



Discrimination & Harassment Training

In compliance with the Maine Human Rights Act (MHRA), Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title VII of the Civil Rights Act of 1964 and other federal and state laws, Saint Joseph's College prohibits discrimination or harassment directed toward any person or group within its community — faculty, staff, students, or visitors.

Sexual Harassment

Saint Joseph's College will not tolerate sexual harassment of its employees or students. Sexual harassment in the workplace and/or learning environment is unlawful under both state and federal law. Sexual harassment is defined as conduct of a sexual nature (which may be verbal, non-verbal, or physical) that has the effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work or learning environment.

Sexual harassment constitutes unwelcome sexual advances, requests for sexual favors, and/or other written, verbal, non-verbal, or physical conduct or communication of a sexual nature. Sexual harassment also includes harassment based on gender, sexual orientation, gender identity, or gender expression. Sexual harassment may be committed by anyone regardless of gender identity and may occur between members of the same or different sex. Sexual harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment does not have to be sexual in nature and can include offensive remarks about a person's sex or gender identity.

Sexual harassment is present when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment;
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive educational or employment environment.

Examples of conduct which may constitute sexual harassment, are: unnecessary touching, patting, hugging or brushing against a person's body, staring, ogling, leering, whistling, sexually explicit statements, comments, jokes, or anecdotes, graphic comments about a person's clothing or body, sexually suggestive objects or pictures in the workplace, harassing use of electronic mail or telephone communication system, other physical or verbal conduct of a sexual nature.

Employees who believe that they are or have been a victim of sexual harassment should first report their allegations to their supervisor or to the Saint Joseph's College Title IX Coordinator.

Employees will be requested to put their complaint in writing. The complaint will be investigated promptly and as confidentially as possible.

Discrimination, Harassment and Investigation Process for Complaints

The College maintains a process to receive, investigate, and remediate reports of discrimination and harassment. This process is based on the nature of the harassment, and in accordance with legal responsibilities and federal and state workplace discrimination laws, as well as to current Title IX regulations pursuant to the US Department of Education.

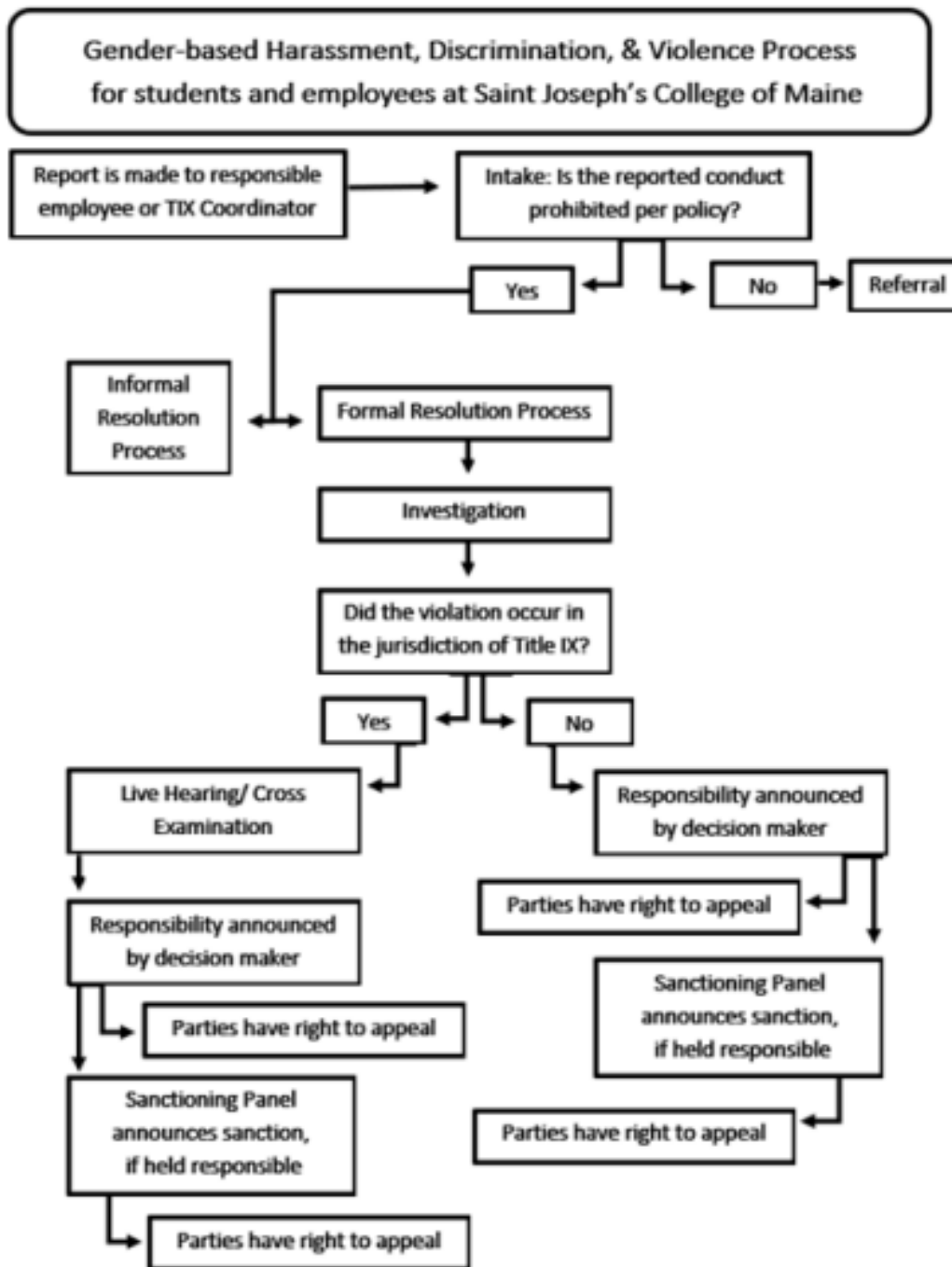
Discrimination consists of making job decisions based on membership in a protected class or when the result of neutral job policies has a disproportionate effect on members of a protected class.

Harassment consists of abusive behavior directed toward an individual or group because of race, color, religion, national or ethnic origin, gender, gender identity and expression, sexual orientation, age, physical and mental disabilities, including learning disabilities, mental retardation, and past/present history of a mental disorder, genetic information, veteran status or any other characteristic protected by law.

All Faculty and Staff are required to report to the Title IX Coordinator real or apparent cases of discrimination, harassment and/or misconduct that come to their attention. The Title IX Coordinator will promptly begin remediating the matter in accordance with procedures outlined in the Gender-Based Harassment, Discrimination, Violence & Sexual Misconduct Policy, and will involve the Deputy Coordinators as deemed appropriate. An investigation will be conducted expeditiously, assuring maximum practicable confidentiality consistent with the concepts of due process.

A Confidential Resource is a designated professional who, under Maine law, is prohibited from disclosing without an individual's written permission (including data related to services rendered), information gathered within the scope of the provision of professional services. Except in very limited situations such as when failure to disclose information would result in imminent danger to an individual or others, **a Confidential Resource is legally compelled to protect disclosures of gender-based violence and as such are exempt from reporting such incidents to the Title IX Coordinator or law enforcement.** Conversations with a Confidential Resource do not constitute a report to the College and will not prompt an investigative response. Confidential resources can provide information about reporting options on and off-campus; direct individuals to resources on and off-campus, including accommodations, advocacy, counseling, and medical care; and provide individuals with immediate and long-term support.

- On-campus Confidential Resources include:
 - Athletic Trainers
 - Counseling Center staff
 - Health & Wellness Center staff



Non Retaliation

No employee or student who is filing a claim or is a witness in the investigation shall be subject to retaliatory action for their good faith participation in this procedure. Words or behaviors that punish a person for the good faith filing of a complaint or participating in an investigation are illegal.

Legal Recourse through the Maine Human Rights Commission

Any employee who believes they have been subjected to discrimination or harassment may call or write the Maine Human Rights Commission to register a complaint. The Commission may be contacted as follows:

Maine Human Rights Commission
51 State House Station
Augusta, ME 04333
Telephone: (207) 624-6290

Any complaint must be filed with the Commission within 300 days of the act of discrimination or harassment. Once the Commission has received a signed charge form, an investigation will be conducted and a determination will be made by the Commission of whether or not there are reasonable grounds to believe discrimination or harassment occurred.

If the Commission determines that discrimination or harassment did occur, it will attempt to resolve the situation between you and your employer through informal means. If informal means of resolution are unsuccessful, the Commission counsel may file a civil action on your behalf in the Superior Court, seeking appropriate relief.