

**Resource Guide for
Discrimination and
Harassment Matters
2021–22**

Northwestern

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Northwestern University does not discriminate or permit discrimination by any member of its community against any individual on the basis of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, reproductive health decision making, or any other classification protected by law in matters of admissions, employment, housing, or services or in the educational programs or activities it operates. Harassment, whether verbal, physical, or visual, that is based on any of these characteristics is a form of discrimination. Further prohibited by law is discrimination against any employee and/or job applicant who chooses to inquire about, discuss, or disclose their own compensation or the compensation of another employee or applicant.

Northwestern University complies with federal and state laws that prohibit discrimination based on the protected categories listed above, including Title IX of the Education Amendments of 1972. Title IX requires educational institutions, such as Northwestern, to prohibit discrimination based on sex (including sexual harassment) in the University's educational programs and activities, including in matters of employment and admissions. In addition, Northwestern provides reasonable accommodations to qualified applicants, students, and employees with disabilities and to individuals who are pregnant.

Any alleged violations of this policy or questions with respect to nondiscrimination or reasonable accommodations should be directed to Northwestern's Office of Equity, 1800 Sherman Avenue, Suite 4-500, Evanston, Illinois 60208, 847-467-6165, equity@northwestern.edu.

Questions specific to sex discrimination (including sexual misconduct and sexual harassment) should be directed to Northwestern's Title IX Coordinator in the Office of Equity, 1800 Sherman Avenue, Suite 4-500, Evanston, Illinois 60208, 847-467-6165, TitleIXCoordinator@northwestern.edu.

A person may also file a complaint with the Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or calling 800-421-3481. Inquiries about the application of Title IX to Northwestern may be referred to Northwestern's Title IX Coordinator, the United States Department of Education's Assistant Secretary for Civil Rights, or both.



Northwestern prohibits discrimination and harassment on the basis of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, reproductive health decision-making, or any other classification protected by law (referred to as “protected classes”) in matters of admissions, employment, housing, or services, or in the educational programs or activities Northwestern operates. Such conduct violates Northwestern’s values and disrupts the living, learning, and working environment for students, faculty, staff, and other community members.

Discrimination

Prohibited discrimination is treating someone differently because of their race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, reproductive health decision making, or any other classification protected by law (referred to as “protected classes”) in matters of admissions, employment, housing, or services, or in the educational programs or activities Northwestern operates.

In determining whether discrimination occurred, the Office of Equity examines whether there was an adverse impact on the individual’s work or education environment and whether individuals outside of the protected class received more favorable treatment. If there was an adverse impact on the individual’s work or education environment, the Office of Equity considers whether there is a legitimate, nondiscriminatory reason for the action.

Examples of discrimination include

- refusing to hire or promote someone because of their membership in a protected class;
- denying someone a tangible employment benefit, such as a raise or a bonus, because of their membership in a protected class;
- reducing someone’s job responsibilities because of their membership in a protected class;
- denying someone access to an educational program based on their membership in a protected class;
- denying someone access to a University facility based on their membership in a protected class.

Harassment

Prohibited harassment is verbal or physical conduct or conduct using technology directed toward someone based on a protected class. To constitute prohibited harassment under this policy, the behavior must have the purpose or effect of

- substantially interfering with, limiting, or depriving a member of the community from accessing or participating in the academic or employment environment and/or substantially interfering with an individual’s academic performance or work performance; or
- creating an academic or working environment that a reasonable person would consider to be intimidating, hostile, or offensive.

The Office of Equity examines the context, nature, scope, frequency, duration, and location of incidents, as well as the relationships of the persons involved, to determine whether the conduct is sufficiently severe or pervasive as to meet the above standards. A person's subjective belief that behavior is intimidating, hostile, or offensive does not make that behavior prohibited harassment under this policy. The behavior must create a hostile environment and/or substantially interfere with access to a University program or activity from an objective perspective.

Examples of harassment include

- offensive jokes related to a protected class;
- the use of slurs and stereotypes related to a protected class;
- name calling related to a protected class;
- intimidation, ridicule, or mockery connected to a protected class;
- displaying or circulating offensive objects and pictures that are based on a protected class.

What is *not* discrimination or harassment

General bullying or uncivil behavior that is not based on a protected class does not fall within the purview of the Policy on Institutional Equity or the Office of Equity. However, such behavior may violate the University's expectations on civility and mutual respect as outlined in the faculty, staff, and student handbooks, *Standards for Business Conduct*, or other University policy; violations should be reported to the Office of Human Resources and/or an individual's supervisor (for staff), the appropriate chair or dean (for faculty), or the Office of Community Standards (for students).

For links to University policies and standards referenced in this brochure, see page 5.

Title IX/sexual misconduct

Prohibited sex discrimination includes sexual harassment and sexual violence. Individuals impacted by sexual misconduct may contact the Office of Equity to receive support, resources, and information even if they do not wish to move forward with the complaint resolution process. Please see the Interim Policy on Title IX Sexual Harassment and the Policy on Institutional Equity or contact the Office of Equity for additional information.

Reporting obligations

Discrimination and harassment

With the exception of the confidential resources listed in the Policy on Institutional Equity, all University employees (including student employees) and graduate students with teaching or supervisory authority are obligated to promptly report to the Office of Equity any incidents of discrimination or harassment of which they become aware in the scope of their work for the University. Note that the reporting responsibility does not require a person experiencing harm to report the incident.

The University encourages all individuals, including students not referenced above, to report discrimination and harassment.

Sexual misconduct

As set forth in the Policy on Institutional Equity and the Interim Policy on Title IX Sexual Harassment, all University employees (including student employees) and graduate students with teaching or supervisory authority—with the exception of confidential resources listed in Section II(A) of these policies—are obligated to promptly report to the Office of Equity any sexual misconduct of which they become aware in the scope of their work for the University. Note that the reporting responsibility does not require a person experiencing harm to report the incident.

The University encourages all individuals, including students not referenced above, to report sexual misconduct.

How to report

To file a report of discrimination or harassment electronically with the **Office of Equity**, go to bit.ly/NUReportDiscrimination.

Another reporting option is **EthicsPoint**, a third-party service for reporting complaints, including anonymous ones. EthicsPoint can be reached at **866-294-3545** or via secure.ethicspoint.com/domain/media/en/gui/7325/index.html.

The Office of Equity website, www.northwestern.edu/equity, contains important information about Northwestern's discrimination and harassment policies, resources, and reporting options. If you need additional information, please contact

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847-491-6697
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847-491-3881
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Overview of the discrimination and harassment complaint resolution process*

The Office of Equity receives a report of discrimination or harassment.

An Office of Equity staff member contacts the person who may have experienced discrimination or harassment to provide information about resources and options and extend an invitation to meet.

The person decides whether or not to meet with the staff member.

The person chooses to meet. The staff member goes over resources and options. The person may request supportive measures and may request to proceed with resolution through investigation, educational response, or restorative resolution.

The person chooses not to meet or requests not to proceed with a resolution. The University typically can honor that request.

The Office of Equity conducts an initial inquiry to determine appropriate next steps.

Where an investigation has been opened, one or more investigators from the Office of Equity meet with the complainant to gather information about the concern. The complainant can suggest witnesses and provide evidence.

An Office of Equity staff member contacts the person who is alleged to have committed discrimination or harassment (respondent) to notify them of the complaint, the resolution process, and the resources available to them.

One or more investigators meet with the respondent to get information. The respondent can suggest witnesses and provide evidence.

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* This is the process for matters falling under the Policy on Institutional Equity. For Title IX sexual harassment matters, please see the Resource Guide on Title IX Sexual Harassment.

Complaint Resolution Process

One or more investigators collect information from the complainant, respondent, and relevant witnesses and review all evidence collected.

The complainant and respondent each have the opportunity to review a preliminary investigative report and provide additional information. In the event that new, relevant information is provided, the complainant and respondent have the opportunity to review a second preliminary investigative report and provide feedback on the new information.

The investigators complete the investigation and send the complainant and respondent a final investigative report containing all information collected, findings of fact, and a finding of whether there has been a policy violation.

When a policy violation is found and the respondent is a student, the Office of Equity will provide findings to the Office of Community Standards, which will determine sanctions and corrective actions in accordance with the procedures set forth in the *Student Handbook*.

When a policy violation is found and the respondent is a staff member, the findings will be forwarded to the Office of Human Resources and the respondent's manager. Any sanctions or corrective actions will be decided in accordance with the *Staff Handbook*.

When a policy violation is found and the respondent is a faculty member, the findings will be forwarded to the faculty member's dean and department chair and to the associate provost for faculty. Any sanctions or corrective actions will be determined in accordance with the *Faculty Handbook*.

Any party may appeal a finding or sanction. Information on how to appeal is included in the outcome letters provided to the parties.

This flowchart is intended to provide a general overview. A full explanation of the discrimination and harassment complaint resolution process can be found in the policy available on the Office of Equity website: www.northwestern.edu/equity/policies-procedures/policies/index.html

What happens when the Office of Equity receives a report of behavior that might constitute discrimination or harassment?

The Office of Equity reaches out to the potentially impacted person to provide information about policies, procedures, resources, and options and extends an invitation to meet with the person. It is up to that person to decide whether they want to engage with the Office of Equity. If the person does want to engage, the Office of Equity sets up a meeting to review information, resources, and options for moving forward. Options include receiving support and resources, taking action to address the issue, or a combination thereof.

Do I have to make a complaint to get help?

No. The Office of Equity encourages all members of our community to reach out to us to learn more about resources and options. Contacting the Office of Equity does not mean you must make a complaint.

What happens if I want to make a complaint?

The Office of Equity recognizes that deciding to make a complaint can be an overwhelming and difficult decision. We are here to help you understand your options and the process and to provide resources along the way. If you decide to make a complaint, the Office of Equity will review with you the options for moving forward, which can include educational response or formal resolution (typically referred to as an investigation). Information about educational response and formal resolution can be found in the Policy on Institutional Equity or by contacting the Office of Equity.

How am I protected if I make a complaint?

Northwestern prohibits retaliation against any member of its community for reporting an incident of discrimination or harassment or for participating, in any manner, in an investigation related to a report of discrimination or harassment. The University considers such actions to be protected activities in which all members of the Northwestern community may freely engage. For more information, please contact the Office of Equity and/or see the University's Policy on Non-Retaliation.

All participants in an investigation will be informed that privacy helps enhance the integrity of the investigation, protect the privacy interests of the parties, and protect the participants from statements that might be interpreted to be retaliatory or defamatory. The University will not restrict the ability of either party to discuss the allegations under investigation. Witnesses and advisors will be asked to keep any information learned in an investigation meeting confidential, to the extent consistent with applicable law.

What if someone makes a complaint about me?

Being accused of discrimination or harassment can be confusing and unsettling. If you are the subject of a complaint of discrimination or harassment, the Office of Equity will notify you of the allegations, and you and the other party will have several opportunities to respond, provide information, and suggest witnesses. The process for adjudicating formal complaints (typically referred to as an investigation) is designed to be neutral and fair to both parties. For example, both parties

- have the right to review information gathered in the investigation process;
- have the right to have an advisor present to provide support throughout the investigation process;
- are expected to maintain privacy;
- have a right to appeal.

The Office of Equity is here to help you understand the process and provide resources along the way. Information about the formal resolution process is available in the Policy on Institutional Equity or by contacting the Office of Equity.

What does an investigation look like?

Northwestern typically investigates complaints by meeting with the complainant, respondent, and witnesses and reviewing relevant evidence. All participants have the responsibility to be completely truthful with the information they share at all stages of the process.

The University uses the preponderance of the evidence standard, which means that if the evidence shows that it is more likely than not that discrimination or harassment occurred, the respondent will be found responsible.

Investigations are usually conducted by staff from the Office of Equity, who are trained in handling discrimination and harassment matters. See pages 6–7 for a flowchart of the complaint resolution process.

Violations of the Policy on Institutional Equity may result in sanctions and corrective actions. These actions may include required training or counseling, warning, probation, suspension, expulsion, demotion, termination, or revocation of tenure.

Confidential resources

The following confidential resources are available for individuals to discuss incidents and issues related to discrimination and harassment. These resources are not obligated to disclose reports of discrimination or harassment to the Office of Equity.

Students

Counseling and Psychological Services

633 Emerson Street, 2nd Floor, Evanston

Abbott Hall, 710 North Lake Shore Drive, 5th Floor, Chicago

847-491-2151 (24 hours)

www.northwestern.edu/counseling

Religious and Spiritual Life

1870 Sheridan Road, Evanston

847-491-7256

847-864-7865 (after regular business hours)

spiritual.life@northwestern.edu

www.northwestern.edu/religious-life

Faculty

Faculty Wellness Program

Richard A. Carroll, director

312-695-2323

rcarroll@nm.org

www.northwestern.edu/provost/faculty-resources/work-life/faculty-wellness.html

Staff

Employee Assistance Program

855-547-1851 (24 hours)

www.northwestern.edu/hr/benefits/well-being/programs/employee-assistance-program

Other resources

The following resources are not confidential; they have an obligation to report allegations of discrimination or harassment to the Office of Equity.

Students

Campus Inclusion and Community

Includes Departments of Multicultural Student Affairs, Student Enrichment Services, and Social Justice Education

www.northwestern.edu/inclusion

All members of the Northwestern community

Women's Center

2000 Sheridan Road, Evanston

847-491-7360

womenscenter@northwestern.edu

1400 Abbott Hall, 710 North Lake Shore Drive, Chicago

312-503-3400

Office hours by appointment only

www.northwestern.edu/womenscenter

Office of Equity
Northwestern University

Fostering a culture of access, belonging, and accountability.