TEMPLE UNIVERSITY
BOARD OF TRUSTEES
POLICIES AND PROCEDURES MANUAL

Title: Policy on Preventing and Addressing Discrimination and Harassment
Policy Number: 04.81.11
Issuing Authority: Executive Office of the President
Responsible Officer: University Counsel

Date Created: January 8, 2010
Date Last Amended/Reviewed: January 8, 2010
Date Scheduled for Review: January 2015
Reviewing Office: Office of University Counsel

Scope of Policy

The university is committed to providing a workplace and educational environment, programs, and activities, free of unlawful discrimination and harassment. This policy does not allow curtailment or censorship of constitutionally protected expression.
This policy is based on federal and state laws, including but not limited to Executive Order 11246, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, Title IX of the Education Amendments of 1972, the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Genetic Information Nondiscrimination Act of 2008, and the Pennsylvania Human Relations Act.

Definitions

Complaint: Allegation(s) of discrimination, harassment, and/or retaliation, filed in good faith and in accordance with the complaint procedures of the Office of Equal Opportunity Compliance ("EOC").
Discrimination: Disparate treatment of a person based on one or more of that person's Protected Characteristics/Statuses, excepting any treatment permitted or required by law.
Harassment: Unwelcome conduct directed against a person based on one or more of that person's Protected Characteristics/Statuses, which conduct is so severe or pervasive that it interferes with an individual's employment, academic performance or participation in university programs or activities, and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile or offensive.
Protected Characteristics/Statuses: Age, color, disability, marital status, national or ethnic origin, race, religion, sex (including pregnancy), sexual orientation, gender identity, veteran status and genetic information.
Supervisor: As used throughout this Policy, "supervisor" refers to any person who has authority to undertake or recommend tangible employment decisions affecting an employee or academic

decisions affecting a student; or to direct an employee's work activities or a student's academic activities.

Policy

The university will not tolerate unlawful discrimination or harassment in the workplace, academic setting or its programs or activities based on individual's age, color, disability, marital status, national or ethnic origin, race, religion, sex (including pregnancy), sexual orientation, gender identity, genetic information or veteran status. This policy is intended to be consistent with applicable federal, state and local laws and other university policies. This policy does not allow curtailment or censorship of constitutionally protected expression and will not be applied in a way that infringes upon an individual's constitutional rights of freedom of expression.
The EOC is responsible for enforcing this policy on behalf of the university and has complaint procedures available to enable it do so.

All members of management, supervisors, and faculty are responsible for successfully completing the university's non-discrimination, anti-harassment, and anti-retaliation training upon initial employment and from time to time thereafter as determined in the sole discretion of the president or the president's designee.
In addition, managers and supervisors are responsible for:

- knowing and understanding this policy;
- explaining this policy to persons under their supervision;
- taking appropriate action to prevent unlawful discrimination and harassment;
- being receptive to concerns and complaints of unlawful discrimination and/or harassment;
- taking appropriate action (including consultation with EOC and/or EO Ombudspersons) when they become aware of potential violations of this policy; and
- following up with a person who makes a complaint of unlawful discrimination or harassment (in consultation with EOC and/or EO Ombudspersons) to assure that person that the complaint was investigated and to determine the complainant's level of satisfaction with its resolution. A failure of a manager or supervisor to perform his/her responsibilities under this policy will be reflected in his/her performance evaluation and may subject him/her to disciplinary action, up to and including termination of employment.

Procedures: Any present or former employee of the university, student, applicant for admission or employment, or participant in a university program or activity, who believes he/she has been discriminated against or harassed in violation of law or this policy may contact EOC to pursue a formal or informal complaint. Any such complaint must be made within 300 calendar days of the incident. This policy as well as the EOC complaint procedures are accessible online and in printed materials. In addition, this policy is included in online and live training offered by EOC, the Department of Human Resources, and the Division of Student Services.

Notes

1. Dates of official enactment and amendments:

2. History:

Initial Policy Effective Date: January 8, 2010

Last Amended:

3. Cross References/Appendix:
Presidential Policy #04.82.01, Temple University Policy on Sexual Harassment
Presidential Policy #04.82.02, Temple University Policy on Sexual Assault
Board of Trustees Policy #04.81.01, Ratification of Nondiscrimination Policy
Board of Trustees Policy #04.81.02, Nondiscriminatory Policy as to Students
Board of Trustees Policy #04.81.03, Ethnic Intimidation Policy