



Discrimination, Harassment, and Abusive Behavior Policy

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I. Statement: Objectives and Purpose

Toyota Technological Institute at Chicago (“TTIC”) is a community of scholars dedicated to research, academic excellence, and the pursuit and cultivation of learning. Members of the TTIC community cannot thrive unless each is accepted as an autonomous individual and is treated without regard to characteristics irrelevant to participation in the life of the Institute. TTIC is committed to providing a respectful and positive environment for all members of its community. TTIC strives to provide an educational and working environment for all students, faculty, and staff that is free from all forms of harassment, discrimination, and abusive behavior. These behaviors compromise the integrity of the institute, are an attack on core TTIC values, and inhibit fulfillment of the Institute mission; they are strictly prohibited.

This policy aims to protect the dignity, safety, and legal rights of TTIC community members, clarifies expectations of behavior, and describes the services available and actions to be taken should a violation of the policy occur. Members of the TTIC community who believe they have been subjected to or have witnessed a violation of this policy are strongly encouraged to file a complaint, as outlined in Part VII. TTIC will promptly investigate all reported incidents of abusive behavior, and harassment and discrimination based on a legally protected status as defined in Part III, and make every attempt to provide appropriate remedies for victims of an incident. Individuals who engage in such conduct may be subject to disciplinary action. Retaliation against any person who reports behavior they believe to be in violation of this policy or who cooperates in an investigation is strictly prohibited by this policy, and individuals who engage in retaliatory conduct are subject to disciplinary action.

This policy is designed to:

- Reaffirm TTIC’s commitment to providing an open and supportive environment for study and work free from illegal harassment, illegal discrimination, and abusive behavior;
- Provide notice to members of the TTIC community of the kind of conduct that is expected and what conduct is prohibited;
- Inform victims of illegal harassment, illegal discrimination, and abusive behavior of their options and rights;
- Inform members of the TTIC community about the procedures available at TTIC for addressing, investigating, and resolving complaints;
- Protect the rights and confidentiality of all parties to complaints to the fullest extent possible;
- Prohibit retaliation against persons alleging illegal harassment, illegal discrimination, or abusive behavior, and against persons cooperating in an investigation.

This policy is to be construed within the context of TTIC’s commitment to academic freedom, freedom of expression, and the conception of TTIC as a place that must

encourage and foster the free expression of ideas, beliefs and opinions, however unpopular. The policy is not intended to constitute a general civility code addressing ordinary stresses of the workplace, such as occasionally insensitive language or behavior.

Nothing in this policy is intended to restrict employees from engaging in protected concerted activities under Section 7 of the National Labor Relations Act.

This policy is written in accordance with federal and state laws and regulations, which are subject to amendment. To the extent this policy becomes inconsistent with such amendments, the applicable provision of Federal or state law shall supersede this policy.

Sexual Harassment that occurs within TTIC's Education Programs and Activities and that is committed by an administrator, faculty member, staff, student, contractor, guest, or other member of the TTIC community is covered under TTIC's Sexual Harassment Policy; any complaint related to those issues will be investigated and resolved according to the procedures in the Sexual Harassment Policy, even if the complaint is initially filed under this policy. This policy applies to Sexual Harassment that occurs off-campus, in a private setting, or outside the scope of TTIC's Education Programs and Activities, including gender/sex based discrimination.

II. Policy Application

TTIC strictly prohibits acts of discrimination or harassment on the basis of legally protected characteristics, and abusive behavior, including behavior/incidents occurring through electronic media, whether by students, faculty, staff, contractors, or visitors:

- On TTIC grounds;
- At TTIC-sponsored or related events on and off TTIC grounds;
- In any vehicle used for TTIC business;
- Using TTIC network, email and internet services;
- Through the use of any electronic devices owned by TTIC, leased by TTIC or used for TTIC business;
- Off TTIC grounds or through the use of any electronic devices not owned or leased by TTIC, if the acts substantially interfere with the targeted individual's ability to participate in or benefit from the services, activities, or privileges provided by TTIC.

TTIC recognizes that students who have consumed alcohol when they are not twenty-one years of age or who have been using illegal drugs may be hesitant to report conduct rising under this policy perpetrated against them or others. To encourage reporting, TTIC offers amnesty to any student who reports, in good faith, an alleged violation of this policy directed at them or another person. A student who makes such a report will not be subject to disciplinary action by TTIC for a violation of TTIC's policies,

such as underage drinking or possession or use of a controlled substance, that is related to or revealed in the course of the report or investigation, unless TTIC determines that the violation was serious and/or endangered the health or well-being of any other individual. However, TTIC reserves the right to require counseling, education, or other preventative measures to help prevent alcohol or drug violations in the future. TTIC's commitment to amnesty in these situations does not prevent action by police or other legal authorities against an individual who has illegally consumed alcohol or drugs.

III. Definitions

A. Definition of Discrimination

In keeping with its long-standing traditions and policies, TTIC considers students, employees, applicants for admission or employment, and those seeking access to programs on the basis of individual merit.

In accordance with federal, state and local law, TTIC does not discriminate on the basis of sex, race, color, religion, national origin, citizenship, ancestry, age, marital status, physical or mental disability, medical condition, genetic information, pregnancy or perceived pregnancy, gender, gender identity, gender expression, sexual orientation, protected military or veteran status, or any other legally protected status. TTIC prohibits discrimination based on legally protected status with respect to all employment-related decisions, educational and admissions policies, personnel actions, and academic actions, such as work assignments, appointments, compensation, evaluations, training, benefits, layoffs, and terminations.

Discrimination based on sex or gender (including discrimination based on sexual orientation or gender identity/expression) is considered sexual misconduct and is governed by the Sexual Misconduct Policy.

A non-exhaustive list of examples of discrimination include:

- A faculty member giving a student a lower grade because of the student's race;
- A staff member being terminated because of their gender identity or expression;
- A student with a disability who does not receive approved, reasonable academic accommodations;
- An advisor not recommending a student for a fellowship due to the student's pregnancy.

B. Definition of Illegal Harassment

Harassment on the basis of sex, race, color, religion, national origin, citizenship, ancestry, age, marital status, physical or mental disability, medical condition, genetic information, pregnancy or perceived pregnancy, gender, gender identity, gender expression, sexual orientation, protected military or veteran status, or any other legally protected status is unlawful and is a violation of this policy. Harassment is verbal or physical conduct, or conduct using technology, that is severe or pervasive and has the purpose or effect of persistent interference with an individual's work performance or educational program participation, or that creates an intimidating, hostile, or offensive work or educational environment.

Expression occurring in an academic, educational or research context is considered a special case and is broadly protected by academic freedom. Such expression will not constitute harassment unless (in addition to satisfying the above definition) it is targeted at a specific person or persons, is abusive, and serves no bona fide academic purpose. Harassment includes peer harassment among students, staff, other academic appointees, postdoctoral researchers, faculty members, program participants, visitors, and anyone on whom TTIC formally confers a title, regardless of employment status. Harassment by a faculty member, instructor, or teaching assistant of a student over whom the individual has authority, or by a supervisor of a subordinate, is particularly serious. Harassment based on sex or gender (including same-sex harassment or harassment based on gender identity/expression) is considered sexual misconduct and is governed by the Sexual Misconduct Policy. Harassing behavior may involve a single serious and offensive event, or many involve persistent behavior of a less severe nature that occurs over time. Stereotyping can also be harassment; statements that demean people on the basis of a protected characteristic can contribute to a hostile work or educational environment. A person's subjective belief that behavior is intimidating, hostile, or offensive does not make that behavior harassment. The behavior must be objectively unreasonable, in other words, the conduct must create a hostile working environment that no rational person can be expected to endure.

Examples of harassing behavior based on legally protected factors include:

- Teasing, jokes, derogatory comments, or epithets about a person's protected status;
- Displaying or circulating written materials or pictures that degrade a person or group;
- Touching a person in a way that makes that person feel uncomfortable;
- A teaching assistant emailing jokes targeted at individuals of a particular race, national origin or sexual orientation to colleagues;
- An employee asks a supervisor not to touch the employee, but the supervisor continues to do so;
- An instructor humiliating a student in class by making a joke about the student's disability; or

- A student subjected to persistent comments about his/her religious garb by his/her instructor.

C. Definition of Abusive Behavior

“Abusive Behavior” is any severe, pervasive, or persistent act or conduct, whether physical, electronic, or verbal, that can reasonably be predicted to:

- Place the individual in reasonable fear of physical harm to their person or property;
- Cause a substantial detrimental effect on the individual’s physical or mental health;
- Substantially interfere with the individual’s academic/employment performance or attendance; or
- Substantially interfere with the individual’s ability to participate in or benefit from the services, activities, or privileges provided by TTIC.

While abusive behavior that is not related to a legally protected status is not unlawful, it is contrary to the core principles of TTIC and is a violation of this policy.

Behavior will not be considered abusive unless it is targeted at a specific person or persons, is found to be abusive and unreasonable, and serves no bona fide academic or employment purpose.

Examples of abusive behavior may include, but are not limited to, the following:

- The use of physical force or violence to restrict the freedom or movement of another person or to endanger the health or safety of another person;
- Physical or verbal behavior or threats, either express or implied, that have the reasonably foreseeable effect of interfering with an individual’s personal safety, academic efforts, professional efforts, or participation in TTIC-sponsored activities;
- Epithets, slurs, or derogatory comments;
- Deliberate sabotage of the work of a colleague, subordinate, student, or co-worker;
- Abuse, humiliation, or degradation that is severe, pervasive or persistent, whether the behavior occurs in public or private;
- Regular threat of dismissal from either employment or academic program for reasons unrelated to academic or professional performance;
- Maliciously spreading damaging false information about a colleague, subordinate, student or co-worker’s personal or professional accomplishments or experiences.

Examples of activities usually NOT considered abusive behavior include:

- Administrative/Advisory actions like performance reviews (including negative performance reviews) and making work assignments in educational or employment settings;
- Work-related decisions like moving work areas or changing work colleagues;
- Isolated incidents (unless, as noted above, they are very severe or involve the use of physical force).
- Constructive criticism

IV. Retaliation

Retaliation against any individual who reports discrimination, harassment or abusive behavior, provides information about such an act, or witnesses such an act is prohibited. No faculty member, administrator or staff, applicant for employment, or student may be subject to retaliation for action taken in good faith: to seek advice concerning a discrimination, harassment or abusive behavior matter; to file a complaint; or to serve as a witness or a panel member in the investigation or adjudication of a complaint.

It shall not be retaliation, however, for an accused to defend himself/herself through the Resolution Procedures described in Part VII of this policy against a charge of abusive behavior under this policy; nor shall it be considered retaliation to discipline an individual for false and malicious accusations (as determined after investigation) as set forth in Part VIII.

Retaliation, if established, may result in disciplinary action against the offending party up to and including dismissal/expulsion/termination from TTIC.

V. Duties of Members of the TTIC Community

Each member of the TTIC community plays a significant role in ensuring that the TTIC is free from all forms of discrimination, harassment and abusive behavior, and that any incidents are promptly reported.

It is the responsibility of the faculty, staff, and students to discourage behavior that violates this policy and promote an environment of support. Any faculty member, staff employee, or student who witnesses discrimination, harassment, or abusive behavior or receives a report of such behavior is advised to refer the victim to the Human Resources & International Office Director, Title IX Coordinator or other appropriate party (See Part VII, [Filing a Complaint](#)).

VI. Dealing with Discriminatory, Harassing or Abusive Behavior

Any individual who perceives himself or herself to be the victim of discrimination, harassment, or abusive behavior in violation of this policy may consider taking one or more of the procedural steps described below, as applicable.

A. Discussion Between the Parties

An initial course of action for any individual who feels that he or she has been a victim of discrimination, harassment or abusive behavior may be for that person to clearly assert to the perpetrator that the conduct is unwelcome, offensive, violates this policy, and must stop. This may solve the problem, and, if it does, further proceedings may not be necessary. This option is most appropriate when the alleged conduct is not of a severe or pervasive nature. **Communicating with the perpetrator is encouraged, but not a requirement before seeking other avenues of recourse under this policy.**

B. Confidential Support Counseling

Persons who wish to have a confidential conversation regarding discrimination, harassment, or abusive behavior that does not constitute a formal complaint, and which will not result in an investigation, may contact one of the above individuals from University of Chicago. Faculty and staff who perceive themselves as victims of illegal discrimination or harassment, or abusive behavior may wish to contact the Employee Assistance Program provided by TTIC's group health insurance. Because of the confidential nature of these resources, no personally identifiable information will be reported back to TTIC.

VII. Filing a Complaint

An individual who believes that he or she has been subject to a violation of this policy, or a third party who believes he or she has knowledge of a violation, and wishes to file a complaint for resolution by TTIC must avail themselves of the procedures set forth below. This allows TTIC and the individual to work together in an effort to obtain a resolution to allegations of discrimination, harassment, or abusive behavior.

A. Complaint Procedures

1. How to File a Complaint

If an individual believes that he or she has been the victim of discrimination, harassment or abusive behavior, or has knowledge of such behavior, and wishes to file a complaint, they may do so by:

- Notifying TTIC's Human Resources & International Office Director, Title IX Coordinator, or Deputy Title IX Coordinator; or
- Notifying an Officer of TTIC with whom the employee feels comfortable. This includes the President, Chief Financial Officer ("CFO"), Chief Academic Officer ("CAO"), or the Secretary of the Institute ("Secretary").
- Filing an anonymous report via TTIC's online Anonymous Complaint reporting system available at <http://www.ttic.edu/complaintform>.

Contact Information for Filing Complaints:

Title IX Coordinator	Amy Minick	aminick@ttic.edu	702-5033
Secretary to the Institute Deputy Title IX Coordinator	Chrissy Coleman	ccoleman@ttic.edu	834-2216
President	Matthew Turk	mturk@ttic.edu	834-2493
Chief Academic Officer	Avrim Blum	avrim@ttic.edu	834-1740
Chief Financial Officer	Jessica Johnston	jjohnston@ttic.edu	834-2571

An individual who believes that he or she has been the victim of discrimination, harassment or abusive behavior, or the person alleged to be the victim of such conduct in a complaint filed by a third party, will be identified in this policy document as the "Complainant" and the alleged offender will be identified as the "Respondent."

A complaint shall include the name(s), date(s), time(s), a detailed description of the allegations, and any other relevant information on which the complaint is based. A complaint, may also be anonymous and share no self-identifying information in reporting the incident. Responses by TTIC to anonymous complaints may be limited due to lack of verifiable information.

Refer to Part IV ([Retaliation](#)) and Part VIII ([Confidentiality](#)) for information on how individuals filing complaints are protected under this Policy.

2. Filing Timelines

To help ensure that evidence is easily accessible and encourage expeditious and accurate resolution, TTIC encourages complainants to make a complaint as soon as possible after an occurrence of discrimination, harassment or abusive behavior. Complaints will be investigated regardless of when they are filed, but investigation and resolution options may be limited if the complaint is not brought forward in a timely manner. TTIC endeavors to complete its investigation within thirty (30) days from the date of notice of the complaint.

3. Investigation of Complaints

Investigations will normally be conducted by the Human Resources & International Office Director, Title IX Coordinator or Deputy Title IX Coordinator. TTIC shall use its best efforts to conclude the Complaint Procedure within thirty (30) days from the date of reporting complaint in so far as is practicable.

If additional time is needed beyond thirty (30) days, the Investigator may extend the thirty (30) day time period for an additional thirty (30) days (the “extension period”) and will so advise the Complainant and the Respondent.

The Investigator will conduct the investigations of all complaints using the process below:

- a) Inform the Complainant and Respondent of this policy and their rights and duties under it including the option of complaints of conflict of interest as addressed in Part VII.
- b) Formally apprise the Respondent of the charge of abusive behavior, including specific details of the incident and parties involved, in writing.
- c) Elicit from the Respondent an explanation of what occurred from his/her perspective.
- d) Arrange for interim relief for the Complainant, if appropriate.
- e) Provide both parties with the opportunity to provide information and identify witnesses.
- f) Investigate the allegations by conducting interviews or gathering other relevant information.
- g) Compile a report summarizing the investigation and its outcome, and submit to relevant parties as detailed in Resolution of Complaints below.

4. Resolution of Complaints

Upon completion of the investigation, the Investigator will submit a written report of the investigation (including summary of facts, determination of policy violation using a preponderance of evidence standard (i.e. more likely than not) and severity, and recommendations on actions, including possible disciplinary action) to the appropriate supervisors:

- For claims in which the Respondent is a student, including University of Chicago students and Non-Degree Visiting Students, the report will be submitted to the Chief Academic Officer and the Director of Graduate Studies (or their designee[s]). In case of conflict of interest, the other person will designate a designee.
- For claims in which the Respondent is an academic appointee, the report will be submitted to the Chief Academic Officer and the President (or their designee[s]).
- For claims in which the Respondent is a staff member, visitor, or other member of the TTIC community, the report will be submitted to the Chief Financial Officer and the President (or their designee[s]).
- For claims in which the Respondent is an Officer of TTIC, the report will be submitted to the Board of Trustees. For claims in which the Respondent is a Trustee, the report will be submitted to a designee.

If the Supervisors conclude that a violation of this policy has occurred, they and the

Investigator will discuss options for next steps with the Complainant. These options consist of informal or formal resolution. If the Supervisors conclude that a violation has not occurred, they will make an annotation to the report and notify both parties of their conclusion.

a) Informal Resolution through Mediation

If both parties to the complaint agree to participate, mediation is an option for an informal resolution to a complaint. Mediation will be conducted by the Investigator or his/her neutral designee. At any time, one or both parties may decide to leave the mediation process and enter into Formal Resolution.

b) Formal Resolution

If the Respondent and/or Complainant choose Formal Resolution, the Respondent's supervisors will reach a consensus regarding the recommendations made by the Investigator regarding if, when and how those recommendations will be implemented. The supervisors in each instance are responsible for initiating any disciplinary procedures resulting from the investigation. All disciplinary procedures will be according to the handbooks, policies, bylaws and other governing documents for the Respondent's academic or employment status.

Regardless of the outcome of the investigation, the Human Resources & International Office Director, Title IX Coordinator will notify them of the investigation's findings and will issue a separate resolution letter detailing the results of the investigation to each party. TTIC strives to issue such a resolution letter within thirty to forty-five days of commencing an investigation.

5. Appeal of Investigation

A party who is not satisfied with the outcome of the initial investigation by the Investigator may request a secondary investigation by submitting a written appeal to the President or Secretary of the Institute within thirty (30) days of the issuance of the resolution letter by the Human Resources & International Office Director, Title IX Coordinator. The President or the Secretary will review the appeal and arrange for a second investigation, if necessary (except in cases of conflict of interest – see [Conflict of Interest](#) in Part VII) led by a different Investigator from the initial Investigator.

The secondary investigation shall be completed within forty-five (45) days of receipt of the appeal.

B. Disciplinary Sanctions

Disciplinary actions for abusive behavior may include one or more of the following:

- Any Sanctions as stipulated in the Student Handbook, Administrative Staff Handbook, or Faculty Handbook, as applicable;
- Requirement to attend training or other education;
- Requirement to obtain counseling;
- An oral or written warning (or letter of concern);
- A written reprimand;
- Suspension; and/or
- Dismissal/expulsion/termination/revocation of tenure.

The application of any disciplinary sanctions will be based on the individual incident and varied in method and severity based on the nature of the incident, and any history of problem behavior from the Respondent.

To the extent any employee is disciplined for violation of this policy, disciplinary sanctions and processes will be implemented consistent with any applicable TTIC policies, regulations, or other applicable rules.

C. Malicious and False Accusations

Allegations of discrimination, harassment, or abusive behavior that are determined by the Investigator to be both false and brought with malicious intent are considered a violation of this policy. A report and written recommendation on the matter will be sent to the appropriate parties for resolution of complaints as outlined in Part VII. The Complainant may be subject to the disciplinary sanctions set forth in Part VII.

D. Conflict of Interest

In all investigations of discrimination, harassment, or abusive behavior complaints, care will be taken to avoid conflicts of interest. If conflict of interest is brought forth by the Investigator, Respondent, or Complainant, the President or Human Resources & International Office Director, Title IX Coordinator may be contacted to appoint a neutral, independent third-party as an Investigator or Advisor to ensure the impartiality of the Investigation and Resolution.

E. Documentation

Documentation concerning allegations and investigations of illegal discrimination, illegal harassment, or abusive behavior may consist of: testimonial evidence provided during an investigation or a hearing; documentary evidence submitted during an investigation or a hearing; an after-the-fact statement recounting a process or its results; and/or an explanation prepared for the record as to why the Investigator or member of the TTIC community took a particular step or reached a particular decision with regard to a complaint of discrimination, harassment, or abusive behavior. Documentation can be handwritten, voice transcribed, typewritten, or in any printed or electronic form.

The amount of documentation which is reasonable and prudent with regard to any of the processes outlined in this policy is left to the judgment of the Investigator.

The Investigator's report, Complainant and Respondent resolution letters and any other documentation prepared by the Investigator for TTIC's use will be maintained in a separate "Complaints" file and the personnel or student file of the Complainant and Respondent for at least seven (7) years in accordance with TTIC's record retention policy and applicable law.

All documentation required to be maintained by Human Resources & International Office Director, Title IX Coordinator shall be available only to any person authorized to view employee or student files, any person conducting an investigation under Part VII of this policy, TTIC's legal counsel, or other duly authorized state or Federal agency.

VIII. Confidentiality

It is to be expected that, at all stages of any proceedings under this policy, confidentiality will be maintained to the greatest extent possible. Consistent with their obligations, all roles described herein are expected to maintain the highest standards of confidentiality.

TTIC takes very seriously the privacy of its employees, students, and visitors. As such, it will endeavor to keep all investigations and resolutions as confidential as possible. As discussed in Part VII, [Filing a Complaint](#), the identities of the Complainant and Respondent will be disclosed to each party at the beginning of the investigation. In addition, it may be necessary to disclose information pertaining to the investigation to the Complainant, Respondent and/or witnesses in order to conduct a full and thorough investigation. All involved parties will be encouraged to keep confidential to the greatest extent possible matters about which they or others provide testimony or information.

History/Revision Dates

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