

## **Staff and Student Complaint Procedures for Hazing, Harassment, Intimidation or Menacing**

### **Complaint Procedures**

The Director of Legal and Human Resources has responsibility for investigations concerning hazing, harassment, intimidation or menacing. If the complaint in question is gender-based or sexual in nature, the Title IX Coordinator will also be notified. The investigator(s) shall be a neutral party having had no involvement in the complaint presented. For complaints that are student-to-student the process followed is outlined by the Student Rights, Freedoms and Responsibilities Conduct Process.

All complaints will be confidential and investigated in accordance with the following procedures:

- Step I** Any hazing, harassment, intimidation, menacing information (complaints, rumors, etc.), sexual violence or stalking shall be presented to the Director of Legal and Human Resources. If complaints are presented to any College employee they will immediately notify the Human Resources Office. Complaints against the Director of Legal and Human Resources shall be filed with the Vice President of Administrative Services, or his/her designee. Complaints against the President shall be filed with the Board chair (Board Policy Code BBAA). All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.
- Step II** An investigation will be conducted promptly. All parties and witnesses shall cooperate with the investigation. Any failure of a College employee to cooperate may result in disciplinary action. Any failure of a guest or third party to cooperate may result in him or her being permanently trespassed from the property under the direction and control of the College. The College official will arrange such meetings as may be necessary with all concerned parties within five (5) working days after receipt of the information or complaint, or as soon as reasonably practicable. Both the complainant and accused parties are allowed the option to an advocate of their choosing to assist them through the process. If an advocate is not known, one can be made available. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The individual responsible for investigating the complaint will notify the complainant and respondent, in writing, when the investigation is concluded.

## **Appeals Procedures**

If the complainant or respondent is not satisfied with the decision in Step II, he/she may submit a written appeal.

### **Student-to-Student**

For appeals with student-to-student decisions see the Disciplinary Appeal Process as stated in the Student Rights, Freedoms and Responsibilities.

If the complainant is not satisfied with the decision, the complainant shall have all rights granted by state and federal law for administrative and/or judicial appeals.

### **Employee-to-Employee or Student-to-Employee or Employee-to-Student**

Appeals must be filed within 5 working days after receipt of the decision to the President. The President will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The President shall provide a written decision to the complainant's appeal within 10 working days.

If the complainant is not satisfied with the decision, the complainant shall have all rights granted by state and federal law for administrative and/or judicial appeals.

### **Employee-to-Director of Legal and Human Resources**

Appeals must be filed within 5 working days after receipt of the decision to the President. The President will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The President shall provide a written decision to the complainant's appeal within 10 working days.

If the complainant is not satisfied with the decision, the complainant shall have all rights granted by state and federal law for administrative and/or judicial appeals.

### **Employee-to-President**

If the complainant is not satisfied with the decision, the complainant shall have all rights granted by state and federal law for administrative and/or judicial appeals.

Documentation related to the incident may be maintained as a part of the student's education records or employee's personnel file.