

APPENDICES · conduct consisting actions that are unwelcome or offensive to a person in relation to sex, race, age, religion, national origin, sexual orientation, color, pregnancy, disability, or veteran status. It can include comments or conduct by a person in a position of authority that is intimidating, threatening or abusive and may be accompanied by direct or implied threats to the individual's grade(s), status, or job. Harassment can also occur between people of similar authority. Harassment occurs when it is known or ought reasonably to be known that such comments or conduct would be unwelcome.

Examples of harassment include gestures, remarks, jokes, taunting, innuendo, display of offensive materials, threats, imposition of academic penalties, hazing, stalking, and shunning or exclusion related to the prohibited grounds.

### **III. Sexual Harassment**

For purposes of Troy University's policy, sexual harassment is defined as any type of sexually oriented misconduct that is unwelcome or inappropriate. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal, graphic, or physical conduct of sexual nature when:

1. Submission to such conduct is explicitly or implicitly a term or condition of a student's or employee's academic success or employment.
2. Submission to or rejection of such conduct is used as the implicit or explicit basis for employment or academic decisions affecting the student's or employee's educational and/ or work experience.
3. Such conduct has the purpose or effect of unreasonably interfering with a student's academic performance or an employee's employment, or creates an intimidating, hostile, or offensive work or educational environment.

assment Response Team are available in the Office of Human Resources.

3. University visitors may report a complaint to the campus Office of Human Resources or call the Troy campus Office of Human Resources at (334) 670-3710.
4. At Troy Global Campus locations, the procedure for reporting will follow the same guidelines as 1 and 2 above with coordination through the Site Director (unless the Site Director is the accused or the accuser).
5. At the Phenix City campus, the procedure for reporting will follow the same guidelines as 1 and 2 above.

The Harassment Response Team members shall consist of seven members, which will include both males and females of various ages, classified personnel, professional staff, tenured and tenure-track faculty. When investigating a claim, the Harassment Response Team Chair shall appoint at least two members of the team to conduct an investigation.

**B. Confidentiality**

The University recognizes the privacy rights of both the complainant and the accused in a harassment situation. Any allegation of harassment that is brought before a member of the Harassment Response Team will be handled discretely. Reasonable effort will be made to respect the privacy of the parties involved; however, it will be necessary to investigate the complaint and to respond to any legal and/or administrative proceedings which may arise out of or relate to the complaint. Participants in an investigation are authorized to discuss the case only with those persons who have a genuine need to know.

**C. Filing a Complaint with the Harassment Response Team**

The University encourages any person who files a complaint to do so promptly. The University also understands the complainant's reluctance to file a complaint and assures the complainant that late reporting will not in and of itself preclude remedial action by the University. All cases must be reported to the Harassment Response Team within 90 days of the alleged harassment; however, for this purpose, the date the University acquires knowledge of an instance through any source whatever will commence this ninety-day period. All complaints made to a member of the Harassment Response Team will be immediately put into writing, regardless whether the complainant wishes to pursue the matter further. The written report of the complainant will be read, approved, and signed by the complainant. At this point, the complainant and/or the Harassment Response Team member will determine whether the complaint will be pursued further. Depending on this decision, one of two procedures will be followed:

1. If the complainant does not wish to continue with the complaint, the Harassment Response Team member will notify the accused that a complaint was filed. The accused will be provided a copy of the complaint. The accused will have the opportunity to respond to the allegations in writing. Both reports, the complainant's and the accused, will be retained by the Office of Human Resources. At this point, an informal resolution will be sought.
2. If the complainant wishes to continue the complaint and seek sanctions against the accused, the investigative process begins. (See Section E)

An individual who believes he or she is a victim of harassment is encouraged to keep a record of the objectionable conduct. However, the complainant should be aware that a record kept at the direction of the University may be considered privileged, to any extent possible.

The University will retain confidential documentation of all allegations and investigations for a period of two years.

**D. Protection Against Retaliation**

Neither the University nor its employees or representatives will in any way retaliate against an employee or student who makes a report of harassment. Retaliation is a very serious violation of this policy and should be reported immediately. Retaliation

against any individual for reporting harassment will be treated with the same strict discipline as the harassment complaint itself. All individuals involved in investigating the harassment, including the Harassment Response Team members and witnesses, are also protected from retaliation.

**E. Investigating a Complaint**

If a complainant wishes to pursue the complaint (Section C.2), the investigation will begin and be conducted in a timely manner. The investigation will be handled by the Harassment Response Team member to whom the complaint was reported, with the assistance of at least one other Harassment Response Team member.

The University will notify the complainant and the accused, through the Harassment Response Team member, of the procedures that will be followed to allow for due process. Each party to the complaint will be notified that he/she may seek legal counsel at any time during the process.

In general, the process will consist of the following procedures:

1. Interview complainant charging harassment.
2. Have complainant read, approve, and sign written report.
3. Notify accused of complaint. Interview and obtain written report from accused.
4. Interview witnesses to harassment.

**Resolving the Complaint**

The University is committed to investigating and resolving any complaint of harassment brought to the attention of the University. The results of the investigation, having been completed by members of the Harassment Response Team, will be forwarded to the appropriate body responsible for making the disciplinary decisions. (The Harassment Response Team only investigates and compiles information – the Team does not make recommendations for disciplinary action.)

Disciplinary procedures will vary as a result of the parties involved, i.e., the complainant and the accused. The parties involved may be a combination of students, faculty, staff, administrators, and individuals under contract by the University, or persons external to the University.

<u>Accused</u>	<u>Appropriate Body</u>
Student	· Student Services Committee
Faculty	· Executive Vice Chancellor · Dean of college or school · One faculty member · Human Resources Director
Staff or Administrator	· Senior Vice Chancellor of the employee's division · Two staff employee members from the Personnel Advisory Committee · Human Resources Director
Others associated with the University	· Vary depending on circumstances

Any individual involved in a complaint, as either complainant, accused, or witness, will be replaced by an appropriate person chosen by the senior vice chancellor. In all cases, the individual accused will be allowed due process.

It is the responsibility of each body to determine whether the complaint has merit. Each body may decide that the complaint is without merit and recommend no disciplinary action. Alternatively, it may determine that the complaint is valid and will determine the appropriate disciplinary action. (See Sanctions)

The procedures outlined in this policy do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Equal Employment Opportunity Commission (EEOC), initiating civil action, or redress under state, civil, or criminal statutes and/or federal law.

## **VI. Sanctions**

### *A. Employees*

Potential sanctions for harassment include the following:

- Disciplinary warning/reprimand
- Referral to appropriate counseling
- Reassignment
- Temporary suspension
- Termination

### *B. Students*

Potential sanctions for harassment include the following:

- Disciplinary warning/ reprimand
- Disciplinary probation
- Suspension
- Expulsion

## **VIII. Appeals**

A party who is not satisfied with the disposition of the findings of the Harassment Response T

Troy University compiles and maintains information about students which facilitates educational development of the student and effective administration of the university. To better guarantee the rights and privacy and access

**5. LOCATION OF RECORDS.**

The university has designated the following officials or their equivalents at the branches as responsible for student records within their respective areas of responsibility:

- A. Provost
- B. Vice Chancellor for Student Affairs
- C. Vice Chancellor for Financial Affairs
- D. University Registrar
- E. Deans of various schools within the university

These officials shall hereinafter be referred to as “records officials.” Each official is responsible for maintaining a listing of student records within such records official’s area of responsibility, which listingfeJ-1c2e

such a request on file prior to destruction, no copy of records to be destroyed need be furnished the student.

**15. COST OF COPIES.**

Any copies of records furnished at the request of a student shall be subject to the payment of a reasonable fee, to be established by the university from time to time, for such service.

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**COURSE PREFIXES (KEY TO ABBREVIATIONS)**

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ACT..... Accounting  
ANT..... Anthropology  
ARB..... Arabic  
ART..... Art and Design  
AS..... Aerospace  
ASL..... American Sign Language  
AT..... Athletic Training Education  
BIO..... Biology

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