. The investigating officer, in consultation with the divisional vice president/provost and any other college employee with a need to know and be involved in the decision, will determine the necessity and arrange for such protection pending the completion of the complaint and appeal. A decision to arrange for such protection or other protection need not be based on a finding of fault and shall not be interpreted as a finding of fault. Separate may be especially prudent if a person in a position of authority is alleged to have violated the college harassment and discrimination policies.

When an allegation is made against a faculty, staff or student in positions of authority, there will be an assessment regarding the individual's ability to remain in their current position and, if it is determined that a conflict exists, the individual will be either moved to a different position or suspended with or without pay until the investigation is complete and a decision on the underlying case is made. The assessment will include considerations such as the nature of complaint itself, the proximity and direct or indirect control or influence between the complainant and the respondent, and the availability of temporary alternate assignments that are capable of keeping the complainant as whole as possible during the pendency of the investigation.

Once the investigation is complete, the investigating officer's decision will be submitted to the appropriate personnel – typically one of the six positions enumerated in the 'Eliminating all Forms of Discriminatory Harassment' section - for resolution.

General Considerations

Employees with disabilities, who can perform the core responsibilities of their job with a reasonable accommodation, should promptly bring their concerns to their supervisors. These employees shall be provided with a reasonable accommodation, except where such accommodation would cause the college undue hardship or would prevent the employee from performing the core responsibilities of their job. We invite employees with disabilities that require reasonable accommodation to inform Human Resource Services of the need for such reasonable accommodation. Students should bring their building, educational access and other accommodation needs to the attention of either the Director of Access and Disability Services or the Director of Equity and Inclusivity.

If applicants believe that they have experienced any discrimination during the hiring process, during normal work activities or through other aspects of the work environment, such as consideration for promotion, transfer, rates of pay or through the college's recruitment, training or selection process, they should contact the Director of Equity and Inclusivity.

Responsible Division/Office: Human Resource Services Office of General Services