



# NON-DISCRIMINATION POLICY AND PROCEDURES SUMMARY OF KEY PROVISIONS

## Policy Statement

This Policy prohibits discrimination on the basis of “protected classes.” Retaliation against any individual who files a complaint or participates in an investigation under this Policy is strictly prohibited. University programs, activities and facilities are available to all without regard to specific “protected classes” which include: *race, color, sex, gender identity or expression, sexual orientation, marital status, age, national origin, political affiliation, physical or mental disability, religion, protected veteran status, genetic information, or any other legally protected class.* The full Policy and further information is available at [ocrsm.umd.edu/non-discrimination](https://ocrsm.umd.edu/non-discrimination).

### Who does this policy apply to?

This policy applies to students, faculty, staff, visitors, trainees, volunteers, applicants, vendors and contractors.

### Is there a time limit to make a complaint?

Yes. Complaints should be made within 90 business days of the incident.

### Where do I report Discrimination or Harassment?

To report complaints of discrimination and harassment, complete the online form - "Report Discrimination Online" - at [ocrsm.umd.edu/file-report](https://ocrsm.umd.edu/file-report) or call the OCRSM at 301-405-1142.

### Can I make the same complaint under another University Policy?

No. Generally, a complaint about a specific incident cannot also be addressed under more than one University Policy. Complainants must choose which policy they want to file a complaint under, i.e. *Staff Grievance Policy, Student Arbitrary and Capricious Grading Policy*, etc.

### Where do I report Hate Bias Incidents?

To report a bias incident, you may email [BiasSupport@umd.edu](mailto:BiasSupport@umd.edu) or submit a report online at [biassupport.umd.edu/bias-incident-response-protocol](https://biassupport.umd.edu/bias-incident-response-protocol).

## Definitions

### Discrimination

Discrimination is unequal treatment based on a legally protected status that is sufficiently serious to unreasonably interfere with or limit an individual’s opportunity to participate in or benefit from a University program or activity, or that otherwise adversely affects a term or condition of the individual’s employment or education.

### Harassment

Harassment is a form of Discrimination (as defined above) that encompasses unwelcome conduct based on a person’s protected status. With the exception of the circumstances listed below, Harassment is severe or pervasive conduct that negatively affects the particular individual and also would negatively affect a reasonable person under the same circumstances.

Harassment in violation of this Policy depends on the totality of the circumstances, including the nature, frequency, and duration of the conduct in question, the location and context in which it occurs, and the status of the individuals involved. Harassing behaviors may include, but are not limited to, the following, when based on a person’s protected status and rises to the standard set forth above:

- *conduct, whether verbal, physical, written, graphic, or electronic that threatens, intimidates, offends, belittles, denigrates, or shows an aversion toward an individual or group;*
- *epithets, slurs, or negative stereotyping, jokes, or nicknames;*
- *written, printed, or graphic material that contains offensive, denigrating, or demeaning comments, or pictures; and*
- *the display of offensive, denigrating, or demeaning objects, e-mails, text messages, or cell phone pictures.*

When one of the following three circumstances is present, Harassment based on a person’s protected status is not required to be severe or pervasive and may be established by showing that the alleged conduct was unwelcome and offensive:

1. *when submission to the conduct is made either explicitly or implicitly a term or condition of employment of an individual;*
2. *when submission to or rejection of the conduct is used as a basis for employment decisions affecting the individual; or*
3. *based on the totality of the circumstances, the conduct unreasonably creates a working environment that a reasonable person would perceive to be abusive or hostile.*

### Retaliation

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

**The Office of Civil Rights and Sexual Misconduct (OCRSM)**

[3101 Susquehanna Hall, College Park, MD 20742](https://3101SusquehannaHallCollegeParkMD20742)

[titledxcoordinator@umd.edu](mailto:titledxcoordinator@umd.edu) | [ocrsm.umd.edu](https://ocrsm.umd.edu) | [301-405-1142](https://301-405-1142)