



Policy Name:	Policy Against Discrimination, Harassment and Retaliation (CALIFORNIA Colleagues)							
Policy Category: <i>(Select One)</i>	Policy, Human Resources							
Policy Owner:	Director, Colleague Relations							
Policy Administrator:	Director, Colleague Relations							
History:	Effective Date:	05/26/2016	Approval Date:	05/26/2016	Date Last Modified:	05/11/2018	Publication Date:	06/02/2017

I. Purpose

DeVry University ("DeVry") expects every colleague to show respect for all other colleagues, clients, associates, and vendors. Professional conduct furthers DeVry's mission, promotes productivity, minimizes disputes, and enhances our reputation. Accordingly, this policy forbids discrimination and any unwelcome conduct that is based on an individual's race, color, religion, sex, gender, national origin, age, mental or physical disability, ancestry, medical condition, marital status, military or veteran status, citizenship status, sexual orientation, genetic information, or any other protected status of an individual or that individual's associates or relatives. For purposes of this policy, gender includes gender identity or expression, transgender identity, pregnancy, childbirth or related medical condition, and gender stereotyping. DeVry is thus committed to providing a work environment that is free of unlawful discrimination, including harassment that is based on any legally protected status. DeVry will not tolerate any form of discrimination or harassment that violates this policy.

II. Scope

This policy applies to any colleague, manager, officer, director, client, vendor or any other third party doing business on behalf of or with DeVry in the state of California.

III. Policy Statement

A. Prohibited Conduct.

The conduct prohibited by this policy, whether verbal, physical, or visual, includes any discriminatory employment action and any unwelcome conduct that is inflicted on someone because of that individual's protected status. Among the types of unwelcome conduct prohibited by this policy are epithets, slurs, negative stereotyping, intimidating acts, and the circulation or posting of written or graphic materials that show hostility toward individuals because of their protected status. DeVry prohibits that conduct in the workplace, even if the conduct is not sufficiently severe or pervasive to constitute unlawful harassment.

Sexual Harassment

Sexual harassment deserves special mention. Harassing conduct based on gender often is sexual in nature but sometimes is not. This policy forbids harassment based on gender regardless of whether the offensive conduct is sexual in nature. Any unwelcome conduct based on gender is also forbidden by

this policy regardless of whether the individual engaged in harassment and the individual being harassed are of the same or are of different genders.

According to the U.S. Equal Employment Opportunity Commission (“EEOC”), unwelcome sexual advances, requests for sexual favors, and other verbal, physical or visual conduct based on sex constitute unlawful sexual harassment when (1) submission to such conduct becomes an implicit or explicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for any employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

This policy forbids harassment based on gender regardless of whether it rises to the level of a legal violation. Examples of gender-based harassment forbidden by this policy include (1) offensive sex-oriented verbal kidding, teasing or jokes, (2) repeated unwanted sexual flirtations, advances or propositions, (3) verbal abuse of a sexual nature, (4) graphic or degrading comments about an individual’s appearance or sexual activity, (5) offensive visual conduct, including leering, making sexual gestures, the display of offensive sexually suggestive objects or pictures, cartoons or posters, (6) unwelcome pressure for sexual activity, (7) offensively suggestive or obscene letters, notes or invitations, (8) offensive physical contact such as patting, grabbing, pinching, or brushing against another’s body, and (9) sexual favoritism.

B. Colleague Responsibility

Everyone at DeVry can help assure that our workplace is free from prohibited discrimination or harassment.

C. Avoiding Prohibited Conduct

Everyone is expected to avoid any behavior or conduct that could reasonably be interpreted as prohibited harassment; no colleagues, not even the highest ranking individuals at DeVry, are exempt from the requirements of this policy.

D. Reporting Prohibited Conduct

Any manager or supervisor who is aware of conduct inconsistent with this policy or who receives a report of conduct inconsistent with this policy must report it immediately to their manager, any manager, Human Resources or DeVry’s anonymous reporting system, www.devry.ethicspoint.com, which can be accessed from the Internet or by calling 844-703-9374. Colleagues may also contact DeVry’s Title IX Coordinator.

E. Reporting Procedures

If a colleague feels he or she has experienced or witnessed any conduct that is inconsistent with this policy, the colleague is to immediately notify their manager, any manager, Human Resources or DeVry’s anonymous reporting system, www.devry.ethicspoint.com, which can be accessed from the Internet or by calling 844-703-9374. These are the individuals authorized by this policy to receive and act upon complaints of harassment on behalf of DeVry. This policy does not require reporting harassment directly to a colleague’s immediate supervisor or to any individual who is creating the harassment.

F. Response

All reports describing conduct that is inconsistent with this policy will be investigated promptly and effectively. To that end, parties involved in the situation (including the reporting party, anyone identified as the target of the behavior (if different than the reporting party) and anyone who allegedly violated this policy will be offered an opportunity to be interviewed or to otherwise respond to a report under this policy. DeVry may put certain interim measures in place, such as a leave of absence or a transfer, while the investigation proceeds. DeVry will take further appropriate action once the report has been investigated. That action may be a conclusion that a violation occurred, as explained immediately below. DeVry might also conclude, depending on the circumstances, either that no violation of policy occurred or that it cannot conclude whether or not a violation occurred.

If an investigation reveals a violation of this policy or other inappropriate conduct has occurred, then DeVry will take corrective action, including discipline up to and including dismissal, reassignment, changes in reporting relationships, training, or other measures DeVry deems appropriate under the circumstances, regardless of the job positions of the parties involved. DeVry may take corrective action for any inappropriate conduct discovered in investigating reports made under this policy, regardless of whether the conduct amounts to a violation of law or even a violation of this policy. If the person who engaged in harassment is not employed by DeVry, then DeVry will take whatever corrective action is reasonable and appropriate under the circumstances.

G. Policy Against Retaliation

DeVry forbids any colleague from treating any other colleague or former colleague or applicant adversely for reporting harassment, for assisting another colleague or applicant in making a report, for cooperating in a harassment investigation, or for filing an administrative claim with the EEOC or a state governmental agency. All colleagues who experience or witness any conduct they believe to be retaliatory are to immediately follow the reporting procedures stated above.

H. Confidentiality

In investigating and in imposing any corrective action, DeVry will attempt to preserve confidentiality to the extent that the needs of the situation permit.

I. Acceptance of Policy

All colleague have a personal responsibility to conduct themselves in a manner that is compliant with this policy and to report any observations of conduct inconsistent with this policy. Questions concerning this policy should be directed to Colleague Relations.

IV. Definitions

N/A

V. Resources & Tools

- [Speak Up Policy](#)
- DeVry Colleague Handbook
- [Code of Conduct and Ethics](#)

VI. Related Information

N/A