

## Addressing Discrimination and Harassment

It is against [UMD Policy](#) and against the law to treat people unfairly because of their religious beliefs, age, race, sex, color, country of birth, marital status, veteran status, sexual orientation, gender identity or expression, personal appearance, physical or mental disability, genetic information, political affiliation, or any other characteristic protected by law. Complaints of discrimination—unfair treatment *based on any of the above categories*—at the University should be directed to the **Office of Civil Rights & Sexual Misconduct (OCRSM)**.

In addition, please be aware of the following resources that address different forms of discrimination and provide important information regarding your rights, including federal and state laws, definitions, and campus resources to assist students, staff and faculty.

## Race, Color and National Origin

### Federal & State Laws, Definitions & Resources

#### *Students*

- [US Department of Education-Office for Civil Rights: Race and National Origin Discrimination FAQ](#)
- [US Department of Education-Office for Civil Rights: Race and National Origin Discrimination: Overview of the Law](#)
- [US Department of Justice: Types of Educational Opportunities Discrimination](#)

#### *Faculty & Staff*

- [US Equal Employment Opportunity Commission: Race/Color Discrimination](#)
- [US Equal Employment Opportunity Commission: National Origin Discrimination](#)
- [Maryland Commission on Civil Rights: Employment Discrimination](#)

### Campus Resources

- [The Office of Diversity & Inclusion](#) provides active oversight, coordination, and evaluation of the University of Maryland's equity, diversity and inclusion activities; manages and tracks implementation of the Strategic Plan for Diversity; and encourages and supports the efforts of units to achieve their diversity goals.

# Sex

## Federal & State Laws, Definitions & Resources

### Students

- [US Department of Education-Office for Civil Rights: Sex Discrimination FAQ](#)
- [US Department of Education-Office for Civil Rights: Sex Discrimination](#)
- [US Department of Justice: Types of Educational Opportunities Discrimination](#)
- **Sexual Harassment** - [US Department of Education-Office for Civil Rights: Sexual Harassment Resources](#)
  - *Sexual Harassment is a form of sex discrimination under the law.*
- **Pregnancy** - [Pregnant or Parenting? Title IX Protects You From Discrimination At School \(Dept. of Ed-OCR\)](#)
  - *Discrimination on the basis of pregnancy is also a form of sex discrimination.*
  - *If you are pregnant, you have a legal right to a reasonable accommodation if your pregnancy causes or contributes to a disability*

### Faculty & Staff

- [US Equal Employment Opportunity Commission: Sex-Based Discrimination](#)
- [US Equal Employment Opportunity Commission: Equal Pay/Compensation Discrimination](#)
- [Maryland Commission on Civil Rights: Employment Discrimination](#)
- **Sexual Harassment** – [US Equal Employment Opportunity Commission: Sexual Harassment](#)
  - *Sexual Harassment is a form of sex discrimination under the law.*
- **Pregnancy** – [Maryland Commission on Civil Rights: Pregnant & Working Fact Sheet](#)
  - *Discrimination on the basis of pregnancy is also a form of sex discrimination.*
  - *If you are pregnant, you have a legal right to a reasonable accommodation if your pregnancy causes or contributes to a disability.*

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# Sexual Orientation and Gender Identity or Expression

## Federal & State Laws, Definitions & Resources

### *Students*

- [US Department of Education-Office for Civil Rights: Are Gay and Lesbian Students Protected from Sexual Harassment?](#) – Title IX prohibits harassing conduct that is of a sexual nature if it is unwelcome and denies or limits a student's ability to participate in or benefit from a school's program, regardless of whether the harassment is aimed at gay or lesbian students or is perpetrated by individuals of the same or opposite sex. Title IX does not address discrimination or other issues related to sexual orientation.
- [US Department of Justice: Types of Educational Opportunities Discrimination](#) – The DOJ Civil Rights Division, Educational Opportunities Section addresses sex-based discrimination and harassment, including discrimination and harassment based on not conforming with gender stereotypes.
- [Resources for Transgender and Gender-Nonconforming Students](#)

### *Faculty & Staff*

Although Title VII of the Civil Rights Act of 1964 does not explicitly include sexual orientation or gender identity, the EEOC and courts have said that sex discrimination includes discrimination based on an applicant or employee's gender identity or sexual orientation.

- [Preventing Employment Discrimination Against Lesbian, Gay, Bisexual or Transgender Workers \(EEOC Fact Sheet\)](#)
- [What You Should Know About EEOC and the Enforcement Protections for LGBT Workers](#)
- [Preventing Employment Discrimination Against Lesbian, Gay, Bisexual or Transgender Workers \(EEOC Fact Sheet\)](#)
- [Fact Sheet: Bathroom Access Rights for Transgender Employees Under Title VII of the Civil Rights Act of 1964](#)
- [Maryland Commission on Civil Rights: Employment Discrimination](#)

### **Campus Resources**

- [LGBT Equity Center: List of Campus Trans Resources](#)
- [Department of Resident Life: Housing Options and Assistance for LGBTQ Students](#)
- [University Career Center: LGBT Students](#)
- [The Office of Diversity & Inclusion](#) provides active oversight, coordination, and evaluation of the University of Maryland's equity, diversity and inclusion activities; manages and tracks implementation of the Strategic Plan for Diversity; and encourages and supports the efforts of units to achieve their diversity goals.

## Disability (Physical or Mental)

### Federal & State Laws, Definitions & Resources

#### *Students*

- [US Department of Education-Office for Civil Rights: Disability Discrimination FAQ](#)
- [US Department of Justice: Types of Educational Opportunities Discrimination](#)

#### *Faculty & Staff*

- [US Equal Employment Opportunity Commission: Disability Discrimination](#)
- [US Department of Justice-Civil Rights Division: Americans with Disabilities Act](#)
- [Maryland Commission on Civil Rights: Employment Discrimination](#)
- [Maryland Department of Disabilities](#)

### Campus Resources

- **Reasonable Accommodations for Students** are adjustments including academic assistance, modifications to rules, policies, or practices; environmental adjustments, such as the removal of architectural, communication, or transportation barriers; or auxiliary aids and services necessary for a student to participate in University programs, services, or activities.
  - [Accessibility & Disability Service \(formerly Disability Support Service\)](#) provides reasonable accommodations to qualified individuals to ensure equal access to services, programs and activities sponsored by UMD. To receive reasonable accommodations, students must schedule an in-person registration interview with an ADS counselor by calling (301) 314-7682.
  - [List of Campus Accessibility Resources](#)
- **Reasonable Accommodations for Staff, Faculty and Student Employees** are changes to a job, the work environment, or the way things are usually done that allow an individual with a disability to apply for a job, perform job functions, or enjoy equal access to benefits available to other individuals in the workplace.
  - [Accommodations for Staff: UHR Employee Accommodation Request Form](#) - To request an accommodation, staff members must complete the request form linked above and submit it to Staff Relations.
  - [Accommodations for Faculty: Faculty Accommodation Request Form](#) - To request an accommodation, faculty members must complete the request form linked above and submit it to Faculty Affairs.

- **UMD Facilities Management Customer Resource Center (CRC)** - To report issues of accessibility on campus, please call the CRC at 301-405-2222. A staff member is available to assist you 24/7.
- [The Office of Diversity & Inclusion](#) provides active oversight, coordination, and evaluation of the University of Maryland's equity, diversity and inclusion activities; manages and tracks implementation of the Strategic Plan for Diversity; and encourages and supports the efforts of units to achieve their diversity goals.

## Religion

### Federal & State Laws, Definitions & Resources

#### *Students*

- [US Department of Education-Office for Civil Rights: Religious Discrimination](#) - The laws that OCR enforces do not expressly address religious discrimination. However, the law OCR enforces that prohibits schools from discriminating based on race, color, or national origin (Title VI of the Civil Rights Act of 1964) protects students of any religion from discrimination, including harassment, based on actual or perceived shared ancestry or ethnic characteristics, or citizenship or residency in a country with a dominant religion or distinct religious identity.
- [US Department of Justice: Types of Educational Opportunities Discrimination](#) - The Civil Rights Division, Educational Opportunities Section enforces several federal civil rights laws which prohibit discrimination on the basis of race, color, national origin, language, sex, religion, and disability in schools and colleges.

#### *Faculty & Staff*

- [US Equal Employment Opportunity Commission: Religious Discrimination](#)
- [Religious Garb and Grooming in the Workplace: Rights and Responsibilities \(EEOC Fact Sheet\)](#)
- [For Employees: Workplace Rights of Employees Who Are, or Are Perceived to Be, Muslim or Middle Eastern \(EEOC Q&A\)](#)
- [For Managers & Supervisors: Workplace Rights of Employees Who Are, or Are Perceived to Be, Muslim or Middle Eastern \(EEOC Q&A\)](#)
- [Maryland Commission on Civil Rights: Employment Discrimination](#)

### Campus Resources

- **Religious Accommodations** - Students, staff and faculty have the right to request an accommodation for religious observance if their sincerely held religious beliefs conflict with a University policy, procedure, or other

academic or employment requirement.

- **Staff and Faculty** should make requests for religious accommodations directly to their supervisors.
- **Students** should speak with their professors and department chairs, as necessary.
- [The Office of Diversity & Inclusion](#) provides active oversight, coordination, and evaluation of the University of Maryland's equity, diversity and inclusion activities; manages and tracks implementation of the Strategic Plan for Diversity; and encourages and supports the efforts of units to achieve their diversity goals.

## Protected Veteran Status

### Federal & State Laws, Definitions & Resources

#### *Faculty & Staff*

- [US Department of Labor: Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#)
- [Veterans and the Americans with Disabilities Act \(ADA\): A Guide for Employers \(EEOC\)](#)

### Campus Resources

- [Veteran Student Life](#) serves as a hub for resources for veterans who are *students, staff, or faculty*, and advocates for veteran issues on campus.

## Age

### Federal & State Laws, Definitions & Resources

#### *Students*

- [US Department of Education-Office for Civil Rights: Age Discrimination FAQ](#)

#### *Faculty & Staff*

- [US Equal Employment Opportunity Commission: Age Discrimination](#)
- [Maryland Commission on Civil Rights: Employment Discrimination](#)

## **Marital Status**

Marital Status is defined as the state of being single, separated, divorced, widowed or married.

### **Federal & State Laws, Definitions & Resources**

#### *Students*

- [Title IX: Marital Status](#) – Colleges shall not apply any rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex.

#### *Faculty & Staff*

- [Maryland Commission on Civil Rights: Employment Discrimination](#)

## **Genetic Information**

### **Federal & State Laws, Definitions & Resources**

#### *Faculty & Staff*

- [US Equal Employment Opportunity Commission: Genetic Information Discrimination](#)
- [Maryland Commission on Civil Rights: Employment Discrimination](#)

## **Personal Appearance**

“Personal appearance” means the outward appearance of any person irrespective of sex with regard to hairstyle, beards, or manner of dress. It shall not relate, however, to the requirement of cleanliness, uniforms, or prescribed attire when uniformly applied for admittance to a public accommodation or a class of employees for a customary or reasonable business-related purpose.

## **Political Affiliation**

Discrimination based on political affiliation is prohibited.

## **Retaliation**

Retaliation is action taken against an individual because they reported discrimination, filed a complaint of discrimination, or participated in an investigation or proceeding concerning a discrimination complaint. Retaliation

can include intimidating, threatening, coercing, or in any way discriminating against the individual.

## **Federal & State Laws, Definitions & Resources**

### *Students*

- [US Department of Education-Office for Civil Rights: Retaliation](#)

### *Faculty & Staff*

- [US Equal Employment Opportunity Commission: Facts About Retaliation](#)

## **Employment Discrimination Laws and Prohibited Practices**

- [Prohibited Employment Policies/Practices](#)
- [Laws Enforced by EEOC](#)
- [Maryland Commission on Civil Rights: Employment Discrimination](#)

## **Civil Rights Enforcement Agencies**

- [U.S. Department of Education, Office for Civil Rights \(OCR\)](#) enforces several Federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability, or age in education programs or activities that receive federal financial assistance from the Department of Education.
- [Equal Employment Opportunity Commission \(EEOC\)](#) enforces federal laws prohibiting discrimination against a job applicant or employee because of the person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information. It is also illegal to discriminate against a person because the person complained about discrimination or participated in an employment discrimination investigation. The laws apply to all types of work situations, including hiring, firing, promotions, harassment, training, wages, and benefits.
- [Maryland Commission on Civil Rights \(MCCR\)](#) works to ensure opportunity for all through the enforcement of Maryland's laws against discrimination in employment, housing, public accommodations, and state contracts; provide educational outreach services related to provisions of these laws; and promote and improve civil rights in Maryland.
- [U.S. Department of Labor](#) has two agencies that deal with monitoring and enforcement of the Equal Employment Opportunity laws prohibiting specific types of job discrimination in certain workplaces, the Civil Rights Center and the Office of Federal Contract Compliance Programs.
- [US Department of Justice, Educational Opportunities Section](#) is responsible for enforcing the federal laws prohibiting discrimination on the

basis of race, color, national origin, sex, religion and disability in public schools and institutions of higher learning.

## **Addressing Non-Discriminatory Harassment**

Harassment that is not specifically based on a protected characteristic is also prohibited at the University of Maryland. Depending on the nature of the complaint and the status of the persons involved (i.e., faculty, students, administrators, staff, vendors, or visitors to campus), complaints or concerns regarding non-discriminatory harassment that cannot be resolved informally can be directed to one of the following entities on campus:

### *For Students*

- [Office of Student Conduct](#)
- [Office of Resident Life, Rights & Responsibilities](#)
- Deans/Department Chairs
- [Undergraduate Student Ombuds Officer](#)
- [Graduate Student Ombuds Officer](#)
- [Counseling Center](#)
- [University of Maryland Police](#)

### *For Staff*

- Departmental Human Resources Offices
- [Staff Ombudsperson](#)
- Deans/Department Chairs
- Staff Supervisors
- [Faculty Staff Assistance Program \(FSAP\)](#)
- [University of Maryland Police](#)

### *For Faculty*

- [Office of Faculty Affairs](#)
- [Faculty Ombuds Officer](#)
- [Faculty Staff Assistance Program \(FSAP\)](#)
- [University of Maryland Police](#)