

The President will make a final determination based on the record of the investigation and the appeal.

In the event the investigation results in a finding of discrimination, Pratt will take steps to prevent recurrence of any discrimination and correct any discriminatory effects on the complainant and others.

### **CONFIDENTIALITY**

All complaints and grievances will be kept as confidential as possible, provided doing so will not interfere with the Institute's ability to investigate or take corrective action.

### **RETALIATION**

The Institute expressly prohibits any form of retaliatory action against anyone availing him/herself of this procedure. Such retaliation, or encouraging others to retaliate, shall be considered a serious violation of this policy. As such, persons found in violation of this paragraph are subject to appropriate disciplinary action, up to and including discharge for employees and expulsion for students.

### **KNOWINGLY FALSE COMPLAINTS**

Knowingly false complaints can have serious effects on the person or persons accused. Accordingly, if, after investigating any complaint of discrimination or harassment, the Institute determines that an individual has knowingly provided false information regarding the complaint, or knowingly has filed a false complaint, appropriate disciplinary action will be taken against the individual up to and including discharge for employees and expulsion for students.

### **BARGAINING UNIT MEMBERS**

Institute employees who are members of a bargaining unit may have other procedural rights pursuant to a collective bargaining agreement. Please contact your union representative for more information.

Pratt Institute's Policy on Human Rights reaffirms Pratt's commitment to the principles of human rights and is in accordance with the legislation concerning discrimination, especially in situations involving sexual harassment and individuals with disabilities.

We strongly encourage you to read this document and become familiar with your rights and your responsibilities as a member of the Pratt Community.

# HUMAN RIGHTS POLICY

**Vice President for Student Affairs**

718-636-3639

**Director of Human Resources**

718-636-3787

**Title IX/Section 504 Coordinator/  
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**Pratt**

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479 07-10

**Pratt**

# HUMAN RIGHTS POLICY

## POLICY STATEMENT

Pratt Institute is committed to the recognition and preservation of each individual’s human rights and does not discriminate or tolerate harassment on the basis of gender, race, color, religion or creed, marital status, age, sexual orientation, status as a veteran, political beliefs, disability, citizenship, genetic information, or national or ethnic origin with respect to the rights, privileges, programs, and activities generally accorded or made available to all members of its academic community. Such rights, privileges, programs, and activities include, but are not limited to, employment at the Institute, admissions, financial aid, scholarships, access to housing, educational programs, co-curricular activities, and participation in athletic programs.

The Institute upholds the values and standards that support this human rights policy, and, as such, maintains high expectations regarding the conduct of its students, faculty, staff, and administration. This policy applies uniformly to all members of the Institute’s community, who are encouraged to promptly report problems or matters that could be in violation of this policy. Persons found in violation of this policy shall be subject to appropriate disciplinary action up to and including the termination of employment of employees and suspension or expulsion of students.

## SEXUAL HARASSMENT

Members of the Institute’s community should be aware that sexual harassment is a form of sex discrimination.

For further information regarding the definition of sexual harassment, examples of prohibited behavior, and the Institute’s complaint resolution procedure, please refer to the Institute’s brochure, titled *Sexual Harassment Policy*. The brochure is available at the Office of Student Affairs, Human Resources Department, or the Office of the Title IX/Section 504 Coordinator, on the Pratt website under HR policies, and under student policies.

## INDIVIDUALS WITH DISABILITIES

The Institute’s programs, privileges, employment opportunities, and other activities are made accessible to individuals with disabilities. The Institute’s policies and programs regarding individuals with disabilities are extended to the Institute’s students, staff, faculty, and administration.

For further information regarding the definition of disability and related terms, proof of disability, and reasonable accommodation, staff and faculty should refer to the brochure, titled *Employment of Individuals with Disabilities / Accommodation*. Students should refer to the brochure, titled *Accommodations for Students with Disabilities*. The brochures are available at the Office of Student Affairs, Human Resources Department, the Office of the Title IX/Section 504 Coordinator, the Office of the Director of Disability Services, on the Pratt website under HR policies, and under student policies, respectively.

## DESIGNATION OF RESPONSIBLE OFFICIALS

In accordance with Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and Title IX of the Education Amendments of 1972 (“Title IX”), the Institute has designated a Title IX/Section 504 Coordinator. The Title IX/Section 504 Coordinator is available to assist members of the Institute’s community with questions and concerns regarding their rights under Section 504 and Title IX and the Institute’s Human Rights, Sexual Harassment, and Disabilities policies. Institute employees who have questions or concerns regarding their rights under these policies or Section 504, Title IX, Title VII of the Civil Rights Act of 1964 (“Title VII”), the Americans with Disabilities Act (“ADA”), the New York State Human Rights Law (“NYSHRL”), the New York City Administrative Code (“NYC Code”), or any other anti-discrimination statute or regulation can direct their questions to the Director of Human Resources or to the Title IX/Section 504 Coordinator.

Students can direct their inquiries to the Vice President for Student Affairs or to the Title IX/Section 504 Coordinator.

## COMPLAINT RESOLUTION PROCEDURE

### A. Reporting

Pratt urges every student and employee to report any and all violations of this policy. Student complaints may be made to the Vice President of Student Affairs or the respective Dean or Department Chair as the complainant sees fit. Employee complaints may be reported to the respective Vice President, School Dean, Department Chair, Department Director or Associate/Assistant Director, Supervisor, Title IX/Section 504 Coordinator, or Director of Human Resources, as the complainant sees fit. Pratt encourages students and employees to report complaints promptly so that rapid and constructive action may be taken as soon as possible.

### B. Informal Resolution

Students and employees may choose to pursue informal means of resolving workplace disputes related to this policy. For example, an employee who believes he or she is being harassed may simply inform the offender that the conduct is unwelcome and request that the conduct stop immediately. It is understood, however, that it may be difficult or impossible to confront an offender directly. If for any reason the employee or student is unwilling or unable to raise the issue with the offender, or the unwelcome behavior continues, the employee or student should report the conduct immediately. Any Pratt official in the positions referred to above should first advise Human Resources of the existence of a complaint before attempting to resolve the situation informally.

### C. Investigation of Complaint

If it is deemed necessary to investigate the reported complaint, a prompt and thorough investigation will take place, protecting the rights and dignity of all parties involved. To protect the privacy of all persons involved, confidentiality of the complainant’s identity and any witnesses’ identity will be maintained to the extent practical and appropriate under the circumstances. However, if an investigation is necessary, the alleged harasser will need to be informed of the specific allegation(s) which may directly

or indirectly reveal the identity of the complainant.

For student complaints the investigation will be conducted by the Vice President for Student Affairs and for employee complaints by the Director of Human Resources or designee, unless that is not possible or appropriate, in which case an investigator will be assigned, either a member of the Pratt staff or an outside person. Upon completion of the investigation, the investigator will communicate the findings and intended actions to the complainant and respondent.

### D. Disciplinary Action

Pratt will discipline any employee or student who is determined, after an investigation, to have engaged in a violation of this policy. Discipline of an employee may include oral or written warning, reprimand, withholding of a promotion, demotion, reassignment, suspension with or without pay, compensation adjustment, or discharge. Discipline of a student may include suspension or expulsion.

### E. Right to Appeal

Appeals of the decision are considered by the President or his designee. If either the complainant or respondent is dissatisfied with the outcome of a complaint, he or she may file an appeal in writing, including the basis for the appeal, within twenty (20) working days after the date the decision is rendered.

Appeals are limited to assertions that a) there is additional evidence that was not considered in the investigation, b) the procedures outlined in this policy were not followed, c) the ultimate finding of the investigation is not supported by the facts, and/or d) the level of discipline, if any, is not appropriate.

The President or his designee will review the record and findings to determine if there is a legitimate basis of appeal under one of the reasons outlined above. If not, the appeal will be denied. If there is a basis for appeal, there may be further inquiry.