

# 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 policies<sup>1</sup>, 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, Director of Human Resources, who may be contacted at 3800 Hillsborough Street, Raleigh, NC 27607, by email at [davis pam@meredith.edu](mailto:davis pam@meredith.edu), or by phone at 919-760-8760. The Deputy Title IX Coordinator is Ann Gleason, Dean of Students, who may be contacted at the same address, by email at [gleason a@meredith.edu](mailto:gleason a@meredith.edu), or by phone at 919-760-8521.**

**Reports made to the Title IX Coordinators under this policy require the College to promptly evaluate the situation and address concerns.**

## *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.

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

Sexual harassment is a particular form of harassment also prohibited by the College. Sexual harassment will vary with the circumstances but the Equal Employment Opportunity Commission (EEOC) has defined sexual harassment with regard to employment as follows:

“Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Condition of an individual’s employment;
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating hostile or offensive working environment.”

By way of example, verbal or written sexual harassment can include sexual innuendoes, offensive remarks about another person’s clothing or body, suggestive or insulting sounds, implied or overt sexual propositions, cyberstalking or harassment, or pressure for sex. Examples of physical sexual harassment can include leering or ogling, obscene gestures, inappropriate touching, fondling or kissing, and coerced sexual contact. Sexual harassment can be perpetrated upon members of the opposite gender or one’s own gender. Occasional compliments of a socially acceptable nature do not normally constitute sexual harassment. Similarly, depending upon the circumstances (including the nature of course materials or the context of an action), not all verbal or physical conduct will be considered sexual in nature. The classroom in an academic setting is distinct in the workplace, and the College will maintain and encourage academic freedom. The academic setting will be considered with regard to complaints and to be harassment such behavior must be not germane to the subject matter.

A more serious form of sexual offense is sexual violence.

Sexual violence is a severe form of sexual harassment and refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual exploitation, sexual abuse, relationship violence, stalking and sexual coercion. Individuals should refer to the College’s Sexual Violence Policy for more information found in the online student and employee handbooks, and on the Title IX website and the websites of the Offices of Human Resources and Dean Students.

**III. No Retaliation.** It is a violation of this policy to retaliate against a person who has complained about discrimination or harassment (to include sexual violence), or for assisting, participating or cooperating in an investigation or grievance of a complaint hereunder.

**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 and share information 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. Complainants may use the Chaplain, Health Services medical personnel, or Counseling Center counselors as confidential resources. However, reporting to the College chaplain, medical personnel or 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. Individuals have the right to report incidents of sexual violence to law enforcement official at any point in this process, in addition to any remedies sought under 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. In allegations of sexual violence, the College may be required to report incidents to law enforcement officials. The College is obligated to take prompt and effective steps to end sexual violence, harassment and/or discrimination, prevent its recurrence, and address its effects, whether or not there is a criminal investigation.

***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. Complainants may use the College chaplain, Health Center staff, and/or counselors as confidential resources to learn more about sexual harassment/violence and its effects. However, reporting to these resources is not reporting to the College and they are obligated to keep confidentiality unless the complainant asks for assistance in reporting. 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. Instances involving sexual violence will be addressed through the College's Sexual Misconduct Policy.

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. In cases involving allegations of sexual violence, mediation will not be used in the resolution process. 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 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 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 and Activities Calendar (Article IV, Section II). Incidents involving sexual violence will be addressed through Grievance Procedures outlined in the College's Sexual Misconduct Policy. 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. Complainants may use the College chaplain and/or counselors as confidential resources to learn more about sexual harassment and its effects. However, reporting to these resources is not reporting to the College and they are obligated to keep confidentiality unless the complainant asks for assistance in reporting. 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. Incidents involving sexual violence will be addressed through Grievance Procedures outlined in the College's Sexual Misconduct Policy.

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. Incidents involving sexual violence will be addressed through Grievance Procedures outlined in the College's Sexual Misconduct Policy.

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. Complainants may use the College chaplain and/or counselors as confidential resources to learn more about sexual harassment and its effects. However, reporting to these resources is not reporting to the College and they are obligated to keep confidentiality unless the complainant asks for assistance in reporting. 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 sexual harassment, it is unreasonable to expect complainants to confront their perceived harassers.

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. Incidents involving sexual violence will be addressed through Grievance Procedures outlined in the College's Sexual Misconduct Policy.

**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 ([https://www.meredith.edu/wp-content/uploads/2021/01/human\\_resources\\_grievance\\_form.pdf](https://www.meredith.edu/wp-content/uploads/2021/01/human_resources_grievance_form.pdf)). Complainants may proceed directly to step II if so preferred and in cases of sexual violence. 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.

The College will promptly and thoroughly investigate any allegation that has not been resolved informally. Such investigation may involve review of documents, statements and/or interviews of the complainant, the alleged harasser/s and any witnesses whom the investigator determines may have relevant information. The alleged harasser and the complainant will each have access to provide information to the investigator and will be provided full information about the allegation. Most investigations will be completed within 30 business days. If an investigation cannot be completed in that time, the investigator will communicate to the complainant and the alleged harasser that the investigation will take longer and will advise when the investigation is anticipated to be complete. The results of the conclusion of whether the policy has been violated will be reported to both parties.

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.

The College reserves the right to discipline, including immediate suspension or termination, of any employee whose conduct about which Meredith becomes aware is regarded by Meredith to be a violation of this policy. Any dismissal should be in keeping with the dismissal policy in the Faculty Handbook.

**III. Appeals - Grievance Hearing Subcommittee.** If the situation is still not resolved to the satisfaction of the complainant after Step II, he or she may submit a Grievance Appeal Form to the Office of Human Resources within five days of receiving the response to the Formal Grievance. The Grievance Appeal Form is available from the Office of Human Resources, Office of the Dean of Students, and Office of the Dean of the school or online at the Meredith web site ([https://www.meredith.edu/wp-content/uploads/2021/01/human\\_resources\\_grievance\\_form.pdf](https://www.meredith.edu/wp-content/uploads/2021/01/human_resources_grievance_form.pdf)). A representative from The Office of Human Resources will notify the employee and all levels of supervisor through to the vice president's office that the grievance has progressed to this level. A representative from the Office of Human Resources will assemble the grievance hearing subcommittee as outlined below, ensuring that no member has a known conflict of interest.

The subcommittee will review the complaint, study all pertinent facts, carefully examine any policies involved, and may take statements or call witnesses to evaluate the complaint. Both parties can propose questions of witnesses to be asked through the committee in its discretion. Both parties have the option of having another member of the Meredith community (current student, faculty or staff) not otherwise involved in the matter present for moral support but not speaking during any discussions. The basis for a decision will be based on a preponderance of the evidence, with the simple majority decision of the subcommittee. The subcommittee may find that no discrimination or harassment has occurred or they may find in whole or in part for the complainant and recommend action to remedy the situation. The chair will prepare a written report within 30 business days with findings and recommendations to go to the vice president.

The vice president then has the option to accept the recommendations of the committee, return the case to the committee for further consideration, or reject the findings after reviewing the case. The vice president will then prepare a letter to both parties within five days to notify them of the decision and any actions to be taken. The decision of the vice president is final.

**Grievance Subcommittee:** At the time a complaint is received, the complainant will select one person from the grievance committee (see below), and the Office of Human Resources will select four individuals and one alternate to complete the subcommittee which will hear the complaint, ensuring no member of the committee has a known conflict of interest. The subcommittee 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, HR should try to select two students (undergraduate students or graduate students, depending upon the student's enrollment in either an undergraduate or graduate program) and two faculty members to hear the case; the student would select either another student, or a faculty or staff member; and the alternate could be either a student, faculty or staff member. The chair will be selected by committee vote.

A representative from the Office of Human Resources shall serve as an ex-officio, non-voting facilitator, to provide technical assistance on procedural and policy matters. The subcommittee

will receive training on this policy on at the time they are convened to ensure they understand the policy and their responsibilities as a member of the subcommittee

**Grievance Committee:** The grievance committee shall be composed of the Faculty Council, the Staff Affairs Committee, six undergraduate students to be selected based on student positions appointed for the year (Honor Council Chair, Student Life Chair, Residence Hall Association President, Association of Meredith Commuters President, and Wings President), and one graduate student from each school with graduate programs.

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### **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  
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