University policy and campus responsibility

The University of Massachusetts Dartmouth’s policies as well as federal and state laws require equal opportunity for all members of the University community and prohibit discrimination and harassment of any of its community members. It is a matter of law and the policy of the University to promote a community that is free of discrimination and harassment of any type, including sexual harassment. The University employs a diverse workforce and it is of paramount importance that every member of the University community is treated with fairness and respect at all times. The University will not tolerate harassment or discrimination that affects employment or educational conditions, that interferes unreasonably with an individual’s school or work performance, or that creates an intimidating, hostile, or offensive work or learning environment. Further, retaliation against an individual who has complained about discrimination or harassment, or retaliation against individuals for cooperating with an investigation of a complaint is unlawful and will not be tolerated.

The University takes allegations of discrimination, harassment and retaliation seriously and will respond promptly to complaints. Notwithstanding any provision of this policy, the University reserves the right to investigate and take action on its own initiative in response to behavior and conduct that may constitute discrimination or harassment or otherwise be inappropriate, regardless of whether an actual complaint has been filed. All individuals (i.e., employees, students, contractors, visitors) are expected to fully cooperate with the procedure. An unwillingness to cooperate by an individual may result in a sanction(s).

Where it is determined that inappropriate conduct has occurred, the University will impose corrective action as necessary, which may include disciplinary action up to and including termination of employment or school-related discipline. If you feel that you are being discriminated against or harassed, report it to a supervisor and/or to the Office of Diversity, Equity & Inclusion immediately. It is essential that all complaints be submitted to the Office of Diversity, Equity & Inclusion within 300 days of the action that prompted the complaint.

A. “Discrimination” is an act directed at an individual or group that subjects him/her to treatment which adversely affects his/her employment, application for employment, education, admissions, or terms and conditions of employment because of their religion or religious belief, color, race, marital status, veteran or military status, age, sex, gender identity or expression, sexual orientation, national origin, ethnicity, disability, genetic information, or any other classification protected under local, state, or federal anti-discrimination statutes.

B. “Harassment” is unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law. Harassment includes, but is not limited to:

1) display or circulation of written materials or pictures that are degrading to a person or group as previously described; and

2) verbal abuse or insults about, directed at, or made in the presence of an individual or group as previously described.

C. “Sexual harassment” is unwelcome conduct of a sexual nature when:

1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic work;

2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or

3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working or academic environment.

D. “Retaliation” is any act of intimidation against a complainant or an individual who has cooperated with the investigation of a complaint. An individual who has engaged in a protected activity is protected against retaliation. A protected activity consists of the following:

1) Opposing a practice made lawful by one of the employment discrimination statutes; or

2) Filing a charge, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing under the applicable statute.

Confidentiality

Information provided during and after a review of a complaint or investigation of alleged discrimination or harassment will be maintained as confidential to the extent possible.
### Reasonable ADA and Religious Accommodations

If you are a qualified disabled employee, applicant, or student, you have the right to request a reasonable accommodation to assist you in the performance of your job or academic pursuits. In accordance with the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA), the University defines a disabled individual as "any person who has a physical or mental impairment which substantially limits one or more of such person's major life activities, has a record of such impairment, or is regarded as having such an impairment." These terms are defined as follows:

- "major life activities" include, but are not limited to, functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, and learning;
- "has a record of such impairment" includes records which predate the relevant law and includes disabilities with which the individual is no longer afflicted;
- "is regarded as having such an impairment" refers to those individuals who are perceived as having a disability, regardless of whether the individual has a disability.

To make a reasonable ADA accommodation request, please contact the Office of Diversity, Equity & Inclusion if you are an employee or applicant, or the Center for Access and Success if you are a student.

The University also offers reasonable religious accommodations to members of the university community.

### Outside agencies

Complaints may also be filed with local state and federal anti-discrimination agencies:

- **The United States Equal Employment Opportunity Commission (EEOC)**
  - John F. Kennedy Federal Building, Room 475
  - Government Center
  - Boston, MA 02203
  - 617.565.3200 or 1.800.669.4000
  - TTY 617.565.3204 or 1.800.669.6820
  - [www.eeoc.gov](http://www.eeoc.gov)

- **The Massachusetts Commission Against Discrimination (MCAD)**
  - Boston Office
    - One Ashburton Place, Room 601
    - Boston, MA 02108
    - 617.994.6000
    - TTY 617.994.6196
    - [http://www.mass.gov/mcad](http://www.mass.gov/mcad)

- **Office for Civil Rights/ED (OCR)**
  - 8th Floor
    - 5 Post Office Square, Ste. 900
    - Boston, MA 02109-3921
    - 617.289.0111
    - [ocr.boston@ed.gov](mailto:ocr.boston@ed.gov)

Each agency has a specific time period for filing a claim: the EEOC allows 300 days (may be longer in some circumstances), the MCAD allows 300 days, and the OCR allows 180 days (may be longer in some circumstances) from the alleged incident, or when the complainant became aware of the incident, for filing a claim.

### What should I do?

To report or file a complaint of possible discrimination, harassment or sexual violence, or to make a reasonable ADA or religious accommodation request, contact:

- **Deborah Majewski**
  - Associate Vice Chancellor
  - Title IX Coordinator, ADA, and 504 Coordinator
  - Office of Diversity, Equity and Inclusion
  - Foster Administration Building, Room 324
  - 508.999.8008
  - dmajewski@umassd.edu

- **David A. Gomes**
  - Deputy Director/Senior Investigator
  - Office of Diversity, Equity and Inclusion
  - Foster Administration Building, Room 324
  - 508.999.8192
  - dgomes3@umassd.edu

**Link to Complaint Procedures and Form:**
[www.umassd.edu/eeo/complaintproceduresandform](http://www.umassd.edu/eeo/complaintproceduresandform)

**Other Title IX Contacts:**
- **Victim Advocate/Educator**
  - 508.910.4584
- **Center for Women, Gender, and Sexuality**
  - 508.910.6567
- **Counseling Center**
  - 508.999.8648
- **Health Services**
  - 508.999.8982
- **Public Safety**
  - 508.999.9191
- **Student Affairs**
  - 508.910.6402

**Link to Sexual Misconduct Support Services:**
[www.umassd.edu/sexualviolence/supportservices](http://www.umassd.edu/sexualviolence/supportservices)

**Between the hours of 5pm and 8am on weekdays, and anytime during weekends and holidays**, individuals wishing to report a concern, issue, or sexual harassment complaint should call 508.999.9191, the university’s police emergency line.

**Students may also file complaints with:**

- **Office for Civil Rights/ED (OCR)**
  - 8th Floor
  - 5 Post Office Square, Ste. 900
  - Boston, MA 02109-3921
  - 617.289.0111
  - [ocr.boston@ed.gov](mailto:ocr.boston@ed.gov)