

Policy Title: **Anti-Harassment and Discrimination Policy and Grievance Procedures**

Applicability: **College-Wide**

Oversight: **Title VI Coordinator and Case Coordinator**

Effective Revision Date: **November 2019**

I. POLICY STATEMENT

Providence College is committed to maintaining educational, working, and living environments in which all students, staff, and faculty are treated with dignity and respect, as created in the image and likeness of God. Discriminatory harassment based on a person’s (or group’s) race, color, national or ethnic origin, sex, gender, sexual orientation, gender identity, religion, disability, age, veteran status, or, genetic information is prohibited.¹ This Policy applies to all Providence College students and employees (i.e., faculty, staff, administrators), and to all “third parties” (defined for this Policy as visitors, guests, contractors, vendors, and other third parties).

This Policy is not meant to be used as a mechanism for restricting or suppressing academic freedom. The higher-education academic setting necessarily accommodates themes, topics, material, and speech that are relevant to the subject matter and that, in other settings, may not be appropriate. The essential purposes of the academic setting are free intellectual pursuit and the free exchange of ideas. Wide-open debate helps to foster the search for truth, and in that search, we allow speech that might not be tolerated in other settings. Policies forbidding discriminatory harassment do not threaten academic freedoms.

All students, staff, and faculty are responsible for being familiar with, and abiding by, this Policy. Persons who believed they have been subjected to discriminatory harassment or treatment are strongly encouraged to report the incident so that the College can respond promptly, effectively, and equitably. There is no time limit for filing a report with the College; however, the more time that passes between the incident and the report, the more difficult it may be to thoroughly investigate the report because witnesses may not be available, memories may have faded, respondents may no longer be affiliated with the College, and/or other key information is no longer obtainable.

Disciplinary action, up to and including suspension and dismissal, may be taken whether or not the conduct occurred on- or off-campus, and whether or not the conduct was directed toward a member of the College community or someone outside the College community. Depending on the circumstances, harassing behavior may not be severe or pervasive enough to create a hostile environment; yet, it can cause unwarranted trauma and discomfort. Accordingly, the College may determine that such behavior is inappropriate and will take action as warranted, regardless of whether the behavior is unlawful.

¹ The College’s Sexual Misconduct or Relationship Violence Policy prohibits discrimination based on sex, gender, sexual orientation, and gender identity, and this Policy governs discriminatory harassment based on these categories. The Policy and Grievance Procedures – which are provided in Appendices A, B, and C – are available [here](#). Complaints and policy questions should be directed to the College’s [Title IX Coordinator](#).

For grievance resolution procedures, please see Appendix A and Appendix B ([Grievance Resolution Procedures for Reports of Policy Violations against Staff/Administrators \(Appendix A\)](#) and [Grievance Resolution Procedures for Reports of Policy Violations against Faculty \(Appendix B\)](#)). Reports of Policy violations against students are resolved via the procedures outlined in the [Student Handbook](#).

II. Policy Definitions and Violations

A. Harassment or Discriminatory Treatment

Harassment or discriminatory treatment is unwelcome conduct directed against a person based on one or more of that person's protected characteristics or statuses, and the conduct is so severe or pervasive that it unreasonably interferes with an individual's employment or academic performance, or an individual's ability to participate in a College program or activity, thereby creating a work, educational, program or activity environment that a reasonable person would find intimidating, hostile, or offensive. Discriminatory harassment and treatment based on a person's (or group's) race, color, national or ethnic origin, religion, disability, age, veteran status, or, genetic information is prohibited. The prohibited conduct may include unwelcome verbal, written, graphic, or physical conduct directed at one or more members of a targeted group, such as demeaning expressions, depictions, or treatment; objectionable epithets; nicknames emphasizing stereotypes; and threatened or actual physical abuse or harm.

B. Retaliation

Retaliatory acts, or attempts to retaliate, against anyone who, in good faith, has reported conduct prohibited under this Policy, who has participated (or is expected to participate) in any manner in an investigation or proceeding pursuant to this Policy, or who otherwise supports the report, are prohibited. Retaliation includes, but is not limited to, intimidation, verbal or physical threats, harassment, coercion, or other adverse action. When evidence of retaliatory behavior exists, appropriate disciplinary action will be taken.

C. Preponderance of Evidence Standard

The standard of proof in the College's proceeding for resolving complaints brought pursuant to the Policy is preponderance of evidence, which requires a finding that it is more likely than not that discriminatory harassment or treatment occurred.

D. Duty to Provide Truthful Information – Knowingly False Reports Prohibited

Members of the College community are expected to provide truthful information in any report, meeting, or proceeding under this Policy. Providing or submitting false or misleading information in bad faith, with a motive to obtain personal advantage or to cause intentional harm to another person in connection with an incident of harassment or discrimination, is prohibited and the individual is subject to disciplinary sanctions under the relevant disciplinary system. This provision does not apply to reports made or information provided in good faith, even if the facts claimed in the report are not ultimately substantiated.

E. Supervisor Duty

Duty to Report: All supervisors, directors, and managers, including persons supervising student workers, have a responsibility to report all relevant details about an incident involving conduct covered under this Policy when either the complainant or the respondent is an employee. Reporting is required when supervisors, directors, or managers know (by virtue of a direct or indirect disclosure), or should have known, of such conduct. For academic faculty, supervisors include department chairs, program directors, deans, and other administrators in academic affairs. Reports should be made in a timely manner and within twenty-four (24) hours. Grievance information and procedures for resolving complaints against staff and administrators are provided in Appendix A; information and procedures for resolving complaints against faculty are provided in Appendix B. If there are conflicts between the grievance resolution procedures outlined in Appendices A and B and those outlined in any other College Handbook, Appendices A and B will be applied to resolve complaints brought under this Policy.

To Whom Reports are Filed: If the incident involves a possible Title VI claim – the harassment or treatment alleged is based on the targeted person/group’s race, color, or national origin – the report is made to the Title VI Coordinator, who is the Associate Vice President/Chief Diversity Officer. If the incident does not involve a possible Title VI claim but a different type of claim – the harassment or treatment alleged is based on the targeted person/group’s religion, disability, age, veteran status, or genetic information – the report is made to the Case Coordinator, who is the Associate Vice President for Human Resources/Affirmative Action Officer.

F. Third-Party Respondents

When the respondent is not a member of the College community (student, staff, administrator, faculty), the College’s ability to take appropriate corrective action will be determined by the nature of the relationship of that third party with the College. The Title VI Coordinator, or Case Coordinator, in consultation with other College officials, will determine the appropriate action to take consistent with this Policy and with legal mandates and formal federal guidance.

III. Policy Basis and External Complaints

This Policy is based on federal and state laws, including: Titles VI and VII of the Civil Rights Act of 1964; the Age Discrimination in Employment Act of 1967; the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990, as amended; the Rhode Island Fair Employment Practices Act; the Rhode Island Civil Rights Act; and, the Genetic Information Nondiscrimination Act.

This Policy is intended to offer an internal resolution to complaints. In addition to any sanctions that may be imposed by the College for violation of this Policy, a person who harasses or discriminates against another person may be held personally liable to the complainant and may be subject to sanctions independent of those imposed by the College. This policy does not preclude the complainant or the respondent from exercising her/his rights before any other appropriate forum, including filing charges under state law.

IV. Reporting and Other Resources

Title VI Coordinator

Jacqueline Peterson, Special Advisor to the President, Office of Institutional Diversity, (401)865-2878; Harkins 312 jpeter14@providence.edu

Quincy Bevely, Assistant Vice President, Office of Institutional Diversity (401) 865-889; Harkins 312 qbevely@providence.edu

Case Coordinator

Kathleen Alvino, Associate Vice President for Human Resources/Affirmative Action Officer
Direct: (401) 865- 2430; Administrative/Scheduling: (401) 865-2745
Office: Harkins 302
kalvino@providence.edu

Deputy Coordinators

Dr. Christopher Arroyo, Associate Professor of Philosophy
Direct: (401) 865-2235
Office: St. Catherine of Siena Hall 128
carroyo@providence.edu

Dr. Lynette Boos, Associate Professor of Math
Direct: (401) 865-2630; Administrative/Scheduling: (401) 865-2334
Office: Howley Hall 200
lboos@providence.edu

Dr. Dana L Dillon, Asst. Professor of Theology
Direct: (401) 865-2240
Office: St. Catherine of Siena Hall 228
ddillon@providence.edu

Daniel M Estevez Mujica, HR Benefits Generalist
Direct: (401) 865-2949; Administrative/Scheduling: (401) 865-2745
Office: Harkins 302
destevez@providence.edu

Tiffany Gaffney, Associate Dean of Students
Direct: (401) 865-2191; Administrative/Scheduling: (401) 865-1782
Office: Slavin 104
tgaffne1@providence.edu

Jill La Point, Assistant VP/Deputy Athletic Director/Senior Woman Administrator
Direct: (401) 865-2588; Administrative/Scheduling: (401) 865-2265
Office: 216 Alumni Hall
jlapoint@providence.edu

Dr. Theresa A Moreau, Assistant Professor of Physics
Direct: (401) 865-1903
Office: Sowa Hall 219
tmoreau@providence.edu

Dr. Keith W Morton, Professor Public & Community Service Studies, Associate Director of Feinstein
Institute for Public Service
Direct: (401) 865-1204
Office: Feinstein 407
kmorton@providence.edu

Dr. Steven A Sears, Associate VP Stud Affairs/Dean of Students
Direct: (401) 865-2425; Administrative/Scheduling: (401) 865-1782
Office: Slavin Center 104
ssears@providence.edu

Additional Campus and Community Resources:

Office of Public Safety – (401) 865-2222 (Emergency); (401) 865-2391; Huxley Avenue Gate

Personal Counseling Center – (401) 865-2343; After Hours (401) 865-1333

Office of the Chaplain – (401) 865-2216; After Hours (401) 865-1333

Student Health Center – (401) 865-2422

Office of the Dean of Students – (401) 865-1782; Slavin 102

Office of Residence Life – (401) 865-2392; Slavin 105

Residence Life On-Call Representative – (401) 639-9110

Providence Police Department – Emergency: 911; General: (401) 272-3121