

Sexual Harassment Policy

Revised by the Board of Trustees, May 4, 2007

Introduction

It is the policy of Cedarville University [CU] that the administration, faculty, staff, and students have an environment for work and study that is free from sexual harassment. Sexual harassment hinders the realization of the University's mission with respect to education, scholarship, service, and Christian character. Sexual harassment violates the dignity of individuals; it is prohibited by state and federal law, and is not tolerated at the University.

The University seeks to eliminate sexual harassment from its community through education and training. It also requires all members of the University community which includes administration, faculty, staff, and students to report concerns or complaints regarding harassment.

Sexual harassment is not limited to the University's campus. Members of the University community are responsible for any misconduct described in the CU Sexual Harassment Policy whenever they are engaged in University-related activities, regardless of where the activity occurs. Sexual harassment may affect any member of the University community, and prompt corrective measures will be taken to eradicate sexual harassment whenever it occurs.

In order for the University to take appropriate corrective action, it must be aware of the sexual harassment or related retaliation. Therefore, the University requires anyone who believes that he or she has experienced or witnessed sexual harassment or related retaliation to seek assistance from the appropriate campus resources by coming forward promptly with concerns or complaints.

While this Policy sets forth the University's goals of promoting an environment that is free from sexual harassment, it is not designed or intended to limit the University's authority to discipline or take remedial action for other conduct deemed unacceptable, regardless of whether that conduct technically satisfies the definition of sexual harassment.

The CU Sexual Harassment Policy is reviewed regularly. Revisions to the CU Sexual Harassment Policy are made as deemed necessary after each review.

Definition of Sexual Harassment

Harassment on the basis of sex violates state and federal law and is considered a form of sex discrimination. Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other physical or verbal conduct of a sexual nature when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, living conditions, and/or educational evaluation; or

- B. Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or educational environment.

The alleged harasser's intent or lack of intent to harass the potential complainant is not relevant to the determination of whether this Policy has been violated.

Quid Pro Quo sexual harassment occurs when submission to, or rejection of, unwelcome sexual conduct is used as a basis for academic or employment decisions affecting an individual.

Hostile work environment sexual harassment is unwelcome sexual conduct that is so severe or pervasive that it alters the conditions of employment or education and creates an environment that a reasonable person would find intimidating, hostile, or offensive. The determination of whether an environment is "hostile" is a legal determination based upon all the circumstances, which may include (a) the frequency of the conduct; (b) the severity of the conduct; and (c) whether the conduct is physically threatening or humiliating. Hostile environment sexual harassment can be perpetrated by students, faculty, staff, administrators, peers, co-workers, persons in authority, and some third parties, such as contract employees.

Conduct that is harassing in nature will violate this Policy even if it does not rise to the level of "sexual harassment" from a legal standpoint. The University will not tolerate harassing behavior of any sort, and such behavior will result in discipline, up to and including dismissal from employment or status as a student.

Examples of Sexual Harassment

Sexual harassment encompasses any sexual attention that is unwanted. Verbal or physical conduct prohibited by the CU Sexual Harassment Policy includes, but is not limited to,:

- A. Physical assault, which is defined by ORC 2907.3, and includes, but is not limited to, any unwanted or coerced sexual acts;
- B. Direct or implied threats that submission to sexual advances will be a condition of employment or educational benefits, including, but not limited to, work conditions, promotions, grades, or letters of recommendations;
- C. Direct propositions of a sexual nature and/or subtle pressure for sexual activity which is unwanted and unreasonably interferes with a person's work or academic environment;

- D. A pattern of conduct, not legitimately related to the subject matter of a task or a course, that causes discomfort or embarrassment, including:
1. Making comments of a sexual nature;
 2. Making sexually explicit statements including questions, jokes, or anecdotes;
 3. Touching, patting, hugging, or brushing against a person's body; or repeated or unwanted staring;
 4. Making derogatory or provoking remarks about or relating to a person's gender, sexual activity, experience or orientation, including telling lies or spreading rumors about a person's sexual activities or conduct;
 5. Continuing to ask a person to socialize on or off campus, when that person has indicated he or she is not interested;
 6. Regularly using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior; and/or
 7. Displaying inappropriate sexually-oriented material in a location where others can see it, when such materials unreasonably interfere with a person's work or academic environment.

Definitions of the Parties Involved

Sexual harassment can occur between any member of the University community and any other individual associated with the University; i.e., between employee and supervisor; between co-workers; between faculty members; between faculty and student; between faculty member and staff member, staff and student, or between student and student. It may also occur when the alleged harasser is not a member of the University community and the party bringing the complaint is a member of the University community.

Members of the University community include students, employees (faculty or staff). While the University does not tolerate harassment against other individuals on campus or related to the University, such as third-party contractors, this Policy applies only to members of the University community.

The complainant is any member of the University community who files a complaint of sexual harassment. Any member of the University community may bring a formal or informal complaint of sexual harassment, but the complaint must be filed in accordance with the procedures stated in this Policy.

The alleged harasser is any person alleged to have committed sexual harassment against a member of the University. The alleged harasser may be another member of the University community or a third party, such as a contractor or visitor.

University Official: For purposes of the CU Sexual Harassment Policy, a University official refers to anyone with administrative authority over any University program, department, or other unit. Examples of University officials include, but are not limited to, the president, a vice president, an associate or assistant vice president, a director, department head or manager, a dean, an assistant dean, a chair, a faculty member, a resident director, or a resident advisor.

University Official's Obligation to Report

Any University official who observes sexual harassment or related retaliation or receives a written or oral report of sexual harassment or related retaliation is required by the CU Sexual Harassment Policy to report such conduct, in accordance with the reporting procedures.

Protection Against Retaliation

Retaliation of any kind against individuals who, in good faith, report instances of sexual harassment or who participate in or are witness to a procedure to redress a complaint of sexual harassment is prohibited not only by University policy but also by state and federal law. Retaliation is a serious violation which can subject the offender to sanctions independent of the merits of the sexual harassment allegation. Any individual found to have violated this provision will be subject to disciplinary action, up to and including dismissal.

Primary Responsibility for Administration/Enforcement of the Sexual Harassment Policy

The Harassment Policy Oversight Committee

The associate vice president of human resources and the academic vice president are appointed by the president to act as the co-chairs of a standing committee to administer, review, and enforce the CU Sexual Harassment Policy and its associated procedures. This committee shall be called the Harassment Policy Oversight Committee or "HPOC."

Overlap With the Student Life for Student Sexual Harassment Complaint

In some circumstances, an act by a student against a fellow student may appropriately fall under both student disciplinary rules, administered by student life, and this Sexual Harassment Policy. Where either student life or the HPOC receives notice of a complaint that it believes falls under both the University's student disciplinary rules

and this Sexual Harassment Policy, the complaint will be treated as a formal complaint for purposes of this Policy. In such circumstances, the vice president for student life will act as a co-chair of the HPOC for purposes of the formal investigation and shall be in charge of the HPOC panel. (*See Formal Complaint Procedures Section 4.11.5*) Where the vice president for student life is disqualified from participating in the investigation for any reason, the co-chairs of the HPOC shall designate another University official involved with student life to fulfill this role.

Persons Authorized to Receive Complaints

A complainant alleging a violation of the CU Sexual Harassment Policy may bring his or her complaint to the following University officials:

- A. Any member of the HPOC; or
- B. Any academic or administrative official of the University, including, but not limited to, any dean, chair, vice president, associate vice president, manager, or supervisor;

In the event that a person wishes to seek confidential counseling or consultation, he or she may contact the Cedarville University Counseling Department.

Upon receiving a verbal or written complaint, the University official shall communicate the complaint to one or both of the co-chairs of the HPOC. The members of the HPOC are also available to assist any University official in handling a complaint.

All of the University officials authorized to receive complaints of sexual harassment are expected to participate in regular, periodic training related to handling sexual harassment complaints. The HPOC is responsible to make sure regular, periodic training is provided.

In the event that a member of the HPOC is involved as a complainant, alleged harasser, or witness to alleged harassment in any particular matter, he or she is disqualified from participating on the HPOC panel for that matter.

False Complaints

It is a serious violation of the CU Sexual Harassment Policy for any individual to make an intentionally false allegation of sexual harassment or related retaliation through the use of University procedures. Any member of the University community who is found to have made an intentionally false allegation of sexual harassment or related retaliation will be subject to disciplinary action including dismissal.

Failure to prove a claim of sexual harassment is not equivalent to a false allegation.

Confidentiality

In light of the obligation to report, it is not possible to have a confidential conversation with a University official regarding an incident of sexual harassment or related retaliation. However, University officials make every reasonable effort to conduct all proceedings in a manner which protects all parties involved.

To the fullest extent possible, all University officials treat as confidential all information received in connection with the filing, investigation, and resolution of all complaints received. To the extent that it is necessary to disclose particular information, all parties should treat the matter under investigation with the highest degree of discretion and respect for the reputation of all parties involved.

NOTE: University officials that are also professional counselors who are required either by their profession, by their University responsibilities, or by their professional rules of ethics and/or conduct to keep certain communications confidential are not required to report confidential communications received while acting within that professional capacity.

Members of the University community who wish to have a confidential conversation regarding an incident of sexual harassment or related retaliation should contact the Cedarville University Counseling Department.

To the extent possible, HPOC treats as confidential all information received in connection with the filing, investigation, and resolution of all complaints filed under this Policy, except to the extent it is necessary to disclose particulars in the course of the investigation. Parties to a complaint should observe the same standard of discretion and respect for the reputation for all parties involved in the process.

The Right of the University to Pursue Complaints

Because of the University's legal and ethical obligations to address sexual harassment and related retaliation when it occurs, in certain situations the University may exercise its right to initiate an investigation into allegations of sexual harassment or retaliation even if the complainant is unwilling to pursue the complaint or believes that the complaint has been satisfactorily resolved.

The Presence of Support Persons During the Process

The complainant and/or the alleged harasser may be accompanied at the initial interview (and subsequently as deemed appropriate by the HPOC) by a co-worker or supervisor, in the case of employment-related harassment, or by a faculty member, resident director, or resident assistant, in the case of harassment involving a student.

No attorney may appear on behalf of either party during any part of the proceedings that occur pursuant to the CU Sexual Harassment Policy, although either party may consult with legal counsel.

Procedures for Dealing with Sexual Harassment Complaints

Initial Intake of the Complaint

The University official taking the initial complaint from a complainant provides the complainant with a copy of this Policy and informs the complainant that the complaint will be promptly communicated to one or both of the co-chairs of the HPOC. The official also provides contact information for the co-chairs.

Initial Process by the HPOC

Upon receiving notice of a verbal or written claim of sexual harassment from the University official taking the initial complaint, prior to any determination of actions to be taken, one of the co-chairs of the HPOC or an HPOC member designated by the co-chairs informs the complainant of the following information:

A. That there are two options available to resolve the sexual harassment allegation.

Option 1. The complainant may pursue an informal resolution (*See Informal Complaint Procedures Section 4.11.4*)

- (a) Informal resolution will be accomplished with the assistance of a University official of the complainant's choice with whom the complainant is comfortable, such as a supervisor or associate dean (the "Chosen University Official"). If the University official chosen by the complainant is not a member of the HPOC, the co-chairs of the HPOC also designates an HPOC member to assist the complainant and the Chosen University Official with the process.
- (b) The goal of the informal resolution option is to find a solution mutually acceptable to both the complainant and the alleged harasser.

NOTE: A decision to proceed informally does not preclude the filing of a formal complaint during or after the conclusion of the informal resolution process. The filing of an informal complaint is not a

prerequisite to filing a formal complaint.

Option 2. The complainant may file a formal written complaint with the HPOC. (See *Formal Complaint Procedures Section 4.11.5*)

- B. That action on the complaint may be necessary with or without the consent of the complainant. However, such action normally will not be taken without informing the complainant in advance of such action.
- C. That the University feels it is important that the alleged harasser be apprised of this complaint and that, absent unusual circumstances, the alleged harasser is apprised of both the facts reported by the complainant and the identity of the complainant. The complainant is reminded of the University's policy against retaliation. It is important for all involved to understand that the University's ability to impose formal corrective action is limited in situations where the alleged harasser is not apprised of the complaint.
- D. That the complainant is not to simultaneously process complaints arising from the same occurrence with more than one University office. Student-against-student cases initially filed with student life will be referred to the HPOC for handling under the formal complaint process pursuant to this Policy.
- E. That regardless of the option chosen, the complainant needs to put the following complaint information into writing so it can be provided to the HPOC panel as a matter of record.
 - 1. The behavior that prompted the complaint;
 - 2. The times and dates of the behavior that prompted the complaint;
 - 3. The names and contact information of any witnesses to the behavior; and
 - 4. Other related issues involved in the complaint.
- F. That the following information contained in the Policy is reviewed with the complainant:
 - 1. How the complaint process will work;
 - 2. If warranted, how the investigation will be handled;
 - 3. The possible resolutions of the complaint;
 - 4. The importance of protecting the interests of the complainant (e.g., the need for confidentiality, the need for truthfulness by both parties, keeping the complainant fully informed of steps taken during the process, protection of the complainant and witnesses against retaliatory action);

5. The importance of protection of the interests of the alleged harasser (e.g., the need for confidentiality, the need for truthfulness by both parties, the right to be notified of the existence of any formal or informal complaint, the opportunity to respond to complainant's allegations); and
6. That in the case of either an informal or formal complaint, the alleged harasser is also given a copy of the CU Sexual Harassment Policy.

Once the complainant is made aware of all of the above information, the complainant determines which of the options to pursue in order for this complaint to be resolved. The co-chairs of the HPOC are notified which option the complainant chooses. Once the complainant chooses between the informal and formal processes, the co-chairs of the HPOC proceed as stated in this Policy.

The HPOC has the primary responsibility for the administration and enforcement of the CU Sexual Harassment Policy, regardless of the option chosen.

Suspension Pending Investigation

In the event that the HPOC determines, after receipt of the initial complaint or at any point in the formal or informal complaint procedure, that it is appropriate to suspend the alleged harasser from work or school (as applicable) pending the outcome of the investigation, it may do so upon written notice to the alleged harasser and the alleged harasser's supervisor (if an employee) or faculty advisor (if a student). For employees, the suspension may be with or without pay, in the discretion of the HPOC. Where the alleged harasser is a third party, the HPOC may take action as it deems appropriate to exclude the alleged harasser from campus or other University functions.

Informal Complaint Procedures

The Referral

- A. As soon as reasonably possible after the decision is made to proceed with the informal complaint process, the Chosen University Official (along with the designated HPOC member, if applicable) determines the appropriate investigatory methods to be employed in resolving the matter, in accordance with the HPOC's internal by-laws. The Chosen University Official and/or designated HPOC member will be responsible for communicating, as appropriate, with the complainant and the alleged harasser regarding the status of the matter.
- B. As soon as reasonably possible after the decision is made to proceed with the informal complaint process, but normally within two (2)

business days, the Chosen University Official and/or designated HPOC member notifies the University's legal counsel of the complaint through a written report of allegations. Even in the informal process, the HPOC maintains primary responsibility for the administration and enforcement of the CU Sexual Harassment Policy and its associated procedures.

Investigation of the Informal Complaint

- A. The Chosen University Official and/or designated HPOC member, after discussing the matter with the complainant, determines the level of investigation appropriate under the circumstances in accordance with the HPOC's by-laws. Generally, this may include notification to the alleged harasser, interviews with the complainant, the alleged harasser and any witnesses, and review of any supporting evidence and documentation.
- B. Investigations of informal complaints generally are concluded within sixty (60) calendar days after the complaint was received. In the event that the Chosen University Official and/or designated HPOC member believe that an investigation will take longer, the Chosen University Official and/or designated HPOC member processing the complaint notifies the complainant and the alleged harasser in writing.
- C. Upon conclusion of the investigation by the Chosen University Official and/or designated HPOC member, usually within ten (10) business days thereof, the Chosen University Official and/or designated HPOC member conducting the investigation notifies the complainant and the alleged harasser, in writing, of (1) the completion of the investigation; and (2) the outcome or proposed resolution of the investigation. One of the designated co-chairs sitting on the HPOC panel submits a written report of these findings to the University's legal counsel.

Possible Outcomes of Informal Investigation

- A. Negotiated Resolution

The goal of the informal complaint resolution process is to find a resolution mutually agreeable to the complainant and the alleged harasser. The Chosen University Official and/or designated HPOC member will work with the parties to determine the best possible resolution and ask that both parties agree, in writing, to that resolution. Resolutions may include, but are not limited to,

agreements to discontinue disagreeable behavior, written or verbal apologies, agreements to transfer to another department/supervisor/class, or an agreement that the objectionable behavior was simply misunderstood by the complainant.

B. Referral to HPOC Co-Chairs Requesting an HPOC Review

In the event that the parties are unable to agree regarding a solution, the Chosen University Official and/or designated HPOC member will provide the written report of the investigation, along with the proposed solution, to the HPOC co-chairs for a determination of whether the proposed solution be accepted or whether the case warrants further investigation under the formal complaint system. In the event that the HPOC co-chairs recommend acceptance of the proposed solution, either the complainant or the alleged harasser may file an appeal with the president, in writing, in accordance with appeal procedures under the formal complaint resolution process.

Formal Complaint Procedures

The Referral

- A. When the complainant elects to file a formal complaint, the complainant must file a written complaint with the HPOC. This may be submitted to any member of the HPOC. A complaint form is available from the University official who took the initial complaint or any member of the HPOC.
- B. The co-chairs of the HPOC designate from the HPOC-at-large, a five-member panel, which includes at least one of the co-chairs or their designee, to oversee the investigation and resolution of the complaint (the HPOC panel). In the case of student-against-student claims only, the vice president for student life shall act as the co-chair representative on the HPOC panel. The HPOC panel provides a copy of the formal complaint to the University's legal counsel, generally within two (2) business days of receiving the complaint.

The Method of Formal Investigations

- A. The appointed HPOC panel is primarily responsible for the investigation of the formal complaint, any particular department or division involved must cooperate with the HPOC.

- B. The HPOC panel provides regular informational updates to both the University's legal counsel and the University official who took the initial complaint.
- C. Generally, the HPOC panel coordinates the investigation and resolution of the complaint as follows:
 - 1. In the circumstances where a student alleges sexual harassment by another student, a faculty member, a staff member, or a third party, the HPOC panel coordinates the investigation and resolution of the complaint with the vice president of student life.*
 - 2. In the circumstances where a faculty member alleges sexual harassment by another faculty member, a student, a staff member, or a third party, the HPOC panel coordinates the investigation and resolution of the complaint with the academic vice president.*
 - 3. In the circumstances where a staff member alleges sexual harassment by another staff member, a student, a faculty member, or a third party, the HPOC panel coordinates the investigation and resolution of the complaint with the vice president and associate vice president of human resources.*

* Whenever a vice president or associate vice president is involved as the complainant, the alleged harasser, or as a witness to the alleged harassment, they are disqualified from participating in the investigation and an appropriate substitute is appointed as liaison.

Notice to the Alleged Harasser

After a formal complaint has been filed, and prior to the commencement of the investigation, the HPOC panel informs the alleged harasser, in writing, of the specific allegations, the identity of the complainant and provides a copy of the CU Sexual Harassment Policy

The Investigation of the Formal Complaint

The designated HPOC panel is responsible for determining the investigatory methods required to conduct a thorough investigation of the sexual harassment complaint assigned to it in accordance with the HPOC's by-laws.

The purpose of the investigation is to determine whether the alleged conduct occurred and to determine whether such conduct constitutes sexual harassment. Investigations may include (at the sole discretion of the HPOC

panel) interviews with the complainant, the alleged harasser, and any witnesses identified by each, along with a review of documentary and other evidence.

Three Possible Outcomes of a Formal Investigation

- A. Upon conclusion of the investigation, and generally within sixty (60) days, the HPOC panel provides written notice to both the complainant and the alleged harasser. The notice contains a summary of its factual findings and the decision based thereon.
- B. This written notice is also provided to the University's legal counsel, the office of the president, and other appropriate University officials at the discretion of the HPOC panel.
- C. Decisions available to the HPOC panel are:

- 1. **Unfounded.**

The HPOC panel issues an "unfounded" decision if it cannot be determined that a violation of this Policy occurred and/or that the accused was responsible for any violation of this Policy. Unless the complainant files an appeal in accordance with this Policy, a finding of "unfounded" by the HPOC concludes the University's process. The complainant then has the right to contact: for employees, the Ohio Civil Rights Commission (<http://crc.ohio.gov/>) or the federal Equal Employment Opportunity Commission (<http://www.eeoc.gov/>); or for students, the U.S. Department of Education, Office of Civil Rights (<http://www.ed.gov/about/offices/list/ocr/>) for further proceedings.

- 2. **Founded.**

The HPOC panel issues a "founded" decision if the HPOC panel is convinced, in light of all the information available, that it is more likely than not that the alleged harasser violated this Policy. Should the HPOC panel issue a "founded" decision, the matter will be referred to the appropriate University official for disciplinary action.

3. **False Complaint.**

The HPOC panel issues a "false complaint" decision if the HPOC panel is convinced, in light of all the information available, that the complainant's complaint was intentionally false. Should the HPOC panel issue a "false complaint" decision, the matter will be referred to the appropriate University official for disciplinary action against the complainant.

4. **Negotiated Resolution.**

The filing of a formal complaint may result in an opportunity to negotiate a resolution mutually agreeable between the complainant, the alleged harasser, and the University. A negotiated resolution shall not be deemed either a "founded" or "unfounded" decision or that the alleged harasser admitted guilt in any way. While a negotiated resolution ends the formal complaint as brought, it is subject to review and approval by the HPOC panel and the appropriate University official.

Time Period for Investigation of a Formal Complaint

Investigations of formal complaints generally are concluded within sixty (60) days after they are made. When it is not reasonably possible to conclude the investigation within that amount of time, the HPOC panel will provide written notice to both the complainant and the alleged harasser of the delay. In the event the HPOC panel expects an investigation to take more than sixty (60) days to complete after the complaint is received, the HPOC panel also provides written notice to the University president and the University legal counsel of the delay and the reasons for the delay.

Corrective Action and Formal Sanctions

- A. Where a "founded" decision is issued, corrective action will be taken to ensure that the harassment is stopped immediately and will not recur. Corrective action taken by the appropriate University official may range from counseling, verbal or written reprimands, suspensions, or other action, up to and including dismissal. With prior notice to the harasser, a record of such sanctions will become part of the harasser's personnel or student records. The complainant will be informed, in writing, of the corrective action taken. Should the initial

corrective actions prove unsuccessful, further disciplinary actions may be taken to stop or prevent the harassment.

- B. Sanctions may also be imposed on a University official or supervisor who fails to respond to a complaint of sexual harassment in a manner consistent with the CU Sexual Harassment Policy.
- C. The HPOC monitors corrective action and negotiated settlements to ensure compliance with the CU Sexual Harassment Policy and the effectiveness of the corrective action.

Generally, corrective action is administered in accordance with the applicable University Handbook (Faculty, Staff, or Student). In cases involving students acting in their employment capacity, corrective action may be taken in accordance with either the Staff or Student Handbook, as the University deems appropriate.

Person Responsible for Imposing Formal Sanctions

Formal sanctions will be imposed in accordance with University governance procedures by the following University administrators in consultation with the HPOC and the University's legal counsel:

- A. In cases involving a faculty member, or other instructional personnel, as the alleged harasser, formal sanctions will be imposed by the academic vice president;
- B. In cases involving a staff member as the alleged harasser, formal sanctions will be imposed by the vice president responsible for the unit or department in which the staff member was employed with the advice of the associate vice president of human resources;
- C. In cases involving a student as the alleged harasser, formal sanctions will be imposed by the vice president of student life.
- D. In cases involving a third party as the alleged harasser, the HPOC will request that the appropriate University official take action against the third party, such as prohibiting the third party from campus or from attending University functions.
- E. In the event the applicable vice president is the alleged harasser, then formal sanctions will be imposed by the president.

Appeal of Findings

An Appeal by the Complainant

- A. A complainant may appeal a finding of "unfounded" or "false complaint" of the CU Sexual Harassment Policy by submitting a written appeal to the president of the University within ten (10) business days of receipt of the written notification of the finding.
- B. The president reviews the record related to the appeal and either affirms or reverses the finding set forth in the written report submitted in connection with the complaint. The president issues a written report explaining the basis for the decision, copies of which are provided to the complainant, the alleged harasser, the HPOC, and the University's legal counsel.

An Appeal by the Alleged Harasser

- A. Any member of the University community found to have violated the CU Sexual Harassment Policy may submit a written appeal of the finding and/or the corrective action to the president of the University within ten (10) business days of receipt of the written notification of the finding or the corrective action. Any appeal by a faculty member involving tenure or dismissal is subject to the grievance process set forth in the University Faculty Handbook.
- B. The president reviews the record related to the appeal and either affirms or reverses the finding and/or the corrective action set forth in the written report submitted in response to the complaint. The president issues a written report explaining the basis for the decision, copies of which are provided to the complainant, the alleged harasser, the HPOC, and the University's legal counsel.

Other Unlawful Harassment

Sexual harassment is but one type of workplace discrimination. If an employee believes that he or she is being discriminated against or harassed on the basis of race, color, religion, national origin, age, disability, or sex, the employee must report the situation to any member of management or the president. Any concerns will be promptly investigated. As is the case with sexual harassment, the primary responsibility of administration/enforcement of matters related to general harassment in the workplace will be the responsibility of the Harassment Policy Oversight Committee, HPOC. This will be done in accordance with the HPOC by-laws. All employees should understand the importance of reporting discriminatory conduct.

Employees who engage in discrimination or harassment should be aware that they will be subject to discipline, up to and including discharge.