VI. EQUAL OPPORTUNITY

NONDISCRIMINATION
Peirce College is committed to ensuring equal opportunity in all educational programs and activities (including but not limited to recruitment, admissions, access to programs and course offerings, counseling, financial aid and scholarships, employment, use of facilities, and College-sponsored extracurricular activities).

The College will not engage in or tolerate unlawful discrimination, harassment, or retaliation on account of age, sex, race, color, religion, creed, national origin, ancestry, citizenship, disability, sexual orientation, gender identity, marital status, veteran’s status, military status, or membership in any other group protected under local, state, or federal law.

PROHIBITING HARASSMENT
The College will neither engage in nor tolerate sexual or any other form of unlawful harassment. By way of example only, the following behaviors and/ or communications are inappropriate and as such prohibited, regardless of whether they are illegal.

- Requiring sex or the performance of sexual favors by a student as a condition for satisfying successfully the academic requirements for a course of study or for continued enrollment and participation as a student of the College.
- Requiring sex or the performance of sexual favors by a student as a condition for qualifying for or continuing in a Work Study program with the College.
- Requiring sex or the performance of sexual favors by a student as a condition for establishing eligibility for or enjoying any term, condition, or benefit associated with any of the College’s academic or student services or programs.
- Punishing a student with regard to any term, condition, or benefit associated with any of the College’s academic or student services or programs because he or she did not submit to sexual advances or making any academic, disciplinary, or other decision based on a student’s submission to or refusal to submit to sexual advances.
- Sexual or suggestive pictures, photos, cartoons, emails, Internet web sites, jokes, slurs, profanity, nicknames, conversations, questions, innuendo (verbal and non-verbal), objects and symbols; frequent and/or inappropriate comments on appearance; repeated requests for dates; excessive and/or inappropriate touch; and other inappropriate behaviors and/or communications of a sexual, suggestive, or biased nature.
- Pictures, photos, cartoons, emails, Internet web sites, jokes, slurs, epithets, nicknames, conversations, questions, objects, symbols, imitations, and other communications/behaviors which reflect negatively upon, stereotype, or disparage any protected group, e.g., any race, gender, ethnic group, age, religion, or disability.
- Hostile, abusive or demeaning communications or behaviors related to a protected group or directed at someone because of his or her membership in a protected group.

It is important to remember that these prohibitions apply not only to oral and written communications, but also to electronic communications via Peirce College Technology which include, email and voicemail, Internet communications and searches, and other technology assisted communications. For related information, please refer to the Acceptable Usage of Computer Systems and Facilities policy, which appears in SECTION III of this Handbook.

The prohibitions on inappropriate behavior set forth above apply not only on the College campus itself but also to all other academic-related settings, such as on site locations as well as academic-related social functions.

4 In educational instruction, there may be times when sexuality is an appropriate topic of conversation. In these situations, the discussions of sexuality and related issues (1) should be limited to educational or other legitimate purpose; (2) should be professional without being excessive in terms of focus or explicitness; and (3) should not include profanity, offensive wording or insinuation or suggestive, explicit or inappropriate humor.
It is of no defense to inappropriate behavior that there was no bad intent, it was only a joke, or that it was not directed at any person.

It is also important to keep in mind that these are only some examples of inappropriate behavior.

**PROHIBITING RETALIATION**

The College will neither engage in nor tolerate unlawful retaliation of any kind against any student who makes a complaint of unlawful discrimination, harassment, or retaliation, serves as a witness, or otherwise participates in the investigatory process. As with all other provisions of this policy, all students are protected by this provision as well as restricted in terms of what they do.

It is no defense to retaliation that the complaint did not have legal merit. Generally speaking, so long as a student acts in good faith in making a complaint alleging unlawful discrimination, harassment, or retaliation, serving as a witness, or otherwise participating in the investigatory process, no adverse action can be taken against him or her because he or she made the complaint, served as a witness, or otherwise participated in the investigatory process.

Prohibited retaliation will be handled under this policy in the same manner and subject to disciplinary/corrective action to the same degree as any other violation of this policy.

**DISCRIMINATION, RETALIATION, OR HARASSMENT ADVANCED BY NON-EMPLOYEES**

The prohibitions set forth in this policy apply not only to the students of Peirce College but also to the College’s officers, employees (including faculty members, administration, and staff) and to other non-employees with whom students may come in contact and/or interact in connection with their educational experience (such as College contractors, including Co-op employers, the College’s vendors and suppliers). Consequently, if you feel discriminated against, harassed (sexually or otherwise), or retaliated against by one of the College’s officers, employees, or other non-employee in connection with your educational experience, you should use the procedure set forth below. Conversely, the prohibitions set forth in this policy apply to the student’s conduct relative to the College’s officers, employees, other students, and other non-employees with whom students may come into contact and/or interact in connection with their educational experience.

**SOCIAL RELATIONSHIPS WITH OTHERS ASSOCIATED WITH PEIRCE COLLEGE**

From time to time, students become involved in social relationships while attending Peirce College. While you have a right to say “yes,” you also have an absolute right to say “no.” Consequently, if you feel any unwelcome pressure to become involved with any students, College officers, employees (including faculty members, administration, and staff), or other non-employees with whom you may come into contact and/or interact in connection with your educational experience (such as College contractors, including Co-op employers, the College’s vendors and suppliers), we urge you to use the complaint procedure set forth below.

**COMPLAINT PROCEDURE**

If you believe that you have been unlawfully discriminated against, harassed, or retaliated against by any student, College officer, employee (including faculty members, administration, and staff) or other non-employee with whom you may come in contact and/or interact in connection with their educational experience (such as College contractors, including Co-op employers, the College’s vendors and suppliers), you should use the procedure set forth below.

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5 Although not prohibited, the College strongly discourages students from dating (or attempts at dating) or entering into relationships of a romantic or sexual nature with College faculty, administration, or staff who may have the authority to influence, directly or indirectly, any term or condition of their student status. If such a relationship develops, students are encouraged to promptly notify the Dean of Students.

6 If you ask a student, employee, or non-employee with whom you come into contact for a date and the person says “no,” you cannot ask him or her again. Nor can you retaliate against him or her in any way.
Co-op employers, the College’s vendors and suppliers), please speak immediately to the Dean of Students, the Senior Vice President, Academic Advancement & Provost, or the College’s Assistant Vice President, Human Resources & Chief Equal Opportunity Officer who is available in the Human Resources Department, 3R Alumni Hall (215.670.9328). Please speak with the person with whom you feel most comfortable.

Upon receipt of the complaint, the College will do the following:

- Conduct a prompt and thorough investigation.
- Disclose allegations only to the extent necessary to conduct the investigation/take corrective action.
- Take corrective action with respect to any student, officer, employee (including a member of the faculty, administration, and staff), graduate, contractor (including a Co-op employer), vendor or supplier, or other non-employee who has engaged in illegal and/or inappropriate behavior, including discipline up to and including termination of his or her relationship with the College.
- Not tolerate any unlawful retaliation against anyone who makes a complaint or serves as a witness, or participates in the College’s investigation.

Students who are not entirely satisfied with how their complaint has been handled, should contact the President & Chief Executive Officer of the College in writing so that he/she can look into the concerns.

**REASONABLE ACCOMMODATIONS**

The College makes reasonable accommodations for students with respect to disabilities as well as religious observances, practices, or beliefs of which it is aware and which do not impose an undue hardship on the College. If a student believes he or she requires a reasonable accommodation or has a question regarding educational services, activities, programs, or facilities that are accessible to or usable by students with disabilities, please contact the Facilitator, Perkins Grant & Student Disability Services Coordinator, who is available at the Mary W. Walker ’33 Center for Academic Excellence, 2 Alumni Hall (215.670.9251). For related information, please refer to the Student Disability Services policy, which appears in **SECTION I** of this Handbook.

**Documentation**

Students requesting reasonable accommodations with respect to disabilities must obtain and provide to Peirce current documentation of their disability before the start of the session in which they are enrolling and requesting an academic adjustment or services. This documentation must support both that a student has a disability as well as the necessity of the requested academic adjustment or services. The primary purpose of this documentation is to determine a student’s eligibility for an accommodation and, if eligible, to help the College work interactively with a student to provide appropriate services.

The College is not required, however, to provide accommodations that would result in a fundamental alteration to the nature of the program in which the student is enrolled or seeks to be enrolled, would create an undue financial burden, or which would pose a threat to safety and security.

General documentation requirements include, but are not limited to:

- Documentation must be provided by a licensed or otherwise properly credentialed professional who has no personal relationship (i.e. family member) with the individual but
who is knowledgeable about the individual’s disability and/or condition.

• Documentation must be typed or printed, dated, signed and legible with the name, title, and professional credentials of the evaluator on official letterhead and clearly define:
  — the description of the disability (Clear statement of the disability)
  — the description, name, and scores of the tests and assessments used, as appropriate
  — how the condition was diagnosed
  — the current existence of the disability and current need for an accommodation
  — functionality of the individual in an educational setting
  — expected progression or stability of the disability
  — rule-out statement that describes what academic and other functions the disability does not affect
  — recommended accommodations related to functional limitations
  — date of observation

The above criteria are general guidelines only; the type of documentation will vary according to the disability. In addition, in some instances, a student may be requested to provide updated or augmented documentation in order to be reviewed more fully before being considered for services.

In addition, in reviewing a student’s specific accommodation request or the recommendations of an evaluator, the College may find that while the recommendation is clinically supported, it is not the most appropriate accommodation given the requirements of a particular student’s academic program. In addition, the College may also propose accommodations that would be appropriate and useful to the student but which neither the student nor the evaluator have requested.

The College appreciates that student disability records contain personal and confidential information. Such documentation is maintained in a confidential file in office of the Facilitator, Perkins Grant & Student Disability Services Coordinator and is considered part of a student’s education record and will only be disclosed with a student’s permission or as permitted by law (e.g., in the event of a health or safety risk). However, at times, in order to evaluate and/or provide requested or recommended services and accommodations, it may be necessary for the College to disclose disability information provided by a student or a student’s healthcare provider to appropriate College personnel participating in the accommodation process.

If documentation provided by a student does not support the existence of a disability or the need for an accommodation, the student will be advised and will be provided an opportunity to supplement the initial documentation with further information from a physician, psychologist or other appropriate specialist. In the event a student’s accommodation request is denied, a student may appeal that decision by utilizing grievance procedure found under the Student Disability Services policy, which appears in SECTION I of this Handbook.