



# Salisbury University Policy Prohibiting Non-Sex Based Discrimination

## I. Purpose & Applicability

providing a working and learning environment free from all types of discrimination prohibited by State and Federal laws, including on the basis of sex, gender, marital status, pregnancy, race, color, ethnicity, national origin, age, disability, genetic information, religion, sexual orientation, gender identity or expression, veteran status, or other

faculty and staff and believes that interactions with those holding various perspectives, backgrounds, and beliefs contributes to a well- rounded educational experience and promotes personal and professional development. The University is committed to providing qualified individuals access to all academic and employment programs, benefits and activities on the basis of demonstrated ability, performance and merit, without regard to personal factors that are irrelevant to the program involved. Therefore, no person, on the basis of their Protected Status, shall be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination, harassment or retaliation under any University program or activity, including employment terms and conditions.

SU endeavors to foster a climate free fr through training, education, prevention programs, and through policies and procedures that promote prompt reporting, prohibit retaliation, and promote timely, fair and impartial investigation and resolution of discrimination cases in a manner that eliminates any discrimination, prevents its recurrence, and addresses its effects. This Policy specifically applies to claims of discrimination based on marital status, pregnancy, race, color, ethnicity, national origin, age, disability, genetic information, religion, veteran

-Sex Based Prohibited Discrimination . Salisbury University Policy and Procedures Prohibiting Sexual Misconduct and Other Sex and Gender-Based Discrimination applies to address sex and gender-based misconduct matters, such as sexual misconduct, or discrimination on the basis of t(p)33(r)33(o)33(g)50(1e25 536.

The University encourages all SU Community members to take reasonable and prudent actions to prevent or stop Non-Sex Based Prohibited Discrimination. Taking direct action may include, but is not limited to, direct intervention, when safe to do so, contacting law enforcement, or seeking assistance from a person in authority.

Retaliation for participating in any way in any Non-Sex Based Prohibited Discrimination matter is also a form of discrimination prohibited by this Policy. Any retaliatory action or interference with any person participating in any stage of the process (including, but not limited to, engaging or participating in reasonable intervention, reporting, investigating, resolution and appeal) is strictly prohibited and will be subject to appropriate disciplinary action. Likewise, this Policy shall not be used to bring baseless, frivolous or malicious complaints against a member of the SU Community and disciplinary action may also be taken against any person who files a complaint under this Policy in bad faith or without justification.

Protected Status rights to equal opportunity and freedom from discrimination must, of course, be honored in concert with First Amendment rights to freedom of speech and association. For example, the University fully supports the principles of academic freedom and is committed to protecting the free expression of ideas, teaching methods and course content in the academic setting. Academic freedom generally protects the use of, and is defined as, in part, verbal or visual environmental factors that are germane to the course material and not directed at any individual in the University Community. This may include, but is not limited to, reading and discussing a piece of literature depicting scenes using racially charged that involves Protected Status, and/or discussing social issues involving Protected Status conduct, even if such discussion includes

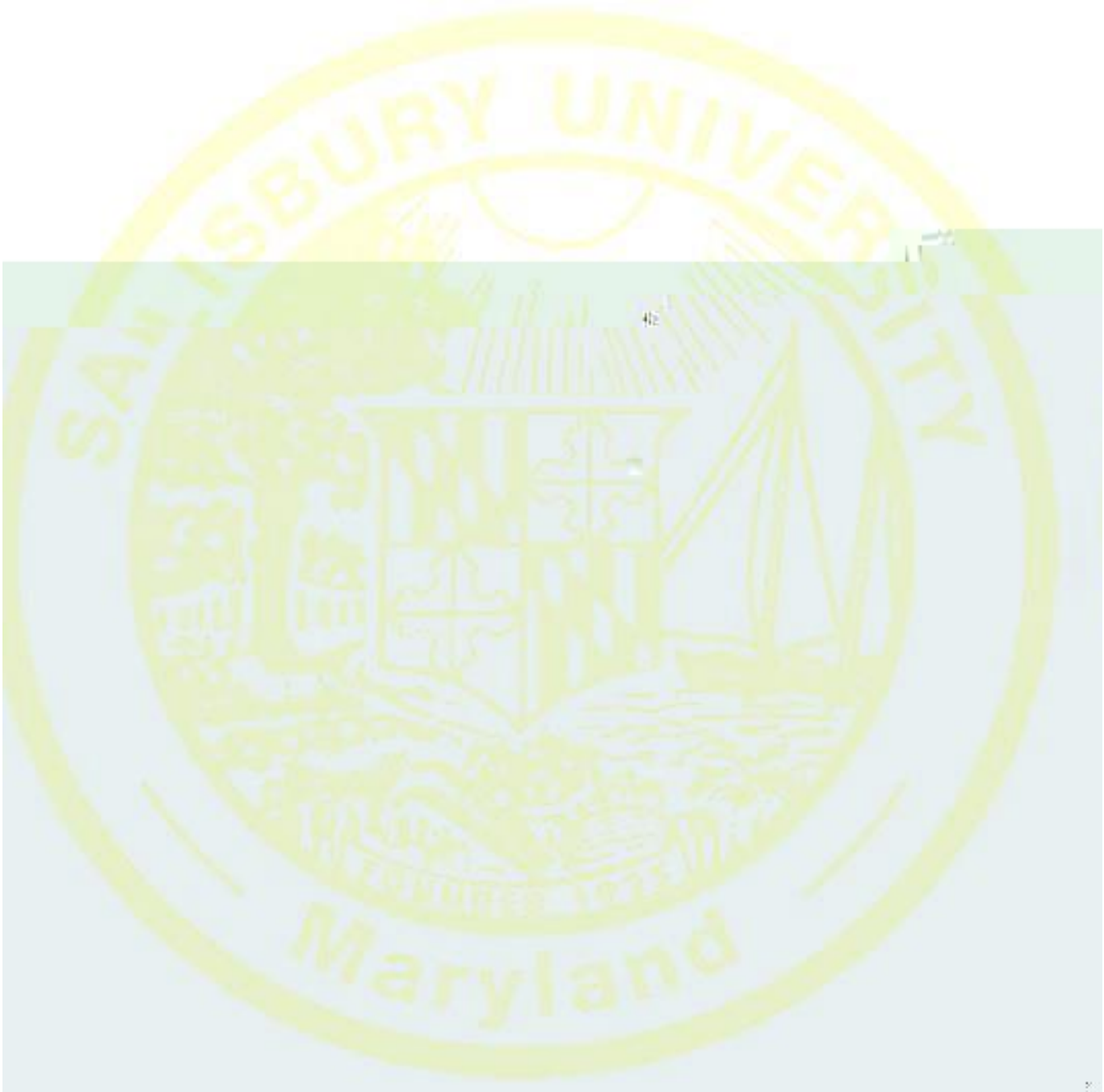


May be committed by a stranger or an acquaintance;  
May be committed by or against an individual or by or against an organization or group;  
May occur in the classroom, in the workplace, in residential





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### **3. How to Request Interim Measures**

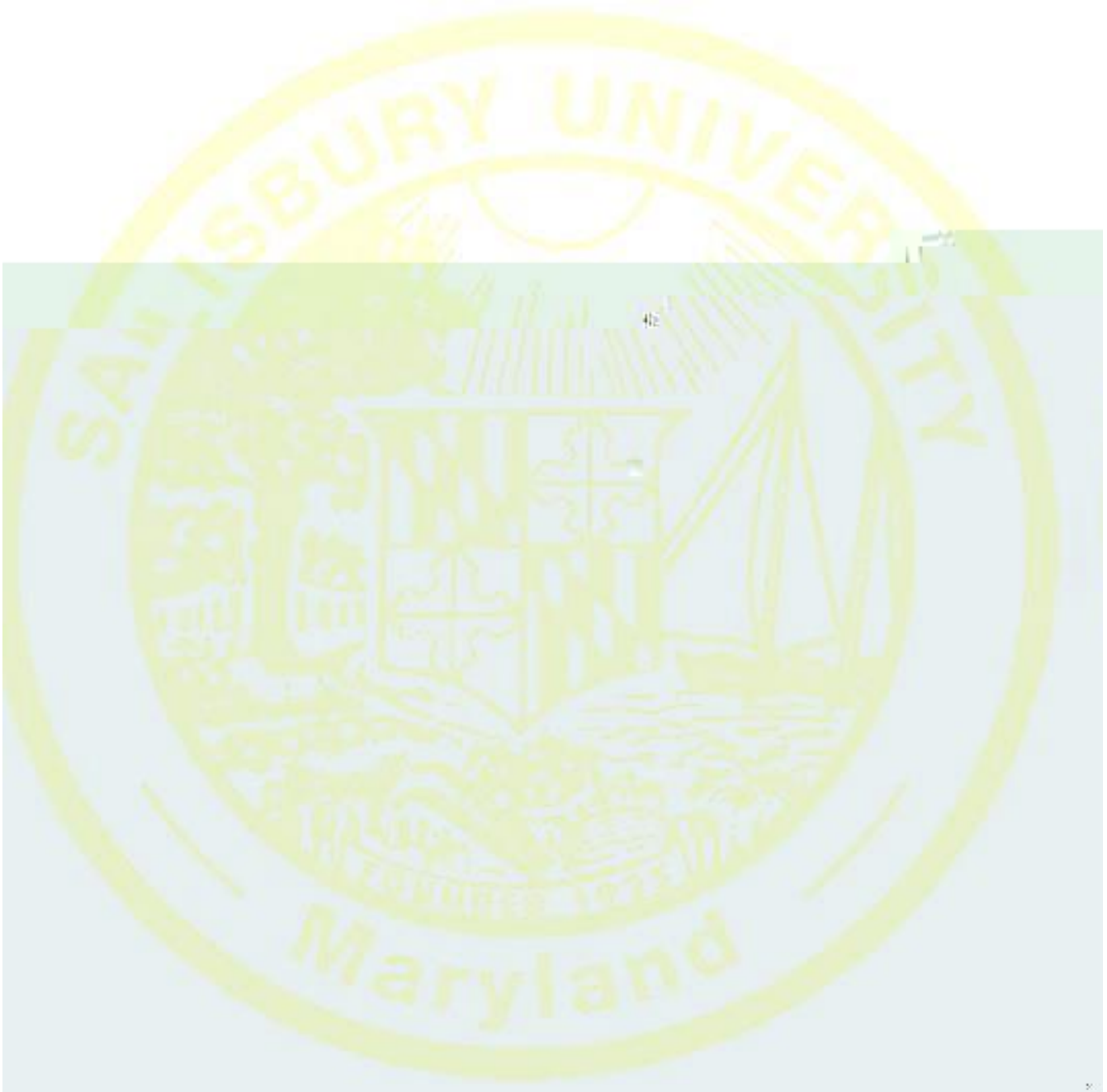
Contact OIE with any requests for Interim Measures. OIE is responsible for ensuring that appropriate policies and procedures are in place for responding to allegations of violations of this Policy, which includes coordinating the implementation of reasonable and appropriate Interim Measures in consultation with appropriate SU offices.

#### **B. Non-Confidential Resources, Confidential Resources, Confidentiality, and Advisers**

Generally, i912 Tf052(t)s



Upon receipt of a report under this Policy that may constitute a crime, SUPD will advise the student that, in addition to making a criminal report,







## 5. FERPA

The Family Education Rights and Privacy Act is a Federal privacy law that concerns student Education Records. Student conduct records, including student conduct records that are maintained in the course of a Non-Sex Based Prohibited Discrimination proceeding, are Education Records under FERPA. FERPA has various implications in Non-Sex Based Prohibited Discrimination hearings. Generally, FERPA prohibits disclosure of student conduct records, absent a consent. However, there are a number of exceptions that may subject student conduct records to disclosure in the course of or in the aftermath of



records are discoverable in criminal and civil litigation and must be disclosed in their entirety pursuant to a lawfully issued subpoena or court order.







## B. Clery Act

SU will continue to report instances of applicable crimes that are a violation of this Policy and required to be reported including but not limited to certain hate crimes in accordance with the Crime Awareness and Campus Security Act of 1990 and its amendments.

## C. Employees

Employees who wish to file a formal complaint of any type of discrimination with an external agency may contact any of the following offices:

1. The Equal Employment Opportunity Commission (EEOC), 131 M Street, N.E., Washington, DC 20507; 202-663-4900; TTY 202-663-4494; [www.eeoc.gov](http://www.eeoc.gov)
2. The Equal Employment Opportunity Commission (EEOC), GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, Maryland 21201; 800-669-4000; TTY 800-669-6820 [www.eeoc.gov](http://www.eeoc.gov)
3. Maryland Commission on Civil Rights, 6 St. Paul Street, Suite 900, Baltimore, Maryland 21202-1631 800-637-6247; Maryland Relay: 711; [www.mccr.maryland.gov](http://www.mccr.maryland.gov)
4. United States Department of Education, Office for Civil Rights Lyndon Baines Johnson Department of Education Building; 400 Maryland Ave, NE Washington, DC 20540; 202-712-7111; 800-795-3271; TTY 202-712-7111

