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Grievance Procedure

Discrimination, Harassment and Retaliation Procedure

“The quality of life in a college such as Mount Holyoke relies on the conscious choice of students, faculty, and staff members to commit themselves to active and honorable participation in the creation and preservation of the college community” (Faculty Legislation). To enhance such participation, each person must abide by the principles of respectful and open communication. However, conflicts and misunderstandings may occur. It is important, therefore, to find constructive ways to resolve these various disagreements.

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Statement on Free Inquiry and Free Expression

“As an institution dedicated to seeking intellectual enlightenment and the enrichment of quality of life, Mount Holyoke College believes in the right, indeed the necessity, of free inquiry and free expression for every member of the college community. The College aims to provide an environment hospitable to open interchanges of knowledge and opinion in the terms of reasoned discourse. The citizen’s right to free speech, free movement, free association, peaceful assembly, and orderly protest extends to every member of the College. So do the citizen’s responsibility to uphold the law and the civilized person’s obligation to respect the rights and feelings of others” (Faculty Legislation).

NON-DISCRIMINATION POLICY

Terms and Definitions

Below are definitions of standard terms used within this policy:

- Grievant: The person filing the complaint
- Respondent : Name of the person(s) alleged to be responsible for the offending behavior

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- Compliance Coordinator: College appointed officials responsible for coordinating the College's compliance with federal and state regulations. Refer to Resources section for a listing of the College's Compliance Officers.
- Protected Class: a term used to describe an individual or groups individuals with a characteristic that by federal and/or state law is protected from the discrimination, including harassment.

For the purpose of this document, characteristics of protected classes include age, disability, national/ethnic origin, race/color, religion, sex, sexual orientation, or veteran status.

Statement on Privacy and Confidentiality

To the best extent possible, the College will attempt to respect an individual's desire for confidentiality; however, the College may be legally required to take action depending on the nature of the grievance or complaint. The grievant will be informed if, in the course of satisfying this obligation, the College may be unable to comply with the request for confidentiality. The College will respect the privacy of all individuals throughout the grievance process.

Statement on Retaliation

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Retaliation against a grievant for having filed a grievance, or against any individual who participates or cooperates in the grievance proceedings, will not be tolerated and may result in disciplinary action up to and including termination or expulsion.

Purpose of Grievance Procedures

The guidelines and procedures outlined here were established by the College to aid in resolving discriminatory and/or harassing behaviors as identified in the Mount Holyoke College statement of non-discrimination and equal opportunity; and to provide assurance that the College will take steps to prevent the recurrence of any discrimination and to correct its effects on the complainant and others, if appropriate.

Examples of discriminatory and harassing behaviors include but are not limited to:

- Unwelcome verbal, physical, or other conduct based on membership or assumed membership in a protected class.
- Discrimination based on membership or assumed membership in a protected class.
- Conduct or conditions that interfere with or limit one's ability to work, participate, or benefit from an educational program or activity based on membership in a protected class (i.e. denial of reasonable accommodation or inaccessibility of a College program, activity, or technology).

These procedures are available to those who are:

- Employed by or enrolled at Mount Holyoke College at the time of the incident or occurrence giving rise to the grievance
- Prospective students
- Employment applicants
- Visitors and guests of the college

These procedures are not intended to impair or limit the rights of any individual to seek a remedy available under state or federal law, nor does their availability establish any contractual rights or imply that the handbooks and manuals establish contractual guarantees.

These procedures apply to faculty grievances related to employment unless there is specific applicable legislation in the Handbook of Faculty Legislation in the section on “Policies and Procedures Governing Academic Appointments, Reappointments, Tenure, Termination, and Dismissal” under Section Seven: “Faculty Rights.” When a faculty member is the respondent, faculty legislation should be consulted for the applicable appeals process.

These procedures may be revised or amended by the College at any time. Although members of the collective bargaining units may use the College resources for purposes of consultation and advice, union members must use the applicable grievance procedures outlined in their contract for formal grievances. Appropriate action for faculty is governed by the Handbook of Faculty Legislation and Related Information, under Section 7: Faculty Rights.

The College considers six months as a reasonable outside limit for bringing a grievance. The College may allow a grievance to be filed beyond the six-month limit.

Distance Learning Students

Mount Holyoke College has been approved to participate in the National Council for State Authorization Reciprocity Agreements (SARA). SARA is a voluntary, regional approach to state oversight of postsecondary distance education. As a SARA-approved institution, Mount Holyoke College is authorized to offer online courses in each state that is part of the agreement without having to get approval from each state individually.

Mount Holyoke College out-of-state distance learning students residing in a SARA state may file a complaint with the Massachusetts Department of Higher Education. Students must first attempt to resolve their complaint using internal administrative procedures offered by Mount Holyoke College. After all administrative remedies have been exhausted with Mount Holyoke College, the student may submit a SARA Complaint.

The SARA complaint process is as follows:

1. Students must first attempt to resolve their complaint using internal administrative procedures offered by the SARA institution.
2. After all administrative remedies have been exhausted with the MA-SARA institution, the

student may submit a SARA Complaint via the URL below.

3. The Department shall send a copy of the complaint to the institution that is the subject of the complaint;
4. Within 30 days of the date that the Department sends a copy of the complaint to the institution, the institution must provide a written response to the student and the Department.

[Learn more information about DHE's complaint processes.](#)

For Massachusetts Residents and Online Students in Non-SARA Member States and Territories

If you have a complaint or concern that has not been resolved by Mount Holyoke College, you may file a consumer complaint with the Massachusetts Attorney General's Office (AGO) by using the [consumer complaint form](#). The AGO [consumer complaint form](#) should be used by students who are located in:

- Massachusetts
- Non-SARA Member States or Territories (e.g., California, Guam, etc.)

For Online Students Located in SARA Member States and Territories

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SARA MEMBER STATES AND TERRITORIES

After you have exhausted the complaint procedures made available by Mount Holyoke College, located at <https://gradadmission.mtholyoke.edu/register/Grievance>, if your complaint has not been resolved, you may file a complaint with the DHE by using the [SARA complaint form](#). Please note: for SARA complaints, students are explicitly required to exhaust the institution's available complaint procedures before filing a SARA complaint.

The DHE [SARA complaint form](#) should be used by students who are located in [SARA member states and territories](#). This includes all students who are located in SARA member states and territories for the purposes of completing out-of-state learning placements, such as internships, practica, clinical experiences, etc. in SARA member states and territories outside Massachusetts.

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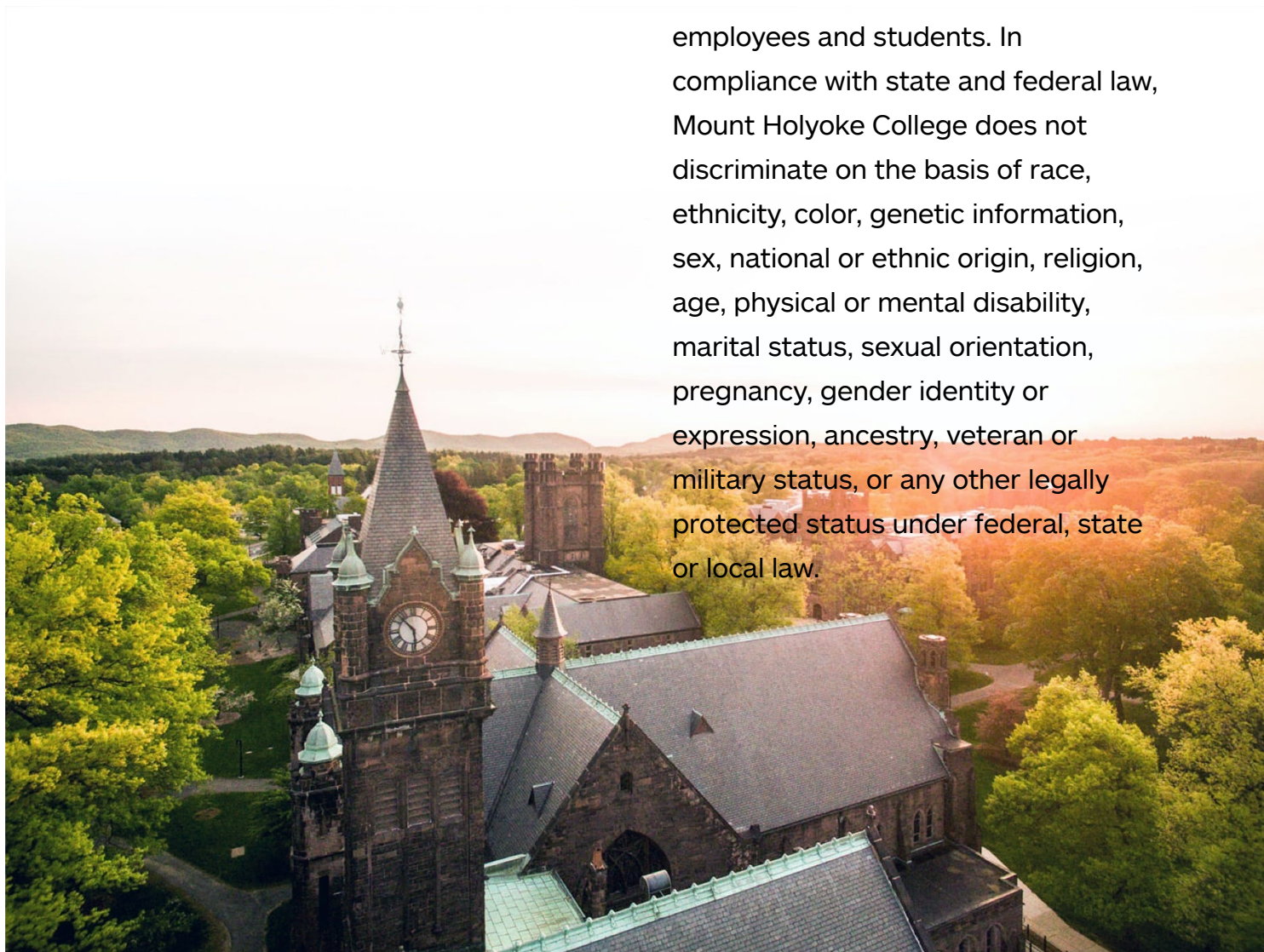


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employees and students. In compliance with state and federal law, Mount Holyoke College does not discriminate on the basis of race, ethnicity, color, genetic information, sex, national or ethnic origin, religion, age, physical or mental disability, marital status, sexual orientation, pregnancy, gender identity or expression, ancestry, veteran or military status, or any other legally protected status under federal, state or local law.

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