

# **RESOURCES & REPORTING**

# Non-Discrimination & Anti-Harassment Policy



A reference for students and employees who may have witnessed, experienced or been involved with bias or hate-related harassment or discrimination.

#### Introduction

In the tradition of our Jesuit institution that strives for excellence, The University of Scranton is dedicated to providing a diverse and inclusive, learning, living, and working environment that is free of harassment and discrimination, and is committed to protecting the rights and dignity of all members of the University community and its guests. The University's Non-Discrimination and Anti-Harassment Policy governs these rights and can be found at: <a href="mailto:scranton.edu/equity-diversity/docs/nondiscrimination-antiharassment-policy.pdf">scranton.edu/equity-diversity/docs/nondiscrimination-antiharassment-policy.pdf</a>.

# Non-Discrimination & Anti-Harassment Policy: Reporting Information, Support & Resources

The University of Scranton is committed to cultivating a diverse and inclusive community in which each person feels a sense of belonging and care through mutual respect and accountability. Respect is necessary for the free exchange of ideas, to share our experiences, to listen to each other, and to debate civilly and constructively. The expression of controversial ideas and differing views is a vital part of University discourse. While this value of openness protects the expression of controversial ideas, it does not support or condone harassment, discrimination, or expression of bias or hate that violates University policy. The University is committed to maintaining an atmosphere in which the rights of every individual are recognized and respected. As such, discrimination or harassment based on race, color, creed, religion, ancestry, gender, sex, pregnancy and related conditions, sexual orientation, gender identity or expression, sex characteristics, sex stereotypes, age, disability, genetic information, national origin, ethnicity, family responsibilities, marital status, veteran or military status, citizenship status, or any other status protected by applicable law.



## **Bias, Bullying, Hate, Discrimination & Harassment: Definitions**

#### What is a Bias or Hate Motivated Incident?

A bias or hate motivated incident refers to language and/or behaviors which demonstrate bias against persons, actual or perceived, because of, but not limited to: race, color, creed, religion, ancestry, gender, sex, pregnancy and related conditions, sexual orientation, gender identity or expression, sex characteristics, sex stereotypes, age, disability, genetic information, national origin, ethnicity, family responsibilities, marital status, veteran or military status, citizenship status, or any other status protected by applicable law. Bias or hate motivated incidents may not rise to the level of a criminal violation, but they may be hurtful or harassing.

A bias incident may constitute a violation of the University's Policy scranton.edu/equity-diversity/docs/nondiscrimination-antiharassment-policy.pdf.

#### What is a Hate Crime?

A hate crime is a criminal act motivated by ill will or hatred towards a victim's race, color, sex, religion, disability, national origin, gender, gender identity or sexual orientation.

#### What is Discrimination?

Discrimination is different treatment with respect to an individual's employment or participation in an education program or activity based, in whole or in part, upon the individual's actual or perceived protected characteristic, which includes, race, color, creed, religion, ancestry, gender, sex, pregnancy and related conditions, sexual orientation, gender identity or expression, sex characteristics, sex stereotypes, age, disability, genetic information, national origin, ethnicity, family responsibilities, marital status, veteran or military status, citizenship status, or any other status protected by applicable law. Discrimination may include:

#### 1. Disparate Treatment Discrimination:

- Any intentional differential treatment of a person or persons that is based on an individual's actual or perceived protected characteristics and that:
  - o Excludes an individual from participation in;
  - o Denies the individual benefits of: or
  - Otherwise adversely affects a term or condition of an individual's participation in the University program or activity.

#### 2. Disparate Impact Discrimination:

- Disparate impact occurs when policies or practices that appear to be neutral unintentionally result in a disproportionate impact on a protected group or person that:
  - Excludes an individual from participation in;
  - o Denies the individual benefits of; or
  - Otherwise adversely affects a term or condition of an individual's participation in a University program or activity.

#### 3. Discriminatory Harassment:

- Unwelcome conduct on the basis of actual or perceived protected characteristics that, based on the totality of the circumstances:
  - ols subjectively and objectively offensive, and
  - ols so severe or pervasive,
  - o That it limits or denies a person's ability to participate or benefit from the University's education or activity.

# What is Bullying?

Bullying is repeated and/or severe or aggressive behavior that is likely to intimidate or intentionally hurt, control, or physically or mentally dismission a complainant based on their protected characteristic that is not speech or conduct that is otherwise protected by law.

#### What is a Protected Characteristic, Protected Category or Protected Class?

Under the University's Non-Discrimination and Anti-Harassment Policy, these terms mean any individual characteristic of which harassment or discrimination is prohibited by law or policy. These characteristics include but are not limited to: race, color, creed, religion, ancestry, gender, sex, pregnancy and related conditions, sexual orientation, gender identity or expression, sex characteristics, sex stereotypes, age, disability, genetic information, national origin, ethnicity, family responsibilities, marital status, veteran or military status, citizenship status, or any other status protected by applicable law.



# **Examples of Bias, Hate,** Discrimination or Harassment

Discrimination and harassment are difficult to define and can occur in many different ways. Below are some examples of discriminating and/or harassing behavior.

- 1. Decisions based on stereotypes or assumptions about the abilities, traits, or performance of individuals because of the protected characteristics/protected class.
- 2. Conduct that may constitute discriminatory harassment or a hostile work environment includes, but is not limited to, unwelcome verbal and/or non-verbal communication and/or conduct, in person, in writing, via text message, e-mail or any form of social media including, but not limited to,
  - a. Epithets, slurs, mocking, disparaging remarks, expressions, jokes, threats, negative stereotyping or other inappropriate communication.
  - b. Threatening, intimidating or hostile acts that are related to a protected category or class.
  - c. Assault, battery, other acts of violence, stalking, physical touch, physically interfering with, blocking or impeding an individual's normal movement.
  - d. Drawings, pictures, cartoons, doodles, derogatory posters, social media posting, other electronic, paper or media posting, placing, sharing, emailing or disseminating on walls, bulletin boards, email or elsewhere written or other graphic material that shows hostility or aversion to an individual or group that related to a protected category or protected class.

# Reporting an Incident

If you witness or experience bias, bullying, hate, harassment or discrimination as defined in the Policy, you have several reporting options. It is your decision to participate in a criminal process, the University process, both or neither, if you report.

## Report to the University

Harassment, bias, bullying, hate or discrimination based on a protected class (i.e. those described in the non-discrimination statement) are prohibited by the University and are violations of policy. In an effort to support individuals as well as the campus community, the reporting options below will initiate a response process by the University. If you wish to speak with someone for confidential support, please see the confidential resources listed in this guide.

- The Office of Equity& Diversity 570.941.6645 elizabeth.garcia2@scranton.edu diana.collinsgilmore@scranton.edu
- On-Line Reporting to OED scranton.i-sight.com/external-capture
- Dean of Students Office 570.941.7680 lauren.rivera@scranton.edu shannon.murphyfennie@scranton.edu

- The University of Scranton **Police Department** 570.941.7777
- The Office of Human Resources 570.941.7767 patricia.tetreault@scranton.edu brian.loughney2@scranton.edu
- Online Reporting to UPD scranton.edu/silentwitness Anonymous Reporting should not be used for emergency or crisis situations needing an immediate response.

## Report to the Police

Harassment, hate, bias or discrimination related incidents are not only University policy violations but may also be crimes. You are encouraged, but not required, to report these crimes to the police. If you choose, University officials will assist you in contacting the police. Call The University of Scranton Police Department 570.941.7777; or the City of Scranton Police 570.348.4134 or 911 for an emergency.

# Who Must Report to OED

Individuals in the following positions or titles, and any and all supervisors or individuals in supervisory positions are mandated to report harassment or discrimination under the Non-Discrimination and Anti-Harassment Policy to the Office of Equity and Diversity:

- The President, Provost, Vice Presidents, Associate Provosts, Deans, Department Chairs, Administrators, Managers, and Supervisors have a mandatory duty to report any actual or perceived incidents or complaints of harassment or discrimination within three (3) business days to the Executive Director or the EEO Coordinator/Investigator.
- All members of the University Community are encouraged to report all incidents of harassment which they witness, are known, or are made aware of by another person, to the Executive Director or the EEO Coordinator/Investigator.

# Why Report?

Regardless of whether the identity of a person who engaged in harassment, bias, bullying, hate or discrimination is known, it is important that all incidents are reported. When you report an incident, you help our community to be a welcoming and inclusive place by:

- Speaking up for inclusion, dignity and respect in our campus community and standing in solidarity with those who experience bias
- Ensuring the University is aware of and able to respond to incidents in a supportive way for individuals and/or the community as a whole while understanding options for accountability
- Helping us to structure campus programming, awareness campaigns, and other projects to target the issues being faced by our community members

# What Happens When a Report is Made?

Following the submission of a report involving a harassment, bias, bullying, hate or discriminatory incident, you will be contacted by a member of the Office of Equity and Diversity to provide support, discuss options for proceeding in accordance with the Non-Discrimination and Anti-Harassment Policy, and learn about resources.

#### **Interim Measures**

Upon receipt of a report, the University will take reasonable and appropriate interim measures to protect the individuals involved and reduce further risk for members of our campus community. Examples of such measures may include, but are not limited to:

- Instituting an Administrative Directive for No-Contact between involved parties.
- Limiting an individual's access to certain facilities or activities pending resolution.
- Providing referrals to counseling and health services.
- Referring to the Employee Assistance Program.
- Altering the housing situation of the reporting.
- Offering adjustments to academic deadlines, course schedules, etc.
- Offering adjustments to extracurricular activities or other activities.
- Altering work arrangements for employees.
- Instituting administrative leaves of absence for employees or students.
- Providing campus escorts.
- Providing any other measure which can be tailored to the involved parties to achieve the goals of the University's policy.

#### **Possible Outcomes**

Anyone who is found responsible for violating the Non-Discrimination and Anti-Harassment Policy may be assigned one or more administrative and/or developmental sanctions. In determining appropriate sanctions, the University considers the nature of the violation including the impact on the community and its members, the institutional sanctioning guidelines, the responsible party's prior disciplinary history, and the individual needs. Administrative sanctions range from disciplinary warning to termination, expulsion or withholding of degree. Developmental sanctions include, but are not limited to educational activities, fines, restitution, supervised work/service, directives for no contact, mandatory counseling and/or advising.

# Support & Resources Related to Bias, Bullying, Hate & Discrimination

## In Case of Emergency

The first priority for any individual is personal safety and well-being. In an emergency situation, the University encourages all individuals to seek immediate assistance from University Police, **570.941.7777**, the City of Scranton Police Department at **911**, and/or a medical facility. This is the best way to address immediate safety concerns while allowing for the preservation of evidence and an immediate investigative response.

If you experience or witness harassment, bias, bullying, hate or discrimination,

- Preserve all evidence. Do not clean, move or remove any evidence from the location of the incident.
- Write down the details you can recall about the incident and the assailant including any information related to previous concerning behavior or history.

#### **Confidential Resources**

A person who desires confidentiality should make contact with one of the confidential resources/support services listed below. Information shared with a confidential resource does not have be reported to the University, the Office of Equity and Diversity or law enforcement for investigation unless the individual disclosing the confidential resources later chooses to engage those resources.

- The University of Scranton Counseling Center 570.941.7620, located on the 6th floor of O'Hara Hall, at the corner of Linden St. and Jefferson Ave., provides confidential counseling services to University students from Monday-Friday 8:30 a.m.- 4:30 p.m. during the academic year. Upon request, the Counseling Center will provide counseling as well as referrals to agencies off-campus.
- Student Health Services
   570.941.7667, located at the corner of North Webster Ave. and Mulberry St. in the Roche Wellness Center, provides confidential medical support and assistance to University students.

**Academic Year:** Mon-Thurs 8:30 a.m. – 5 p.m. & Friday 8:30 a.m. – 4:30 p.m. Intersession Hours: Mon-Fri 8:30 a.m. – 4:30 p.m.

**Summer Hours: Mon-Fri 8:30 a.m. – 4:30 p.m.** (walk-in only).

Appointments can be made online via the Student Health Portal.

• Employee Assistance Program: • 1.800.327.2255 NexGenEAP, offers professional counseling services, including confidential counseling in-person or over the phone, for a variety of stressful issues. Member and group numbers may be found by visiting scranton.edu/hr/benefits/ employee-assistance-program.shtml

## Additional Resources & Support Services — Private but Not Confidential

Campus Ministries • 570.941.7419, located in the DeNaples Center, Suite 200, offers pastoral support. Students may stop by the office to schedule an appointment with a priest or campus minister.

Cross Cultural Centers (Jane Kopas Women's Center and Multicultural Center) • 570.941.6194, located in the DeNaples Center Suites 205F&G, offers a comfortable gathering place and also provides educational programming, leadership development, resources and referrals.

Office of Equity & Diversity • 570.941.6645, is located in the Institute of Molecular Biology and Medicine, Suite 315. The Executive Director and the EEO Coordinator/Investigator are available to discuss any questions regarding the Non-Discrimination and Anti-Harassment Policy, to assist an individual in accessing resources and support services, and to facilitate the investigation and resolution of reports of conduct.

University Police • 570.941.7777, located on level 2 of the Parking Pavilion (corner of Mulberry St. and Monroe Ave.) are available to coordinate with various resources to provide for the safety and well-being of an individual who experienced bias, harassment and discrimination.

**Dean of Students Office • 570.941.7680**, located in the DeNaples Center, Suite 201, offers support and helps to connect students with additional resources.

Office of Human Resources • 570.941.7767, located in St. Thomas Hall, Suite 100 supports and resources to employees.

Jane Kopas Women's Center • 570.941.6194, located in the DeNaples Center 205F, offers support and resources for students.



# **Be an Active Bystander**

- Notice the situation & be aware of your surroundings
- Interpret it as a problem. Ask, "Do I believe someone needs help?"
- Feel responsible to act. Educate yourself on what to do
- Intervene safely. Keeping yourself safe while taking action is key.
- Bring in others to help when the situation may be potentially dangerous
- Ask the individual you are concerned about if they are ok
- **Distract or redirect individuals** in unsafe situations
- Ask the individual if they want to leave
- Call University Police: 570.941.7777 or Scranton Police: 911
- Watch out for others
- **Diffuse situations** by interrupting, distracting, or redirecting
- Trust your instincts



#### The Office of Equity & Diversity

Institute of Molecular Biology & Medicine • 570.941.6645 elizabeth.garcia2@scranton.edu • diana.collinsgilmore@scranton.edu

Disclaimer: This brochure is for educational and informational purpose only.

Members of The University of Scranton community are bound by the terms

contained in University's Non-Discrimination and Anti Harassment Policy, at

scranton.edu/equity-diversity/docs/nondiscrimination-antiharassment-policy.pdf

The University of Scranton is committed to providing a safe and nondiscriminatory employment and educational environment. The University does not discriminate on the basis of race, color, creed, religion, ancestry, gender, sex, pregnancy and related conditions, sexual orientation, gender identity or expression, sex characteristics, sex stereotypes, age, disability, genetic information, national origin, ethnicity, family responsibilities, marital status, veteran or military status, citizenship status, or any other status protected by applicable law. Sexual harassment, including sexual violence, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972. The University does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment.

scranton.edu/equity-diversity