



National University of Health Sciences General Policies

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_____ President		_____ 02-17-21 Date		

POLICY STATEMENT

National University of Health Sciences (NUHS) is committed to maintaining an environment that is free of discrimination and harassment. In keeping with this commitment, discrimination and/or harassment of University employees or students by anyone, including any supervisor, co-worker, vendor, client, patient, student, or any third party is prohibited.

Procedures

Discrimination or harassment based on race, color, religion, sex, gender, sexual orientation (including gender identity), age, national origin, citizenship status, genetic information, marital status, parental status, disability, status as a veteran, or any other status protected by state and/or federal law is prohibited at NUHS.

Discrimination and/or harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status. NUHS prohibits discriminating and/or harassing conduct that affects tangible job or student benefits, that interferes unreasonably with an individual's work performance or student's academic progress, or that creates an intimidating, hostile, or offensive working/educational environment.

Sexual harassment, sexual misconduct and/or sexual discrimination are governed under the NUHS Title IX and Sex Discrimination policy.

All University employees and students are responsible to help assure that discrimination and/or harassment is avoided. Any employee that believes he/she has experienced or witnessed discrimination and/or harassment should notify the Director of Human Resources Department immediately. Any student that believes he/she has experienced or witnessed discrimination and/or harassment should notify the Dean of Students immediately.

The University forbids retaliation against anyone for reporting discrimination and/or harassment, assisting in making a discrimination and/or harassment complaint or cooperating in a discrimination and/or harassment investigation. Refer to the NUHS Non-Retaliation Policy if you feel you have been retaliated against.

The University's policy is to investigate all such complaints thoroughly and promptly. Employees and students are required to participate and cooperate in any University investigation. To the fullest extent practicable, the University will keep complaints and the terms of their resolution confidential. If an investigation confirms that a violation of the policy has occurred, the University will take corrective action, including discipline, up to and including immediate termination of employment or student expulsion.

A complaint may be filed electronically or in writing to the Director of Human Resources/Dean of Students. The complainant should identify the party alleged to have committed the policy violation, provide witness names (if any) and any other information necessary to commence the investigation. Upon receipt, the Director/Dean will schedule an intake meeting with the complainant. The complainant may bring evidence to the intake meeting, however it is not required.

Investigation

When a complaint is received, the Director of Human Resources/Dean of Students will conduct an investigation. The investigation process may include the opportunity for the employee/student to confront the other party, if appropriate and if desired, in the presence of, and facilitated by, the Director/Dean, and to communicate his/her feelings and perceptions regarding the incident, the impact of the incident, and his/her wishes regarding the desired outcome. The other party will have an opportunity to respond.

If during the course of the investigation, the opposing party elects to acknowledge his/her actions and take responsibility for the alleged discrimination and/or harassment, the investigation will be concluded. If for any reason during the course of the investigation, the complainant elects to withdraw his/her complaint, the investigation will be concluded.

Upon conclusion, the Director of Human Resources/Dean of Students will submit his/her conclusion, in writing, simultaneously with any sanctions, if appropriate, to both parties within five (5) business days of the meeting.

If either the complaining party or opposing party object to the proposed sanction, either party will have the opportunity to appeal the outcome.

An employee and/or student may request an appeal by submitting, in writing, a request for an appeal to the Vice President for Administrative Service within five (5) business days of the decision of the Director of Human Resources/Dean of Students. The complaint will be heard by the Vice President for Administrative Services.

The Vice President for Administrative Services will conduct an investigation limited to the following issues:

- 1) To determine whether the investigation was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures giving the complaining party reasonable opportunity to prepare and present evidence that this policy was violated, and giving the opposing party reasonable opportunity to prepare and present a rebuttal of those allegations.
- 2) To determine whether the sanction(s) imposed were appropriate for the violation the opposing party was found to have committed.
- 3) To consider new evidence, sufficient to alter a decision or other relevant facts not brought out in the original investigation, because such evidence and/or facts were not known at the time of the informal resolution process investigation.

The Vice President for Administrative Services decision is final and shall be transmitted in writing to all parties involved within 5 (five) business days. Notice of the decision and the resulting status shall also be transmitted to the appropriate NUHS authorities (Dean of Students, Director of Human Resources, etc.). All parties will be directed to share the information only on a need to know basis.

Retaliation:

No person, including parties and witnesses, exercising his/her rights under this policy or participating in the procedures provided by this policy shall be subject to retaliation or threat of retaliation as a result thereof. Refer to the NUHS Non-Retaliation Policy for additional details.