

<h3>CHARGE OF DISCRIMINATION</h3> <p>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	Charge Presented to: Agency(ies) Charge No(s): <input checked="" type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC
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 Rhode Island Commission for Human Rights and EEOC
State or local Agency if any

Name (<i>indicate Mr. Ms. Mrs.</i>) E. Corry Kole	Home Phone (Incl. Area Code) 508-283-0990	Date of Birth 05/18/1990
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Street Address _____ City, State and ZIP Code _____

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency. (*If more than two, list under PARTICULARS below.*)

Providence College

Name One Cunningham Square	No. Employees, Members Approx. 400	Phone No. (Include Area Code) 401-865-1000
Street Address _____ City, State and ZIP Code _____		
Providence, RI 02918		

Name _____	No. Employees, Members _____	Phone No. (Include Area Code) _____
Street Address _____ City, State and ZIP Code _____		

DISCRIMINATION BASED ON (<i>Check appropriate box(es).</i>) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input checked="" type="checkbox"/> OTHER (Specify below.) Gender Identity	DATE(S) DISCRIMINATION TOOK PLACE Earliest _____ Latest _____ Spring 2021 _____ 03/08/24 <input type="checkbox"/> CONTINUING ACTION
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THE PARTICULARS ARE (*If additional paper is needed, attached extra sheet(s)*):

See attached.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY – <i>When necessary for State and Local Agency Requirements</i>
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I declare under penalty of perjury that the above is true and correct. 4-19-24 _____ Date Charging Party Signature	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. Notary <i>Joseph R. Daigle</i> SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) 4-19-24 Notary # 759828 Expiration Date: 4/23/24
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STATE OF RHODE ISLAND COMMISSION FOR HUMAN RIGHTS

E CORRY KOLE,¹
Complainant,

v. RICHHR No.:
EEO NO.:

PROVIDENCE COLLEGE,
Respondent.

CHARGE OF DISCRIMINATION

1. This is a claim for equitable and declaratory relief and for damages for violation of the Rhode Island Fair Employment Practices Act, R.I.G.L. §28-5-1, et seq., the Rhode Island Civil Rights Act, R.I.G.L. §42-112-1 et seq., and 28 U.S.C. §2000(e) and §2000(e)-3, also known as Title VII of the Civil Rights Act of 1964.

Parties

2. Complainant E Corry Kole is a resident of the State of Rhode Island.
3. The Respondent Providence College (“the College” or “Respondent”) is a domestic corporation and institution of higher learning located in the State of Rhode Island and Providence County.

Statement of Facts

4. The Complainant is transgender and non-binary in their gender identity and identifies their sexual orientation as within the LGBTQ+ community.
5. The Respondent had knowledge and is aware of the Complainant’s gender identity

¹ E Kole is a non-binary individual whose name assigned at birth is not used by them. Their last name is the name set forth on their birth certificate, but their first name is not. They use and employ E Kole as their name.

and LGBTQ+ status.

6. Complainant was hired by the Respondent in 2020 as a Temporary Resource Coordinator, the first position of its kind at the College, charged to “maintain and strengthen an overall inclusive climate for LGBTQ+ students, faculty, staff, and their allies.”

7. Throughout Complainant’s three and half years employed by the Respondent, they have experienced numerous barriers to carrying out their work, as well as explicit incidents of discrimination based on their sexual orientation and gender identity.

8. In the Spring of 2021, Respondent created a committee charged with articulating the College’s theological position on LGBTQ+ inclusion and to design the institutional process for responding to LGBTQ+ issues. At a committee meeting to discuss the members’ bios to be published on Respondent’s website, Complainant proposed their opening lines: “I exist in the intersections between Christian and Queer, identifying with both the LGBTQ+ community and having been a campus minister through InterVarsity Christian Fellowship/USA, and a preacher, leader and trainer in the local church for the past decade.” Upon submission of these opening lines, Respondent was told “You are too liberal for this College. You cannot identify as queer.”

9. In 2022, Complainant was hired in a full-time position to the College with the title Director of Diversity, Equity and Inclusion Education and Professional Development, although their responsibilities as Temporary Resource Coordinator were updated and incorporated into the new full-time position.

10. Over the course of 2022-2023, Complainant began a personal transition as trans-nonbinary and began to disclose their pronouns, they/them, and chosen name, E Kole.

11. When Complainant shared this information with Pam Tremblay (Associate Vice President of Mission Integration) during a meeting regarding the fall orientation programming in Martin Hall on June 29, 2023, she said, “Oh, the Friars are not going to like that [your gender identity]. Could you use she/her pronouns in front of the room, but they/them pronouns privately?”

12. In the Spring of 2023, LGBTQ+ inclusion increased in visibility on Respondent’s campus. Providence College welcomed the first transgender alumna back to campus; hosted SHEPARD’s² 20th anniversary; and SHEPARD held its annual LGBTQ+ Awareness Week with the new addition of a series of events showcasing the work of PC scholars who do LGBTQ+ related research. It was a peak semester for Complainant’s work, which culminated in the students presenting Complainant with the Dirigo Honorary Membership in March of 2023 “for outstanding leadership contributions to Providence College” and the 73rd Student Congress nominating Complainant for the Reverend John McMahon Award.

13. Complainant’s then-supervisor, Jackie Peterson, told them that they could face disciplinary action for having organized the LGBTQ+ Teach-Ins during LGBTQ+ Awareness Week.

14. Since none of the events Complainant organized violated college policy, there was no legitimate ground on which the college could pursue disciplinary action against Complainant.

15. The only motivation for the threat of disciplinary action was the nature of the events concerning LGBTQ+ equity and inclusion, and/or that they were organized by Complainant,

² The College’s only LGBTQ+ student group, founded in 2002. The SHEPARD acronym stands for Stopping Homophobia Eliminating Prejudice and Restoring Dignity.

a non-binary and openly queer member of the campus community.

16. The improper and unjust threat of disciplinary action unfairly undermined Complainant's job security and made it significantly more difficult to do the work that Complainant was hired to do.

17. At the start of 2023, Complainant was told that the College would be publishing their Theological Foundations on LGBTQ+ Inclusion and that Complainant should pause safe space training in the LGBTQ+ community while Pamela Tremblay, AVP of Mission Integration, and Complainant co-created materials that would become institutional training modules. This was pitched to Complainant as a partnership, but the College used the pending publication as justification for blocking meaningful changes on behalf of the LGBTQ+ community.

18. Over the next 18 months, Complainant proposed many ways to communicate their new position and the resources to the LGBTQ+ community. Complainant's position was not announced to the community, however, even though it was the first of its kind to offer critical resources to LGBTQ+ members of the community and their allies.

19. Respondent removed Complainant from a project due to their change in pronouns and Respondent's fear of how Complainant would be perceived in public-facing roles at the College.

20. Providence College's public safety officers continually and intentionally misgendered Complainant. They faced no penalty from the College even after Complainant complained about their behavior.

21. As a result of Respondent impeding the work that Complainant was hired to perform and the mistreatment they suffered, they began suffering from anxiety and PTSD so severe

that they eventually, took medical leave under the Family Medical Leave Act (“FMLA”) due to their anxiety.

22. Following their return to work from FMLA leave, Complainant met Quincy Bevely, a new Vice President at Providence College. His first comment to them was to say in a disapproving tone, “You go by E now, is that correct? I needed to hear it from you myself.”

23. Complainant had been named LGBTQ+ Liaison publicly until their gender identity transition in Spring/Summer 2023. Shortly after returning from FMLA leave in Fall 2023, they were told to remove this moniker and acronym from public facing materials.

24. Since the time of Complainant’s public gender identity transition and their FMLA leave, Complainant has been removed from projects for which they had been responsible.

25. Complainant was told by Pam Tremblay that “Because you were on leave, we kind of just replaced you on the team and are happy to move forward in this way.” This action constituted a clear violation of FMLA’s requirement that employers allow employees who have taken FMLA leave to return to their positions.³

26. Respondent reorganized the administration hierarchy so that all of Complainant’s work had to be vetted by a coworker. This reorganization affected Respondent, but not other staffers. It led to confusion and delayed creation of materials and Safe Space Training for two and a half semesters.

27. Complainant learned that priests at Providence College scanned Complainant’s Facebook page, apparently searching for evidence to support terminating their employment, and reported these efforts to Human Resources.

³ Despite this clear violation of both state and federal law, Respondent realizes that the Commissions lack jurisdiction to address FMLA claims. They reference these events only to demonstrate the extent to which the College was willing to go to punish Complainant for her advocacy on behalf of the LGBTQ+ community.

28. Quincy Bevely, Vice President of Institutional Diversity, Equity, and Inclusion became increasingly hostile to Complainant after Complainant's public gender identity transition and their FMLA leave.

29. Quincy Bevely accused Complainant of unprofessional behavior without basis, unfairly and improperly criticized Complainant and their work in the presence of a co-worker. He stated that Complainant had to make up for their FMLA leave, unfairly and without basis criticized Complainant's work schedule, and removed previously set accommodations for Complainant's need for childcare.

30. On January 10, 2024, Complainant was informed that they would "face disciplinary action" if they did not remove the acronym LGBTQ+ from their email signature, even though that is a significant portion of the work Complainant was charged to do, and the acronym appears in their position description.

31. Complainant filed complaints with Human Resources, claiming violations of Title IX (gender discrimination) and retaliation. Providence College failed to act promptly by taking measures reasonable designed to protect Complainant from further mistreatment.

32. Due to the ongoing harassment and bullying, Complainant terminated their employment with the Respondent on March 8, 2024.

33. Complainant suffered, by the actions of the representatives of the Respondent, discrimination based on their gender identity and sexual orientation.

34. The actions of the defendants have caused Complainant a loss of income, severe emotional distress, and other damages.