

Discrimination and Harassment

1. POLICY

It is the policy of the American Chinese School of Greater Detroit (ACSGD) to maintain an academic and work environment free of discrimination and harassment for all students, faculty, and staff. Discrimination and harassment are contrary to the standards of the school community. They diminish individual dignity and impede educational opportunities, equal access to freedom of academic inquiry, and equal employment. Discrimination and harassment are barriers to fulfilling the school's service missions. Discrimination and harassment on the basis of race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight or veteran's status as set forth in Regents' Bylaw 14.06 and/or the Nondiscrimination Policy Notice will not be tolerated at the American Chinese School of Greater Detroit.

ACSGD is firmly committed to an environment free of discrimination and harassment as prohibited by this policy and federal and state laws. ACSGD has a compelling interest in assuring an environment in which learning and productive work thrives. At the same time, ACSGD has an equally compelling interest in protecting freedom of speech and academic freedom and in preserving the widest possible dialogue within its instructional and research settings.

A claim under this policy may be brought by ACSGD or by a faculty, staff or student member of the school community. Complaints based on conduct of students who are not acting as employees of the school are addressed in the Statement of Student Rights and Responsibilities, which is administered by The Administrative Committee . Persons who lodge discrimination or harassment complaints or participate in the investigation of such a complaint are protected from retaliation (e.g., adverse action or consequences) for those actions. Retaliation will not be tolerated at the American Chinese School of Greater Detroit.

Discrimination and harassment are very serious matters that can have far-reaching, current and future impact on the lives, educational experience, and careers of individuals. Intentionally false accusations can have a similar impact. A person who knowingly and intentionally files a false complaint under this policy is subject to ACSGD discipline. Both a person who impermissibly discriminates against another, and a person who knowingly and intentionally files a false complaint under this policy, are subject to ACSGD discipline.

2. DEFINITION OF DISCRIMINATION AND HARASSMENT

For the purposes of determining whether a particular course of conduct constitutes discrimination or harassment under this policy, the following definition will be used:

Conduct that is based upon an individual's race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight or veteran's status that:

1. adversely affects a term or condition of an individual's employment, education, living environment or participation in a school activity;
2. is used as the basis for or a factor in decisions affecting that individual's employment, education, living environment or participation in a school activity; or
3. has the purpose or effect of unreasonably interfering with an individual's employment or educational performance or creating an intimidating, hostile, offensive, or abusive environment for that individual's employment, education, living environment, or participation in a school activity.

Consistent with state and federal law, reasonable accommodation will be provided to persons with disabilities and to accommodate religious practices.

Some examples of conduct that may constitute prohibited discrimination may include, but are not limited to:

1. Denying a person access to an educational program based on that person's race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight or veteran's status;
2. Denying raises, benefits, or promotions on the basis of a person's race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight or veteran's status;
3. Preventing any person from using school facilities or services because of that person's race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight or veteran's status;
4. Instigating or allowing an environment that is unwelcoming or hostile based on a person's race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight or veteran's status.

Although discrimination and harassment described and prohibited by this policy include a wide range of behaviors, certain discriminatory conduct is addressed elsewhere. For example, sexual harassment is addressed in [SPG 201.89-0](#) - *Sexual Harassment*.

3. RESPONSE AND PROCEDURES

Prevention and Education. The American Chinese School of Greater Detroit is committed to preventing and eliminating impermissible discrimination and harassment of students, faculty, and staff. To that end, this policy will be published on ACSGD's web site. Appropriate educational sessions will be conducted by the school on an ongoing basis to (1) inform students, faculty, and staff about identifying and preventing discrimination and harassment and the problems they cause, (2) advise members of the school community about their rights and responsibilities under this policy, and (3) train personnel in the administration of this policy.

Assistance with Discrimination and Harassment Concerns. The Administrative Committee is responsible for ensuring and monitoring ACSGD's compliance with federal and state nondiscrimination laws. However, an environment free of impermissible discrimination and harassment is the responsibility of every member of the community.

ACSGD can take corrective action only when it becomes aware of problems. **Therefore, ACSGD encourages persons who believe that they have experienced or witnessed discrimination or harassment as prohibited by this policy to come forward promptly with their inquiries, reports, or complaints and to seek assistance within the school.** Individuals also have the right to pursue a legal remedy for discrimination or harassment that is prohibited by law in addition to or instead of proceeding under this policy.

Confidential Counseling. Information about or assistance with discrimination or harassment issues may be obtained from a variety of school resources. Prior to or concurrent with lodging a discrimination or harassment complaint, individuals may find it helpful to consult with a counselor or otherwise seek assistance. The following offices provide advice and support to individuals who believe they are experiencing discrimination or harassment. All information shared with these offices will remain confidential to the extent permitted by law and school policy. Discussions with representatives of these offices will not be considered a report to the school regarding the problematic behavior and will not, without additional action by the complainant, result in intervention or corrective action.

Lodging a Complaint. An individual who wishes to complain to the school about alleged discriminatory or harassing behavior or retaliation should contact ACSGD official, such as member of The Administrative Committee or member of board of trustees. If the complaint is against a student, the complainant may elect to pursue a formal charge through the appropriate student grievance procedure.

Investigation and Investigation Procedures. ACSGD will handle discrimination and harassment complaints under this policy consistently with procedural guidelines developed to ensure prompt and equitable resolution of such complaints. Complainants and Respondents will be given copies of the procedural guidelines, and the guidelines will also be made readily available to the school community. The matter will then proceed to investigation or other form of effective and fair review. The investigation or review may be performed by The Administrative Committee or school board of trustees

The purpose of an investigation, which will include interviewing the parties and witnesses, is to gather and assess evidence. During the course of an investigation, the investigating office will work collaboratively with other appropriate school offices.

Possible outcomes of an investigation are (1) a finding that the allegations are not warranted or could not be substantiated, (2) a finding that the allegations are substantiated and constitute discrimination or inappropriate behavior and, if so, (3) referral to the appropriate administrative authority for corrective action.

Corrective Action. Corrective action could include a requirement not to repeat or continue the discriminatory, harassing, or retaliatory conduct, a reprimand, denial of a merit pay increase, reassignment, suspension and termination. The severity of the punishment will depend on the frequency and severity of the offense and any history of past discriminatory, harassing or retaliatory conduct. A finding of discrimination or harassment under this policy may be cause for the separation of the offending party from the school in accordance with school procedures. Every effort will be made to assure school-wide uniformity of sanctions for similar offenses.

School Action. ACSGD may assume the role of a complainant and pursue a report or complaint, either informally or formally. ACSGD may respond to complaints or reports by persons external to the school community about alleged discriminatory and harassing conduct by University employees.

Retaliation. ACSGD will take appropriate steps to assure that a person who in good faith reports, complains about, or participates in an informal resolution or formal investigation of a discrimination or harassment allegation will not be subjected to retaliation. ACSGD also will take appropriate steps to assure that a person against whom such an allegation is made is treated fairly. ACSGD will also take appropriate follow-up measures to assure the goals of this policy are met. Persons who believe they are experiencing retaliation are strongly encouraged to lodge a complaint with ACSGD using the same procedure for lodging a discrimination or harassment complaint.