

Felician University Anti-Discrimination Policy

I. PURPOSE

As a Catholic/Franciscan institution of higher education, Felician University supports and promotes values that affirm the dignity and rights of all people. In keeping with these fundamental principles, we value racial and ethnic diversity and welcome persons of all groups, cultures and religious traditions to Felician University.

Every person associated with Felician University contributes a unique richness of tradition that enhances the community. We welcome the enriching experience of the growing diversity on campus, for diversity presents experiences, challenges and opportunities to the entire community. In order to achieve the goals of our University community, it is essential that we ensure assure a safe, healthy work and learning environment for all.

We unconditionally reject all forms of discrimination. We acknowledge our obligation to safeguard and enhance the dignity of every member of our University community. We seek to foster an understanding of cultural differences and encourage and support the ethical and moral values that are the basis of a humane social order.

To fulfill these aspirations, we commit ourselves to create and to maintain an environment free of discrimination, intimidation, humiliation and harassment of any kind. We urge all members of the Felician University community to adhere to the following values:

- Respect for human dignity;
- Compassion for others;
- Recognition of and appreciation for the characteristics that make individuals unique;
- Service to others;
- Reverence for the people and world in which we live;
- Solidarity;
- Promotion of the common good by forging right relationships;
- Pursuit of peace.

A commitment to the principles of free speech and academic freedom is of vital importance to the Felician University community. This commitment is at the heart of the educational mission and informs our work in teaching, learning and research, as well as in educational activities beyond the classroom. We are dedicated to allowing vigorous and open academic discourse and intellectual inquiry, including speech that espouses controversial ideas.

Because our University respects individual freedom and dignity, free speech is necessary in order to arrive at truth and to promote clearer reasoning through the debate of opposing views. Free speech must be maintained to reinforce our society's commitment to the equality and dignity of all persons. Without compromising our stated Catholic/Franciscan mission, a commitment to support free speech may in some instances lead to permitting speech that some may find repugnant or offensive. One purpose of this policy, then, is to distinguish between *permitted* speech which may be objectionable, and speech and/or other communications which are intended to create a threatening, harmful or hostile environment.

This policy is based on the expectation that all members of the Felician University community will actively work to bring these values to full, living and genuine realization. Discrimination of any genre is a violation of University policy and may be the basis for disciplinary action. No member of our University community may engage in racial, ethnic or any other form of discrimination.

II. APPLICABILITY

This Anti-Discrimination Policy applies to all University students, faculty, administrators, staff members and employees, as well as vendors and guests on or off campus. This includes those members of the University community who are involved in the University's off-campus programs, such as internships, clinical practice, student teaching, etc. This policy does not replace or supersede an individual's rights and remedies under the law.

III. DEFINITIONS

Discrimination is conduct that serves to limit the social, political, economic, employment or educational opportunities of particular groups or individuals solely on membership in one or more of the following protected categories:

- Age
- Gender (including sexual harassment)
- Disability
- Race / Ethnicity
- Color
- Creed
- National origin
- Religion
- Sexual orientation
- Gender identity and expression
- Pregnancy
- Veteran's Status
- Liability for service in the armed forces

- Marital status (including civil and/or domestic partnership)
- Genetic Information Nondiscrimination Act of 2008.

Discrimination is oral, written and/or physical conduct directed against any person or group of persons that harms or creates an offensive, demeaning, intimidating or hostile environment for that person or group of persons. Such conduct includes but is not limited to objectionable epithets, demeaning depictions or treatment, and threatened or actual abuse or harm.

Discrimination is further defined as conduct that:

1. Is directed at an identifiable person or persons, and insults or demeans the person or persons to whom the conduct is directed, or abuses a power or authority relationship with that person on the basis of membership in any of the aforementioned protected categories by the use of slurs, epithets, hate words, demeaning jokes, derogatory stereotypes and similar action; and/or
2. Is intended to inflict direct injury on that person or persons to whom the conduct is directed; and/or
3. Is sufficiently abusive or demeaning that a reasonable person would find it so severe or pervasive as to create a hostile environment; and/or
4. Occurs in any context or location such that an intent to inflict direct injury may reasonably be inferred; and/or
5. Is intended to affect negatively the work or educational environment in a way that makes the treatment of the affected party unequal with respect to his or her proper functioning, opportunities for promotion and development because of his or her membership in any of the aforementioned protected categories;
6. Is intended to damage or destroy, or damages or destroys private property of any member of the University community or guest because of that person's membership in any of the aforementioned protected categories with the purpose of making the educational, work or living environment hostile for the person whose property was damaged or destroyed.

The following examples illustrate but do not exhaust the types of conduct referred to:

1. A person would be in violation if causing bodily harm to an individual because of that person's membership in one or more of the noted protected categories.
2. A person would be in violation by making a demeaning remark based on a person's membership in one or more of the noted protected categories, or by using slurs or "jokes", and those remarks created a hostile work, educational or living environment for a person or persons hearing the remark, or for a person to whom the demeaning remark may have been specifically addressed.
3. A person would be in violation if intentionally placing visual or written material demeaning an individual based on that person's membership in one or more of the

noted protected categories in that person's work, study or living area; and such material made the work, educational, or living environment hostile for the person in whose work or study area the material was placed.

4. A person would be in violation when that person's conduct resulted in making hostile the work, educational or living environment for a person subject to such conduct.
5. A person would be in violation if misusing grades, evaluations or promotion procedures to adversely affect a person on the basis of membership in one or more of the noted protected categories.
6. A person would be in violation if intentionally not hiring a person on the basis of membership in one or more of the noted protected categories

IV. PROCESS FOR INVESTIGATING AND RESOLVING AN ALLEGED INCIDENT OF DISCRIMINATION

Any individual who believes that he/she has been subjected to sexual or other unlawful discrimination, or becomes aware of an incident of any form of discrimination has a duty to report it to either his/her respective supervisor or a member of the President's Council or Human Resources immediately. Investigation of alleged incidents is carried out in accordance with the Guidelines for Complaints of Discrimination, Harassment and Retaliation. The goal of the investigation process is to assist in achieving resolution in a timely and appropriate manner.

The guidelines are available on-line in the Consumer Information section of the University web site and in the Felician University Employee Handbook.

If, for any reason, you feel you cannot follow the above steps, or do not want to give your name, call the Corporate Responsibility (CRP) Help Line. The telephone number of the CRP Help Line is 1-866-225-3253.

V. SANCTIONS

If it is determined that inappropriate conduct has occurred, the University will act promptly and appropriately to eliminate the offending conduct. Responsive action may include training, referral to counseling, and disciplinary action such as warnings, reprimands, withholding of a promotion, reassignment, temporary suspension without pay, or discharge for cause. False charges may result in corrective action or sanctions against the accuser, countercharges, or any other appropriate response.

VI. RETALIATION

The University will not retaliate against anyone for reporting unlawful discrimination or harassment in good faith, or for participating in an investigation of alleged harassment or discrimination, nor will it tolerate retaliation by supervisors, managers, co-workers or anyone else. Retaliation will subject an individual to disciplinary action.