

LUTHER COLLEGE

POLICIES AND PROCEDURES

Department:	Human Resources (formerly Office of Financial Services)
Subject:	Nondiscrimination and Title IX Policy (formerly Nondiscrimination Statement)
Date Issued:	7/20/2010 and 10/23/2019
Date Revised:	05/09/2024
Approved By:	Reviewed at Cabinet, Approved by President, October 15, 2025

I. Policy

It is the policy of Luther College to provide equal educational opportunities and equal access to facilities for all qualified persons. The College does not discriminate in employment, educational programs, and activities on the basis of, or a person's association with, a person(s) age, color, creed, disability, ethnicity, gender identity, genetic information, marital status, national origin, political affiliation, race, religion, sex (including pregnancy, childbirth, or related medical conditions; sexual orientation; and gender identity), veteran status, or any other basis protected by federal or state law. This commitment includes the provision of a campus environment that is free from discrimination and harassment, including sexual harassment. This includes the offenses of quid pro quo, hostile environment, rape, fondling, incest, stalking, dating violence and domestic violence. The College will not tolerate any form of discrimination or harassment and will not condone any actions or words that constitute such. Harassment based on any legally protected characteristic is prohibited.

Title IX – No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

II. Purpose

Luther College is committed to creating and maintaining an atmosphere where all members of the community – students, faculty, staff and visitors – are treated with respect and dignity.

This policy complies with the Department of Education Administration Regulations for Direct Grant Programs section 75.500, State Administered Programs section 76.500 on nondiscrimination, and Title IX 34 CFR § 106.30.

III. Scope

This policy applies to employees and volunteers at every level of the organization including all board members, faculty, staff, current and prospective students, and all other groups and organizations affiliated with Luther College.

IV. Terms and Definitions

- Discrimination – Discrimination occurs when an individual is treated adversely, or less favorably, because of membership in one or more of the legally protected

groups under federal or state law. Discriminatory practices based on bias against a person's age, color, creed, disability (actual or perceived), gender identity, genetic information, national origin, race, religion, sex, sexual orientation or veteran status are prohibited.

- Harassment – Harassment occurs when unwelcome conduct based on an individual's membership in one or more protected groups creates a work or educational environment that would be intimidating, hostile, or offensive to reasonable people. It includes verbal, visual or physical conduct where such conduct may have the purpose or effect of unreasonably interfering with an individual's work or educational performance, or creating an intimidating, hostile or offensive working or educational environment.
- Bias Incident—A bias incident is a verbal, written, or physical behavior that threatens, intimidates, or marginalizes individuals or groups motivated by bias against an actual or perceived protected class and lacks a reasonable relationship to an educational, political, and/or artistic end. This type of prohibited behavior is covered more completely in the [Bias Incident, Hate Act, Hate Crime, Discrimination, and Harassment Policy](#)
- Hostile Environment: unwelcome conduct determined to be sufficiently severe or pervasive that it effectively denies or limits a person's ability to participate in or benefit from the College's educational program or activity.
- Quid Pro Quo: When an employee of the College conditions the provision of an aid, benefit, or service of the College, on an individual's participation in unwelcome sexual conduct;
- Sexual Harassment – Acts of sexual harassment are defined by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved. This type of harassment is covered more completely in the [Title IX Policy](#).

Examples of prohibited conduct:

Prohibited conduct may include, but is not limited to, making offensive or derogatory remarks, telling jokes about another person's legally protected characteristic, harassment including degrading, public tirades; insults about loss of personal and professional competence related specifically to age; using a racial, ethnic, or other slur directly toward someone, to identify someone, or to target someone such as leaving a message on a door; imitating someone with any kind of disability or someone's cultural norm or practice; drawing or creating pictures that imitate, stereotype, or belittle/ridicule someone because of their association (actual or perceived) with one of Luther's protected classes; racist or derogatory graffiti or images/drawings; vandalizing the personal property of someone who is a member of one of Luther's protected classes; and deliberate or repeated:

- Humiliation;
- interference with the life or work of a person with a disability;
- unwanted proselytizing; or
- interference with the reasonable pursuit of religion.

Prohibited conduct may occur through:

- Direct oral expression and/or physical gestures or actions;
- Notes, letters, and other forms of written communication distributed via U.S. mail, campus mail, or otherwise made visible to the public;
- Phone calls, phone messages, or other forms of electronic verbal communication;
- Email, text messages, instant messaging, social networks, or other means of electronic communication.

IV. Reporting Procedures for Complaints of Discriminatory and Harassing Conduct

- All supervisors are required to report all concerns of harassment expressed to them.
- All employees are encouraged to report conduct they believe may be prohibited harassment (or that, if left unchecked, may rise to the level of prohibited harassment), even if they are not sure that the conduct violates this policy.
- Individuals who become aware of or think they have been subject to discriminatory or harassing conduct are strongly encouraged to contact one of the Employee Grievance Investigators or Title IX Coordinator.
- The identity of individuals who report harassment, alleged victims, witnesses, and alleged harassers will be kept confidential to the extent possible and permitted by law, consistent with a thorough and impartial investigation. Retaliation against individuals who file a complaint or who participate in the investigation or adjudication of a complaint is strictly prohibited.
- If the individual decides to file a complaint with one of the Employee Grievance Investigators or Title IX Coordinator, a written summary will be completed by the Complainant or Title IX Coordinator in conjunction with the Complainant.
- Employees are encouraged to respond to questions or to otherwise participate in investigations regarding alleged harassment. Any information obtained during an investigation will be kept confidential to the extent consistent with a thorough and impartial investigation and permitted by law.
- Luther will provide prompt and effective action.
- If an investigation determines that harassment has occurred, Luther will take immediate and proportionate corrective action.

The College has grievance procedures for any individual who has experienced harassment or discrimination and wishes to pursue resolution.

[Staff Handbook](#) for Staff Respondents to the Discrimination and Harassment Grievance Procedure
[Faculty Handbook](#) for Faculty Respondents Discrimination and Harassment Grievance Procedure
[Student Handbook](#) for Student Respondents Discrimination and Harassment Grievance Procedure
[Bias Incident, Hate Act, Hate Crime, Discrimination, and Harassment Policy](#)
[Title IX Policy](#)

V. Guidelines for Using the Nondiscrimination Statement

As key publications are revised across campus, we ask offices and departments to use the College's Nondiscrimination Statement. The inclusion of the Nondiscrimination Statement is required by federal regulation and is designed to highlight Luther College's commitment to creating and maintaining an atmosphere where all members of the community – students, faculty, staff and visitors– are treated with respect and dignity.

The Nondiscrimination Statement, as it should appear in print, appears below:

“It is the policy of Luther College to provide equal educational opportunities and equal access to facilities for all qualified persons. The College does not discriminate in employment, educational programs, and activities on the basis of age, color, creed, disability, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, veteran status, or any other basis protected by federal or state law. Title IX of the Education Amendments of 1972 – No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Questions regarding this policy or the complete [Title IX Policy](#) or [Bias Incident, Hate Act, Hate Crime, Discrimination, and Harassment Policy](#) should be directed to Robert Clay, Chief Equity and Inclusion Officer and Assistant to the President for Community Engagement, 563-387-1825, titleix@luther.edu, 700 College Drive, Decorah, Iowa 52101. Questions regarding Title IX may also be referred to the U.S. Department of Education's Office for Civil Rights, 800-421-3481, OCR@ed.gov, <http://www.ed.gov/ocr>. “

Inquiries or complaints concerning discrimination may be referred to the College’s Title IX Coordinator and/or to the United States Department of Education’s Office for Civil Rights:

**Robert Clay, Chief Equity and Inclusion Officer and Assistant to the President for
Community Engagement**

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Office for Civil Rights

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