

Harassment and Non-Discrimination Policy and Grievance Procedures

Introduction

Meredith College prohibits discrimination and harassment in the administration of any of its educational programs, admissions policies¹, scholarship and loan programs, and other school administered programs as well as employment. Meredith College prohibits and does not engage in discrimination or harassment that is based on a person's religion, race, color, national origin, age (as defined in the Age Discrimination in Employment Act), sex, disability, veteran's status, sexual orientation or any other category protected by applicable law. The College views violations of this policy as very serious matters and any person who violates this policy will be subject to corrective action, up to and including dismissal (please see disciplinary information in appropriate handbook whether faculty, staff, student or board policies), whether such conduct occurred on or off campus.

Meredith College provides notice of intent to comply with the regulations effectuating Title IX of the Higher Education Amendments of 1972, as amended by Public Law 93-568. Inquiries concerning Title IX compliance by the College may be made to the Title IX Coordinator or Office of Civil Rights. The College's Title IX Coordinator is Pamela Davis Galloway, Director of Human Resources, who may be contacted at 3800 Hillsborough Street, Raleigh, NC 27607; davispam@meredith.edu; 919-760-8760. The College's Deputy Title IX Coordinator is Ann Gleason, Dean of Students, who may be contacted at 3800 Hillsborough Street, Raleigh, NC 27607; gleasona@meredith.edu; 919-760-8521.

Reports made to the Title IX Coordinator or Deputy Title IX Coordinator under this policy requires the College to promptly investigate to determine what occurred and then take appropriate steps to resolve the situation.

Descriptions

I. Discrimination. Discrimination is treating someone unfavorably because of his or her religion, race, color, national origin, age, sex, disability, veteran's status, sexual orientation or any other category protected by applicable law.

II. Harassment. Harassment is any action (oral, written or electronic), repeated or persistent series of actions, or expressions that are reasonably perceived as creating an offensive, hostile educational, employment or college living environment for a student or College employee. Harassment may rise to the level of being so severe and pervasive as to create an offensive or hostile work or educational environment and adversely affect a student's participation or educational environment or adversely affect an employee's terms or conditions of employment.

¹ Meredith only admits to and serves females in its undergraduate program, as it is permitted by law.

See the College's Sexual Misconduct policy for information related to sexual harassment and other forms of sexual misconduct. The policy is included in student, faculty and staff handbooks and on the College's Title IX web page.

All adjudication of sexual violence complaints will be addressed by the College Grievance Board as outlined through the Sexual Misconduct Policy.

III. No Retaliation. It is a violation of this policy to retaliate against a person who has complained about discrimination or harassment.

IV. Wrongful Allegations. It is a violation of this policy to bring a knowingly false complaint under this policy. However, failure to prove a claim of harassment does not alone constitute proof of a false and/or malicious accusation.

V. Confidentiality. The College will make reasonable efforts to keep all information relating to complaints under this policy confidential on a need-to-know basis, to the extent consistent with the College's legal obligations, its need to investigate allegations, and its need to take corrective and/or disciplinary actions. Reporting to the College chaplain, medical personnel and/or counselors as confidential resources is not reporting to the College under this policy and they are obligated to keep confidentiality unless the complainant asks for assistance in reporting. All participants in the grievance process or any investigation of any allegation hereunder shall respect the confidentiality of the process and violation of confidentiality on a need-to-know basis is a violation of this policy.

VII. Grievance Materials. Once grievance proceedings are completed, all materials related to the case, including statements, evidence and documents, and all other materials examined, shall be retained in a separate file in the Office of Human Resources or Office of the Dean of Students (as appropriate) for a period of ten years, unless the findings result in termination of employment or expulsion, in which case records are to be kept permanently on file. Complaint information is not placed in personnel or student files.

VIII. Corrective and/or Disciplinary Action. Violations of this policy subject the violators to corrective and/or disciplinary action, up to and including termination or expulsion in accordance with College procedures. If sanctions result, documentation of such will be placed in the personnel or student files, and may be taken into consideration for other situations as appropriate. Sanctions of expulsion would be kept permanently on file and reflected on a student's academic transcript.

Harassment or Discrimination by Undergraduate Students: Methods of Resolution

At any point in the grievance process, the Office of the Dean of Students may be contacted and will receive a complaint or provide assistance as appropriate. In the event of employee involvement, the Office of Human Resources may be contacted. Discussing a complaint does not commit one to making a formal charge. Complaints should be presented within a timely manner usually within thirty (30) business days of the conduct giving rise to the grievance.

I. Informal Resolution. Either directly, or with the assistance of a third party (current student, faculty or staff) chosen by the complainant, complainants are encouraged to make their

discomfort known to perceived harassers in a timely manner. Perceived harassers have a responsibility to attempt to understand both the intentional and unintentional effects of their behavior and to respond in a thoughtful, sensitive manner to those perceived effects. In serious instances of harassment (including sexual violence), it is unreasonable to expect complainants to confront their perceived harassers.

If appropriate, the dean of students may arrange a meeting between the two parties to facilitate discussion of the complaint. Mediation is designed to encourage each person to be honest and direct with the other and to accept personal responsibility where appropriate. Its goal is to facilitate the resolution of the incident to the satisfaction of both persons involved, and to reach an agreement that is binding on both parties. If the complainant is satisfied with the outcome, the matter will be considered resolved. If the outcome of mediation is unsatisfactory to the complainant, the complaint will be returned to the dean of students within five business days and the formal process may be enacted. A complainant can end an informal resolution process at any time and proceed to formal resolution.

II. Formal Resolution. If complainant prefers to proceed to formal resolution directly or at any time during informal resolution, the incident should be reported by the complainant to the solicitor general or the assistant dean of students as a violation of the Honor Code. The accused student will be asked to report to the solicitor general of Honor Council or the assistant dean of students. The accused student and the complainant will be afforded all rights outlined in the procedures of the Honor System, as described in the Constitution of the Student Government Association in the Student Handbook (Article IV, Section II). Typically, complaints of harassment made by a student against a student would be addressed by the Honor Council; however, more severe situations may be referred to the College Grievance Board at the discretion of the Office of the Dean of Students.

The College reserves the right to discipline, including immediate suspension or expulsion at any time, any student whose conduct is regarded by Meredith as undesirable, unacceptable or a violation of this policy.

Harassment or Discrimination by Graduate Students: Methods of Resolution. At any point in the grievance process, the dean of the school of the student's program (hereafter referred to as "dean of the school") may be contacted and will receive a complaint or provide assistance as appropriate. In the event of employee involvement, the Office of Human Resources may be contacted. Discussing a complaint does not commit one to making a formal charge. Complaints should be presented within a timely manner usually within thirty (30) business days of the conduct giving rise to the grievance.

I. Informal Resolution. Either directly, or with the assistance of a third party (current student, faculty or staff) chosen by the complainant, complainants are encouraged to make their discomfort known to perceived harassers in a timely manner. Perceived harassers have a responsibility to attempt to understand both the intentional and unintentional effects of their behavior and to respond in a thoughtful, sensitive manner to those perceived effects. In serious instances of harassment, it is unreasonable to expect complainants to confront their perceived harassers.

If appropriate, the dean of the school may arrange a meeting between the two parties to facilitate discussion of the complaint. Mediation is designed to encourage each person to be honest and direct with the other and to accept personal responsibility where appropriate. Its goal is to facilitate the resolution of the incident to the satisfaction of both persons involved, and to reach an agreement that is binding on both parties. If the complainant is satisfied with the outcome, the matter will be considered resolved. If the outcome of mediation is unsatisfactory to the complainant, the complaint will be returned to the dean of the school within five business days and the formal process may be enacted.

II. Formal Resolution. If complainant prefers to proceed to formal resolution directly or at any time during informal resolution, the incident should be reported by the complainant to the dean of the school of the student's program (hereafter referred to as the "dean of the school") as a violation of the Honor Code. The dean of the school will receive the complaint or provide assistance as appropriate. The accused student and the complainant will be afforded all rights outlined in the procedures of the Honor System, as described in the Graduate Catalogue. Typically complaints of harassment made by a student would be addressed by the Honor Council; however, more severe situations may be referred to the College Grievance Hearing Board at the discretion of the dean of the school.

The College reserves the right to discipline, including immediate suspension or expulsion at any time, any student whose conduct is regarded by Meredith as undesirable, unacceptable or a violation of this policy.

Harassment or Discrimination by Faculty or Staff: Methods of Resolution. At any point in the grievance process, the Office of Human Resources may be contacted and will receive a complaint or provide assistance as appropriate. In the event the complainant is a student, the dean of students or the dean of the school may be contacted. Discussing a complaint does not commit one to making a formal charge. Complaints should be presented within a timely manner usually within thirty (30) business days of the conduct giving rise to the grievance.

I. Informal Resolution. Either directly, or with the assistance of a third party (current student, faculty or staff) chosen by the complainant, complainants are encouraged to make their discomfort known to perceived harassers in a timely manner. Perceived harassers have a responsibility to attempt to understand both the intentional and unintentional effects of their behavior and to respond in a thoughtful, sensitive manner to those perceived effects.

Complainants are encouraged to report acts of harassment or discrimination to the immediate supervisor of the alleged harasser/discriminator or the Office of Human Resources, the Office of the Dean of Students or the Office of the Dean of the school, as appropriate. Upon notification of a complaint, the supervisor/dean should contact the Office of Human Resources to assist with the review of the complaint and to take any appropriate actions. The supervisor will hear the complaint and should respond verbally to the complainant as to the findings and outcome within ten business days of notification of the complaint.

In some situations, mediation may be an appropriate option for resolution. Mediation is designed to encourage each person to be honest and direct with the other and to accept personal

responsibility where appropriate. If the complainant is satisfied with the outcome, the matter will be considered resolved.

Complaints regarding the director of human resources should be made to the vice president for business and finance. Vice presidents of the college who wish to bring a complaint should communicate it to the President of the College or the President's designee; likewise, complaints about vice presidents should be taken to the President of the College. When a complaint concerns a vice president, the President shall direct the complaint to be investigated and provide a prompt response to the complainant. Complaints about the President of the College should be communicated to the chairperson of the Board of Trustees. In such a case, the trustees shall devise an appropriate procedure for handling the complaint. Any individual who needs assistance initiating contact with the Board of Trustees may contact the Office of Human Resources.

Complaints regarding vendors, contract workers, guests or others who may be visiting the campus should be brought to the attention of the appropriate vice president or Office of Human Resources.

II. Formal Resolution. If step I does not resolve the situation to the satisfaction of the complainant or if complainant prefers to proceed directly to the formal resolution option, the complainant should submit a [Formal Grievance Form](#) or give a verbal statement documented by the individual receiving report within five business days of receiving the response from the supervisor. The [Formal Grievance Form](#) is available from the Office of Human Resources, the Office of the Dean of Students, or the Office of the Dean of school or online at the [Meredith web site](#). Complainants may proceed directly to step II if so preferred. A representative from the Office of Human Resources, the Dean of Students or the dean of the school (as appropriate for complainant's status) will assist with completion of forms or explanation of process as requested.

Grievance Hearing Board Process and Procedures: The Board will review the complaint, study all pertinent facts, carefully examine any policies involved, and may take statements or call witnesses to evaluate the complaint. Evidence and a list of witnesses who will be called will be distributed to both parties in advance of the hearing. The complainant and respondent may also submit written statements to the hearing panel in advance of the hearing and both parties shall have a maximum of ten minutes to present relevant facts during oral opening statements at the hearing. Both parties may propose questions of witnesses to be asked through the Chair of the Board. The complainant and the respondent will not be permitted to ask questions directly of each other; questions submitted to the Chair will be reviewed for relevance related to the hearing. The complainant and the respondent may each elect to be present in the hearing room during the proceedings. If either party requests to not be physically present during some or all of the proceedings, arrangements will be made by the Director of Human Resources to allow for both parties to participate in the hearing while not being required to physically be in the same hearing room.

Issues regarding admission of evidence or testimony, including relevancy and reliability, will be determined by the Chair of the College Grievance Hearing Board. The legal rules of evidence do not apply. The Director of Human Resources may provide information of previous conduct violations if the information bears a substantially similar pattern to this allegation. Witnesses are expected to provide complete, honest information and statements.

Both parties have the option of having another member of the Meredith community (current student, faculty or staff) not otherwise involved in the matter or serving as a witness to be present as an adviser or supporter. As this is not a legal proceeding, legal counsel may not participate or be present during the hearing in the hearing room. Up to three individuals who wish to provide support to persons involved in the hearing may be seated outside of the hearing room. The complainant and the respondent, along with designated advisers, may be present during the hearing with the exception of the deliberation portion of the hearing.

The Board may find that no misconduct has occurred or it may find in whole or in part for responsibility and recommend action to remedy the situation. Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct. The Chair will prepare a written report within five (5) business days with findings and recommendations to be submitted to the Director of Human Resources as applicable. The Director of Human Resources will deliver a written notification of the Board's decision and any sanctions to the respondent and the complainant.

Representation on the College Grievance Hearing Board: The Title IX Coordinator will assemble the College Grievance Hearing Board (the "Board") from the College Grievance Hearing Board pool of available members ensuring that no member has a known conflict of interest. The College Grievance Hearing Board pool includes members of Faculty Council, the Staff Affairs Committee, undergraduate students who serve as student representatives on the Honor Council, and one graduate student from each school with graduate programs. The Director of Human Resources will select five (5) members of the Grievance Hearing Board pool and one alternate to serve on the hearing board. The Board should include individuals from each segment of the campus community represented by the concerned parties. For example, if the complaint is from a student against a faculty member, the Director of Human Resources would select two students (undergraduate students or graduate students, depending upon the complainant's or respondent's enrollment in either an undergraduate or graduate program) and two faculty members to hear the case; the fifth and the alternate could be either a student, faculty or staff members. If the hearing involves only faculty and staff members as complainant and respondent, the hearing board will consist only of faculty and staff. The chair will be selected by committee vote.

The Director of Human Resources or Dean of Students (if a student is involved) will be available to provide technical assistance on procedural and policy matters.

Procedures for Appeal of a Grievance Hearing Board Decision: The complainant or the respondent may appeal the Board's decision, subject to the scope of a review and confined to these questions: 1) whether there is evidence in the record to support the decision and/or sanctions based on the preponderance-of-the evidence standard; 2) whether the hearing was free of substantial error prejudicial to the appellant under the prescribed procedures; and/or 3) whether the sanction imposed is appropriate to the violation. Appeals must be submitted in writing to the Director of Human Resources within five (5) business days.

Appeals of the College Grievance Hearing Board decision shall be heard by the appropriate vice president (or President when the employee reports directly to the President). If the hearing

included both students and faculty or staff members, the appeal shall be heard jointly by the Vice President for College Programs and the vice president for the division in which the faculty or staff member is employed. The vice president(s), at his or her discretion, may seek the advice and counsel of the Grievance Appeal Advisory Committee, which shall consist of two members of the Grievance Hearing Board pool who were not involved in the original hearing. The Director of Human Resources will also serve as a non-voting member of the Grievance Appeal Advisory Committee. Decisions will be made within ten (10) business days. In the event of extenuating circumstances that prevent a decision to be made within this timeframe, both parties will be notified in writing of the anticipated date of the decision.

In considering the appeal, the vice president shall consider only what is included in the hearing records; no new evidence may be permitted. The vice president will send a written notification of the decision to both the complainant and the respondent. The decision of the vice president is final.

Consensual Relationships

Meredith College strives to maintain a safe and intellectually stimulating environment where students and employees can live, work and think without undue negative influences, concerns of favoritism, intimidation, and/or hostile working or learning environments. To that end, consensual romantic, intimate and/or sexual relationships are prohibited when they occur between faculty, staff and/or students when a professional power differential exists in these situations in terms of the influence and authority that the one can exercise over the other.

A “power differential” relationship is defined to include relations between a student and any faculty, staff member or student who 1) now supervises or would have a reasonable or usual expectation of supervising the student in the future; 2) now provides or would have a reasonable or usual expectation of providing the student with oral or written recommendations; 3) now grades and/or formally evaluates or would have a reasonable or usual expectation of grading and/or formally evaluating the student in the future; and/or 4) now makes significant decisions, or would have a reasonable or usual expectation of making significant decisions in the future affecting the student’s living space, financial aid, and/or access to essential College programs and services.

The College strongly discourages faculty or staff from engaging in any consensual sexual, intimate or romantic relationships with any student, even where a “power differential” is not present. Of course, non-consensual sexual, intimate or romantic relationships are unlawful and strictly prohibited by College policy.

This information is available on the Meredith College web site.

Effective Date – 9/13/11

Revised Date – 10/6/14