

## Grinnell College Discrimination and Harassment Grievance/Complaint Procedure

If an individual believes that they have been discriminated against or have experienced discrimination or harassment (including sexual harassment), they should follow the procedure outlined below. This grievance/complaint process is for those issues that a person bringing the grievance/complaint believes involve discrimination on the

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Responding to Sexual Misconduct and Other Forms of Interpersonal Violence for a detailed description of the policy. They may also file a grievance or complaint for sexual harassment and discrimination by following the procedure described below.

A person making the complaint or grievance is referred to as the Complainant. A person being accused of discrimination or harassment is referred to as the Respondent.

At any time during this procedure, an individual may seek guidance from the College Ombudsperson or the Associate Vice President of Human Resources.

This policy is not intended to limit an individual's rights under a governing collective bargaining agreement or faculty contract. For more information on the collective bargaining agreement procedure for filing a grievance, contact your union steward. For more information on the Faculty grievance/complaint process, see the Faculty Handbook.

#### Non-retaliation Policy:

It is a violation of College policy to retaliate in any way against a student or employee because they raised allegations of discrimination or harassment. The College recognizes that retaliation can take many forms, may be committed by or against an individual or a group, and that a Respondent or third party may also be the subject of retaliation by other individuals, including the Complainant. An individual reporting harassment or discrimination is entitled to protection from any form of retaliation following a report that is made in good faith, even if the report is not later substantiated. Similarly, individuals accused of discrimination or harassment or those who participate in an investigation related to a complaint or grievance are entitled to protection from any form of retaliation. Retaliation will not be tolerated and will be subject to College disciplinary procedures up to and including dismissal. Complaints of retaliation are subject to same grievance/complaint process as discrimination and harassment, as defined in this policy.

#### Support Person

Complainants and Respondents may each choose to have a support person accompany them during any stage of the grievance/complaint process. The support person's role is to help the Complainant or Respondent prepare their statements, advise on the procedural aspects of the matter, and to be a nonparticipating supporter at any hearing the support person's Complainant or Respondent is invited to attend. The support person may be anyone of the student or employee's choosing, provided the support person is a faculty member or staff member. The support person may assist with the student/employee's interview, review of documents, and appeal process in a manner consistent with this policy. The support person may not contact the opposing Respondent or Complainant or contact potential witnesses without express authority from the Senior Official. In cases of sexual harassment or misconduct, the Complainant and Respondent are not limited to a support person from the faculty or staff, but may choose any one person they feel would be



case, but could include the following: a) direct approach, b) third party mediation, or c) indirect action taken by the Senior Official. Mediation cannot be used in cases of sexual assault.

Official or other official designated by the College. Complainant who feels comfortable confronting the Respondent may choose to take action personally (but is never required to). This direct approach may be appropriate when the goal is to stop the behavior rather than sanction the

If, after consulting with the Senior Official, the Complainant decides to proceed with filing a complaint, they will provide the appropriate Senior Official with a description (verbal or written) of the alleged discrimination or harassment, specifically referring to the section of the policy they believe has been violated. Presenting the complaint as promptly as possible after the alleged discrimination or harassment occurs is encouraged. At the request of the Complainant, they may record an audio description (in a format agreed upon by the College); the Senior Official will have the recording transcribed for review and submission by the Complainant. While the Complainant may be consulted regarding preferred responses, it is no burden on the Complainant to affirmatively seek one form of resolution over another; to the contrary, it is always the College's burden to determine the appropriate course of action in light of the known facts and circumstances.

## B. Investigation

### 1. Complaint Accepted For Investigation

If the Complainant wishes to proceed with formal resolution, the Senior Official will review the complaint and determine if, under the facts alleged, the conduct in question meets the definition of discrimination or harassment. There is no burden on the Complainant to affirmatively seek one form of resolution over another; to the contrary, it is always the College's burden to determine the appropriate course of action in light of the known facts and circumstances.

If the Senior Official accepts the complaint for investigation, they will provide written notice of receipt of a complaint, as appropriate, to the President, to a member of the President's senior staff, to the Chair of the Faculty, or to the Associate Vice President for Student Affairs. The notice will clarify the nature of the complaint and identify both the Complainant and Respondent.

The Senior Official will meet with the Respondent and provide them a summary of the complaint/grievance and a copy of this policy. As mentioned above, the Respondent may bring a support person of their choice to meetings with the Senior Official. The Senior Official will decide how to proceed and what level of investigation is required for resolution. The Senior Official (or a designated investigator) may set up an appointment for an interview with the Respondent at a later date to further discuss details, evidence, and witnesses regarding the allegation.

The Respondent will be advised that any retaliatory action taken against the Complainant during or after the investigation, or any person who participates in the investigation, will subject the Respondent to disciplinary action. Likewise, the

Complainant will be advised that any retaliatory action taken against the Respondent during or after the investigation, or anyone who participates in the investigation, will subject the Complainant to disciplinary action.

The Senior Official may interview other individuals they identify or who are

