Lock Haven University
NONDISCRIMINATION POLICY AND COMPLAINT PROCEDURE

I. Nondiscrimination Policy Statement

It is the policy of Lock Haven University to provide equal opportunity in employment and education to all individuals without regard to race, color, religion, national origin, ancestry, sex, sexual orientation, gender identity, age, handicap/disability, veteran status, or genetic information.

All employees, students, contractors, and vendors are to comply with federal laws, state laws, regulations, and policies that relate to nondiscrimination. The coverage of this policy extends to visitors on Lock Haven University campuses.

It must be understood that the University will take action to prevent discrimination. Any employee of the University found to be in violation of this policy will be subject to appropriate disciplinary action up to and including discharge. Students will be referred to the Office of Student and Residence Life for appropriate disposition up to and including dismissal from the University. Contracts of vendors are subject to all remedies.

II. Legal Authority


III. Definitions

Complainant: The person who is alleging the occurrence of discrimination.
Discrimination: An adverse employment or education related action or decision that is based on or motivated by an individual's race, color, religion, national origin, ancestry, sex, sexual orientation, gender identity, age, handicap/disability, veteran status, or genetic information.

Respondent: The person whose actions are alleged to have violated the nondiscrimination policy.

IV. Reporting

Student allegations of discrimination against another student: If the complainant is a student making allegations against another student, the matter will be referred to the Dean of Student and Residence Life or his/her designee.

Student allegations of discrimination against the Disability Services Office: If the complainant is a student making allegations against the Disability Services Office, the student should utilize the grievance procedure outlined in the Disability Services Handbook.

Student allegations of discrimination in athletics under Title IX: If the complainant is making allegations concerning athletics, the matter will be referred to the Director of Equal Opportunity in Sports, Director of Athletics.

Student or employee allegations of discrimination related to access under American with Disabilities Act or Rehabilitation Act of 1973: If the complainant is a student or employee and has allegations related to access, the student or employee will be referred to the Director of Facilities.

Student or employee allegations of discrimination against an employee, contractor, or vendor: All other complaints of discrimination (with the exception of a complaint against the President or the Associate Vice President of Human Resources) shall be filed with the Associate Vice President of Human Resources.

All complaints against the President and/or the Associate Vice President of Human Resources shall be filed with the Pennsylvania State System of Higher Education, Office of the Chancellor, Dixon University Center, 2986 N. 2nd Street, Harrisburg, PA 17110, 717-720-4000.

Contacts for Reporting

Associate Vice President of Human Resources
East Campus, Room J204
Telephone: 570-484-2014
IV. Complaint Procedure

Step 1
The complainant, who is an employee or student, contacts the Associate Vice President of Human Resources to report the alleged discriminatory incident. The complainant is encouraged to present the complaint in writing.

Step 2
Upon receiving a complaint of discrimination, the Associate Vice President of Human Resources will discuss with the complainant the opportunity to explore an informal resolution of the matter depending on the nature and severity of the complaint. Any complaint in which informal resolution was not explored or a complaint which was not resolved informally will be forwarded to the President or the President’s designee for review. The President or the President’s designee shall determine if an investigation of the complaint is warranted.

Step 3
An investigation may consist of individual interviews with the complainant, the respondent, and other individuals who may have knowledge relative to the complaint. The investigator(s) may also secure and evaluate any other information and materials relevant to the investigation.

Note: All investigations will be conducted in accordance with collective bargaining agreements, if applicable.

Step 4
The investigator(s) shall prepare an investigatory report at the conclusion of the investigation. The investigatory report shall be sent to the President for review and determination concerning what, if any, further action is warranted.
Step 5
The complainant is informed in writing when there is a final disposition of the matter.

The respondent is informed in writing if any further action is being taken as a result of the investigation.

V. Retaliation

The complainant and any other individual who participated in an investigation shall not be subjected to any form of retaliation from the Respondent or any other individual as a result of filing a complaint, providing witness testimony, reporting an occurrence of discrimination to which he/she was a witness, or protesting an act forbidden by this policy.

A separate investigation will be conducted concerning the retaliation. Any individual who has been found to have retaliated against any individual involved in the investigation will be subject to discipline up to and including discharge from University employment. If the individual is a student, the student shall be referred to the Associate Provost for Student Affairs for appropriate action up to and including dismissal from the University.

VII. Confidentiality

In the interest of maintaining confidentiality, only parties (i.e. complainant, respondent, witnesses, etc.) will be included in the investigation. Details of the complaint, as well as the names of the individuals associated with the investigation, will be disclosed only when it is necessary in order to maintain and protect the rights of any party involved or as otherwise required by law or a collective bargaining agreement. The University will take reasonable measures to protect the confidentiality of any evidence obtained during investigations pursuant to this policy. However, the University cannot and does not guarantee that confidentiality will be maintained.

VII. False Charges/Complaints

Should it be determined that any person knowingly filed a false complaint or made false charges he/she may be subject to disciplinary action, up to and including discharge of employment. If the individual is a student, the student shall be referred to the Dean of Student and Residence Life for appropriate action up to and including dismissal from the University.
VIII. Dissemination of Policy

This policy is displayed on the University’s website by clicking on the Social Equity tab at the bottom of the home page. A hardcopy of this policy is available at the following locations: the Office of the Associate Vice President of Human Resources, the Office of the Dean of Student and Residence Life, and the Office of the Director of the Clearfield Branch Campus. This policy is published in the LHU student handbook and the LHU employee handbook.

IX. Training

New employees will be required to participate in an unlawful harassment prevention training program within sixty (60) calendars days of appointment. Employees will be required to participate in an unlawful harassment prevention training program on a yearly basis.

X. Duty to Report Alleged Violations

All members of the University community must report any violations that may be subject to this policy. Any employee who is aware of any violation of this policy must report the alleged violation to the Associate Vice President of Human Resources/Title IX Coordinator. Failure to report allegations of unlawful discrimination may result in disciplinary action, up to and including termination. It is the obligation of each student, faculty, and staff member to adhere to this policy as well as visitors, contractors or vendors who come to campus.

XI. External Complaint Options

Pennsylvania Human Relations Commission

- Pittsburgh Regional Office
  301 Fifth Avenue
  Suite 309, Piatt Place
  Pittsburgh, PA 15222
  412-565-5395
  412-565-5711 TTY Users

- Harrisburg Regional Office
  333 Market Street, 8th Floor
  Harrisburg, PA 17126-0333
  717-787-9780
  717-787-7279 TTY Users
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- Philadelphia Regional Office
  110 8th Street, Suite 501
  Philadelphia, PA 19107
  215-560-2496
  215-560-3599 TTY Users

Equal Employment Opportunity Commission

- Pittsburgh District Office
  William S. Moorhead Federal Building
  1000 Liberty Avenue, Suite 1112
  Pittsburgh, PA 15222
  1-800-669-4000
  1-412-395-5904 TTY Users

- Philadelphia District Office
  801 Market Street, Suite 1300
  Philadelphia, PA 19107-3127
  1-800-669-4000
  1-800-669-6820 TTY Users

U.S. Department of Education

- Office for Civil Rights
  Lyndon Baines Johnson Department of Education Bldg
  400 Maryland Avenue, SW
  Washington, DC 20202-1100
  Telephone: 800-421-3481
  Email: OCR@ed.gov

Policy Updates:
August 21, 2017
- Personnel changes in Human Resources and Student Affairs

Approved by

[Signature]

President Michael Fiorentino, Jr.
August 21, 2015