

APPENDIX E

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OHIO WESLEYAN UNIVERSITY POLICY ON HARASSMENT, INCLUDING SEXUAL HARASSMENT

I. The Principles of Our Policy

Ohio Wesleyan University is committed to maintaining a positive climate for study and work, in which individuals are judged solely on relevant factors, such as ability, performance, and University requirements, and can pursue their activities in an atmosphere that is free from harassment, coercion and intimidation. Harassment, including sexual harassment, undermines the mission of the University and threatens the careers, academic experience and well-being of students, faculty, staff and visitors to the campus.

Therefore, it is the policy and goal of Ohio Wesleyan University that all students, faculty, staff and guests be free from harassment based upon an individual's race, color, gender, gender identity and/or expression, sexual orientation, family configuration, religion, national origin, age, disability or military status. This prohibition includes sexual harassment.

Although guided by the laws of the United States and the State of Ohio, the University's policy against harassment is not limited by these laws and is unique to Ohio Wesleyan University and is an expression of the academic, residential and professional standards of the Ohio Wesleyan community. All charges of harassment, including sexual harassment, in violation of this policy will be taken seriously, and any person found to have engaged in harassment will be subject to discipline. The University reserves the right to investigate circumstances that may involve harassment in situations where no complaint, formal or informal, has been filed.

In addition, the University will not tolerate retaliation against a person who has reported harassment or conduct likely to be harassment or who participates in resolving such a claim. Nor will the University tolerate any false charge of harassment.

Nothing in this policy should be construed to infringe upon the academic freedom of members of the University community and their right to use the academic forum provided by the University to discuss controversial subjects or to express ideas with which some or most members of the University community strongly disagree.

II. Scope of Harassment Policy and Procedures

- A. This policy applies to all faculty, all non-faculty employees, and all students.¹ All University community members are expected to abide by this policy, whether on campus or away from

¹ Students are subject to the Student Code of Conduct as it relates to harassment, sexual harassment and sexual assault. The Student Code of Conduct shall take precedent in all matters in which an allegation of harassment, including sexual harassment or sexual assault, is raised against a student.

campus when engaged in activities sponsored by the University or that otherwise relate to the University or its business, including the activities of recognized student organizations. Those who contract to use Ohio Wesleyan's campus, conduct business on campus or visit the University are also expected to adhere to the principles established by this policy.

- B. While this policy applies to all members of the University community, the status of the person alleged to have harassed another will determine the procedures that apply and any discipline recommended. If a student is alleged to have engaged in harassment, the allegation will be resolved in accordance with the procedures found in the Student Code of Conduct (found in the Student Handbook). Faculty and non-faculty employees will be governed by the procedures for this policy. Full-time students who are also employed by the University will be treated as students for purposes of this policy, and University employees who also take classes part-time will be treated as employees for purposes of this policy. **PROCEDURES FOR REPORTING A VIOLATION OF THIS POLICY CAN BE FOUND AT PAGE 7.**

III. Defining Harassment and Sexual Harassment

- A. Harassment of an individual on the basis of the individual's race, color, gender, gender identity and/or expression, sexual orientation, family configuration², religion, national origin, age, disability or military status can result in persons being denied equal opportunity in the terms and conditions of their employment or education.
- B. Harassment includes incidents of verbal or non-verbal behavior directed toward an individual because of the person's race, color, gender, gender identity and/or expression, sexual orientation, family configuration, religion, national origin, age, disability or military status that are severe or pervasive enough to adversely affect a person's work or academic environment. Sharing or displaying objects, pictures, stories, or jokes that demean persons or that otherwise create hostile or offensive working, academic, or living environments on the basis of a person's race, color, gender, gender identity and/or expression, sexual orientation, family configuration, religion, national origin, age, disability or military status, even if not directed toward a specific individual, can constitute harassment in violation of this policy.

Harassment of this nature is sometimes referred to as creating a hostile work environment, similar to the distinction in the sexual harassment definition below.

- C. **Sexual harassment** is a specific form of harassment that generally has been defined in two broad categories: Quid Pro Quo Sexual Harassment and Hostile Environment Sexual Harassment.
 - 1. **Quid Pro Quo:** Quid pro quo sexual harassment can involve promises (for example, raises, promotions, high grades, etc.) based on an individual's willingness to submit to unwelcome behavior, including sexual favors or activities or relationships or other unwelcome attention based on the person's sexuality or gender. It can also involve threats (e.g. demotion, bad grades, discipline, etc.) based on an individual's refusal to submit to unwelcome behavior, including being involved in a sexual or romantic relationship, granting sexual favors, or engaging in other sexual or unwelcome activities based on sexuality or gender. The promise or threat does not necessarily need to be overt.

² Throughout this policy, the term "family configuration" refers to an individual's marital status and parental status, including pregnancy or pregnancy history.

2. **Hostile Environment:** A hostile environment ordinarily exists when there are incidents of verbal or non-verbal behavior in the workplace or academic environment that focus on the sexuality or gender of a person, that are unwelcome, that are severe or pervasive enough to adversely affect a person's work or academic environment, and that are outside the realm of appropriate academic study or work practices.
3. In determining whether a behavior or series of behaviors constitute sexual harassment under the University's policy, the University will consider whether:
 1. the unwelcome behavior is based on the person's gender or sexuality and has the purpose or effect of (a) creating an intimidating, hostile, or offensive environment for working, learning, or living on campus, or (b) substantially interfering with an individual's work, academic performance, or status; or
 2. submission to the unwelcome behavior is made either explicitly or implicitly a term or condition of a person's employment or academics; or
 3. submission to or rejection of the unwelcome behavior is used as the basis for academic or employment decisions affecting the person.

D. Forms and Examples of Harassment

Harassment in violation of this policy can take many forms. The following are some examples of the type of conduct that, if severe or pervasive enough, can create a hostile work environment in violation of this policy:

- Abusive, threatening or offensive remarks about individual persons or classes of persons on the basis of the individual's age, race, color, gender, gender identity and/or expression, sexual orientation, family configuration, religion, national origin, age, disability or military status.
- Circulation or display of offensive or threatening materials, including photos, cartoons, symbols, or commentary, about classes of persons on the basis of their age, race, color, gender, gender identity and/or expression, sexual orientation, family configuration, religion, national origin, age, disability or military status.
- Stereotyping persons with regard to their characteristics or abilities on the basis of their age, race, color, gender, gender identity and/or expression, sexual orientation, family configuration, religion, national origin, age, disability or military status.
- Use of slurs or epithets in reference to individuals or classes or persons on the basis of their age, race, color, gender, gender identity and/or expression, sexual orientation, family configuration, religion, national origin, age, disability or military status.

E. Forms and Examples Specific to Sexual Harassment

Sexual harassment can be verbal, visual or physical. Men, as well as women, can be subject to sexual harassment. Sexual harassment can be aimed toward a person of the same gender as the person harassing if the conduct meets the definition of sexual harassment.

Quid pro quo sexual harassment can be overt, as when a professor suggests that a student could get a higher grade or when a supervisor offers an employee a greater pay increase in return for submission to sexual advances or other unwelcome attention based on gender or sexuality. The suggestion of a benefit or threat need not, however, be direct or explicit. It can also be inferred from the conduct, circumstances and relationship of the individuals involved.

Some examples of conduct that can lead to hostile environment sexual harassment include (but are not limited to) the following, if the conduct is unwelcome and is severe or pervasive so as to create a hostile work or academic environment:

1. persistent, unwelcome attempts to change a professional or academic relationship to a romantic or sexual relationship
2. abusive remarks about individual persons or classes of people on the basis of their gender, gender identity and/or expression or sexual orientation
3. sexual abuses such as assault and rape (which may also constitute criminal conduct)³
4. forms of attention toward another member of the University community, when they are persistent and unwelcome, for example:
 - requests for dates
 - flirtations
 - sexual advances
 - love letters
 - phone calls
 - electronic communications
 - gifts
 - touching, patting, hugging, brushing against a person's body, staring
5. Unwelcome verbal comments such as:
 - graphic commentary about an individual's body, sexual prowess, sexual deficiencies, sexual orientation and gender identity and/or expression
 - inquiries and comments about sexual activity, experience, or orientation

If you are not sure whether a particular behavior is acceptable, ask yourself how someone you care about might feel in the same situation. You might ask these questions:

1. Would you say or do this in front of your spouse or partner or parents?
2. Would you say or do this in front of a colleague?
3. Would you be uncomfortable if these words or this behavior were publicized?

For the purposes of this policy, the work or academic environment includes classrooms, residence halls, University buildings, activities, outdoor campus areas, programs, offices, communications, and all University-sponsored events (both on and off campus, including during travel in the course of University sponsored activities).

IV. Key concepts

A. Impact vs. Intent

Stating "I didn't mean to harass..." does not excuse a person's behavior from being found to be in violation of the University's policy against harassment. In its evaluation of a complaint, the University will consider the effect of the conduct (whether verbal or non-verbal) on the complainant's right to be treated equally in the terms or conditions of his or her employment or education. The intentions of the harasser may be considered when determining an appropriate remedy.

³ Where any instance of harassment would or may also constitute criminal conduct, criminal charges can be filed at any time during the internal processes if, in consultation with an advisor, counselor, or legal representative, the victim determines that this is the appropriate route to follow based upon the circumstances. Such charges should be filed promptly by contacting the appropriate person or agency (for example, law enforcement, prosecutor, attorney).

B. The Impact of Power

Harassment, in particular sexual harassment, often occurs when there is an imbalance of power and/or an abuse of a power relationship. The imbalance can be with respect to administrative power and authority, such as supervisor/staff member or professor/student. It can also be a situation in which power is based on some other criteria, such as possessing information that another person needs for his or her work or study, differences in personality types, or the number of persons in one group compared to another one. If an individual acquiesces out of fear of reprisal, there is no consent.

V. Harassment Prevention

A. Everyone can help improve the work and study environment at OWU by taking responsibility, showing respect for other people, and by modifying words and actions when they may offend others. You can prevent harassment through increased awareness, self-evaluation and with your commitment to taking action. For example:

1. Become aware that your own behavior can be perceived as harassment of others, even if not intentional.
2. Let it be known when you experience behavior you find objectionable and unwelcome.
3. Clarify your understanding of harassment, freedom of speech, academic freedom, and performance management and the relationships among these practices and principles.
4. Object to and report conduct that you believe is or may be harassment when you see or experience it. All University employees and students, as well as independent workers and sub-contractors who are in an employment relationship with the University, are strongly encouraged to report instances or allegations of conduct that would lead a reasonable person to believe that harassment has occurred or is occurring. Any supervisor, including faculty supervisors, chair, department head, administrator, or, with regard to harassment of students, any faculty member who becomes aware of such information or receives a complaint or allegation shall notify either the Provost or Human Resources director of such information.
5. Offer support to anyone who is being harassed.
6. Refuse to go along with harassment masked as humor or academic debate.
7. Realize that if you are in a position of power or authority, that power can be intimidating; remember that "no" means "NO!"

VI. Retaliation

The University will not tolerate retaliation in any form against any person because he or she has reported an allegation of harassment or conduct reasonably likely to violate this policy, has assisted another person in reporting or pursuing such an allegation, or has participated in an investigation of a claim of harassment. Such retaliation is a serious violation of this policy and can subject the offender to appropriate sanctions or discipline.

The reporting and resolution of any instance of retaliation under this policy shall follow the procedures governing harassment

VII. Awareness

It is the University's policy to take appropriate steps to make faculty, staff and students aware of this Policy and related Procedures, including distribution of the Policy and Procedures, harassment awareness activities and individual access to members of the Harassment Advisory Panel.

Complaint and Reporting Procedures

It is the University's goal and responsibility to promptly and effectively end any harassment in violation of this Policy. To that end, the following procedures are available for you to bring a stop to any harassment or bring forward a claim of harassment. ⁴

Step 1: Meeting with an advisor: If you believe you have been subject to harassment in violation of this Policy, you should meet, as a first step, with a member of the Harassment Advisory Panel to discuss your concerns as early as possible,⁵ even if you are uncertain whether what you are experiencing or witnessing constitutes a violation of the University's policy against harassment. This includes sexual harassment. **Students** may also meet with the Coordinator of Student Conduct to discuss incidents of harassment of students by other students or assess other resources set forth in the Code of Student Conduct.

- **Harassment Advisory Panel:** Members of the Harassment Advisory Panel ("Panel Members") are available to provide counsel and support, answer questions, and to help you decide whether you want to seek resolution through informal or formal means. They can facilitate communication between you and the alleged harasser and assist you in understanding or following the University's procedures. Should you decide to pursue formal procedures, they can assist you in preparing a complaint.
 - The University's Harassment Advisory Panel is comprised of 6 faculty, 3 staff and 3 administrators appointed by the Provost and HR Director for 3- year renewable terms. When the Panel is first appointed, the members will have staggered terms (1-year; 2-year; 3-year) in order to assure continuity. At the start of each of their terms, members of the Harassment Advisory Panel will be trained in understanding the policy and procedures, assisting persons who have concerns about harassment, and investigating complaints of harassment. The Panel will provide a pool of resources from which the University can draw in addressing harassment complaints.
- **Confidentiality:** The Panel Member with whom you speak will listen in confidence and will make every effort to maintain the confidentiality of your claim or concerns. **However, it is important to understand that the Panel Member has an obligation to the University to report any claims of harassment brought to his/her attention (for faculty, the Provost; for non-faculty, the HR Director).** Once the University has this information it is obligated to investigate the matter and, if the allegation is found to have merit, to take steps to promptly and effectively stop the harassment. The sharing of any information among University officials will be on an as-needed basis.
- **Other initial options:** Alternatively, and/or in addition to speaking with a Panel Member (or, for students, the Coordinator of Student Conduct), you should feel free to contact the University

⁴ Anyone who wishes to file a complaint outside the University should be aware that the Ohio Civil Rights Commission (OCRC), the federal Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Education's Office for Civil Rights (OCR) have their own procedures and deadlines. Persons wishing to file complaints outside the University should contact these organizations directly and promptly. Use of the University's procedures does not preclude access to these external options.

⁵ The list of Harassment Advisory Panel members can be found at the resources listed at the end of these procedures.

counseling services or the Chaplain's office to discuss in a supportive environment your concerns. The counselor or clergy member may also be of assistance with referrals to counselors and other resources outside the University. **Unlike with a Harassment Advisory Panel member, information shared with a counselor or clergy member may be privileged in accordance with the standards of their professions and not subject to typical University reporting regulations.**⁶

- **If immediate action is needed:** If the circumstances of your situation require the University to take immediate action to protect the complainant from ongoing harassment, the Panel Member will advise the appropriate University officials to assure that such steps can be taken.

Step 2: Informal Resolution: When you have the initial meeting with a Panel Member, he or she will advise you of ways in which you may informally resolve your concerns as well as how to follow formal procedures. It is your decision as to which path you wish to take. The following describes the informal approach:

- **Purpose:** The purpose of an informal resolution is to bring an end to the unwanted conduct, without pursuing a fact-finding process or seeking disciplinary action. The Complainant may decide, for a variety of reasons, including increased confidentiality, speed of resolution, and a return to normal relations, that resolution through informal means is in his or her best interest. Informal resolution can be accomplished through direct communication or with assisted communication.
- **Direct Communication:** Sometimes, a person you believe is engaging in harassment may not fully understand the impact of his or her words or conduct. By utilizing this option, with the assistance and support of the Panel Member, you may decide to directly communicate with the person engaging in the harassing conduct. This could be accomplished with a direct conversation with the offender or through a written communication. The goal would be to let the offending person know you find his or her conduct or language offensive and to have it stop. The University's policy strictly forbids any retaliation toward an individual who raises a concern or claim of harassment under this Policy.
- **Assisted Communication:** Alternatively, you may work with the Panel Member to assist you in seeking to have the conduct or language stopped. For example, the Panel Member could communicate with the offender and make him or her aware of the impact of his or her conduct or language. If possible, this could be accomplished without having to reveal your name. The Panel Member would inform you of the Respondent's response and assist in a satisfactory resolution. Another example would be for the Panel Member to mediate or facilitate a mediation between you and the offender. As with direct communication, the goal would be to stop the behavior promptly.

Step 3: Formal Procedure: If, after meeting with a member of the Harassment Advisory Panel, a satisfactory result cannot be reached informally, **or** if you decide you do not wish to pursue an informal resolution, you may pursue the formal procedure, the steps of which are as follows:

- 1. Incident Report (Complaint):** The first step in the formal procedure is for the Complainant to prepare a written incident report to describe the conduct alleged to be a violation of the University's

⁶ The University Chaplain's website is <http://chaplain.owu.edu>. The Counseling Services website is <http://counseling.owu.edu>. Other resources that may be of help are listed at the end of these Procedures.

Harassment Policy. The Complainant may seek the assistance of the Panel member with whom he or she initially met in preparing the formal report (or “complaint”).

- **Timing:** Formal procedures should be initiated as soon as possible, but a complaint should be submitted within one year of the alleged harassment, absent extenuating circumstances that dictate otherwise, which will be determined by the Provost or HR Director.⁷
 - **Contents of report:** The Complainant is encouraged to include as much detail as possible in the complaint, including the name of the Complainant and the person(s) alleged to have harassed (“the Respondent(s)”), a detailed description of specific incidents involved, dates, times, language used, others who may have observed, and the like, and any response you may have made to the alleged harassment, including any efforts to resolve the matter. You may also include the outcome you are seeking.
 - **Submission of report:** The Complainant shall submit the complaint to the member of the Harassment Advisory Panel with whom the Complainant has met in the preliminary stage, who will forward the report to either the Provost (if the Respondent is a faculty member), the Director of Human Resources (if the Respondent is a non-faculty employee, or Coordinator of Student Conduct (if the Respondent is a student). Alternatively, the Complainant may submit the report directly to the appropriate person listed above. (If the complaint were to involve an individual holding one of these positions, the complaint should be filed with the Panel Member who would submit it to the President.) [Any complaint regarding a contractor or other visitor should go to the Director of Human Resources who will notify the appropriate person.]
 - **Informing Respondent:** Upon receipt of the Complaint, the Provost or Director of Human Resources will advise the Respondent of the allegation, provide details of the accusation in writing, provide him or her with a copy of the Harassment Policy and Procedure, and specifically advise him or her of the opportunity to contact a Panel Member to assist in the preparation of a response or provide other support or information.
 - **STUDENTS: If the Respondent is a student, the Coordinator of Student Conduct will initiate the proper procedures through the Student Judicial System, through which the complaint will be handled from this point on.**
- 2. Response by Respondent:** Once the Respondent has been so advised, he or she has the opportunity to submit a written response to the complaint. The Respondent may seek the assistance of a Panel Member in preparing the response. In order for the written response to be considered in the next stage of the process, the response must be submitted to the Provost (faculty) or HR Director (non-faculty) within seven (7) working days of notice of the complaint. The response should also include as much detail as possible, as discussed above in “Contents of Report.”
- 3. Initial Review and Investigation:** Once the complaint and response have been submitted, the Provost or HR Director who received the complaint will select two Panel Members to serve as an investigation committee along with the Provost or HR Director.

⁷ Throughout these procedures, where the Provost and HR Director are referenced, the Provost applies to instances in which the respondent is a faculty member; HR Director applies to instances in which the respondent is a non-faculty employee or an employee who is not a part of the teaching faculty and not reviewed by the Faculty Personnel Committee.

- **Initial Review:** The initial step of the investigation will be to determine whether the conduct or language complained of would, if true, constitute a violation of the University’s policy against harassment. The Panel Members will make a determination on this question.
 - If both Panel Members determine that the complaint, even if true, would not constitute a violation of the University’s policy against harassment, the Complaint will not be pursued further, and the Provost or HR Director will so advise the Complainant and Respondent.
 - If either of the Panel Members determines that the conduct or language complained of would, if true, constitute a violation of the University’s policy against harassment, the two Panel Members will promptly proceed to conduct an investigation of the facts underlying the complaint.

NOTE: If, at any time in the processes set forth in these procedures, the Complainant or the Panel Members believe immediate action needs to be taken in order to stop ongoing harassment, he or she should advise the Provost or HR Director who will take appropriate action. [If immediate action needs to be taken with regard to a student, the Coordinator of Student Conduct should be notified.]

- **Investigation:** If an investigation is called for, the Panel Members will proceed promptly to conduct a fact-finding process, which will proceed as follows:
 - The Panel Members, working as a team, will conduct interviews of both the Complainant and the Respondent. They may also interview any other individuals who may have knowledge that would be helpful in determining what has occurred.
 - The Panel Members may also seek from the Complainant or Respondent or others any documentation that would be helpful in conducting their investigation.
 - Throughout this investigation process, the Panel Members will continue to maintain efforts to keep the matter as confidential as possible, in compliance with their duties.

4. Report of Findings of Investigation:

- The Panel Members will issue a written report of their factual findings, including a conclusion of whether or not they find it is more likely than not that there has been a violation of the University’s policy on harassment. If they disagree as to the findings or conclusion, that will be stated in their joint report. The report may also include recommendations and suggestions for resolution, including actions that would aid in stopping or preventing further harassment or disciplinary measures.
- The Panel Members will submit their report to the Provost or HR Director within thirty (30) days of their receipt of the complaint and response. An extension of that time period may, if found necessary, be granted by the Provost or HR Director.
- The Provost or HR Director will advise in writing the Complainant and Respondent of the results of the investigation, including a copy of the report, within two working days of receiving the results. If the finding is that it is more likely than not that a violation of the policy has occurred,

the Provost or HR Director will, within five working days of receiving the report, also advise the Respondent of the discipline or other action, if any, he or she intends to recommend. The Provost or HR Director may also inquire whether the parties can resolve the matter through discussion or mediation and facilitate such a resolution if requested.

- If either party wishes to pursue a hearing to review the outcome of the investigation, he or she may request such a hearing. The request must be made to the Provost or HR Director within seven calendar days of receiving the results of the investigation.

5. Hearing

- **Request for hearing:** If either party requests a hearing, an ad hoc hearing panel will be appointed by the Provost or the HR Director within seven days of the request. The ad hoc hearing panel's charge will be to hear the Complainant and the Respondent, as well as individuals who may have knowledge (additional witnesses are within the Panel's discretion), and review documents. In addition to the complaint, response, and any related documents, the hearing panel will also have available to it the report of the investigation to aid the panel in conducting its own hearing and review, although such report is not binding on the panel. It will also be advised of the discipline or other action, if any, recommended by the Provost or HR Director.
- **Composition of Hearing Panel:** The hearing panel will consist of three voting members and the Provost or HR Director as a non-voting member and chair. The panel will include at least one Harassment Advisory Panel Member who was not previously involved in the complaint and at least one male and one female member. If the Respondent is a faculty member, the panel will consist of one voting member who is of the same employment category as the complainant (faculty, administrator, staff) with the other two voting members being faculty members. If the Respondent is a non-faculty employee, the panel will consist of one voting member who is of the same employment category as the complainant, with at least one other voting member being a non-faculty employee.
 - **Conflicts of interest:** Before agreeing to serve on a hearing panel, the requested panel member will be advised of the names of the Complainant and Respondent so that he or she can ensure there is no conflict of interest in serving on the panel.
- **Scheduling of hearing:** The hearing will be scheduled for a time not later than seven work days from the date the panel is selected. The panel will notify the Complainant and Respondent not less than five calendar days prior to the hearing of its date, time and location.
 - At the same time, the chair will also provide to the parties the names of the members of the panel and inform them that any challenges for bias must be made not less than two days prior to the hearing. The chair will determine the sufficiency of any challenge and, if appropriate, choose a replacement panel member.
- **Hearing procedures:** The panel will conduct a hearing in the manner in which it determines, in its discretion, will be most conducive to determining fairly the facts and assessing responsibility and is in compliance with the following specifications:

- At the time of the hearing, both the Complainant and the Respondent will have the right to be heard in person by the panel. Both may be present while the other presents his or her position and while others provide information to the panel. The panel will, in its discretion, control the hearing so as to assure that any questions asked are relevant to the complaint and helpful to the determination required of the panel.
- Although legal counsel may not attend the hearing, the Complainant or Respondent may be accompanied by an individual of his or her choosing from the University community. The accompanying individual may neither address the panel nor question persons called before the panel.
- Other than the panel members, the Complainant and the Respondent, and the individuals accompanying them, the hearing will be closed, except when any other person asked by the panel to provide information is before the panel.
- Following the hearing, the panel will meet privately to make its determination.
- **Burden of proof and finding:** In order to find a violation of the policy, the panel (by a vote of at least two voting members) must find that the policy was more likely than not violated—either as based upon the complaint, or due to a false charge of harassment.
 - If the panel does not find there has been a violation of the policy, the chair will inform the parties of the finding in writing, within two working days, and the complaint will be dismissed. All records pertaining to the complaint shall be sealed and maintained in the office of the Provost or HR Director and accessible only to the Provost or Director.
 - If the panel determines that there has been a violation of the policy, the chair will inform the parties of the finding in writing, within two working days. The panel may also recommend sanctions or other actions appropriate to resolving the complaint. All records pertaining to the complaint will be held in the possession of the Provost or HR Director for use in case there is a challenge to any discipline as provided for below.
 - The ad hoc panel's decision as to whether or not there was a violation of the policy will be final.
 - The panel will ordinarily reach its conclusion within twenty working days after its impanelment.

6. Discipline:

- If a violation of the policy is found to have occurred, sanctions or disciplinary action may be imposed. If the Respondent is a faculty member, any sanction or discipline resulting from a decision that there was a violation of the policy will be within the discretion of the Provost. If the Respondent is a non-faculty employee, or an employee who is not a part of the teaching faculty and not reviewed by the Faculty Personnel Committee, the results will be provided to the hiring officer, who will determine the appropriate sanction or discipline, if any.
- Any discipline may be challenged by the Respondent. For faculty: utilizing the procedures set forth in Chapter III of the Faculty Handbook; for hourly employees: utilizing the

procedures set forth in the Handbook for Hourly Employees; for salaried employees: by review by the President. Such review will be only on the appropriateness of the discipline, compliance with procedures, or the question of whether the proceedings were unbiased. Such review must be initiated in writing, and the President's decision, which will be in writing, will be final.⁸

- After any challenge to discipline has concluded, or after it has been determined that there will be no such challenge, all records pertaining to the complaint shall be sealed and maintained in the office of the Provost or HR Director and accessible only to the Provost or HR Director.
 - If, at any point in these proceedings, the Provost or HR Director is allegedly involved in the alleged harassment, the President shall appoint a substitute to stand in the place of the Provost or HR Director. If there is an allegation that the President has violated this policy, the Chair of the Board of Trustees, working in consultation with the Director of Human Resources, will define a process for reviewing the allegation.
- 7. Relief to Complainant:** As appropriate, the University will take action to provide relief to the Complainant, including assuring that the conduct has stopped, taking measures to prevent its reoccurrence, or redressing the specific harm. If an individual is found to have harassed another, any changes taken to separate the individuals or otherwise diminish the possibility of future harassment will, to the extent possible, be taken with regard to the offending party, unless the complaining party wishes to make a change in his or her work circumstances.

Resources

Counseling Services, HWCC 324
Women's Resource Center, HWCC 328
LGBTIQ Resource Center HWCC 218
Multicultural Student Affairs Office, HWCC 324
International and Off-Campus Programs Office, HWCC 214
Human Resources, Univ. Hall 003
Chaplain's Office, HWCC 308
Provost's Office, Univ. Hall 108
President's Office, University Hall 101
Residential Life, HWCC 225
Public Safety Office, Smith Hall 120
Student Health Center, Stuyvesant Hall
Student Life, HWCC 230
Vice President for Student for Student Affairs

⁸ At the time these procedures were prepared, there did not exist an employment manual for salaried employees. At such time as such a manual is created, any challenge to discipline shall be governed by said manual.