

Policy Against Discrimination and Harassment

Knox College does not discriminate, and will not tolerate discrimination or harassment, on the basis of sex, pregnancy, gender identity or expression, race, color, creed, national or ethnic origin, religion or religious affiliation, sexual orientation or preference, age, marital or family status, disability, veteran status, or other status protected by applicable federal, state, or local law in admission, financial aid, employment, athletics, or any other aspect of its educational programs or activities. Reasonable accommodation will be provided to persons with disabilities, consistent with state and federal law.

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- A. Harassment**, whether verbal, physical or visual, that is based on any of these characteristics, is a form of discrimination. This includes harassing conduct affecting tangible educational benefits, interfering unreasonably with an individual's academic performance, or creating what a reasonable person would perceive is an intimidating, hostile or offensive environment.

Harassment can include verbal or non-verbal behavior that demeans or stereotypes individuals in a harmful way. While the College is committed to the principles of free inquiry and free expression, discrimination and harassment identified in this Policy are neither legally protected expression nor the proper exercise of academic freedom.

Examples of discrimination and harassment may include, but are not limited to:

- refusing to offer educational opportunities to someone because of the person's protected status;
- making a grading decision because of the person's protected status;
- jokes or epithets about another person's protected status;
- teasing or practical jokes directed at a person based on their protected status;

- the display or circulation of written materials or pictures that degrade a person or group based upon a protected characteristic; and
- verbal abuse or insults about, directed at, or made in the presence of an individual or group of individuals in a protected group.

B. A Bias Incident is an incident of discrimination or harassment prohibited by this Policy and based upon a protected characteristic as listed in this Policy.

C. Statement on Academic Freedom and Freedom of Expression

According to the Knox College By-Laws, faculty are afforded academic freedom and Knox is committed to the principle of academic freedom. In addition, faculty, staff, and students have rights of free expression. What this means is that the teacher is entitled to full freedom in research and in publication of its results, subject to the adequate performance of other academic duties. The teacher is entitled to freedom in the classroom in discussing a subject, but must be careful to avoid introducing controversial matters that have no relation to his or her subject.

The Knox liberal arts education understands that vigorous discussion and debate is fundamental to the College and to higher learning. This policy is not meant to stifle teaching methods or infringe upon academic freedom or freedom of expression. The protections of academic freedom must be carefully considered in all reports of bias involving faculty. The fact that speech or a particular expression is offensive is not, standing alone, sufficient basis to establish a bias-related incident. If such speech or expression takes place in the teaching context, it typically also must be persistent, pervasive, and not germane to the subject matter in order to be a bias incident under this policy.

D. Employee Duty to Report Information on Discrimination and Harassment, including Bias Incidents

In order to enable the College to respond effectively and to address violations of its Policy all College employees (except those employees identified in the Confidential Reporting section below) must, within 24 hours of receiving the information, report information they have about alleged or possible discrimination and harassment, including sex discrimination, sexual harassment, sexual misconduct, interpersonal violence or stalking, to the appropriate College official or any Title IX Coordinator. Based on the alleged Policy violation, the College official will evaluate the information received and determine what further actions should be taken. College officials receiving reports alleging acts of discrimination or harassment based on sex, gender identity or expression, sexual orientation or preference will refer those reports to the Title IX Coordinator. Any questions or comments concerning the Policy addressing discrimination or harassment on the basis of other categories listed above should be directed to the appropriate College official listed above.

E. Confidentiality

All reports will be handled with discretion, care and sensitivity and the College will make every effort to respect requests for confidentiality, but the College's ability to investigate and take

appropriate action may be limited if individuals do not provide identifying information or request confidentiality. In addition, there may be circumstances when the College determines that it must investigate a particular matter to help protect the learning and working environment at Knox despite a request for confidentiality.

On the Knox campus, the Health and Counseling Center is a confidential resource. Staff counselors and medical personnel at the Health and Counseling Center can provide emotional and medical support in a safe and confidential space. They are not required to disclose identifying information as they have professional obligations to maintain the confidentiality of their clients. They can also help parties think through their options for filing a formal report. The Knox Health and Counseling Center can be reached during regular business hours at 309-341-7492, or after hours by calling Campus Safety at 309-341-7979 and asking for the Counselor on duty.

F. Retaliation

It is a violation of College Policy to retaliate in any way against a person or persons because they have opposed any practices forbidden under the “Policy Against Discrimination and Harassment” or have filed a report, assisted, or participated in any manner in an investigation or proceeding under this Policy Against Discrimination and Harassment. This includes action taken against a bystander who intervened to stop or attempt to stop a bias-related incident. Retaliation may take many forms, and may include intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's complaint or participation. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this Policy. The College will take immediate and responsive action upon receiving any report of retaliation and may pursue disciplinary action as appropriate.

G. Records Maintenance

The College will maintain documentation and records regarding alleged bias-related incidents and their resolution in a manner that protects the confidentiality of the parties involved, complies with the Family Educational Rights and Privacy Act (FERPA), and to the extent possible excludes personally identifiable information about victims of bias incidents. If a student, faculty, or staff member has been found responsible for a bias-related incident, this finding remains a part of that student's or employee's conduct record.

H. Changes in this Policy

The College reserves the right to make adjustments and changes in this policy at any time.
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Any questions or comments concerning the above Policy can be directed to the appropriate department supervisor/director, the Office of Human Resources, the Office of the Dean of the College, the Office of the Dean of Students, or any Title IX Coordinator. For reports or complaints alleging acts of discrimination or harassment which are based on sex, gender identity or expression, sexual orientation or preference, please see the **Knox College Policy Against Sex Discrimination, including**

Sexual Harassment, Sexual Misconduct, Interpersonal Violence and Stalking and the **Investigation & Resolution Procedures for Allegations of Sex Discrimination, including Sexual Harassment, Sexual Misconduct, Interpersonal Violence, and Stalking**. College officials receiving reports alleging acts of discrimination or harassment based on these categories will refer those reports to the Title IX Coordinator.