

# Hollins University Harassment Policy

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## **1. INTRODUCTION**

Hollins University's primary concern is the community's safety and ability to participate equally in educational and employment opportunities. Therefore, the university prohibits any type of harassing conduct within or connected to the institution.

Within the context of its mission statement, Hollins University strives to recognize human dignity, and is committed to providing equal educational and employment opportunities to all persons, regardless of sex (including gender identity and sexual orientation), race, color, ethnic origin, nationality, disability, genetic information, sexual orientation, veteran status, marital status, age, and political and religious beliefs.

Unwelcome conduct may be unlawful and unfairly interferes with the opportunity for all people to have a safe and productive educational and employment environment. Hollins University is committed to taking all reasonable steps to eliminate harassment, prevent its recurrence, and address its effects in a prompt, equitable, and effective manner, and to discipline where appropriate, under the applicable university disciplinary procedures, those who violate this policy. Hollins believes that a person is entitled to say "no" to unwanted and offensive conduct without the fear of reprisal or retribution from any person.

Hollins University is committed to the principles of academic freedom, and believes that free inquiry, critical thinking, vigorous discussion, debate, and free expression are integral parts of the university community. The educational setting presents unique issues because academic freedom promotes the expression of ideas, even where the ideas may be perceived to be offensive. The educational process relies upon the free exchange of ideas, and this policy shall not be interpreted to otherwise restrict academic freedom. This academic freedom, however, should not be used to create a hostile environment.

It is the goal of Hollins University that, when possible, individuals have a responsibility to resolve conflicts between or among themselves. Hollins will strive to create an environment that promotes mature discussion and resolution of issues, and expects that the members of the Hollins community will strive to do the same. All members of the campus community should work to understand that what is perceived as unwelcome conduct by one individual may not be similarly perceived by another where differences of attitude, beliefs, experiences, and/or culture apply. If and when unwelcome conduct is believed to have occurred, the following internal policy, process, procedures, people, education, and training are in place to report and investigate complaints; provide prompt, equitable, and remedial action to resolve complaints; and provide on- and off-campus assistance and resources to support complainants and respondents.

## **2. SCOPE OF POLICY**

### ***People Impacted***

This policy applies to all members of the university community, including administration, faculty, staff, students, anyone who resides on campus, and third parties, regardless of sexual orientation or gender identity. The policy also applies to members of the Hollins community attending off-campus events, trips, programs, and activities sponsored by Hollins University, as well as Hollins' study-abroad programs. Furthermore, this policy applies to third parties who visit or do business on campus, including contractors.

Harassment can occur between peers (ex. co-students or coworkers), as well as between persons in relationships of unequal power (ex. faculty and students). The potential for creating an atmosphere of fear and intimidation is greater in relationships where such inequalities of power exist.

### ***Harassment and Hostile Environment Definitions***

Harassment, as covered by this policy, is any conduct directed toward an individual or group that is unwelcome, unacceptable, and/or offensive; that is based on the protected classes of sex (including gender identity and sexual orientation), race, color, national or ethnic origin, disability, genetic information, veteran status, marital status, age, political beliefs, religion, and/or pregnancy, childbirth, or related medical conditions. Harassment can be of a physical, written, verbal, or nonverbal nature. Additionally, harassment can occur regardless of intent.

A hostile environment is created when repeated, severe, pervasive, or persistent harassment interferes with an individual's ability to learn, work, or otherwise participate in university life. In the majority of cases, a pattern of incidents is required; casual or sporadic incidents are not enough to show a hostile environment. However, a single incident may be sufficiently severe to create a hostile environment.

The Harassment Grievance Board and Harassment Grievance Board officers will handle harassment complaints only as defined in the above two paragraphs. Other forms of harassment, whether defined by law or not, will not be tolerated, and may result in disciplinary action if they should occur. Student complaints arising out of these situations will be handled through the policies and procedures of the appropriate Student Conduct Councils that govern undergraduate and graduate students. Complaints involving employees will be addressed through the university's employment grievance procedures. Any other alleged policy violations associated with a harassment complaint will be addressed separately.

### ***Confidentiality Provision***

Confidentiality is a clear expectation throughout the report/complaint filing, investigation, determination, resolution, discipline, and appeals processes. Complete confidentiality can never be promised, as people with "a need to know" must be involved. Also, the safety of the complainant and others must be taken into consideration.

Documentation related to all complaints filed with the Harassment Grievance Board, including the actual complaint, information about accommodations and protective measures, witness interviews, Harassment Grievance Board officer notes, complaint evidence, investigative reports and summaries, disposition documents, resolution records, disciplinary records, and appeal documents, will be stored in a location with secure access, and will not be part of employment or academic records unless an individual receives discipline. Access to records and other information pertaining to harassment reports/complaints, accommodations and protective measures, investigations, determinations, resolutions, discipline, and appeals will be maintained confidentially to the fullest extent possible by restricting access to such records and other information to those individuals with a legitimate need to know and to those individuals designated or otherwise authorized by Hollins University to review such information.

See the "Policies Governing Confidentiality" section for more information.

## **3. OPTIONS AND RESOURCES WITH HARASSMENT COMPLAINTS**

### ***Options for Immediate and Ongoing Assistance for All Harassment Complaints***

A list of these resources, as well as rights and options, will be provided in writing to students and employees who report to the university that they are survivors of dating violence, domestic violence, sexual violence, or stalking, whether the alleged offense occurred on or off-campus.

## **ON-CAMPUS RESOURCES**

For harassment complaint counseling and support for students and employees, whether or not a survivor or victim chooses to make an official report or participate in the institutional disciplinary process and/or a criminal process. If the below on-campus resources are used, the services are confidential, and these offices and people are not required to report university-related sexual harassment complaints to the Title IX coordinator.

### **Health and Counseling Services**

540-362-6444, [hcs@hollins.edu](mailto:hcs@hollins.edu), lower level of Turner

Academic year schedule: Mon.-Thurs. 8:00 a.m. – 4:30 p.m., Fri. 8:00 a.m. – 2:00 p.m.

They can provide treatment for injuries, prescriptions and products for birth control, information about prevention of sexually transmitted diseases, and other health and counseling services.

### Lead Counselor

Amanda Griffin

[griffinam@hollins.edu](mailto:griffinam@hollins.edu)

540-362-6444

Office is in the basement of Turner.

## **OFF-CAMPUS RESOURCES**

For harassment complaint counseling and support for students and employees, whether a survivor or victim chooses to make an official report or participate in the institutional disciplinary process and/or a criminal process. If the below off-campus resources are used, the services are confidential, and these providers are not required to report university-related sexual harassment complaints to the Title IX coordinator.

### **HEALTH SERVICES**

#### **Carillion Roanoke Memorial Hospital**

540-981-7000

[www.carilionclinic.org/hospitals/carilion-roanoke-memorial-hospital](http://www.carilionclinic.org/hospitals/carilion-roanoke-memorial-hospital)

#### **Lewis Gale Medical Center (hospital)**

540-776-4000

[www.lewisgale.com/locations/lewisgale-medical-center](http://www.lewisgale.com/locations/lewisgale-medical-center)

### **COUNSELING / MENTAL HEALTH SERVICES**

#### **Blue Ridge Behavioral Healthcare**

540-343-3007 (general number) or 540-981-9351 (crisis services) [www.br bh.org](http://www.br bh.org)

#### **Family Service of Roanoke Valley**

540-563-5316 [www.fsrv.org](http://www.fsrv.org)

(This is also the Employee Assistance Program provider. Employees can contact HR for details.)

#### **CONNECT (Carillion Clinic Psychiatry and Behavioral Medicine Dept.)**

540-981-8181 or 800-284-8898 [www.carilionclinic.org/connect](http://www.carilionclinic.org/connect)

## **OTHER RESOURCES**

### **Student Assistance Program**

800-633-3353

[www.mygroup.com](http://www.mygroup.com), click “My Portal Login,” click “Work-Life”

Username: “hu1842”

Password: “guest”

### **Disability Services (for students)**

Director of Student Accessibility Services

**Becky Harman**

**x6534**

**harmanrc@hollins.edu**

### **Chief Officer of Human Resources**

Alicia Godzwa

x6660

agodzwa@hollins.edu

### **Financial Aid (for students)**

x6332

### **International Student Advising**

**x6089**

[abroad@hollins.edu](mailto:abroad@hollins.edu)

## **SECURITY, LAW ENFORCEMENT, and LEGAL ASSISTANCE**

### **Roanoke County Police Department**

540-562-3265 for non-emergencies, 911 for emergencies

[www.roanokecountyva.gov/index.aspx?nid=83](http://www.roanokecountyva.gov/index.aspx?nid=83)

### **Crime Victim/Witness Assistance - Roanoke County and Virginia** 540-387-6181

for Roanoke County, 888-887-3418 for Virginia

<https://www.roanokecountyva.gov/2556/Victim-Witness-Program>

### **Commonwealth’s Attorney and Public Defender - Roanoke County** (for criminal matters)

540-387-6174 [www.roanokecountyva.gov/2555/Commonwealths-](http://www.roanokecountyva.gov/2555/Commonwealths-Attorney)

[Attorney](http://www.roanokecountyva.gov/2555/Commonwealths-Attorney)

### **Blue Ridge Legal Services** (for civil matters)

540-344-2080 [www.brls.org](http://www.brls.org)

## **OTHER ON-CAMPUS RESOURCES**

For all harassment complaints for students and employees: If the university security department or Title IX coordinator is contacted, the complaint may have limited confidentiality, and will likely be investigated.

**Hollins University Security Department/ Botetourt Hall**

540-362-6419 for non-emergencies, 540-362-6911 for emergencies

[Security Department - Hollins University](#)

**Interim Title IX Coordinator – Trina Johnson**

x6587 | [johnsontd@hollins.edu](mailto:johnsontd@hollins.edu) | 1st Floor in the Library #115

**Chief Officer of Human Resources– Alicia Godzwa**

x6660 | [agodzwa@hollins.edu](mailto:agodzwa@hollins.edu) | Botetourt Hall

***Immediate and Interim Measures for All Harassment Complaints***

For the safety and well-being of a student and employees, complainants of any form of harassment, if requested and reasonably available, the university may take immediate and interim measures, including, but not limited to, allowing students to move campus residences (temporarily or permanently), changing university work schedules, altering academic schedules, withdrawing from or retaking a class without penalty, and accessing academic support (ex. tutoring). Other immediate and interim measures the university may take include, but are not limited to, providing escort services, issuing a no-contact order or no-trespass notice against the respondent, and changing the campus living arrangements, university work schedule, and course schedule of the respondent.

For the safety and well-being of an employee complainant of any form of harassment, if requested and reasonably available, the university may take immediate and interim measures including, but not limited to, changing their work schedule and assigning an interim or new supervisor. Other immediate and interim measures the university may take include, but are not limited to, issuing a no-contact order or no-trespass notice against the respondent.

Complainants may contact the Title IX coordinator to request the aforementioned accommodations and protective measures.

**4. HARASSMENT GRIEVANCE OFFICERS AND HARASSMENT GRIEVANCE BOARD**

Harassment Grievance Board officers have responsibility for receiving, investigating, and helping resolve harassment complaints. These officers constitute the Harassment Grievance Board, and the board members will elect a chair. Harassment Grievance Board officers are appointed for a one- (1), two- (2), or three- (3) year term by the president and may include members from the tenured and untenured faculty, administration, and staff. The Title IX coordinator is also a Harassment Grievance Board officer. Each year, these officers are identified through student and employee orientations and training and through communications with the campus community. The list of Harassment Grievance Board officers is available, [my.hollins.edu](http://my.hollins.edu), from the human resources office in Botetourt Hall, and on various bulletin boards on campus.

The Harassment Grievance Board officers are:

<p><b>Amber Becke</b> Associate Director Career and Life Design 540-362-6364 <a href="mailto:beckeae@hollins.edu">beckeae@hollins.edu</a></p>	<p><b>Patricia Sunia</b> Associate Professor 540-362-6276   <a href="mailto:suniap@hollins.edu">suniap@hollins.edu</a></p>
<p><b>Trina Johnson</b> Interim Title IX Coordinator 540-362-658 <a href="mailto:johnsontd@hollins.edu">johnsontd@hollins.edu</a></p>	<p><b>Jessie van Eerden</b> Associate Professor 540-362-6350   <a href="mailto:vaneerdenjh@hollins.edu">vaneerdenjh@hollins.edu</a></p>

<p><b>Ramona Kirsch</b> Director of International Programs 540-362-6214   <a href="mailto:kirschrr@hollins.edu">kirschrr@hollins.edu</a></p>	<p><b>Richie Waggoner</b> Assistant Director, Athletics; and Director, Athletic Communications 540-362-6470 <a href="mailto:waggonerrh@hollins.edu">waggonerrh@hollins.edu</a></p>
<p><b>Shaunaray Otey</b> Senior Financial Aid Counselor Scholarships and Financial Assistance 540-362-6332 <a href="mailto:oteysm@hollins.edu">oteysm@hollins.edu</a></p>	

## **5. TITLE IX COORDINATOR**

Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded educational programs and activities. Title IX protects students, employees, applicants for admission and employment, and other people from all forms of sex discrimination, including on the basis of sexual orientation and gender identity. All public and private colleges and universities receiving any federal financial assistance must comply with Title IX.

Trina Johnson, is the university's Interim Title IX Coordinator and Coordinator of HU Connect. She may be reached at 540-362-6588; [johnsontd@hollins.edu](mailto:johnsontd@hollins.edu) or visit her office in the Wyndham Library, office #115.

The Interim Title IX coordinator has responsibility for the Harassment Policy and oversight responsibility for policies, training, resources, and campus climate surveys related to sexual misconduct. All complaints involving sex (including gender identity and sexual misconduct) and sexual orientation are ultimately reported to and the responsibility of the Interim Title IX coordinator. The executive vice president and chief operating officer oversees all complaints involving sexual harassment where the Title IX coordinator is the respondent.

The Interim Title IX coordinator's responsibilities include overseeing the school's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. Additionally, the Interim Title IX coordinator is responsible for evaluating complainant requests for confidentiality in the context of the school's responsibility to provide a safe and nondiscriminatory environment.

The Interim Title IX coordinator also has responsibility for providing training to students, faculty, and staff on Title IX issues; conducting Title IX investigations, including investigating facts relevant to a complaint; assisting with determining appropriate sanctions against the respondent; determining remedies for the complainant; determining appropriate interim measures for a complainant upon learning of a report or complaint of sexual violence; and ensuring that appropriate policies and procedures are in place for working with local law enforcement and coordinating services with local victim or survivor advocacy organizations and service providers, including rape crisis centers.

The Interim Title IX coordinator is also available to meet with complainants and respondents as needed. See the following sections for additional details regarding the Title IX coordinator's duties.

Questions regarding Title IX may be referred to the Title IX coordinator or the Department of Education Office for Civil Rights.

## **6. DEFINITIONS**

The following conduct is prohibited by this policy:

### **Harassment**

As defined earlier in the policy, harassment is any conduct directed toward an individual or group that is unwelcome, unacceptable, and/or offensive; that is based on the protected classes of sex (including gender identity and sexual orientation), race, color, national or ethnic origin, disability, genetic information, veteran status, marital status, age, political beliefs, religion, and/or pregnancy, childbirth, or related medical conditions;

and that is pervasive and adversely affects participation in employment, education, or campus life; and/or creates a hostile environment. Harassment can be of a physical, written, verbal, or nonverbal nature. Additionally, harassment can occur regardless of intent.

### **Hostile Environment**

As defined earlier in the policy, a hostile environment is created when repeated, severe, pervasive, or persistent harassment interferes with an individual's ability to learn, work, or otherwise participate in university life. In the majority of cases, a pattern of incidents is required; casual or sporadic incidents are not enough to show a hostile environment. However, a single incident may be sufficiently severe to create a hostile environment.

### **Retaliation**

No one may discharge, suspend, expel, threaten, intimidate, coerce, or otherwise discriminate against a complainant, respondent, or witness who, in good faith, complains or provides information to, or otherwise cooperates with, a harassment grievance officer or the Harassment Grievance Board; attempts to assert any right protected by state or federal law; or assist any person in asserting such right. No one may discharge, suspend, expel, threaten, intimidate, coerce, or otherwise discriminate against any person for exercising her/his responsibilities, in good faith, under this policy.

### **Intimidation**

No one may scare a complainant, respondent, or witness who, in good faith, complains or provides information to, or otherwise cooperates with, the Harassment Grievance Board; attempts to assert any right protected by state or federal law; or assists any person in asserting such right. Intimidation includes, but is not limited to, use of force, threat of use of force, reprisal, or threat of reprisal.

## **7. REPORTING POLICIES AND PROTOCOLS**

### ***Filing a Harassment Complaint***

**To file an institutional complaint**, the complainant may contact a member of the Harassment Grievance Board. Complaints of any form of harassment should be filed in writing with a Harassment Grievance Board officer as close to the alleged incident as possible, but in all circumstances, a complaint must be filed within one hundred eighty (180) calendar days of the alleged harassment.

More time to file a complaint may be offered to the potential complainant if extenuating circumstances exist. An extension of time to file a complaint should be sent in writing to the Harassment Grievance Board chair. The chair will advise the potential complainant in writing within five (5) business days if an extension of time to file a complaint has been granted.

Written complaints should generally include the following information: name(s) of the respondent, details of what allegedly occurred, when the harassment allegedly occurred, where the harassment allegedly occurred, why the alleged harassment occurred if known, witnesses to the alleged harassment, response(s) to the alleged harassment, and action(s) required for resolution.

The Title IX coordinator will then investigate the complaint, with one or more Harassment Grievance Board officers, or may assign the complaint to two or more Harassment Grievance Board officers.

Non-sexual harassment complaints from students and employees are considered privileged and confidential disclosures unless the complainant contacts a Harassment Grievance Board officer. See "Policies Governing Confidentiality" for more information.

With complaints involving alleged criminal conduct, the complainant is encouraged, but not required, to report the incident to local, state, and/or federal law enforcement agencies. The complainant may contact the university security department for assistance notifying law enforcement agencies about alleged criminal conduct.

**To file a criminal complaint**, the complainant may contact the Roanoke County Police Department or Commonwealth's Attorney. The complainant may contact the university security department for assistance notifying these law enforcement agencies.

**Roanoke County Police Department**

540-562-3265 for non-emergencies, 911 for emergencies

<http://www.roanokecountyva.gov/index.aspx?nid=83>

**Commonwealth's Attorney and Public Defender - Roanoke County**

[Commonwealth's Attorney | Roanoke County, VA - Official Website \(roanokecountyva.gov\)](http://www.roanokecountyva.gov)

If a criminal complaint is filed, the criminal investigation will run parallel to or independent of the university investigation, depending on whether or not an institutional complaint was filed.

***Policies Governing Confidentiality***

A student may contact Health and Counseling Services or the university chaplain to have a sexual harassment complaint deemed, in most cases, a privileged and confidential disclosure. The exceptions to this confidentiality are situations in which there are concerns about the student's or others' safety, or the victim or survivor is a minor. In such situations, incident information pertinent to the student's, others', or the minor's safety will be disclosed to university administrators responsible for helping keep the student, campus community, or minor safe; all other information will remain confidential.

As also stated previously, a student may contact CASA (Coalition Against Sexual Assault) or an off-campus resource to have a sexual harassment complaint deemed a privileged and confidential disclosure, and an employee may contact an off-campus resource to have a sexual harassment complaint deemed a privileged and confidential disclosure. In these disclosures, all information is kept confidential.

There are times in harassment complaints when the university may not be able to honor a student's or employee's request that their name not be disclosed to the respondent, or that no investigatory or disciplinary action be taken. These times include, but are not limited to, if the respondent has been involved in similar incidents; there is a risk to the safety of the student, employee, others, or the campus community; or the victim or survivor is a minor. The Title IX coordinator is responsible for evaluating such requests for confidentiality or no action.

***University's Reporting Obligations Under the Clery Act***

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* requires colleges and universities to report annually information regarding their campus security policies and campus crime statistics. This is done through the Annual Security Report.

Hollins University has identified non-security department campus security authorities to whom crimes may be confidentially reported by victims, witnesses, other third parties, or offenders. A list of identified campus security authorities can be found in the university's Student Handbook and posted on the university's security website. Reports taken by non-security department campus security authorities will be forwarded to the chief of security for the purposes of review, inclusion in the annual disclosure of crime statistics, and for timely warning purposes.

The university will issue a timely warning when a crime is reported to, or brought to the attention of, the security department or other campus security authorities, and that crime represents a serious or ongoing threat to the safety of members of the university community. Information for timely warnings may also come from law enforcement authorities. Every attempt will be made to issue the warning as soon as possible after the incident is reported to

the university; however, the release is subject to the availability of accurate facts concerning the incident.

Warnings are created by the combined efforts of the university president, the executive vice president and chief operating officer, and the director of public relations, in conjunction with the security department. Crimes for which a timely warning is appropriate include but are not limited to: murder/non-negligent manslaughter, manslaughter, forcible sex offenses, non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, stalking, and hate crimes in the additional categories of larceny/theft, simple assault, intimidation, and destruction/damage/vandalism of property.

### ***Process for Third-Party and Anonymous Reporting***

Third-party and anonymous reports and complaints received by Harassment Grievance Board officers, as described previously, will be treated as institutional complaints.

### ***Prohibition Against Retaliation***

Prohibition of retaliation is a clear expectation throughout the report/complaint filing, investigation, determination, resolution, discipline, and appeals processes. Retaliation against a complainant (including a third party), witness, or any other person exercising their rights or responsibilities under this policy is prohibited. Anyone found to have violated the anti-retaliation provision of this policy will likely be disciplined.

### ***Times When Amnesty Will Be Granted for Students***

Per the “Special Provisions” section of the university Student Handbook, “In a community, students are encouraged to help other members of the community who are in need; in other words, to be good Samaritans. When a student has assisted an intoxicated student in procuring the services of university security and/or professional medical assistance at Health and Counseling Services or another health care facility, neither the intoxicated student nor the individual(s) who assist(s) them will be subject to formal action through the university conduct process for being intoxicated or having provided that person alcohol. This applies only to first-time isolated incidents and does not excuse or protect those who flagrantly or repeatedly violate university alcohol policies. A student who reports or is the victim or survivor of a violent physical assault or sexual assault, but who may have been in violation of university policies on alcohol or other drugs at the time of the assault, will not be charged with a conduct violation, in the interest of encouraging victim or survivor of violence to come forward and take action.”

## **8. INVESTIGATION PROCEDURES AND PROTOCOLS**

### ***Investigators***

Once the Title IX coordinator receives a harassment complaint, they will investigate the complaint with one or more Harassment Grievance Board officers or may assign the complaint to two or more officers who will conduct the investigation. Additionally, the full board may be involved in complaints that warrant disciplinary action. It is the intent of the university that its investigative procedures be prompt, fair, and impartial.

### ***Process***

The complainant and the respondent will be advised of the name(s) of the Harassment Grievance Board officer(s) who will be investigating the complaint.

The party accused of harassment (the respondent) will be notified within five (5) business days of receipt of the complaint, unless such notification is impossible through no fault of the university, in which the notification will

be provided as soon as possible under the specific circumstances, and the specific charges will be clearly stated in writing. If additional charges develop during the investigation, the respondent will be immediately notified in writing.

The Harassment Grievance Board officer(s) will interview the complainant and witnesses and will examine available evidence and documentation.

The Harassment Grievance Board officer(s) will interview the respondent, informing the individual(s) of the evidence and documentation brought against them, and will request that the respondent provide witnesses, evidence, and documentation that are pertinent to the investigation.

The Harassment Grievance Board officer(s) may interview any other individual who has information or may potentially impact the investigation and resolution processes.

### ***Evidence***

The Harassment Grievance Board officer(s) will ask the complainant, respondent, and witness(es) that original evidence and documentation be submitted to them, or if electronic, the original forwarded, or a copy be made.

The complainant and/or respondent may request the opportunity to examine available evidence and documentation. The Harassment Grievance Board officer(s) will determine what, if any, evidence, and documentation can be shared between the complainant and/or respondent.

### ***Timeline***

Reasonable attempts will be made to resolve any complaint in a timely manner. While the goal for completing a complaint investigation is approximately ninety (90) calendar days following receipt of the complaint, complaints will be handled promptly. The complainant and respondent will be contacted regularly about the investigation status and will also be notified in writing should the case require a protracted investigation, as well as the reason for the delay. Such delays may include, but are not limited to, issues involving the availability of parties to the complaint, availability of the Harassment Grievance Board officers, and the demands and schedule of the academic session.

### ***Interim Measures***

Under appropriate circumstances, immediate action to prevent harassment will be taken, and is not limited to the process and procedures provided herein. As appropriate, the complainant and respondent will be notified as soon as practicable of such action. See prior section, "Immediate and Interim Measures for All Harassment Complaints" for more information.

### ***Support Persons and Advisors***

If the complainant and/or respondent request(s) to bring a support person or advisor to a harassment complaint related meeting, including a disciplinary meeting, the request must be submitted in writing to the Harassment Grievance Board officer(s) investigating the complaint no less than five (5) business days before such meeting.

### ***Parallel Investigations with Law Enforcement***

Hollins University has a memorandum of understanding (MOU) with the Roanoke County (Virginia) Police

Department, and may contact them to assist in the investigation of any alleged felony criminal sexual assault in or on campus property or on public property. Hollins also has a mutual aid agreement (MAA) with the Virginia State Police and may contact them to assist with any alleged felony sexual assault. Hollins will provide these law enforcement agencies with as much information as possible to aid in their investigations, at the request of a complainant, without violating the confidentiality of a complainant who requests such. The exceptions to this confidentiality are situations in which the respondent has been involved in similar incidents; there is a risk to the safety of the complainant, others, or the campus community; or the victim or survivor is a minor.

### ***University Response When Anonymity is Requested***

There are times when a complainant's request for anonymity limits the university's ability to fully investigate and respond to a particular matter. However, the university may be able to take steps to limit the effects of the alleged harassing behavior and prevent its recurrence without initiating formal action against the alleged respondent or revealing the identity of the complainant. For example, the university may be able to take the following actions including, but not limited to: providing increased monitoring, supervision, or security at locations or activities where the alleged misconduct occurred; providing training and education materials for students and employees; revising and publicizing the school's Harassment Policy; and conducting climate surveys regarding such misconduct.

## **10. GRIEVANCE/ADJUDICATION PROCEDURES**

### ***Complaint Determination***

The Harassment Grievance Board officers will use the "preponderance-of-the-evidence" standard in determining whether harassment has occurred. With the preponderance-of-the-evidence standard, the harassment grievance officers will determine if it is more likely than not that harassment occurred.

In determining whether the alleged, unwelcome conduct constitutes a violation of this policy, the Harassment Grievance Board officers will consider the totality of the circumstances, including all relevant information regarding the nature of the alleged, unwelcome conduct and the context in which the alleged, unwelcome conduct occurred. Conduct alleged to constitute harassment will be evaluated on a case-by-case basis according to the objective standards of a reasonable person. A reasonable person is one who is under similar circumstances and has similar identities to the complainant.

### ***Resolution***

Resolution procedures, such as mediation, are intended to provide prompt, fair, and impartial resolution of problems and to preserve the interests of all involved. A complaint may be resolved through oral or written agreement.

The Harassment Grievance Board officer(s) will do what is appropriate, fair, and practical to meet the complainant's request for resolution, as well as suggest and/or request additional remedies and accommodations they feel are needed by the complainant. Harassment Grievance Board officers will also suggest to the Title IX coordinator any remedies they feel are needed for the campus community as a result of a complaint.

After the completion of the resolution process, a Harassment Grievance Board officer will contact each of the parties to discuss the results of the investigation and future expectations within five (5) business days after a determination about the complaint has been made. This communication will be sent to both parties simultaneously. It will include a written report of the outcome of the investigation, including information about the rationale for the complaint determination, any disciplinary action, the appeal process, when the outcome becomes final, and a statement that the university will not require either party to abide by a nondisclosure.

agreement, in writing or otherwise, that would prevent the redisclosure of information related to the outcome of the investigation.

The complainant and respondent will be notified regularly in writing should the case require a protracted resolution and will be given the reason for the delay. Such delays may include, but are not limited to, issues involving the availability of parties to the complaint, availability of the Harassment Grievance Board officers, and the demands and schedule of the academic session.

*It should be noted that discipline may not be warranted, even if a violation of this policy has occurred, depending on the totality of circumstances of the complaint.*

### ***Resolution with Discipline***

In the event it is determined that a violation of this policy has occurred, and discipline is warranted, discipline may include, but is not limited to, any of the following:

- Oral reprimand
- Written reprimand
- Employment suspension (with or without pay) or termination.
- Academic suspension or expulsion
- Limitations on access to the university's property or banning from the same.

In situations where employee discipline is warranted, the provost or appropriate vice president will determine the final discipline. The Harassment Grievance Board officers will provide information gathered as part of the investigation as well as their determination of the complaint. The Harassment Grievance Board officers will meet with the provost or appropriate vice president upon their request to review the submitted information.

In situations where student discipline is warranted, the conduct coordinator will determine the final discipline. The Harassment Grievance Board officers will provide information gathered as part of the investigation as well as their determination of the complaint. The Harassment Grievance Board officers will meet with the conduct coordinator upon their request to review the submitted information.

The provost or appropriate vice president or the conduct coordinator will notify the individual(s) whom it was determined violated the policy of the discipline to be imposed. Disciplinary action will normally occur within ten (10) business days after the Harassment Grievance Board officers have determined that a violation of the policy has occurred, and discipline is warranted. A determination that an individual has violated this policy and the resulting disciplinary action will be placed in the individual's employment and/or conduct file. Discipline may also include legal action.

### ***Conflicts of Interest***

If the complainant and/or respondent feel that there is a potential conflict of interest with a harassment complaint investigator or disciplinarian, they should send a written notice of the concern and rationale for the concern to the Title IX coordinator within seven (7) business days of such concern being raised. The Title IX coordinator will then respond to the concern within seven (7) business days. If the conflict of interest is with the Title IX coordinator, the written notice of concern and rationale for the concern should be sent to the vice president for student success, well-being, and belonging within seven (7) business days of such concern being raised. The vice president for student success, well-being, and belonging will then respond to the concern within seven (7) business days.

## ***Appeal Process***

The complainant or respondent involved in a harassment complaint procedure may appeal the complaint determination or impose discipline based upon perceived procedural error; where previously unavailable, relevant evidence could significantly impact the outcome of a complaint; or where it is felt the discipline is substantially disproportionate to the complaint findings. The appeal must be made within ten (10) business days of the date the notice of the determination made by the Harassment Grievance Board is issued. The appeal must be made in writing to the executive vice president and chief operating officer or vice president for student success, well-being, and belonging, and must state in detail the reasons upon which the appeal is based.

If the appeal involves a student or staff member, the executive vice president and chief operating officer will appoint a three-member appeal panel consisting of staff and/or faculty uninvolved with the complaint to investigate the appeal. The executive vice president and chief operating officer will designate one member of the panel as the convener. If the appeal involves a faculty member, the executive vice president and chief operating officer or vice president for student success, well-being, and belonging will notify the chief academic officer/provost to convene the Faculty Review Board, and three members of the board will constitute an appeal panel to investigate the appeal.

The vice president for student success, well-being, and belonging will forward to each appeal panel member copies of all investigative materials, including recommendations from the Harassment Grievance Board. Members of the appeal panel may seek additional information or advice and will make a decision within thirty (30) calendar days from the date they receive the investigative materials.

The appeal panel shall make a recommendation either for or against reconsideration of the complaint determination or imposed discipline noted in the appeal. The recommendation will be reported to the vice president for student success, well-being, and belonging within three (3) business days after a decision is reached, and to both parties involved in the complaint within five (5) business days after a decision is reached. This communication will be sent to both parties simultaneously. It will include information about what specific action(s) and/or procedure(s) should be reconsidered when the appeal decision becomes final, and a statement that the university will not require either party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the redisclosure of information related to the outcome of the appeal.

The decision made by an appeal panel is final. If the executive vice president and chief operating officer or vice president for student success, well-being, and belonging recommends termination of a faculty member, the normal “termination for cause” procedures defined in the Faculty Handbook will be followed. If a student is suspended or expelled, an automatic appeal with the vice president for student success, well-being, and belonging will occur. If the vice president for student success, well-being, and belonging issues the suspension or expulsion of a student, an automatic appeal with the president will occur.

If the individual making the appeal is dissatisfied with the result, nothing prevents her/him from filing a complaint with state and/or federal agencies or a court of competent jurisdiction, including the Department of Education Office for Civil Rights and/or the Equal Employment Opportunity Commission.

## **11. FALSE COMPLAINTS**

If a complainant knowingly files a false complaint, they may be subject to disciplinary action, up to and including suspension, withdrawal, or employment termination from the university.

## **12. PREVENTION, AWARENESS, AND EDUCATION**

### ***Primary Prevention and Awareness Programs for New Students and***

- Harassment Policy session at new undergraduate student orientation at the beginning of each academic
  - This session includes an overview of the Harassment Policy, definitions of prohibited conduct, reporting/discussion options, frequently asked questions related to complaints, discussion of on- and off-campus resources, as well as review of those serving on the Harassment Grievance Board.
- Harassment Policy sessions at new graduate student orientation at the beginning of each fall and spring term.
  - This session includes an overview of the Harassment Policy, definitions of prohibited conduct, reporting/discussion options, frequently asked questions related to complaints, discussion of on- and off-campus resources, as well as review of those serving on the Harassment Grievance Board.

### **Current educational/outreach activities for sophomores, juniors, and seniors:**

- Harassment Policy training and question and answer sessions at the beginning of each fall and spring term as requested.
  - This session is like that which is held at new undergraduate student orientation. Sessions began in spring 2016.

### **Future educational/outreach activities for all students:**

- United Educators "Campus SaVE Act" online course ○ For returning students – timing TBD
- United Educators "Student Title IX and Respect Training (START)" online courses ○ For new and returning students – timing TBD
- Bystander intervention/prevention training beginning TBD
- Risk reduction training beginning TBD

### **Current programs for new students:**

- CASA Introduction
  - The CASA (Coalition Against Sexual Assault) student group makes a presentation to introduce members to new students and explain the services they provide.
- CASA New Student Movie Night
  - This movie night is sponsored by CASA during new student orientation. It is an informal gathering with the purpose of providing an opportunity for new students to get to know CASA volunteers better and vice versa. The goal is for CASA members to build relationships with new students in hopes that if the students need to utilize CASA's services, they will feel more comfortable.

## **13. TRAINING**

### **Current educational/outreach activities for new employees:**

- Harassment Policy review at new staff orientation throughout the year and at new faculty orientation at the beginning of each academic year.
  - This session includes an overview of the Harassment Policy, definitions of prohibited conduct, reporting/discussion options, frequently asked questions related to complaints, discussion of on- and off-campus resources, as well as a review of those serving on the Harassment Grievance Board.

### **Future educational/outreach activities for all employees: •**

- United Educators "Campus SaVE Act" online course.
  - For new and current employees – timing TBD

- United Educators "Workplace Harassment Prevention" online courses ○ For new and current employees – timing TBD

#### **14. ACCOMMODATIONS WITH THE POLICY PROCESS AND PROCEDURES**

Accommodations for the harassment complaint process and procedures include, but are not limited to, those needed for disabilities. Any accommodation needed in the filing of a harassment report or complaint, or in the investigation or appeal process, should be brought to the attention of a Harassment Grievance Board officer. The Harassment Grievance Board officer will share the request within two (2) working days with the Title IX coordinator who will then consult with the director of human resources if the requester is an employee or third party, or with the director of student accessibility services if the requester is a student. Within three (3) working days, the Title IX coordinator, in consultation with the director of human resources and/or the director of student accessibility services, will review the request, will determine if the request can be reasonably accommodated, and will notify the Harassment Grievance Board officer of the determination in writing. Once that officer receives notification from the director of human resources and/or the director of student accessibility services, they will inform the requester of the decision in writing within two (2) working days.

#### **15. POLICY INFORMATION**

This policy is a revision to existing policy and procedures previously updated July 21, 2020, and becomes effective November 20, 2023. Under any circumstances, this policy may be revised or amended at any time, as Hollins University may deem appropriate. Nothing in this policy is intended to create an expectation beyond the intent of the policy described herein. All policies, procedures, or other terms and conditions established by the university for students and employees shall remain in place.