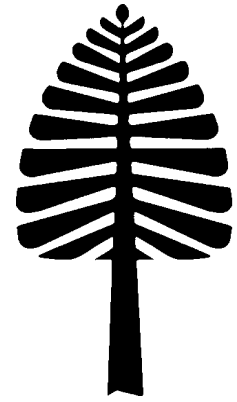


DARTMOUTH COLLEGE



Affirmative Action Plan

**Individuals with Disabilities
And Veterans**

**Office of Institutional
Diversity & Equity**

Summer 2013

Dartmouth College
Affirmative Action Plan
For Individuals with Disabilities and
Veterans

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DARTMOUTH COLLEGE

Reaffirmation of Policy Concerning Nondiscrimination, Equal Opportunity, and Affirmative Action

On behalf of the Board of Trustees of Dartmouth College, I now reaffirm our policy on nondiscrimination, equal opportunity, and affirmative action and share with the community information on federal civil rights legislation and regulations.

Dartmouth College is committed to the principle of equal opportunity for all its students, faculty, employees, and applicants for admission and employment. For that reason Dartmouth does not discriminate on the basis of race, color, religion, sex, age, sexual orientation, gender identity or expression, national origin, disability, military or veteran status in access to its programs and activities, and in conditions of admission and employment (hiring, promotion, discharge, pay, fringe benefits). (Dartmouth College refers to the entire institution, including the professional schools, graduate programs, and auxiliary activities.) The following regulations, among others, govern Dartmouth's policy.

Executive Order 11246, as amended, prohibits discrimination in employment because of *race, color, religion, sex, or national origin* and requires affirmative action to ensure equality of opportunity in all aspects of employment. Questions or concerns may be directed to Dartmouth's office of Institutional Diversity & Equity (see address below) or to the U.S. Department of Labor Office of Federal Contract Compliance Programs (OFCCP), J.F.K. Federal Building, Room 612C, Boston, MA 02203. A complaint must be filed with OFCCP no later than 180 days from the date of the alleged violation.

Section 503 of the Rehabilitation Act of 1973 prohibits job discrimination on the basis of *disability* and requires affirmative action to employ and advance in employment qualified individuals with disabilities. **Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974**, as amended, prohibits job discrimination against *disabled veterans and veterans of the Vietnam era* and requires affirmative action to employ and advance in employment qualified disabled veterans and veterans of the Vietnam era. Dartmouth has developed an affirmative action plan to carry out the mandate of these federal regulations. This plan is administered by the Vice President for Institutional Diversity & Equity. Inquiries may also be addressed to OFCCP (see address above).

The **Equal Pay Act of 1963** prohibits discrimination on the basis of *sex* in rate of pay. **Title VII of the Civil Rights Act of 1964**, as amended, prohibits employment discrimination because of *race, color, religion, sex, or national origin*. The **Age Discrimination in Employment Act of 1967**, as amended, prohibits discrimination in employment on the basis of *age*. Questions or concerns about these laws should be directed to Dartmouth's office of Institutional Diversity & Equity (see address below) or to the Equal Employment Opportunity Commission (EEOC), Boston Area Office, J.F.K. Federal Building, Room 409B, Boston, MA 02203. A complaint under these statutes must be filed with EEOC within 180 calendar days of the date of the alleged discrimination.

Title VI of the Civil Rights Acts of 1964, as amended, prohibits discrimination on the basis of *race, color, or national origin* in programs or activities receiving federal financial assistance. Questions or concerns may be directed to Dartmouth's office of Institutional Diversity & Equity (see address below) or to the Regional Director, Office for Civil Rights (OCR), U.S. Department of Education, 33 Arch St., Suite 900, Boston, MA 02110. A complaint under Title VI must be filed with OCR within 180 days of the date of the alleged discrimination.

Consistent with the requirements of **Title IX of the Education Amendments of 1972**, as amended, and **34 C.F.R. Part 106**, Dartmouth does not discriminate on the basis of *sex* in the conduct or operation of its programs or activities (including employment therein and admission thereto). Inquiries concerning the application of Title IX may be referred to Dartmouth's office of Institutional Diversity & Equity (see address below) or to the Office for Civil Rights (see address above). A complaint under Title IX must be filed with OCR within 180 calendar days of the date of the alleged discrimination.

Consistent with the requirement of **Section 504 of the Rehabilitation Act of 1973**, as amended and **34 C.F.R. Part 104**, Dartmouth does not discriminate on the basis of *disability* in admission or access to, or employment in, its programs or activities. Dartmouth complies with all applicable sections of the **1990 Americans with Disabilities Act (ADA)**, as amended, which prohibits discrimination against individuals with *disabilities*. Questions or concerns regarding Section 504 or the ADA may be directed to Dartmouth's office of Institutional Diversity & Equity (see address below) or to the Director of Student Accessibility Services, 6173 Collis Center, Suite 301, Hanover, NH 03755-3541, tel. 603-646-9900. Inquiries concerning Section 504 may also be referred to the Office for Civil Rights (see address above). A complaint under Section 504 must be filed with OCR within 180 calendar days of the date of the alleged discrimination. A complaint of employment discrimination on the basis of disability under Title I of the ADA must be filed with EEOC within 180 days of the date of the alleged discrimination.

New Hampshire State law prohibits employment discrimination based on *age, sex, race, color, marital status, physical or mental disability, religious creed, or national origin*. Questions or concerns may be directed to Dartmouth's office of Institutional Diversity & Equity (see address below) or filed with the New Hampshire Commission for Human Rights (NHCHR) at the following address: Intake Department, NH Commission for Human Rights, 2 Chenell Drive, Concord, NH 03301. Complaints under these statutes must be filed with NHCHR within 180 calendar days of the date of the alleged discrimination.

The Vice President for Institutional Diversity & Equity has been designated to coordinate and monitor all institutional compliance activities under each of the laws and regulations referred to above. In addition, Dartmouth's office of Institutional Diversity & Equity is charged to hear complaints and grievances concerning violations of any of these laws and regulations. All faculty, exempt, non-exempt, and union employees, students, and applicants for admission and/or employment are protected from discrimination resulting from filing a complaint or assisting in an inquiry under any of the foregoing laws and policies. Faculty, exempt, non-exempt, and union employees, students, and applicants for admission and/or employment are invited to visit the office of Institutional Diversity & Equity to discuss issues related to equal opportunity and affirmative action. In addition, the office is available for confidential consultation regarding the application of these laws and regulations to individual concerns. A copy of Dartmouth's most recent Affirmative Action Plan is available at the reference desk of Dartmouth's Baker Library or in the office of Institutional Diversity & Equity, 6018 Blunt Alumni Center, Room 304, Hanover, NH 03755, tel. 603-646-3197, Monday-Friday, 8:00 a.m. to 4:30 p.m.

As members of the Dartmouth Community, we are all responsible for ensuring the success of our equal opportunity and affirmative action program. I appreciate your cooperation in making Dartmouth a more diverse environment for learning and working.

June, 2013

Philip Hanlon, *President*

Definitions

(1) Disability

The term "disability" means, with respect to an individual

- (A) a physical or mental impairment that substantially limits one or more major life activities of such individual;
- (B) a record of such an impairment; or
- (C) being regarded as having such an impairment

(2) Major Life Activities

(A) In general

Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

(B) Major bodily functions

A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

(3) Regarded as having such an impairment

(A) An individual meets the requirement of "being regarded as having such an impairment" if the individual establishes that he or she has been subjected to an action prohibited under this chapter because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.

(B) Shall not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.

(4) Rules of construction regarding the definition of disability

The definition of "disability" shall be construed in accordance with the following:

(A) The definition of disability shall be construed in favor of broad coverage of individuals under this chapter, to the maximum extent permitted by the terms of this chapter.

(B) The term “substantially limits” shall be interpreted consistently with the findings and purposes of the ADA Amendments Act of 2008.

(C) An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability.

(D) An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

(E)

(i) The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as

(I) medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies;

(II) use of assistive technology;

(III) reasonable accommodations or auxiliary aids or services; or

(IV) learned behavioral or adaptive neurological modifications.

(ii) The ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.

(iii) As used in this subparagraph

(I) the term “ordinary eyeglasses or contact lenses” means lenses that are intended to fully correct visual acuity or eliminate refractive error; and

(II) the term “low-vision devices” means devices that magnify, enhance, or otherwise augment a visual image.

Additional definitions

(1) Auxiliary aids and services

The term “auxiliary aids and services” includes

- (A) qualified interpreters or other effective methods of making aurally delivered materials available to individuals with hearing impairments;
- (B) qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments;
- (C) acquisition or modification of equipment or devices; and
- (D) other similar services and actions.

[Taken from the *Americans with Disabilities Amendment Act* homepage at www.ada.gov .]

Employment Policy Statement

The requirements of Section 503 of the Rehabilitation Act of 1973, as amended, place responsibilities upon government contractors and subcontractors that must be addressed through a realistic employment and advancement policy for individuals with disabilities and veterans.

Dartmouth College affirms the policy to provide equal employment for all persons without regard to physical or mental disabilities or status as a veteran and to make all decisions related to recruitment, employment, training and advancement on the basis of the individual's capacity to perform the job with reasonable job accommodations, as necessary.

Responsibility for Implementation

Additionally, Dartmouth affirms that the employment and advancement of individuals with disabilities and veterans are essential parts of the institution's responsibility that must be assumed for the benefit of persons with disabilities and veterans, and because hiring individuals with disabilities and veterans is of value to the liberal arts education experience.

The Vice President for Institutional Diversity & Equity is responsible for directing Dartmouth's Affirmative Action Program, which includes individuals with disabilities and covered veterans. The office of Institutional Diversity and Equity is responsible for developing, directing, and updating this program on an institution-wide basis; implementing audit and monitoring systems that measure the effectiveness of the program; identifying problem areas in need of remedial action; developing and recommending solutions to them; and determining the degree to which objectives have been attained. The office of Institutional Diversity and Equity is also responsible for acting as a liaison between the institution and the federal government, and between the institution and public and private agencies concerned with the employment of individuals with a disability and veterans.

Practices and Procedures

The College will continue to review, and modify where appropriate, personnel processes to assure careful, thorough, and systematic consideration of the job qualifications of applicants and employees known to be individuals with a disability, or veterans.

In determining the qualification of a covered veteran, the College will consider only that portion of the military record, including discharge papers, relevant to the specific job qualification for which the applicant or employee is being considered.

An invitation is issued to all new employees and periodically to all employees, to self-identify themselves as an individual with a disability or as a veteran if they believe they are covered under Dartmouth's Affirmative Action Plan and wish to benefit from the programs. This invitation allows an employee to inform the College at a later date of his or her desire to participate in the program.

The advancement rate of all employees will be reviewed periodically to determine whether advancement for covered employees appears to be at a normal rate.

The entire selection process, including training and promotion, is periodically monitored to ensure freedom from stereotyping of individuals with a disability and veterans, in a manner that limits their access to all jobs for which they are qualified or jobs for which they could be qualified with reasonable accommodations.

The College will review any physical and mental job qualification requirements on a continuing basis to ensure they are job related and consistent with business necessity and the safe performance of the job.

Where practical, jobs are restructured to accommodate individuals with disabilities. An effort will be made to assist employees who become disabled during their employment in making a transition to other available jobs for which they qualify.

Accommodation

Dartmouth will make reasonable accommodations for the known physical and mental limitations of otherwise qualified employees or applicants.

In all new construction or remodeling of college facilities, special care is taken to ensure that architectural barriers to individuals with a disability are avoided to the greatest extent possible.

Physical facilities will be reviewed on a continuing basis to insure access by applicants and employees.

Applicants and employees who identify themselves as disabled or veterans are encouraged to express their thoughts concerning proper placement and appropriate accommodation.

Compensation

Individuals with a disability and veterans are compensated in accordance with the provisions of the existing salary plan and consistent with the policies and practices in effect. The amount of compensation offered in employment or promotion will not be reduced because of any disability, income, pension or other benefit the applicant or employee receives from another source. Fringe benefits are provided on a nondiscriminatory basis to all employees.

Harassment

Applicants and employees who file a complaint, assist or participate in an investigation or compliance review, or oppose any act or practice made unlawful by any local state or federal law requiring equal opportunity will not be subjected to harassment, intimidation, threats, coercion, or discrimination because of exercising any right protected by Executive Order 11246, Section 503 of the Rehabilitation Act, as amended.

Dissemination of Policies

The Office of Institutional Diversity & Equity (IDE) regularly informs the Dartmouth College community and the public of the institution's policies concerning equal opportunity, nondiscrimination, and affirmative action.

Internal

- A current statement of Dartmouth College's non-discrimination policies is included in all faculty, exempt, non-exempt, union employee, and student handbooks.
- Dartmouth College's non-discrimination policies are available to all employees through the Affirmative Action Plan.
- Meetings are scheduled as appropriate with deans/vice presidents to discuss EO/AA policies and responsibility for effective implementation.
- The IDE directors meet individually with deans, department chairs, and faculty search committee chairs in order to describe the policies and assist in the development of an effective affirmative action program.
- IDE staff meets with campus organizations and committees as appropriate.

- New employees are informed of the institution's non-discrimination policies during their initial orientation.
- Managerial employees receive additional information regarding the implementation of Dartmouth College's non-discrimination policies during management training sessions.
- A nondiscrimination clause is included in the union employees' bargaining agreement.
- The policies are prominently displayed in poster form on bulletin boards in all academic and administrative buildings and residence halls and other student housing.

External

- Recruiting sources are given notice of Dartmouth College's policies.
- All newspaper/journal employment advertisements announce that Dartmouth College is an equal opportunity/affirmative action employer and encourages applications from women and members of minority groups.
- Dartmouth College's Human Resources posts the institution's non-discrimination policies for prospective employees who visit that office.
- The Dartmouth College's website includes the EO/AA policies at: www.dartmouth.edu/~ide
- Dartmouth College includes an appropriate EO/AA clause in all purchase order forms, leases, contracts, and business agreements.
- Dartmouth College's non-discrimination policies are communicated to schools, colleges, community leaders, and external organizations as appropriate.
- Dartmouth College's non-discrimination policies are communicated through outreach to vendors, community groups, other institutions, and individuals as appropriate.

Equal Opportunity Grievance Procedure

Any employee of Dartmouth College who believes that he or she has been discriminated against on the basis of disability or status as a veteran may bring a complaint under Dartmouth's Equal Opportunity Grievance Procedure outlined below. Complaints should be directed to the attention of the Office of Equal Opportunity and Affirmative Action, Dartmouth College 6018 Blunt Alumni Center, Room 304, 603-646-3197: Hours: 8:00 a.m. to 4:30 p.m., Monday through Friday or by appointment.

All complaints will be investigated and resolved expeditiously.

Dartmouth College will cooperate with the United States Department of Labor in the investigations of any complaint or the review of our employment practices with respect to people with disabilities and covered veterans.

Dartmouth College Equal Opportunity Policy

Dartmouth College is committed to the principle of equal opportunity for all its students, faculty, employees, and applicants for admission and employment. For that reason Dartmouth College does not discriminate on the basis of race, color, religion, sex, age, sexual orientation, gender identity or expression, national origin, disability, or military or veteran status in access to its programs, organizations, and conditions of employment and admission.*

Dartmouth College's Equal Opportunity Policy ("Policy") seeks to comply with the letter and the spirit of the following laws: Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Executive Order 11246, as amended, Equal Pay Act, Age Discrimination in Employment Act, Age Discrimination Act of 1975, Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, Sections 503/504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and/or any other institutional document or policy relating to equal opportunity or affirmative action practices. The Equal Opportunity and Affirmative Action Coordinator serves as Dartmouth College's Section 504/ADA Coordinator.

Any employee or student of Dartmouth College who believes that he or she has been subjected to a violation of the Policy may bring a grievance under the Equal Opportunity Grievance Procedure. This includes any exempt, non-exempt or union employee, faculty member, student employee, or applicant for employment in Arts and Sciences, Dartmouth Medical School, Amos Tuck School of Business Administration, and Thayer School of Engineering. Visitors or guests of the College may also use the Grievance Procedure if they believe they are the victim of discrimination prohibited by the Policy.

The Equal Opportunity Grievance Procedure most fully serves exempt and non-exempt and service employees with discrimination complaints. Therefore, the process described below focuses primarily on the specifics of handling grievances by and against such employees. The exceptions that apply when complaints are by or against students or against faculty members are explained in a separate section.

* Dartmouth College refers to the entire institution, including the professional schools, graduate programs, and auxiliary activities.

Federal and state law and College policy prohibit retaliation against an employee who complains about a possible violation of the Policy.

Special Information for union employees: The collective bargaining agreements between the College and the unions representing College employees contain the Policy set forth above. The agreements also contain dispute resolution procedures which the union members can use to assert violations of the contract. This procedure does not supersede the contractual grievance procedure. Union members should contact union officials if they have questions regarding the application of the policy or their contract to a particular set of circumstances.

Grievants must register their concerns within two academic terms (six months) of the alleged violation in order to have access to the entire Equal Opportunity Grievance Procedure.

Definitions:

A “*grievance*” is a claim that the College, acting through an individual or a group, has violated the Equal Opportunity Policy.

A “*grievant*” is an employee who believes that the College has violated the Equal Opportunity Policy. Typically, the grievant has to have been affected by the violation, but, in some cases a grievant can bring forward a complaint to address a concern that does not affect the grievant directly.

A “*respondent*” is the individual who made the decision(s) or took the action(s) that forms the basis for a grievance.

Prior to Filing a Grievance

An employee who believes he or she has been discriminated against in violation of this Policy is encouraged to first seek a resolution of the problem through discussion with the person(s) directly involved, including his or her supervisor.

In cases where an employee chooses not to discuss the problem with the person(s) directly involved or with his/her supervisor, he or she may consult with the College Ombudsperson, the Director of EO/AA or a Human Resources Consultant about possible resolutions and next steps. Designated personnel in these offices will attempt to resolve the problem through consultation and discussion.

Normally, resolution at this stage does not involve a factual investigation or a conclusion that the Policy was or was not violated. Rather, it involves an opportunity for communications regarding areas of dispute in hopes of resolving the dispute.

When resolution is not reached in EO/AA or HR, the employee should consult with the Ombudsperson to discuss other resolution options and the procedure for bringing a formal grievance. Please note: While a non-union employee is free to use any of the resources identified above in order to resolve his or her concern, the College expects that non-union employees will consult with the Ombudsperson prior to initiating a formal grievance under this Policy or the General Grievance Policy. This step will help ensure

that the employee has evaluated resolution options and invokes the right procedures to address the employee's concern. The Ombuds Office will not be part of any formal grievance process and will not take sides in any dispute.

Filing a Grievance with IDE

Internal EO/AA Review

1. To initiate a Grievance under this Policy, the grievant submits a written statement outlining the relevant facts that form the basis of the complaint and stating the relief sought to the Office of Equal Opportunity and Affirmative Action. The Director of EO/AA, or her designee, will, if requested, assist in preparing the statement.

2. Upon receiving the written statement, the Director will notify the appropriate division leader or department head that the grievance has been filed.* The Director will then initiate an inquiry into all facts relevant to the case and will decide, within two weeks of receipt of the grievance, whether or not the Policy has been violated. This process typically involves meetings with the grievant and the respondent and other relevant witnesses.

In some cases, the Director will meet with the grievant and the respondent at the same time. If the grievant wishes, a fellow College employee may accompany the grievant to the meeting to provide support at such a meeting. However, as this is an internal meeting, non-employees, including legal counsel, are not permitted at the meeting.

3. If the Director decides that the Policy was not violated, the grievant will be advised in writing as to the reason for this decision. Where EO/AA determines that the matter does not involve a violation of the Policy, but the events underlying the grievance merit further attention, EO/AA will refer the case to the appropriate office.

4. If the Director finds that the Policy was violated, the Director will attempt to identify an effective resolution. The resolution process will, if possible, be completed within three weeks of the Director's determination. If the situation is resolved to the satisfaction of the employee who brought the grievance, the case will be considered closed. If the employee is not satisfied with the resolution made available by the Director, the employee may request a review of the matter by the Hearing Review Board.

5. If the Director cannot determine whether or not the Policy was violated, the grievance should be forwarded to Hearing Review Board.

* When the Division Leader or Department Head is notified, the Director will inform them that Federal and State law and College policy prohibit retaliation against an employee who complains about a possible violation of the Policy.

Hearing Review

The grievant may request a Hearing Review if she or he is dissatisfied with the resolution provided at Step 4 above. In order to request a review, the grievant should submit a written request to the Director for a hearing before the Hearing Committee.

Composition of Hearing Committee

- a. The grievant chooses one person from the Campus Climate Committee, the 504/ADA Committee, or the equivalent.
- b. The respondent chooses one person from the Campus Climate Committee, the 504/ADA Committee, or the equivalent.
- c. The two Committee representatives choose one person from the Appeal Panel designated by the President for reviewing human resources and affirmative action grievances.
- d. The Director of EO/AA shall serve as a non-voting adviser to the Committee and participate in all of its deliberations.

Hearing Committee membership shall be determined within two weeks of the grievant's request for a formal hearing. In the event that obtaining the above representation on the committee is impractical because of the unavailability of appropriate representatives, exceptions to the composition may be granted at the sole discretion of the Director of EO/AA.

Policies Governing the Formal Hearing

The Hearing Committee shall be convened by its chair no less than one week and no more than three weeks after membership has been determined for the purpose of conducting preliminary business related to the case and setting the date for a formal hearing. Hearings shall be held as promptly as is consistent with allowing adequate time for the grievant and the respondent to prepare, normally not less than one week but not more than three weeks from the date of the initial meeting of the Committee. A continuance may be granted at the discretion of the Committee. Five working days prior to the date of the hearing, all persons involved in the dispute shall be sent written notice of the time and place of the beginning of the hearing.

All hearings are confidential and shall be conducted in private.¹ The parties may have, as adviser at the hearing, any College employee of their choice. Such advisers may offer suggestions and comments. However, the hearing is not to be regarded as an adversarial proceeding and is not subject to the procedures of a court of law. The presence of legal counsel at the hearing is not permitted. Upon request, a tape recording of the proceeding will be made for the exclusive use of the Committee and the Provost. Such recordings may not be used outside the Committee.

¹ If the matter proceeded to litigation, the materials submitted, oral evidence presented discussions of the Hearing Committee and the decision of the Hearing Committee would be subject to disclosure.

The grievant and the respondent shall be given the opportunity to present their side in full during the hearing, and may invite other persons with relevant information, including the Director(s) of EO/AA, to appear during the hearing. They shall have the right to question witnesses, as determined by the chair.

The chair of the Hearing Committee will rule on all matters of procedure. Formal rules of evidence shall not be applicable to any hearing before the Committee and any evidence or testimony which the Committee believes to be relevant to a fair determination of the grievance may be admitted.

Decision of Hearing Committee

Within two weeks of hearing all the evidence and arguments, the Committee will submit a written decision to the Provost. The Committee will make its decision using a “preponderance of evidence” as the standard of proof. A majority vote of the Committee shall determine the final decision. If the Committee finds that the Policy was violated, the decision should contain a recommendation for resolution, which may range from a warning to termination of employment. The Provost may accept, reject, or modify the Committee's decision. Within two weeks of receipt of the decision, the Provost will send his/her decision and a copy of the Committee's decision to the grievant, the respondent, and the Director of EO/AA. The decision of the Provost will be forwarded to the appropriate administrator for implementation (depending on the employee group of the grievant and the person(s) complained against).

Request for Reconsideration

Within one week of receipt of the Provost’s decision, either the grievant or the respondent may submit to the Provost a request for reconsideration of the decision. Reconsideration of a decision may be granted only if there is evidence of material procedural error or the emergence of substantial new evidence. The Provost will notify the grievant or respondent, the Director, and the chair of the committee that a request for reconsideration has been submitted. Within two weeks of receipt of the request for reconsideration, the Provost must send either a written denial of the request for reconsideration or a written decision based on reconsideration of the case. The Provost's decision is final and shall not be subject to review under any other grievance procedure in force in the institution except in cases where the union grievance procedure is applicable.

Grievance Procedure: General Provisions

1. Time frames for implementing this grievance procedure are indicated in the above sections. The Director of EO/AA may adjust all stated time frames in unusual or extenuating circumstances, normally not to exceed one academic term, with notice to all involved parties.
2. At any time during the implementation of this grievance procedure the Director of EO/AA may inform and/or seek advice and assistance from the General Counsel.
3. This Procedure will not be invoked to judge the competency or performance of employees, but is limited to the allegation that the Policy was violated.

4. Protection of the rights and reputation of any accused person shall be given appropriate consideration under this procedure.

Complaints By and Against Students

Most complaints by and against students alleging violations of this Policy are handled by the Dean of the College office. When a student is acting as an employee of the College and is accused of discrimination, a grievant may initiate the grievance review procedure set out above. However, in such a case, the composition and decision of the Hearing Review Committee, as well as the request for reconsideration, would be handled differently from the process outlined above. The Hearing Review Committee will be selected by the dean of the school of the student against whom the grievance was filed, and will consist of one person from the Campus Climate Committee or the 504/ADA Committee, one faculty or staff member from the school, and one student. The decision of the Committee will be reviewed by the appropriate dean along with the Provost. In the event that the student complained against requests reconsideration, the Provost will review that request with the appropriate dean.

Students with discrimination grievances against non-faculty employees may use the Equal Opportunity Grievance Procedure. Students requesting a hearing as a result of a discrimination grievance against a non-faculty employee will, in consultation with the appropriate dean, choose one member from the Campus Climate Committee or the 504/ADA Committee. In the event that the student requests reconsideration, the Provost will review that request with the appropriate dean.

Complaints against Faculty

Complaints against faculty members may be initiated in a variety of ways. Typically, a complaint that a faculty member has violated this Policy is initiated with the appropriate dean. The Dean of the Faculty of Arts and Sciences and the deans of the professional schools and their designees are best prepared to handle such complaints, sometimes in consultation with the EO/AA office. Any student, faculty or non-faculty employee or guest may also consult with the EO/AA office about a concern about the alleged discriminatory behavior of a faculty member. If informal resolution of complaints against faculty is unsuccessful, formal charges and disciplinary action must be handled under Paragraph 4 of the Agreement Concerning Academic Freedom, Tenure, and Responsibility as set out in the Organization of the Faculty of Arts and Sciences.

New Initiatives

- Created the 504/ADA committee to support the awareness of disability issues on campus while helping identify problems and proposing solutions.
- Increased support of veteran students on campus.
- Include returning veterans on 504/ADA committee.
- Developed a clearly defined accommodation process.
- Designed and implemented educational programs around disabilities and veteran experiences on campus.
- Updated website to help those with disabilities find the resources available on campus.
- Collaborate with local schools and agencies to proactively recruit and hire several persons with disabilities to work in positions on campus.
- Attend local veteran job fairs in New Hampshire.
- Maintain contact with New Hampshire Employment Security and Vermont's Department of Labor Veterans Employment Representative and Committee for Employer Support of the Guard Reserve.

SELF IDENTIFICATION COMPLIANCE FORM

In order for Dartmouth to be in compliance with federal mandates on collecting and reporting data on ethnicity / race / gender/ veteran and disability status, it is important that we have accurate information on our employees. Please find below questions in regard to these categories below, including federal definitions for clarification. For each question, please select the category that best describes how you self-identify. Your responses will be kept confidential and reported in aggregated form only. Completion of this form is voluntary, but your participation will help Dartmouth remain in compliance with federal reporting requirements.

Name: _____

Please review each question below and select the categories that best describe how you self-identify.

A. Ethnicity (please check **if** applicable)

Hispanic or Latino

A person of Cuban, Mexican, Puerto Rican, Central or South American, or other Spanish culture or origin, **regardless of race** (note: does not include persons of Brazilian or Portuguese culture or origin).

B. Race (please check **one or more** races)

American Indian or Alaska Native

A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.

Asian

A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Black or African American

A person having origins in any of the black racial groups of Africa.

Native Hawaiian or Other Pacific Islander

A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

White

A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

C. Gender

Female **Male**

D. Veteran Status

Not a Military Veteran

Military Veteran

For federally recognized **protected Veterans** please check **all** that apply below:

- Disabled veteran** (served in the US military, ground, naval or air service and entitled to compensation under laws administered by the Veterans Administration; or was discharged / released from active duty because of a service-connected disability).
- Recently separated veteran** (released from active duty in the US military, ground, naval or air service within the past three years).
- Active wartime or campaign badge veteran** (served on active duty in the US military, ground, naval or air service during a war or in a campaign or expedition for which a campaign badge has been authorized).
- Armed Forces services medal veteran** (who, while on active duty in the US military, ground, naval or air service, participated in a US military operation for which a medal was awarded pursuant to Executive Order 12985 (61 FR 1209)).

E. Voluntary Self-Identification of Disability

Please check one of the boxes below:

- Yes, I have a disability (or previously had a disability)
- No, I don't have a disability
- I don't wish to answer

OMS Control Number 1250-0005
Expires 1/31/2017

Why are you being asked to complete this form?

Because we do business with the government, we must reach out to, hire, and provide equal opportunity to qualified people with disabilities.¹ To help us measure how well we are doing, we are asking you to tell us if you have a disability or if you ever had a disability. Completing this form is voluntary, but we hope that you will choose to fill it out. If you are applying for a job, any answer you give will be kept private and will not be used against you in any way.

If you already work for us, your answer will not be used against you in any way. Because a person may become disabled at any time, we are required to ask all of our employees to update their information every five years. You may voluntarily self-identify as having a disability on this form without fear of any punishment because you did not identify as having a disability earlier.

¹ Section 503 of the Rehabilitation Act of 1973, as amended. For more information about this form or the equal employment obligations of Federal contractors, visit the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) website at www.dol.gov/ofccp

PUBLIC BURDEN STATEMENT: According to the paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. This survey should take about 5 minutes to complete.

How do I know if I have a disability?

You are considered to have a disability if you have a physical or mental impairment or medical condition that substantially limits a major life activity, or if you have a history or record of such an impairment or medical condition.

Disabilities include, but are not limited to:

- Blindness
- Autism
- Bipolar disorder
- Post-traumatic stress disorder (PTSD)
- Deafness
- Cerebral palsy
- Major depression
- Obsessive compulsive disorder
- Cancer
- HIV/AIDS
- Multiple sclerosis (MS)
- Diabetes
- Schizophrenia
- Missing limbs or partially missing limbs
- Epilepsy
- Muscular dystrophy
- Impairments requiring the use of a wheelchair
- Intellectual disability (previously called mental retardation)

Reasonable Accommodation Notice

Federal law requires employers to provide reasonable accommodation to qualified individuals with disabilities. Please tell us if you require reasonable accommodation to apply for a job or to perform your job. Examples of reasonable accommodation include making a change to the application process or work procedures, providing documents in alternate format, using a sign language interpreter, or using specialized equipment.



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