

## **Administrative Grievance Process**

- A. Any employee or student who believes he or she has been a victim of harassment, sexual misconduct or retaliation should contemporaneously document in writing the name of the person believed to have engaged in harassment, the offensive conduct believed to constitute harassment, the nature of the conduct, and the names of any other witnesses thereto. The writing or documentation is not required, but it will be useful in any investigation or proceeding subsequently arising from the offensive conduct.
- B. Any employee who believes he or she has been a victim of harassment, sexual misconduct or retaliation should report the matter to either the Title IX Coordinator or to the Deputy Title IX Coordinator (Employees). Any employee who receives notice of a complaint of harassment or sexual misconduct shall immediately refer the complainant to the Title IX Coordinator, Deputy Title IX Coordinator (Students) or Deputy Title IX Coordinator (Employees), as appropriate, and shall not attempt to investigate or otherwise dispose of the matter.
- C. Any student who believes he or she has been a victim of harassment, sexual misconduct or retaliation should report the matter to either the Title IX Coordinator or the Deputy Title IX Coordinator (Students)
- D. Upon receipt of a complaint alleging harassment, sexual misconduct or retaliation, the appropriate Administrator, or designee, shall immediately schedule a confidential appointment with the complainant of the alleged harassment, sexual misconduct or retaliation. The Administrator, or designee, shall conduct the initial interview. At the initial interview, the Administrator shall assist the victim of the alleged harassment, sexual misconduct or retaliation in preparing a written statement of the complaint to include the name and position of the accused, the date or dates of the alleged harassment and/or retaliation, a specific description of the conduct, actions or words which occurred on those dates and which are alleged to constitute harassment or retaliation, the names of any other witnesses to such conduct, words or actions, and the date and statements made during any private confrontation with the accused together with the results thereof. This statement of complaint shall be deemed complete when signed and dated by the victim. The Administrator shall request any contemporaneous writing documenting the offensive conduct alleged to constitute harassment prepared by the victim of such conduct, if any, at the initial interview. All documents and writings shall be retained in a separate, confidential file which shall not be released to anyone who is not directly involved in making the complaint, defending the complaint, or investigating the complaint on behalf of College of The Albemarle.
- E. Within ten (10) working days of the preparation and receipt of the complete written statement of complaint, the appropriate Administrator shall meet confidentially with the person accused of harassment, sexual misconduct or retaliation in the presence of the counselor who was present during the

alleged complainant's initial interview. The college officials should seek resolution without identification of the complainant, if possible. If confidentiality is not possible, the complainant must determine whether or not to proceed to the next step. If so, the person accused shall be permitted to read the written statement of complaint, and may, but is not required, to make any comments or defense thereto. The accused shall be instructed that he or she shall not approach, write, or in any manner discuss the matter with the alleged victim until such time as the informal resolution conference occurs. During said ten (10) working days, the Administrator may make other discreet and confidential inquiries deemed necessary to investigate the merits of the alleged harassment. Any such inquiry shall avoid to the extent possible disclosing the existence of the complaint and the names of those persons involved therewith.

- F. Within ten (10) working days of the preparation and receipt of the complete written statement of complaint, the Administrator shall schedule an informal resolution conference at such time and location as will ensure and protect confidentiality. The complainant and the accused shall each be provided with at least twenty-four (24) hours advance notice of the time and place of the conference. The complainant and the accused shall be afforded the opportunity to meet together with the appropriate Administrator(s). However, if either the complainant or the accused objects to meeting in the other's presence then the conference shall be conducted by means of the Administrator(s) meeting in separate rooms with the complainant and accused at the location selected. The Administrator shall attempt to negotiate and mediate a resolution of the matter at the informal resolution conference. The agreed resolution or the fact that no agreed resolution resulted shall be documented in writing and included in the college's record of the incident.
- G. If no satisfactory resolution is achieved through this informal process, the complainant may choose to proceed with the Hearing Process.