



Policy: Discrimination, Harassment & Retaliation Prevention Policy

Responsible Office: Office of Human Resources

Effective Date: 7/31/2026

Policy Statements and Definitions

The college does not tolerate and prohibits discrimination or harassment of or against our job applicants, contractors, interns, volunteers, or employees by another employee, students, individuals applying for admission to an academic program, supervisor, vendor, customer, or any third party (referred to as “individuals”) on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, related medical conditions and lactation), gender identity or gender expression (including transgender status), sexual orientation, marital status, military service and veteran status, disability, protected medical condition as defined by applicable state or local law, genetic information, or any other characteristic protected by applicable federal, state, or local laws and ordinances (referred to as “protected characteristics”). The college also prohibits retaliation as defined below. The college is committed to an educational environment and workplace free of discrimination, harassment and retaliation. These behaviors are unacceptable in any college-related settings, the workplace and in any related settings such as in-person and online courses, remote work, business trips and college sponsored programs and functions, and in residential spaces regardless of whether the conduct is engaged in by an employee, student, supervisor, co-worker, client, customer, vendor or other third party. In addition to being a violation of this policy, discrimination, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws and ordinances is also unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws and ordinances are unlawful.

A. Scope of Policy

Similar to the Discrimination, Harassment and Retaliation Prevention Policy, the College’s Title IX Policy also prohibits discrimination based on sex, including sexual harassment (hostile educational/work environment), sexual assault, dating violence, domestic violence and stalking, and applies to incidents that occur in an education program or activity of the College, against a person in the United States.

The Discrimination, Harassment and Retaliation Prevention Policy may apply to alleged misconduct that falls outside the scope of Title IX and that the College believes must be

addressed in keeping with our own non-discrimination commitment. Specifically, incidents that occur off campus, including outside of the United States; involving complainants who are unaffiliated with the College; or sexual harassment (hostile educational/work environment), even if the conduct would not be considered “severe, pervasive and objectively offensive” under the current Title IX regulations.

Reports involving gender-based discrimination, gender-based harassment, sexual harassment, sexual violence, relationship violence and stalking are addressed using the same grievance procedures found in the McDaniel College Title IX Policy and Grievance Procedures.

B. Prohibited Conduct

1. **Discrimination Defined.** Discrimination under this policy generally means treating differently or denying or granting a benefit to an individual because of the individual’s actual or perceived protected characteristic.
2. **Harassment Defined.** Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual based on or because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive educational or work environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another, blocking someone’s way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws and ordinances. Because it is difficult to define unlawful harassment, individuals are expected to always behave in a manner consistent with the intended purpose of this policy.

3. **Sexual Harassment Defined.** Sexual harassment includes harassment on the basis of sex or gender (including pregnancy, childbirth, related medical conditions and lactation), gender identity or gender expression (including transgender status), and/or sexual orientation. Sexual harassment include conduct, which need not be severe or pervasive, that consists of unwelcome or unsolicited sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature that is directed at an individual because of that individuals’ sex or gender (including pregnancy, childbirth, related medical conditions and lactation), gender identity or gender expression (including transgender status), and/or sexual orientation when:
 - Submission to that conduct or those advances or requests is made either explicitly or implicitly as a term or condition of the educational or employment experience; or

- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for decisions affecting the individual's educational or employment experience; or
- Based on the totality of circumstance, the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's academic and/or work performance or creating an intimidating, hostile, or offensive environment.

Examples of conduct that violates this policy include:

- unwelcome flirtations, leering, whistling, touching, pinching, assault, brushing up against someone's body, blocking normal movement
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment
- obscene or vulgar gestures, posters, or comments
- sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies
- propositions, or suggestive or insulting comments of a sexual nature
- derogatory cartoons, posters, and drawings
- sexually explicit e-mails or voicemails
- uninvited touching of a sexual nature
- unwelcome sexually related comments
- comments, inquiries, or gossip about one's own or someone else's sex life or sexual activities
- conduct or comments consistently targeted at only one gender, even if the content is not sexual
- teasing or other conduct directed toward a person because of the person's gender

4. **Retaliation Defined.** Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to: any action that would discourage or keep an individual from reporting discrimination, harassment or retaliation; shunning and avoiding an individual who reports discrimination, harassment or retaliation; express or implied threats or intimidation intended to prevent an individual from reporting discrimination, harassment or retaliation; and denying educational and/or employment benefits because an applicant, student, or employee reported discrimination, harassment or retaliation or participated in the reporting and investigation of discrimination, harassment or retaliation.

C. Reporting Procedures

The following steps have been put into place to ensure that the educational and work environment at the college is respectful, professional, and free of discrimination, harassment and retaliation.

- If an employee believes someone has violated this policy, they should promptly bring the matter to the immediate attention of their supervisor or Human Resources (410-857-2229 or 2 College Hill Westminster, Maryland 21157). If either of these individuals is the person to whom the complaint is directed, you should contact any higher-level manager in your divisional reporting line.
- If a student believes that someone has violated this policy (or the Title IX Policy), they are encouraged to bring the matter to the Title IX Coordinator or the Dean of Students. If any of the above-named individuals is the person to whom the complaint is directed, the individual should contact the Associate Vice President for Administration and Government Relations: Jennifer Glennon, jglennon@mcdaniel.edu.

Contact Information:

Title IX Coordinator: Liz Towle, etowle@mcdaniel.edu, (410) 857-2205

Associate Vice President for Administration and Government Relations: Jennifer Glennon, jglennon@mcdaniel.edu, (410) 857-2403

Written reports can be submitted internally using the bias response report (accessible from the My McDaniel Portal Section 2. Quick Links) or the Discrimination, Harassment and Retaliation Form. Use of a written form is not required. For anyone who would rather make a complaint verbally, or by email, these reports will be treated with equal priority. A verbal or otherwise written report (such as an email to any member of the Human Resources team, Title IX Coordinator or Dean of Students) on behalf of oneself or another individual is also acceptable. If an individual makes a report under this policy and has not received an initial response within five (5) business days, they should contact the associate vice president for administration and government relations at 410-857-2403 immediately.

Every supervisor or manager who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy must immediately report the issues raised or conduct to Human Resources, their respective vice president or provost.

D. Investigation Procedures

Based on the information provided in a report, senior administrator – including the Title IX Coordinator - will determine the appropriate grievance process to address the allegations. When allegations involve multiple bases, at least one of which constitutes sexual harassment as defined by the Sexual Harassment Defined clause in this policy, the grievance procedures

outlined in the College's Title IX Policy will generally be used for resolution. Any remaining allegation(s) will be addressed through the same or a separate appropriate grievance process, either beforehand or concurrently.

Upon receiving a report, that does not involve sexual harassment defined above, the college will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation. The college generally will interview the complainant and involved parties, conduct further interviews as necessary and review any relevant documents or other information. Those receiving claims and leading investigations will handle reports and questions with sensitivity toward those participating. To the extent possible, the college will endeavor to keep the reporting party's concerns confidential. However, complete confidentiality may not be possible in all circumstances. Employees are required to cooperate in all investigations conducted pursuant to this policy.

Upon completion of the investigation, the college will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. The college will inform the complainant and the respondent of the results of the investigation.

In the event the college determines that a violation of this policy has occurred, the college will take steps to ensure a safe educational and work environment for the individuals who experienced the discrimination, harassment and/or retaliation. The college will take corrective measures against any person who it finds to have engaged in conduct in violation of the policy, if the college determines such measures are necessary.

For employees, these corrective measures may include, but are not limited to, counseling, written warning, performance improvement plan, suspension, or immediate termination. Anyone, regardless of position or title, whom the college determines has engaged in conduct that violates this policy will be subject to discipline, up to and including termination. This includes individuals engaging in discrimination, harassment or retaliation, as well as supervisors or managers who fail to report violations of this policy or knowingly allow prohibited conduct to continue.

For students, possible sanctions that may be imposed under this Policy include, but are not limited to, warning, restriction, service hours, educational sanctions, mandatory assessment and compliance with any resulting treatment plan, change in room assignment, restriction of activities and/or on access of campus facilities, disciplinary probation, removal from the residence halls and/or from nonacademic campus activities, modifications to future class scheduling that do not impact graduation date, suspension or expulsion from the college. The timing and length of a suspension vary and are typically assigned in full semester increments (up to 4 semesters) and/or for the remainder of a semester already in progress.

Individuals who engage in conduct that rises to the level of a violation of law can be held personally liable for such conduct.

E. For Students: Limited Conduct Immunity for Reporting Parties and Witnesses

Students with information about conduct that reasonably may constitute a violation of college policy may hesitate to come forward out of fear of revealing that their own conduct, at the time, of the incident that violates a college policy.

Students are encouraged to report incidents of conduct that may reasonably constitute discrimination, harassment and retaliation and assist a person involved in such conduct in times of crisis.

McDaniel College does not condone infractions of the Code of Student Conduct but considers reporting conduct that reasonably may constitute discrimination, harassment and retaliation to be of paramount importance.

Therefore, the College extends limited immunity for other alcohol and drug related violations to potential witnesses and Complainants to facilitate the reporting and resolution of such conduct. The College, in its discretion, may extend this limited immunity to other student conduct violations.

Immunity is extended to a student under the following circumstances:

- The College determines that the violation occurred during or near the time of conduct that reasonably may constitute discrimination, harassment and retaliation;
- The student is determined to have made the report or is participating in an investigation as a witness in good faith; and
- The College determines that the violation was not an act that was reasonably likely to place the health or safety of another individual at risk.

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Please report any conduct which you believe violates this policy. The college cannot remedy claimed discrimination, harassment or retaliation unless the claims are reported using the options detailed in this policy.