

without identifying themselves. Anonymous reporters are encouraged to speak with the Policy Coordinator so as to understand the potential limitations for an investigation being conducted based on an anonymous report.

Complainant: The term "Complainant" refers to the alleged victim of discrimination, harassment and/or retaliation/intimidation, whether reported by the alleged victim or a third party.

Confidential Resources: "Confidential Resources" are those who are not required to convey a report under this Policy.

Day: When referenced within this Policy, "day" refers to a day on which classes are held. Timelines for the Resolution Process, when extending into the summer or other break periods, will be communicated to the parties as the process proceeds.

Discrimination: The term "discrimination" means treating a community member or group less favorably than a similarly situated community member or group because they are a member of a "protected class" as defined herein. These same protections also apply to persons who are treated less favorably because of their affiliation or association with a "protected class" as defined herein.

Harassment: For purposes of this Policy, "harassment" is defined as any type of behavior which is based on an individual's membership in a "protected class(es)" that is: a) unwelcome and b) creates a "hostile environment."

Harassment when directed at an individual, or group of individuals, because of their membership in a "protected class(es)" or affiliation or association with a "protected class(es)" may include, but is not limited to:

- Conduct, whether verbal, physical, written, graphic, or electronic that threatens, intimidates, offends, belittles, denigrates, or shows an aversion toward an individual or group;
- Epithets, slurs, and/or negative stereotyping, jokes, or nicknames;
- Written, printed, or graphic material that contains offensive, denigrating, and/or demeaning comments, and/or pictures; and
- The display of offensive, denigrating, and/or demeaning objects, e-mails, text messages, social media posts, and/or images.

A "hostile environment" results from unwelcome and discriminatory conduct that is so severe, pervasive, or persistent that it unreasonably interferes with, alters, limits, or deprives a member of the community of the ability to participate in or to receive benefits, services or opportunities from the College's education or employment programs and/or activities. A hostile environment can be the result of acts committed by any individual or individuals.

Investigator: Within the Policy, an "investigator" is a neutral and impartial fact-

Confidentiality Expectations of Complainants and Respondents

Parties and witnesses are expected to maintain confidentiality regarding the proceedings under this Policy, provided that the parties may speak to confidantes, parents, counselors, attorneys, and law enforcement authorities regarding the matter, and may speak to others for the purposes of seeking, obtaining, or presenting evidence, or otherwise preparing for the meetings described in this Policy. With

granted. In cases where a request for confidentiality is honored, the College's ability to investigate and take disciplinary action may be limited.

In all circumstances, the College will make appropriate supportive measures available, provide access to resources, and take such other actions as necessary and appropriate to protect the safety and security of the parties and the College community.

Anonymous Reports

The College receives the complainant's voluntary withdrawal in writing of any or all of the allegations, the Policy Coordinator declines to initiate a complaint, and the College determines that, the conduct that remains in the complaint would not constitute harassment or discrimination, even if proven; or

The College determines that the conduct alleged in the complaint, even if proven, would not constitute harassment or discrimination within its programs or activities. Before dismissing the complaint, the College will make reasonable efforts to clarify the allegations with the complainant.

If the College dismisses a complaint, the College will provide the complainant with a written notice of the dismissal, and the reason(s) for the dismissal, and that a dismissal may be appealed as described in this Section.

The Complainant will have five (5) business days from notification of the dismissal to appeal. Appeals will be accepted on the following grounds:

Procedural irregularity that would change the outcome;

New evidence that would change the outcome and that was not reasonably available when the determination to dismiss the complaint was made; and

The Policy Coordinator had a conflict of interest or bias for or against complainants or

During the investigation, the parties will have an equal opportunity to share information, submit evidence, and request that witnesses be interviewed. The parties will *not* be interviewed together or be required to meet. Parties and witnesses are expected to provide all available relevant evidence to the investigator during the investigation. If a party or witness fails to provide available relevant evidence during the investigation, such evidence may not be grounds for an appeal. Expert reports and witnesses are not permitted.

The investigator may decline to gather information if:

- the request seeks information that is unreasonably duplicative;
- the request is unlikely to yield relevant evidence;

Specific sanctions include, but are not limited to: formal reprimand (to be included in the permanent record of the student or employee); expulsion from the residence halls (if the person is a student residing on campus); suspension or expulsion from the College, with or without the refund of fees, in the case of students; suspension with or without pay or termination of employment, in the case of employees; commencement of procedures to terminate appointment as provided in the Polity in the case of tutors; disciplinary probation; no

The Appeal Officer is not expected to conduct a full review of the case. This is not an opportunity for the Appeal Officer to substitute their judgment for that of the investigators. Rather, they may only make changes to the original outcome when at least one of the specified grounds for appeal is met. The changes made should directly pertain to the appeal grounds that were met.

The Appeal Officer may a) determine that no grounds for appeal have been met; thus, the original decision stands; b) determine that grounds for appeal have been met, and choose to remand the matter back to the investigators to address the appealed aspects of the case; or c) determine that grounds for appeal have been met, and