

Complaint Resolution Procedure

Purpose: The University believes employees and students are entitled to fair and non-discriminatory treatment, a fair and non-discriminatory place to work and study, and prompt consideration and resolution of any complaint. The University encourages effective communication to informally resolve complaints and supports a formal complaint resolution process as well.

Scope: Lesley University Community

Policy Statement:

Lesley University does not discriminate on the basis of race, color, religion, sex, national origin, age, veteran status, disability, or sexual orientation. Employees and students have a duty to refrain from engaging in discriminatory or harassing behavior. Employees and students who believe they have been discriminated against or harassed have a right to bring a complaint. Moreover, every person in the Lesley community has a responsibility to report discriminatory or harassing behavior which may come to his/her attention. While we respect individual privacy, we ask employees and students to cooperate with our efforts to investigate and resolve complaints so that Lesley provides a safe and productive environment for everyone.

Definitions:

Please refer to the Equal Opportunity and Inclusion Policy, the Discrimination, Harassment, and Sexual Harassment Policy and the Unequal Consensual Relationship Policy for a complete definition of the terms in each policy.

Reporting an Incident:

Complaints of discrimination, harassment, and sexual harassment may be done in writing or orally and can be made to anyone in a managerial position (e.g. Chair, Assistant Dean, Associate Dean, Dean, Division Director, Department Head, Director, or Vice President) or specifically to the Director of Equal Opportunity and Inclusion, the Director of Human Resources, or the Dean of Student Life and Academic Development.

Managers Responsibility:

Any manager who witnesses discrimination, harassment or sexual harassment or receives a complaint must immediately contact any of the following University officers:

Dr. Barbara J. Addison Reid
 Director of Equal Opportunity and Inclusion
 29 Everett Street
 Cambridge MA 02138
 617 349-8507
 Email: baddison@lesley.edu
 Email: www.equalopportunity@lesley.edu

Ms. Jane Joyce
Director of Human Resources
29 Everett Street
Cambridge MA 02138
617 349-8785
Email: ajoyce3@lesley.edu

Dr. Nathaniel Mays
Dean of Student Life and Academic Development
29 Everett Street
Cambridge MA 02138
617 349-8538
Email: nmays@lesley.edu

In addition, it may be appropriate to contact Campus Safety. The numbers appear below:

Captain Jeff Postell
Campus Safety and Security
29 Everett Street
Cambridge MA 02138
617 349-8901

Campus Safety and Security
617 349-8888

Employees and students may directly contact one of the University Officers listed above. These Officers were selected in order to provide all members of the Lesley community the opportunity to initiate a complaint in a place in which they feel comfortable doing so.

Whenever Lesley receives a complaint we are obligated by law to investigate the matter. Should a manager become aware of discrimination, harassment, sexual harassment or an unequal consensual relationship and fail to report the information to one of the University officers listed above, under Massachusetts law the manager becomes complicit in the act and assumes personal liability just as if he/she were the perpetrator. Such behavior may be subject to disciplinary action, up to and including dismissal from employment at the University.

When the Director of Equal Opportunity and Inclusion, the Director of Human Resources, and the Dean of Student Life and Academic Development receive a complaint, the information is shared among the three University Officers.

If the complaint is against one of the three designated university officers listed in this policy, the complaint may be initiated with one of the other officers listed or the President.

Employees and Students Responsibility:

Everyone at Lesley University has the responsibility to ensure that our environment is free from discrimination, harassment, and sexual harassment. We are also expected to avoid any behavior or conduct that could reasonably be interpreted as such, and must report any such observations of that kind of conduct. If you feel that you have been the victim of such behavior, or become aware of behavior that is discriminatory or harassing, you must immediately report it to your manager and/or any of the designated Officers listed above.

Complaint Investigation:

The Director of Equal Opportunity and Inclusion or his/her designee is responsible for handling questions and concerns regarding the University's Complaint Resolution Procedure and for conducting investigations related to discrimination, harassment, and sexual harassment complaints.

The University reserves the right to address any behavior it considers inappropriate or inconsistent with the University expectations, standards, and values, even though such behavior may not rise to the level of discrimination pursuant to this policy or under Federal or State law. Please direct all questions or concerns to:

Dr. Barbara J. Addison Reid
Director of Equal Opportunity and Inclusion
29 Everett Street
Cambridge MA 02138
617 349-8507
Email: baddison@lesley.edu
Email: www.equalopportunity@lesley.edu

Jurisdiction of the Office of Equal Opportunity and Inclusion:

Lesley University is responsible for providing a learning and working environment free from discrimination, harassment, and sexual harassment. The University reserves the right to pursue any complaint of discrimination, harassment or sexual harassment about which it becomes aware.

Generally, the Director of Equal Opportunity and Inclusion is charged with the responsibility for conducting complaint investigations related to discrimination, harassment, and sexual harassment, except in instances where the complaint is made by a student against another student. In this instance a referral is made to the Dean of Student Life and Academic Development. The Dean of Student Life and Academic Development will collaborate with the Director of Equal Opportunity and Inclusion in resolving the complaint.

The Director of Equal Opportunity and Inclusion may decide that a particular situation requires the University to forego the informal complaint resolution process and proceed immediately to the formal review process.

If at any time during the course of investigating or resolving a complaint of discrimination, harassment, or sexual harassment, the Director of Equal Opportunity and Inclusion or his/her designee determines a complaint is not within the jurisdiction of the Office of Equal Opportunity and Inclusion, the person initiating the complaint (Reporter) is referred to the appropriate office and the matter is considered concluded for the purposes of the Office of Equal Opportunity and Inclusion.

Against whom may complaints be brought?

Complaints of a violation of Lesley's Equal Opportunity and Inclusion Policy, Discrimination, Harassment, and Sexual Harassment Policy, or Unequal Consensual Relationship Policy may be brought against any employee or student. If the complaint concerns the behavior of a visiting professor, contractor, or vendor, the complaint is reported to the Director of Equal Opportunity and Inclusion and he/she provides assistance.

Memorializing Complaints:

Often with the passage of time details are remembered differently or forgotten. Anyone who has experienced discrimination or harassment of any kind is strongly encouraged to immediately complete a Lesley University Office of Equal Opportunity and Inclusion Complaint Form. Forms are available at www.equalopportunity@lesley.edu

A written complaint includes the following:

1. Description of the incident(s)
2. Characterization of the complaint: discrimination based on race, color, religion, sex, national origin, age, veteran status, disability, sexual orientation, harassment, sexual harassment, or an unequal consensual relationship
3. Date of the incidents(s)
4. Your reaction to the incident(s)
5. Name of the person thought to be responsible for the alleged incident(s)
6. Any documentation that may support the complaint
7. Expectations for an outcome
8. Signature of the person initiating the complaint (Reporter) and the date the complaint form is signed.

The completed form is submitted to the Director of Equal Opportunity and Inclusion.

Each Party's Rights and Responsibilities:

The University's Complaint Resolution Procedures are not designed to replicate an external judicial process. Consequently:

- During the Informal Complaint Resolution Procedure, the person initiating the complaint (Reporter) and the person against whom an allegation is made (Respondent) are expected to meet with the Director of Equal Opportunity and Inclusion, or his/her designee, as needed and as requested.
- During the Formal Complaint Resolution Procedure, the Reporter and the Respondent are expected to meet as needed and as requested with the Director of Equal Opportunity and Inclusion and a Panel of Reviewers, as set forth in the Formal Complaint Resolution Procedure, under the Appeal Procedure.
- Legal counsel retained by a Reporter or a Respondent may not participate or be present at any meeting convened by the Director of Equal Opportunity and Inclusion or the Panel of Reviewers.
- Neither the Reporter nor the Respondent may be represented by legal counsel at any time during the University's internal proceedings.
- The Reporter and the Respondent are expected to communicate with the Director of Equal Opportunity and Inclusion and/or the Panel of Reviewers directly and not through legal counsel or other intermediaries.
- The Reporter and the Respondent have the right to be told about actions, determinations, and findings made by the Director of Equal Opportunity and Inclusion.

Filing Deadline:

A written complaint should be filed promptly using the Lesley University Office of Equal Opportunity and Inclusion Complaint Form, preferably within 60 days but not more than 300 days of the event to which it refers. The form can be found at:

www.equalopportunity@lesley.edu

Complaints filed with the Director of Equal Opportunity and Inclusion does not stop the clock or extend the filing deadlines with external Federal and State anti-discrimination agencies.

Discrimination Complaint Procedures:

Federal and State laws require an employer to respond to and investigate any complaint about discrimination, harassment, and sexual harassment. Lesley offers an Informal and a Formal Complaint Resolution Procedure.

Lesley University has a strong commitment to informally resolving discrimination, harassment and sexual harassment complaints as they arise. The University encourages open and honest communication among members of the community.

The person initiating the complaint may elect to use the Informal Complaint Procedure or proceed immediately with a formal review of his/her complaint. The person initiating the complaint is not required to explore an informal resolution prior to proceeding with a formal review.

If the complaint is against a Lesley student and is unrelated to student employment, the Director of Equal Opportunity and Inclusion forwards the complaint to the Dean of Student Life and Academic Development and the complaint is handled pursuant to the judicial procedures set forth in the Student Handbook: http://www.lesley.edu/services/student_affairs/policies_general.html

A. Informal Complaint Resolution Procedure:

The University's Informal Complaint Resolution Procedure offers a way to discuss, evaluate, and resolve complaints of discrimination, harassment, and sexual harassment without initiating a comprehensive formal review. In keeping with the nature and spirit of informal resolution, no official findings of facts are made about the existence of discriminatory behavior. Rather, emphasis is placed on:

- Identifying the source of the problem(s) between the parties.
- Exploring ways the complaint can be resolved.
- Implementing solutions that not only address the problems(s), but also eliminate the possibility of similar problems occurring in the future.

The following steps are taken in an effort to resolve complaints in an informal manner.

Step 1: The Reporter:

Upon receipt of a written or oral complaint from the person (Reporter) alleging they have been discriminated against, harassed, or sexually harassed, the Director of Equal Opportunity and Inclusion meets with the Reporter.

The Reporter shares details about the incident. The Director listens and decides whether discrimination, harassment or sexual harassment may have occurred. If not, the Director will tell the Reporter that the behavior described does not rise to the level of discrimination, harassment, or sexual harassment and together the Director and Reporter will discuss several options for resolving the concern.

If discrimination, harassment, or sexual harassment may have occurred, the Director will offer suggestions for resolving the complaint, including but not limited to, the Director meeting separately with the person against whom a complaint is made (Respondent) to discuss the complaint, meetings with others in the University community to gather information and a joint meeting between the Reporter and Respondent with the Director serving as a facilitator.

During the informal process the Reporter is strongly encouraged to submit the complaint in writing but he/she is not required to do so. If a Reporter needs assistance in writing the complaint, the Reporter requests assistance from the Director of Equal Opportunity and Inclusion and he/she will make a referral for assistance in writing the complaint.

The Reporter is advised that the Respondent is cautioned that any form of retaliation against the Reporter or any witness is a violation of University policy and the person engaging in retaliation is subject to disciplinary action, up to and including dismissal.

The Reporter is advised to immediately report any form of retaliation to the Director of Equal Opportunity and Inclusion, their manager, and/or to Campus Safety and Security.

Step 2: The Respondent:

The Director of Equal Opportunity and Inclusion meets with the Respondent. If the complaint is in writing the Director gives the Respondent a copy of the written complaint. If the complaint has been made orally, the Director discusses the complaint. The Respondent is encouraged to give a verbal response to the allegations.

During the informal process the Respondent is strongly encouraged to submit the response to the allegations in writing but he/she is not required to do so. If a Respondent wishes to put the response in writing, but needs assistance, the Respondent requests assistance from the Director of Equal Opportunity and Inclusion and he/she will make a referral for assistance in writing the complaint.

The Respondent is cautioned that any form of retaliating against the Reporter or any witness is a violation of University policy and subject to disciplinary action, up to and including dismissal.

Step 3: Investigation of the Complaint:

In an effort to understand the facts and the positions of the Reporter and the Respondent, the Director of Equal Opportunity and Inclusion makes a reasonable effort to resolve the matter informally by meeting with each party.

In reaching the findings, the Director or his/her designee evaluates the conduct alleged to be discriminatory or harassing by considering the totality of the circumstances, including the nature, frequency, intensity, context and duration of the conduct. Although repeated incidents would create a strong claim of discrimination, harassment or sexual harassment, a serious isolated incident can also present sufficient grounds for disciplinary action.

Step 4: Resolution of the Complaint:

The Director of Equal Opportunity and Inclusion decides whether discrimination, harassment or sexual harassment has occurred. If yes, the Director decides on the appropriate corrective action. Corrective action may take any form that is acceptable to the parties and the University, such as:

- Verbal acknowledgement and an apology
- A written informal settlement agreement or memorandum of understanding signed by both parties
- Mandated training in the areas of discrimination, harassment and sexual harassment for the Respondent and/or the department
- A verbal warning documented in writing to the Respondent with a copy placed in the Respondent's Human Resources employee file. The letter may or may not be sealed.
- A written warning to the Respondent with a copy placed in the Respondent's Human Resources employee file. The letter may or may not be sealed.

This is not an exhaustive list and other forms of resolution may be appropriate although the resolution is not listed here.

An informal complaint is deemed satisfactorily resolved when both parties state their agreement in writing to an acceptable outcome.

Generally, the incident providing the basis for an informal complaint that has been satisfactorily resolved may not subsequently be the subject of any formal complaint by the same Reporter against the same alleged wrongdoer, except in cases involving a breach of the informal settlement agreement or continuing discrimination, harassment or sexual harassment.

In keeping with the nature of the informal process, the Director of Equal Opportunity and Inclusion may declare that the informal process is concluded; he/she is not required to prepare and distribute a written report for each complaint, investigation, and resolution. At the end of the informal process, any one of the following actions may be taken:

- The Director of Equal Opportunity and Inclusion may place a confidential report in his/her file.
- The Director of Equal Opportunity and Inclusion may prepare and distribute a written report to the Reporter, Respondent, and any other person who may have a need to know how the complaint was resolved.
- The Director of Equal Opportunity and Inclusion may refer the matter to another department or administrator in the University, for further review.

Step 5: Unresolved Complaints:

Once the Director of Equal Opportunity and Inclusion declares that the informal process is concluded, if the complaint cannot be resolved to the satisfaction of the Reporter and the Respondent, either party may request in writing to the Director of Equal Opportunity and Inclusion, within ten (10) University business days, that the complaint receive a formal review through the **Formal Complaint Resolution Procedure**. The Director of Equal Opportunity and Inclusion gives notice to the other party that the complaint has not been resolved.

Within fifteen (15) University business days of receipt of the written request for a formal review, the Director of Equal Opportunity and Inclusion prepares a written report describing both parties' positions, the attempts that were made to resolve the matter, the reasons why the proposed

solution(s) did not work, and any other relevant information that may be useful to investigators in the formal process. The Formal Complaint Resolution Procedure is then initiated.

B. Formal Complaint Resolution Procedure:

The person initiating the complaint (Reporter) may elect to proceed immediately with a formal review of his/her complaint of discrimination or harassment. The Reporter is not required to explore an informal resolution prior to proceeding with a formal review.

Unlike an informal complaint, a formal complaint seeks a formal, institutional determination that a violation of Lesley's Equal Opportunity and Inclusion Policy, Discrimination, Harassment or Sexual Harassment Policy, or Unequal Consensual Relationship Policy has occurred.

A formal review typically involves conducting an investigation, fact-finding, determining whether sufficient credible evidence exists to support the allegations and if so, making a recommendation for corrective action to the Respondent's Chair, Assistant Dean, Associate Dean, Dean, Division Director, Department Head, Director, or Vice President, as appropriate.

The formal review requires that interviews are documented, investigation notes are prepared, and decisions are recorded. Corrective action is documented and placed in the employee or student file.

If the parties used the University's Informal Complaint Resolution Procedure, the Director of Equal Opportunity and Inclusion may consider statements, materials, and information gathered and submitted during the Informal process.

The following steps are taken in an effort to resolve complaints through the Formal Complaint Resolution Procedure.

Step 1: Reporter:

To initiate the formal process the person alleging they have been discriminated against or harassed (Reporter) must submit their complaint in writing to the Director of Equal Opportunity and Inclusion. If a Reporter needs assistance in writing the complaint, the Reporter requests assistance from the Director of Equal Opportunity and Inclusion and he/she will make a referral for assistance in writing the complaint.

The Director of Equal Opportunity and Inclusion meets individually with the Reporter to review the written complaint and discuss the Formal Complaint Resolution Procedures. The Director decides whether discrimination or harassment may have occurred. If there has been no discrimination or harassment, the Director will tell the Reporter that the behavior documented in the written complaint does not rise to the level of discrimination or harassment. The Director of Equal Opportunity and Inclusion discusses with the Reporter the options for addressing the situation directly with the other person.

If the alleged discrimination or harassment complaint needs further investigation, the Director of Equal Opportunity and Inclusion will inform the Reporter that the person against whom the allegation is made (Respondent) will be told about the complaint, given a copy of the written complaint, and given ten (10) University business days to submit a written response.

The Reporter is advised that the Respondent is cautioned that any form of retaliation against the Reporter or any witness is a violation of University policy and the person engaging in retaliation is subject to disciplinary action, up to and including dismissal.

The Reporter is advised to immediately report any form of retaliation to the Director of Equal Opportunity and Inclusion, their manager, and/or the Director of Safety.

Once the Respondent's written response is received, a copy of the written response is given to the Reporter.

Step 2: Respondent:

Upon receipt of a written complaint from a Reporter, the Director of Equal Opportunity and Inclusion meets individually with the person against whom the allegation is made (Respondent). The Director gives a copy of the complaint to the Respondent and discusses the Formal Complaint Resolution Procedures. The Respondent is encouraged to give an immediate verbal response to the allegations and he/she is advised that the Respondent must submit a written response within ten (10) University business days.

The Respondent is cautioned that any form of retaliating against the Reporter or any witness is a violation of University policy and is subject to disciplinary action, up to and including dismissal.

The Respondent's written response is submitted to the Director of Equal Opportunity and Inclusion. If a Respondent needs some assistance in writing the complaint, the Respondent should request assistance from the Director of Equal Opportunity and Inclusion and he/she will make a referral for assistance in writing the complaint.

The Director of Equal Opportunity and Inclusion shares a copy of the Respondent's written response with the Reporter.

Step 3: Investigation of the Complaint:

The Director of Equal Opportunity and Inclusion meets separately with the Reporter and Respondent as needed to consider their positions and to ascertain facts. The Reporter and the Respondent each have the right to submit documentation in support of their positions and to review all documentary evidence presented.

The Reporter and the Respondent may also share the names of individuals they believe have knowledge or information relevant to the complaint. The Director of Equal Opportunity and Inclusion may, in his/her discretion, meet with anyone he/she believes has information that may be useful to the investigation.

If at any time during an investigation a Reporter declines to cooperate with the Director of Equal Opportunity and Inclusion, or if the Director determines that the Reporter no longer wishes to pursue his/her complaint, the Director may consider the matter closed and take no further action.

If the Respondent refuses to cooperate and/or respond in a timely manner, the Director of Equal Opportunity and Inclusion may forego an investigation and recommend the implementation of corrective action or sanctions, or the Director may take any other action he/she deems necessary and appropriate to address the situation. Failure to cooperate meaningfully in a review of the complaint of discrimination, harassment or sexual harassment may be grounds for discipline, suspension, or termination.

Step 4: Resolution of the Complaint:

In the formal complaint resolution process, upon conclusion of the investigation, the Director of Equal Opportunity and Inclusion prepares a written report that contains:

- The Reporter's allegations
- The Respondent's responses
- The Director of Equal Opportunity and Inclusion's findings, including an evaluation of the credibility of the parties and witnesses
- The evidence that supports the findings
- Recommendations for corrective action and/or sanctions

A copy of the Director of Equal Opportunity and Inclusion's report is shared with the Reporter, the Respondent, and anyone else within the University with whom the Director of Equal Opportunity and Inclusion deems appropriate.

If the evidence supports the allegation

The Director of Equal Opportunity and Inclusion recommends corrective action and or sanctions if there is sufficient, reasonable, and credible evidence to support the allegation of a violation of Lesley University Equal Opportunity and Inclusion Policy, Discrimination, Harassment and Sexual Harassment Policy, or Unequal Consensual Relationship Policy. Corrective action may include, but is not limited to:

- A verbal warning documented in writing placed as an open letter in the Respondent's file
- A written warning letter of reprimand placed as an open letter in the Respondent's file
- Mandatory counseling
- Probation
- Suspension without pay
- Non-renewal of contract
- Withdrawal from a program of study
- Further disciplinary action, up to and including dismissal from employment at the University
- Other options are available to the Dean of Student Life and Academic Development

The Director of Equal Opportunity and Inclusion may also refer the matter to another department or administrator in the University for further review.

If the allegation is not supported

If the Director of Equal Opportunity and Inclusion determines that there is insufficient credible evidence to support the allegation of a violation of Lesley University Equal Opportunity and Inclusion Policy, Discrimination, Harassment and Sexual Harassment Policy, or Unequal Consensual Relationship Policy the complaint is dismissed, the matter is concluded, and the University takes no further action.

Step 5: Appealing a Finding of Discrimination:

What may and may not be appealed?

- A Respondent may appeal a finding of discrimination, harassment, or sexual harassment.

- A Respondent may not appeal the corrective action or sanctions imposed by the University.
- A Reporter has no right of appeal under these procedures.
- There is no right of appeal within the University when the Office of Equal Opportunity and Inclusion determines that there is insufficient reasonable, credible evidence to support the allegation of discrimination.

Giving Notice of Appeal:

A Respondent wishing to appeal a finding of discrimination, harassment, or sexual harassment is encouraged to give written notice to the Director of Equal Opportunity and Inclusion within twenty (20) University business days of the date the Office of Equal Opportunity and Inclusion issues its report.

Review by a Panel of Reviewers:

Normally, appeals are considered only when:

- New evidence, which was not reasonably available at the time of the formal investigation, becomes available
- There is an allegation of substantial procedural error during the investigation

Appeals are considered by a Panel of Reviewers consisting of three (3) individuals who are selected by the Director of Equal Opportunity and Inclusion. These individuals are drawn from a standing panel of 10-15 persons appointed by the President who have received appropriate training under the auspices of the Office of Equal Opportunity and Inclusion. Members of the panel serve two-year staggered terms with half the members appointed each year.

Conflicts of Interest:

The Director of Equal Opportunity and Inclusion solicits information from each prospective Panel member concerning any factors that might prejudice an objective evaluation of the evidence and disqualify a potential Panel member if a conflict or potential conflict emerges.

The Director of Equal Opportunity notifies the Reporter and the Respondent the names of the parties selected for the Panel of Reviewers. If a Reporter or Respondent wishes to raise concerns about the objectivity of a Panel member, he/she raises those concerns with the Director of Equal Opportunity and Inclusion within three (3) University business days after learning the identities of those selected for the Panel of Reviewers.

C. Appeal Procedure:

The following steps are taken in an effort to resolve complaints through the Panel of Reviewers.

Step 1: Convening the Panel:

The Director of Equal Opportunity and Inclusion convenes and opens the first meeting of the Panel of Reviewers and makes available to panel members materials and information compiled during the investigation of the complaint.

The Reporter and the Respondent are invited to attend the first meeting of the Panel and both individuals are present at the beginning of the meeting. The Director introduces the Reporter and Respondent to the Panel and the Reporter and Respondent read a statement to the Panel. The Panel may ask questions following each statement.

Following the question and answer segment, the Reporter and the Respondent are asked to leave the meeting. The Director of Equal Opportunity and Inclusion remains with the Panel for further discussion and procedural questions and answers.

Step 2: Panel of Reviewers Process:

After the initial meeting, the Panel of Reviewers may arrange a schedule of meetings and may meet individually with the Reporter and the Respondent and any witnesses.

Step 3: Panel of Reviewers Recommendation:

Upon conclusion of the interviews with the Reporter and the Respondent and witnesses, as well as a review of the record, the Panel of Reviewers determines whether the findings made by the Director of Equal Opportunity and Inclusion are supported by sufficient, reasonable, and credible evidence.

If there is sufficient, reasonable, and credible evidence

If the Panel of Reviewers concludes there is sufficient, reasonable, and credible evidence to support the findings made by the Director of Equal Opportunity and Inclusion, the Panel communicates its conclusion and recommendation in a written statement to the President and the Director of Equal Opportunity and Inclusion.

If there is insufficient credible evidence

If the Panel of Reviewers concludes there is insufficient credible evidence to support the findings made by the Director of Equal Opportunity and Inclusion, the Panel communicates its conclusion and recommendations in a written statement to the President and the Director of Equal Opportunity and Inclusion.

Step 5: Presidential Decision:

The President is the final decision-maker in resolving the complaint internally at Lesley.

Following the decision by the President, ***If there is sufficient, reasonable, and credible evidence*** the Director of Equal Opportunity and Inclusion first meets with the Respondent to communicate the final decision, and then with the Respondent's Dean, Division Director, Department Head, Director, or Vice President, as appropriate, so the corrective action and/or sanctions imposed are implemented immediately. Finally, the Director of Equal Opportunity and Inclusion meets with the Reporter and verbally communicates the findings and the corrective action taken.

Following the decision by the President, ***If there is insufficient credible evidence*** the Director of Equal Opportunity and Inclusion first meets with the Respondent to communicate the final decision. The matter is considered concluded and the University takes no further action. No corrective action is taken. No further appeals are available or allowed. Finally, the Director meets with the Reporter and verbally communicates the findings and the final outcome.

Protection Against Retaliation:

Retaliation is unlawful. Lesley University does not allow any form of retaliatory behavior against any faculty, student, or staff member who in good faith exercises his/her rights and reports unwelcome conduct to Lesley managers or who cooperates in the investigation of such reports, pursuant to Lesley's Discrimination, Harassment, Sexual Harassment Policy.

Any Student found to be engaging in retaliation will be subject to disciplinary action, up to and including expulsion.

Any employee found to be engaging in retaliation will be subject to disciplinary action up to and including dismissal from employment at Lesley University.

Confidentiality:

Every reasonable effort will be made to protect the privacy and confidences of all parties during the investigation without compromising the thoroughness of the investigation and consistent with and subject to the University's need to investigate the complaint and/or implement any corrective action and/or sanction.

Disciplinary Action:

Every report of perceived discrimination, harassment, and sexual harassment is fully investigated and corrective action is taken where appropriate.

If a report against a student engaging in discrimination, harassment, or sexual harassment is found to be justified, that student will be subject to disciplinary action, up to and including expulsion from Lesley.

If a report against an employee engaging in discrimination, harassment, or sexual harassment is found to be justified, that employee will be subject to disciplinary action, up to and including dismissal from employment at Lesley.

Federal and State Remedies:

While faculty, students, and staff are encouraged to report claims internally, if you so choose, you may file a formal complaint with either or both of the government agencies set forth below. Each of the agencies has a time period, 300 days, for filing a claim.

If a faculty, student, or staff chooses to file a complaint with one or both of these agencies, *they no longer can avail themselves of Lesley's internal complaint procedures.*

Federal and State Anti-Discrimination Agencies:

The United States Equal Employment Opportunity Commission (EEOC)

Location: John F. Kennedy Federal Building
475 Government Center
Boston MA 02203
Phone: 1-800-669-4000
Fax: 1-800-669-3196
TTY: 1-800-669-6820
Website: <http://www.eeoc.gov/boston>

Massachusetts Commission Against Discrimination (MCAD)

Location: 1 Ashburton Place, Room 601
Boston MA 02108
Phone: 1-617-727-3990
Fax: 1-671-727-3953
TTY: 1-617-720-6054
Website: <http://www.state.ma.us/mcad/>

Duty of Good Faith:

Lesley University prohibits any member of the Lesley community from knowingly or recklessly bringing a false complaint of institutionally sanctionable conduct against another member of the Lesley community. Any such action can lead to disciplinary action, up to and including expulsion or dismissal from employment.

Lesley University is an equal opportunity, affirmative action educator and employer. The foregoing Complaint Resolution Procedure is designed to enhance access to and understanding of Lesley's policies and is not intended to create a contract between Lesley and its employees or other persons. Lesley reserves the right to amend or revoke its policies at any time without notice.

Approved by: The President and his Cabinet
History: Issued – (date)
Revised – June 1, 2009
Responsible Official Director of Equal Opportunity and Inclusion