PALMER College of Chiropractic

Institutional Policy: Sexual or Other Unlawful Harassment

The College does not tolerate sexual or other unlawful harassment of or by any of its employees or students on the basis of age, ancestry, citizenship status, color, creed, disability, national origin, race, religion, sex, sexual orientation, veteran status or other characteristic protected by law in the state in which the applicable college premise is located.

All forms of sexual or other unlawful harassment on College property, during College sponsored activities, programs and events, including those that take place at off-campus locations are prohibited. It is a violation of this policy for any employee, student or third party to unlawfully harass any employee, student or any other individual associated with or conducting business with the College.

Scope

This policy applies to the entire College community and 3rd parties.

Definitions

N/A

Administrative Rules

Prohibited Conduct

The College strictly prohibits such unlawful conduct whether verbal, physical or visual that:

- Affects tangible job benefits or other terms and conditions of employment or educational programs, services or activities.
- Unreasonably interferes with an individual's work or educational performance.
- Creates an intimidating, hostile or offensive work or educational environment.

Such conduct includes, but is not limited to, actions, words, jokes, kidding, teasing, comments, printed or visual material (including email), objectionable epithets, demeaning depictions or treatment, threatened or actual abuse or harm directed toward an individual based on age, ancestry, citizenship status, color, creed, disability, national origin, race, religion, sex, sexual orientation, veteran status or other characteristic protected by law in the state in which the applicable college premise is located.

Specifically, sexual harassment may consist of unwelcome sexual advances, requests for sexual favors, other verbal, physical or visual conduct of a sexual nature and any other sexually-based harassment when:

- Submission to the conduct is made either an explicit (clear) or implicit (implied) condition of employment, enrollment or academic status;
- Submission to, or rejection of, the conduct is used as the basis for an employment decision affecting the harassed employee or a decision affecting the admission or academic status of a student; and/or
- The harassment has the purpose or effect of unreasonably interfering with the individual's work or academic performance or creates an intimidating, hostile or offensive work or educational environment.

Filing a Report of Unlawful Discrimination/Harassment

Employees, students or applicants for employment or admission, or any other individual associated with or conducting business with the College is to immediately report any behavior or conduct that may be interpreted as sexual or other unlawful harassment or discrimination to any of the designated contact persons below. This includes all victims of sexual or other unlawful harassment and persons with knowledge of behavior/conduct which may constitute sexual or other unlawful discrimination/harassment.

Palmer College of Chiropractic, Davenport Ia. Campus
Michelle Walker, M.S., Senior Director for Human Resources
Office of Human Resources
1000 Brady Street
Davenport, IA 52803-5214
(563) 884-5866
michelle.walker@palmer.edu

Palmer College of Chiropractic, Davenport Ia. Campus
Earlye Adams Julien, PHR, M.S. Ed., CQIA
Senior Director for Institutional Compliance & Organizational Development
Also Serving as Equal Opportunity Coordinator
1000 Brady Street Davenport,
IA 52803-5214
phone: (563) 884-5476 or earlye.julien@palmer.edu

Palmer College of Chiropractic, Davenport Ia.
Campus Lori Larsen, B.A., Lead Coordinator
Also Serving as Equal Opportunity Coordinator designee
Office of Adjudication
1000 Brady Street
Davenport, IA 52803-5214

(563) 884-5246 or (800) 722-2586
lori.larsen@palmer.edu

Palmer College of Chiropractic, San Jose, Calif. Campus
William DuMonthier, D.C., Dean of Student Academic Affairs
Also Serving as Equal Opportunity Coordinator designee
Office of Student Academic Affairs
90 E. Tasman Drive
San Jose, CA 95134-1617
(408) 944-6062
william.dumonthier@palmer.edu

Palmer College of Chiropractic, Port Orange, Fla.
Campus Cheryl Shaw, M.B.A/ PHR,
Human Resources Manager
Also Serving as Equal Opportunity Coordinator designee
4777 City Center Parkway
Port Orange, FL 32129-4153
(386) 763-2665
cheryl.shaw@palmer.edu

Referring Reports of Possible Unlawful Discrimination/Harassment

Employees, students, administrators, other college officials or any other representatives of the College who witness; are directly advised of; or become aware of possible unlawful discrimination/harassment are to **immediately advise (without exception)** one of the designated individuals named above.

Essential Elements Applicable to all Institutional Policies

Responsibilities

It is the responsibility of all employees and students to know and comply with this policy and all applicable laws and public ordinances. Further, employees and students are expected to review the proscribed conduct set forth in this policy, as well as, any associated division or department-specific procedures that describe policy implementation practices to ensure a clear understanding of the College's expectations.

Disciplinary Action

Employees or students found to have conducted themselves in a manner prohibited by this policy may be subject to disciplinary action up to and including termination of employment and/or dismissal as a student.

Reporting Noncompliance

Filing a Report

For this policy, see above information under the heading, "Filing a Report of Unlawful Discrimination/Harassment."

CONFIDENTIALITY

The College shall maintain the confidentiality of the information they receive, except where disclosure is required by law, policy or is necessary to facilitate legitimate College processes, including the investigation and resolution of allegations.

The identity of participants in an investigation shall be maintained in confidence subject to the same limitations above.

Individuals who have reported questionable behavior or who have initiated or participated in the complaint procedures available are advised their identity may be known for reasons beyond the control of college officials or investigators.

ANONYMITY

Because of the inherent difficulty in investigating and resolving allegations from unidentified persons, the College discourages individuals from making anonymous reports of improper conduct. However, should the College receive an anonymous report, such report will be reviewed to determine the appropriateness and/or feasibility of a response.

RETALIATION

The College strictly prohibits retaliation or reprisal of any kind against an individual who has reported questionable behavior or who has initiated or participated in the complaint procedures available.

Retaliation in any form for the filing of such a complaint, whether informal or formal, or for any participation in the complaint procedure and/or investigation is strictly prohibited. Such participation shall not be used in such a manner which will affect the status, grades or work assignments of the Filer or participant.

Allegations of retaliation may be reported to any of the individuals named above under the heading, "Filing a Report of Unlawful Discrimination/Harassment."

Allegations of retaliation shall constitute separate grounds upon which a complaint may be raised under this policy. For the sake of brevity, any reference to unlawful discrimination/harassment or such a complaint shall include by definition a retaliation complaint, if such allegations are made.

REPORTING FALSE CLAIMS

Any individual who makes a claim under this policy in bad faith, or knows or has reason to know that such claim is false or materially inaccurate, shall be subject to disciplinary action up to and including termination.

INVESTIGATIONS

The College may determine an allegation of noncompliance with this policy requires an investigation. No one other than the appointed investigator will be allowed to conduct an investigation on behalf of the College. The College may impose any appropriate measures on an interim basis where there is a reasonable cause to believe that such action is needed for the health, safety or welfare of members of the College community or to avoid disruption to the work/educational environment including student suspension or employee administrative leave pending the outcome of an investigation.

VIOLATION OF LAW AND COLLEGE POLICIES

Noncompliance with the College's policies includes any behaviors covered under applicable laws. Individuals engaging in illegal activities may subject themselves to criminal penalties under the law.

Disciplinary proceedings may be instituted against an individual that potentially violates both the criminal law and the College's policies (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation. Proceedings under this policy may be carried out prior to, simultaneously with, or following a civil or criminal proceeding at the discretion of the Chief of Compliance or designee. Determinations made or disciplinary actions imposed under this policy shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of the College's policies were dismissed, reduced or resolved in favor of or against the criminal law defendant.

When a student or employee is charged by federal, state or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student or employee with the College. If the alleged offense is also being processed under College policy, the College may advise legal authorities of the existence of the College's policies and how such matters are typically handled within the College community.

Additional Information

Associated Processes and/or Procedures

This policy may be supplemented by division or department-specific policies, processes, and/or procedures that describe policy implementation practices. Such supplemental procedures may be obtained from, referenced in, and/or linked from, the relevant division or department.

Handbook on Equal Opportunity and Procedures for the Resolution of Discrimination/Harassment Complaints

Employees, students and applicants for employment or admissions or any other individual associated with or conducting business with Palmer College of Chiropractic may contact any of the individuals under the heading, "Filing a Report of Unlawful Discrimination/Harassment" for additional information regarding procedures.

Forms/Instructions

> Complaint Form

Contacts

> See "Filing a Report of Unlawful Discrimination/Harassment"

Related Information

> N/A

Appendices

> N/A

Amendment of Policy

The College reserves the right to amend this policy from time to time as the interest of the College may require.

History

Last Revised:.....February 2, 2010

Adopted: ..... N/A

Last Administrative Review: .....November 4, 2009

Issuing Office:.....Office of Institutional Compliance & Organizational Development

Responsible Officer:.....Earlye Julien, PHR, M.S. Ed., CQIA
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