



<b>Policy Title</b>	<b>Interim Non-Discrimination and Non-Harassment Policy</b>
<b>Policy Category</b>	<b>Ethics, Integrity, and Legal Compliance</b>
<b>Policy Approval Date</b>	<b>November 4, 2016 (Original approval date)</b>
<b>Policies Superseded</b>	<b>Student Handbook, Student Code of Conduct</b>
<b>Responsible Office(s)</b>	<b>Vice President of Finance and Administrative Services</b>
<b>Related Policies</b>	<b>Interim Policy Prohibiting Sexual Harassment and Sexual Misconduct</b>
<b>Procedure</b>	<b>Interim Procedures for Resolution of Complaints under the Interim Non-Discrimination and Non-Harassment Policy and the Interim Policy Prohibiting Sexual Harassment and Sexual Misconduct</b>
<b>Frequency of Review</b>	<b>1 year</b>
<b>Date of Revision</b>	<b>August 14, 2020</b>

## I. GLOSSARY

- *Advisor* means a person chosen by a party or appointed by Arcadia University (the “University”) to accompany the party to meetings related to the Formal Grievance Process, to advise the party on that process, and to accompany the party to the hearing, if any, including conducting cross-examination, if applicable.
- *Bias Incident*: Conduct or behavior (verbal, nonverbal, or written) that is threatening, harassing, or discriminatory and is based on a Protected Characteristic. This includes any threats, Harassment, and/or Discrimination where there is evidence to suggest that the target/victim of those acts was chosen because of that individual’s Protected Characteristic(s). Bias Incidents may include Hate Crimes.

Examples of Bias Incidents include defacement of posters or signs; intimidating or harassing comments or messages (verbal or written); and vandalism to personal or University property.

Bias will be deemed an aggravating factor to any violation of University policies, including the Student Code of Conduct. That means that evidence of bias may result in a more serious Sanction for a policy violation up to, and including, permanent separation from the University.

- *Complainant(s)*: Individual(s) who is alleged to be the victim of conduct that could constitute Discrimination, Harassment, a Bias Incident, or Retaliation for engaging in a Protected Activity.
- *Discrimination*: Adverse or unequal treatment based on a Protected Characteristic that is sufficiently serious as to unreasonably interfere with or limit an individual’s opportunity to participate in or benefit from a University Program or Activity, or that otherwise adversely affects

a term or condition of the individual's employment, education, living environment, or participation in a University Program or Activity. Examples of conduct that can constitute Discrimination if based on a Protected Characteristic include but are not limited to:

- Singling out or targeting an individual for different or less favorable treatment (e.g., more severe discipline, lower salary increase) because of a Protected Characteristic;
  - Failing or refusing to hire or admit an individual because of a Protected Characteristic;
  - Terminating an individual from employment based on their Protected Characteristic; and/or
  - Using a Protected Characteristic as the basis for or a factor in decisions affecting that individual's employment, education, living environment, or participation in a University Education Program or Activity.
- *Education Program or Activity* means locations, events, or circumstances where Arcadia exercises substantial control over both the Respondent and the context in which the Discrimination, Harassment, or Bias Incident occurs, and also includes any building owned or controlled by a student organization that is officially recognized by Arcadia.
  - *Formal Complaint* means a document submitted or signed by the Complainant or signed by the Director of the Office of Equity and Civil Rights (OECR)/Title IX Coordinator alleging a Policy violation by a Respondent and requesting that the University investigate the allegation(s). A Formal Complaint may be filed with the Director of OECR/Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in section IV. It must contain the Complainant's physical or digital signature, or otherwise indicate that the Complainant is the person filing the Formal Complaint. If a form is submitted that does not meet this standard, the Director of OECR/Title IX Coordinator will contact the Complainant to ensure that, if the individual's intent is to file a Formal Complaint, it is filed correctly. (Wherever the Director of OECR/Title IX Coordinator is referenced herein, such reference shall be construed to include that individual's designee.)
  - *Formal Grievance Process*: An investigation and, if applicable, hearing which occurs after a Formal Complaint is filed.
  - *Harassment*: Unwelcome verbal or physical conduct directed toward a person based on one or more Protected Characteristics, when such conduct is so severe or pervasive that it unreasonably interferes with that person's employment, education, learning environment, or participation in University programs or activities, or that otherwise creates a working, learning, or living environment that a reasonable person would find intimidating, hostile, or offensive. Examples of conduct that can constitute Harassment if based on a Protected Characteristic include but are not limited to:
    - conduct, whether verbal, physical, written, graphic, or electronic that threatens, intimidates, offends, belittles, denigrates, or shows an aversion toward an individual or group;
    - epithets, slurs, or negative stereotyping, jokes, or nicknames;
    - non-academic circulation or use of written, printed, or graphic material that contains offensive, denigrating, or demeaning comments, or pictures; and/or

- the display of offensive, denigrating, or demeaning objects, e-mails, text messages, or cell phone pictures.

Harassment in violation of this Interim Non-Discrimination and Non-Harassment Policy (“Policy”) depends on the totality of the circumstances, including the nature, frequency, and duration of the conduct in question, the location and context in which it occurs, and the status of the individuals involved.

Acts of Discrimination and Harassment based on someone’s Protected Characteristic may be committed by any person upon any other person, regardless of the identity or membership in a protected class.

- *Hate Crime*: A Hate Crime is generally defined in federal and state statutes as a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias against the victim’s identity or group affiliation. *See* Ethnic Intimidation Act (Act 154 of 1982, 18 Pa. C.S. §2710).
- *Microaggression*: Brief, everyday exchanges that send denigrating messages to certain individuals because of their group membership. Microaggressions are often unconsciously delivered as subtle snubs or dismissive looks, gestures, and tones. These exchanges are so pervasive and automatic in daily conversations and interactions that they are often dismissed and glossed over as being innocent and innocuous.<sup>1</sup>
- *Notice* means the Director of OECR/Title IX Coordinator or a Mandated Reporter witnesses or hears about Sexual Harassment, Sexual Misconduct, and/or Retaliation from a Complainant or third party, or receives complaints of Sexual Harassment, Sexual Misconduct and/or Retaliation, verbally, in writing, or by any other means.
- *Notice of the Outcome* is the document sent to the Complaint(s) and Respondent(s) detailing the decision maker’s finding regarding whether Respondent(s) violated this Policy, and the sanctions imposed on Respondent as a result of this violation.
- *Prohibited Conduct*: An umbrella term used to refer to Discrimination, Harassment, Bias Incidents, and Retaliation collectively.
- *Protected Activity*: an individual reported, filed a Formal Complaint, or participated in an investigation, proceeding, or resolution of an allegation of conduct prohibited by this Policy.
- *Protected Characteristics*: Include ethnicity, national origin, ancestry, race, color, religion, creed, sex, gender, marital status, sexual orientation, age, gender expression or identity, military or military veteran status, disability, medical or genetic information, pregnancy or any other characteristic protected by local, state, or federal law.
- *Respondent(s)*: Individual(s) who has been reported to be the perpetrator of conduct that could constitute Harassment, Discrimination, and/or a Bias Incident based on a Protected Characteristic; or Retaliation for engaging in a Protected Activity.

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<sup>1</sup> Sue, Derald Wing, *Microaggressions in Everyday Life: Race, Gender, and Sexual Orientation*. Wiley. 2010

A Respondent can be an individual or a group.

- *Retaliation:* Action that is taken or attempted to be taken against an individual or group because they reported, filed a Formal Complaint of, or participated in an investigation, proceeding, or resolution of an allegation of conduct prohibited by this Policy. Any individual or group of individuals, not just a Respondent or Complainant, can commit Retaliation. Retaliation can take many forms, including continued Discrimination or Harassment, abuse or violence, threats, and intimidation.

## II. SCOPE

This Policy applies to all students, staff members, faculty members, prospective students, and employees, trustees, of the University, as well as volunteers, guests, visitors, and independent contractors.

This Policy applies to all Prohibited Conduct, as defined herein, that affects the University's residential, educational, and/or employment environment and the University community wherever it occurs, including on campus, off campus, and online.

## III. POLICY STATEMENT

The University is committed to ensuring equal opportunity to all persons and does not discriminate on the basis of any Protected Characteristic in its educational programs, activities, admissions, or employment practices, as required by Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendment of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 ("ADA"), the Age Discrimination in Employment Act ("ADEA"), and other applicable statutes.

The University is committed to creating a learning, living, and working environment in which Discrimination, Harassment, Bias Incidents, and Retaliation are not tolerated, and in which respect for others is fostered. Discrimination, Harassment, and Bias Incidents violate the dignity of individuals, impede the realization of the University's educational mission, and will not be tolerated. In addition, by maintaining a strong, consistent, and clear Policy addressing Discrimination, Harassment, and Bias Incidents, we aim to help create an environment of inclusion and a respect for diversity.

The OECR is responsible for enforcing this Policy on behalf of the University and has established [Interim Procedures for Resolution of Complaints under the Non-Discrimination and Non-Harassment Policy and the Policy Prohibiting Sexual Harassment and Sexual Misconduct](#) in order to do so. This Policy does not address Sexual Harassment or Sexual Misconduct as defined in and governed by the University's [Interim Policy Prohibiting Sexual Harassment and Sexual Misconduct](#).

Inquiries concerning this Policy, Title VI, Title VII, Title IX, and compliance therewith and information regarding accessibility should be directed to the Director of OECR/Title IX Coordinator for Arcadia University at:

Nora Nelle  
777 Limekiln Pike, Suite 112  
Glenside PA 19038

[nellen@arcadia.edu](mailto:nellen@arcadia.edu)  
215-517-2659

Inquiries concerning Section 504, the ADA, the ADEA, equal opportunity officer and compliance therewith and information regarding accessibility should be directed to the Associate Vice President for Human Resources and Employee Experience for Arcadia University at:

Mary Sweeney  
782 Limekiln Pike  
Glenside PA 19038  
[sweeneym@arcadia.edu](mailto:sweeneym@arcadia.edu)  
(215) 572-2790

#### **IV. PROHIBITED CONDUCT**

This Policy is written and intended to be interpreted broadly to include online and cyber manifestations of Prohibited Conduct under this Policy when that conduct occurs in or has an effect on a University Program and Activity and/or uses University networks, technology, or equipment.

##### **A. Retaliation Prohibited**

The University will not tolerate Retaliation in any form. The University recognizes that Retaliation can take many forms, that it may be committed by or against an individual or a group, and that a Complainant, reporter, Respondent, third party, and/or any employee charged with implementing this Policy and the associated Procedures may also be the subject of Retaliation by another individual. It is a violation of University Policy to retaliate in any way against an individual or group because they raised allegations under this Policy

No student, employee, or the University itself may take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual or group for the purpose of interfering with any right or privilege secured by law or policy, or because the individual or group has engaged in Protected Activity under this Policy.

Acts of alleged Retaliation should be reported immediately to the Director of OECR/Title IX Coordinator and will be promptly investigated by OECR. Formal Complaints alleging Retaliation will be adjudicated by the Student Affairs Office or the Office of Human Resources, as appropriate. The University is prepared to take appropriate steps to protect individuals or groups who have been or fear that they may be subjected to Retaliation.

Charging an individual with making a materially false statement in bad faith in the course of proceedings under this Policy does not constitute Retaliation. A determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

#### **V. ANTI-HARASSMENT POLICIES AND FREEDOM OF EXPRESSION**

The University's Policy and Procedures relating to Discrimination, Harassment, and Bias Incidents are not

intended to inhibit or restrict academic freedom or the open expression of ideas. Please visit the [Arcadia University Open Expression Task Force](#) web page for more information.

## **VI. NOTICE/FORMAL COMPLAINTS OF DISCRIMINATION, HARASSMENT, BIAS INCIDENTS, AND/OR RETALIATION**

The University encourages every member of our community to report all incidents of Discrimination, Harassment, Bias Incidents, and/or Retaliation. When individuals or groups feel that they have been subjected to such conduct, they have a number of options, including filing a Formal Complaint, or resolving the incident through informal means. Informal and formal resolution processes are further described in [Interim Procedures for Resolution of Complaints under the Non-Discrimination and Non-Harassment Policy and the Policy Prohibiting Sexual Harassment and Sexual Misconduct](#).

Members of our community are encouraged, but not required, to consider informal modes of conflict resolution prior to invoking this Policy if the incident is capable of resolution through thoughtful dialogue.

### **A. Emergency Reporting**

The University encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident involving threats or violence in order to ensure preservation of evidence and to begin a timely investigative and remedial response. The University will provide coordination with law enforcement, information about the University's resources and complaint processes, as applicable, and transportation to the hospital.

#### Options for Contacting Public Safety/Law Enforcement

*Contact Public Safety and/or local law enforcement if you are in any immediate danger.*

#### **Arcadia University Department of Public Safety**

The Department of Public safety is available 24-hours a day, year-round  
In an emergency, call 215-572-2999 or x2999 from any campus phone  
For all other calls, dial 215-572-2800 or x2800 from any campus phone

#### **Cheltenham Township Police Department**

Emergency: 911  
Phone: 215-885-1600  
Location: 8230 Old York Road, Elkins Park, PA 19027

#### Options for Seeking Medical Attention

#### **Abington Memorial Hospital**

Phone: 215-481-2000 (24 hours a day, seven days a week)  
Location: 1200 Old York Road, Abington, PA 19001

#### Additional Options for Students:

## **Student Health Services**

Phone: 215-572-2966 or x2966 from any campus phone

Location: Heinz Hall, Ground floor

Student Health Services (“SHS”) is staffed by certified nurse practitioners, part-time physicians, and secretarial support. Students are assessed and treated for illness and injuries by nurse practitioners with physician consultation and referral when necessary.

Emergencies are seen immediately by SHS staff during hours of operation. After-hours emergencies and those emergencies that cannot be handled at SHS are sent to area hospitals using private transportation or ambulance as necessary.

### Additional Options for Employees:

**Employee Assistance Program** (free confidential counseling for Arcadia employees)

Carebridge

1-800-437-0911

[www.myliferesources.com](http://www.myliferesources.com)

## **B. Reporting to Arcadia University**

**Reports and Formal Complaints of Discrimination, Harassment, Bias Incidents, and/or Retaliation may be made by using any of the following options:**

1. File a Formal Complaint with, or make a verbal report to, the  
**Director of OECR/Title IX Coordinator:**

Nora Nelle

777 Limekiln Pike, Suite 112, Room 111

Glenside PA 19038

[nellen@arcadia.edu](mailto:nellen@arcadia.edu)

215-517-2659

Hours: Monday through Friday, 8:30am to 5:00pm

A report or a Formal Complaint may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Director of OECR.

2. Anonymous Reporting

Anonymous reports can be made through the above methods, as well as through the University's [Campus Conduct Hotline Reporting System](#). Campus Conduct Hotline reports can be made online or over the phone. Please note that while reports to the Campus Conduct Hotline can be anonymous, the University cannot assure that the information disclosed will be kept confidential, and the anonymity of the report may limit the ability of the University to respond.

## **VII. WHEN A COMPLAINANT DOES NOT WISH TO PROCEED**

**An individual can provide notice or otherwise report an incident without choosing to file a Formal Complaint.** In cases in which the Complainant requests no formal action be taken and the circumstances allow the University to honor that request, the University will offer informal resolution options, supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action. The goal is to provide the Complainant with as much control over the process as possible, while balancing the University's obligation to protect its community.

The University will promptly review and respond to all reports of Discrimination, Harassment, Bias Incidents, and Retaliation in an integrated, consistent manner that treats everyone with dignity and respect. The University will approach each report with an earnest intent to understand the perspective and experiences of each individual involved in order to ensure fair and impartial evaluation and resolution.

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a Formal Complaint to be pursued, they may make such a request to the Director of OECR/Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state and federal law. The Director of OECR/Title IX Coordinator has ultimate discretion over whether the University proceeds when the Complainant does not wish to do so, and the Director of OECR/Title IX Coordinator may sign a Formal Complaint to initiate a Formal Grievance Process upon completion of an appropriate risk assessment.

The Director of OECR/Title IX Coordinator's decision to sign a Formal Complaint will be based on results of the risk assessment that show a compelling risk to health (including emotional and mental health) and/or safety that requires the University to pursue the Formal Grievance Process to protect the community.

A compelling risk to health (including emotional and mental health) and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. The University may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The University reserves the right to address Discrimination, Harassment, and/or Bias Incidents that affect a large number of people but for which there is not a Complainant.

The Director of OECR/Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and the University's ability to pursue a Formal Grievance Process fairly and effectively.

When the Director of OECR/Title IX Coordinator executes the Formal Complaint, they do not become the Complainant. The Complainant is still the individual who is alleged to be the victim of conduct that could constitute a violation of this Policy.

When the University proceeds, the Complainant (or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to

ensure and protect the rights of the Complainant, though this does not extend to the provision of evidence or testimony.

Note that the University's ability to remedy and respond to notice/reports may be limited if the Complainant does not want the University to proceed with a Formal Grievance Process. If the Complainant elects to take no formal action, they can change that decision if they decide to pursue a Formal Complaint at a later date.

The University encourages prompt reporting of complaints because late reporting may limit the University's ability to investigate and respond to conduct. However, the University will respond to all reports in accordance with this Policy.

Formal Complaints involving student, faculty, or staff Respondents will be resolved pursuant to the University's [Interim Procedures for Resolution of Complaints under the Non-Discrimination and Non-Harassment Policy and the Policy Prohibiting Sexual Harassment and Sexual Misconduct](#). For Formal Complaints where the Respondent(s) is/are unaffiliated with the University, although the University cannot pursue disciplinary action against the Respondent(s), the University can assist the Complainant by providing information, resources, and options.

## **VIII. THE OFFICE OF EQUITY AND CIVIL RIGHTS**

OECR oversees the University's centralized review, investigation, and resolution of reports of Discrimination, Harassment, and Bias Incidents, as well as Sexual Misconduct and Sexual Harassment. The Office also accepts reports for issues of Retaliation relating to these violations. The Director of OECR/Title IX Coordinator also coordinates the University's compliance with Title IX, the Violence Against Women Act ("VAWA"), and other civil rights laws.

The Director is:

- Responsible for oversight of the investigation and resolution of all reports of Discrimination, Harassment, Bias Incidents, and Retaliation;
- Knowledgeable and trained in relevant federal and state law and University Policies and Procedures;
- Available to advise any individual, including a Complainant, Respondent, or third party, about the courses of action available at the University, both informally and formally;
- Available to provide assistance to any University community member regarding how to respond appropriately to reports of Discrimination, Harassment, or Bias Incidents; and
- Responsible for monitoring implementation of the Non-Discrimination and Non-Harassment Procedures.

The Director will ensure that the University responds to all reports in a timely, effective, and consistent manner. The OECR is charged with coordinating the review, investigation, and resolution of all reports to ensure consistent responsiveness. The University is committed to using a consistent and informed response to create a culture of respect and accountability. The OECR is positioned to provide seamless support, assess individual and campus safety needs, and effectively respond to allegations of Discrimination, Harassment, Bias Incidents, and Retaliation.

The University will promptly review and respond to all reports of Discrimination, Harassment, and Bias Incidents in an integrated, consistent manner that treats everyone with dignity and respect. The University will approach each report with an earnest intent to understand the perspective and experiences of each individual involved in order to ensure fair and impartial evaluation and resolution.

## **IX. CAMPUS RESOURCES AND SUPPORT**

The University is committed to treating all individuals with dignity, care, and respect. A Complainant, Respondent, or any other individual impacted by Prohibited Conduct or by a report of Prohibited Conduct under this Policy will be provided with resources, information, and options. The University recognizes that an individual involved in an incident of Prohibited Conduct may have questions and we encourage community members to seek the support of campus and community resources. The OECR can provide information about available resources, options, and assistance in the event that a Formal Complaint and/or informal resolution is pursued. Individuals are encouraged to use all available resources, regardless of whether the incident occurred recently or in the past.

### *Confidential Student Resources*

Arcadia University Counseling Services  
Heinz Hall, Ground Floor  
215-572-2967

Arcadia University Student Health Services  
Heinz Hall, Ground Floor  
215-572-2966

### *Confidential Employee Resources*

Employee Assistance Program- Carebridge  
1-800-437-0911  
[www.myliferesources.com](http://www.myliferesources.com)  
(free confidential counseling for Arcadia employees)

### *Non-Confidential Student Resources*

Campus Resources Available Monday through Friday, 8:30 a.m. to 5 p.m.

Director of OECR/Title IX Coordinator Nora Nelle  
215-517-2659, [nellen@arcadia.edu](mailto:nellen@arcadia.edu), 777 Limekiln Pike, Room 111, Suite 112, Glenside, PA 19038

Office of Institutional Diversity, May Their Aye, Coordinator of Diversity Programs and Initiatives  
215-572-4088, [oid@arcadia.edu](mailto:oid@arcadia.edu), Taylor Hall, Room 110, 450 S. Easton Road, Glenside, PA 19038

Dean of Students Andrew M. Goretsky  
215-572-2934, [goretskya@arcadia.edu](mailto:goretskya@arcadia.edu), Kuch Center, 450 S. Easton Road, Glenside, PA 19038

Associate Vice President of Human Resources/Affirmative Action Officer Mary Sweeney  
215-572-2790, sweeneym@arcadia.edu, 782 Church Road, Glenside, PA 19038

Director of Public Safety Ruth Evans  
215-572-2187, evansr@arcadia.edu, Dilworth Hall, 450 S. Easton Road, Glenside, PA 19038

*Non-Confidential Employee Resources*

Campus Resources Available Monday through Friday, 8:30 a.m. to 5 p.m.

Director of OECR/Title IX Coordinator Nora Nelle  
215-517-2659, nellen@arcadia.edu, 777 Limekiln Pike, Room 111, Suite 112, Glenside, PA 19038

Office of Institutional Diversity, May Their Aye, Coordinator of Diversity Programs and Initiatives  
215-572-4088, ooid@arcadia.edu, Taylor Hall, Room 110, 450 S. Easton Road, Glenside, PA 19038

Associate Vice President of Human Resources/Affirmative Action Officer Mary Sweeney  
215-572-2790, sweeneym@arcadia.edu, 782 Church Road, Glenside, PA 19038

Vice Provost, Academic Planning and Faculty Affairs, Dr. Rebecca E. Kohn  
215-572-4009, kohnr@arcadia.edu, Grey Towers Castle, 2nd Floor, 450 S. Easton Road, Glenside, PA 19038

## **X. VIOLENCE AND SELF-DEFENSE**

The University does not tolerate violence. Responding to conduct allegedly in violation of this Policy with violence is unacceptable, unless such violence is a direct response of self-defense.

## **XI. FALSE REPORTING**

Deliberately false and/or malicious accusations under this Policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a Policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence after being directed to preserve such evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under University policy.

## **XII. SUPPORTIVE MEASURES**

The University will provide interim support and reasonable protective measures to prevent further acts of Discrimination, Harassment, Bias Incidents, and/or Retaliation. The University will determine the necessity and scope of any supportive measures. Even if a Complainant, Respondent, or anyone else involved does not specifically request that protective action be taken, the University may choose to impose supportive measures at its discretion to ensure the safety of an individual or the University community, or the integrity of the investigative process.

### **XIII. STATEMENT REGARDING PRIVACY**

The University is committed to protecting the privacy of all individuals involved in a report of Discrimination, Harassment, a Bias Incident, or Retaliation. In any report, investigation, or resolution of a report under this Policy, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the allegation(s).

With limited exceptions, such as mandatory reports to law enforcement or where otherwise required by law, the privacy of all parties will be respected and safeguarded. Information related to a report under this Policy will only be shared with those University employees who “need to know” in order to assist in the review, investigation, or resolution of the report.

When responding to a report of conduct allegedly in violation of this Policy, the University will assess a Complainant’s request for confidentiality consistent with the subsection VII “When A Complainant Does Not Wish to Proceed.”

Anonymous reports can also be made through the University's [Campus Conduct Hotline Reporting System](#). Campus Conduct Hotline reports can be made online or over the phone. Please note that while reports to the Campus Conduct Hotline can be anonymous, the University cannot assure that the information disclosed will be kept confidential, and the anonymity of the report may limit the ability of the University to respond.

### **XIV. BYSTANDER INTERVENTION**

The University urges all community members to offer help and assistance to others in need and take reasonable and prudent actions to prevent or stop an act of Discrimination, Harassment, Retaliation, or a Bias Incident. Taking action may include indirect or direct intervention when safe to do so, enlisting the assistance of friends or colleagues, contacting law enforcement, and/or seeking assistance from a person in authority, such as staff or faculty members, coaches, supervisors or deans, Public Safety, or police.

### **XV. GROUP INFRACTIONS**

When members of a group or organization, individuals acting collusively, or members of a club or team act in concert in violation of the Policy, they may be charged as a group, and a hearing may proceed against the group as joint Respondents.

### **XVI. EFFECTIVE DATE**

This Policy is effective on the date that it is signed by the President.

### **XVII. SIGNATURE, TITLE, AND DATE OF APPROVAL**

By:   
Ajay Nair, President

Date: 8/13/2020

ATIXA 2020 ONE POLICY, TWO PROCEDURES MODEL  
USE AND ADAPTATION OF THIS MODEL WITH CITATION TO ATIXA IS PERMITTED  
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