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Issued by David L. Soltz, President

# I Rationale and Purpose

Central to the mission of Bloomsburg University of Pennsylvania is the establishment and maintenance of an environment in which the dignity and worth of all individuals within the institutional community are

Students, faculty, staff and third-party vendors are permitted to  
file com

# **A People Involved**

**B Pro**

## **IV Hara**

Complaints alleging sexual harassment, including sexual violence, will be forwarded to the Title IX Coordinator and will subsequently follow

Complainant and Respondent will receive a short written memorandum setting forth the agreed upon solution and the Office of Diversity, Equity, and Inclusion will follow up with the parties, typically three to four weeks after the agreement is reached, to assess whether the agreement is working. If the Complainant is not satisfied with the informal resolution process or outcome, or no longer wants to participate in informal resolution, or if the Respondent declines to participate in the informal resolution process, the Complainant may file a formal complaint at any time.

## **D Formal Resolution Option 2**

### **1 Filing a Formal Complaint**

The Complainant may file a formal complaint against the Respondent with the Office of Diversity, Equity, and Inclusion at any point during the resolution process. Individuals should contact the Office of Diversity, Equity, and Inclusion for directions regarding filing a formal complaint.

#### **a Time for Filing**

Prompt reporting of a complaint before behavior becomes severe or pervasive is strongly encouraged.

In order to give the Complainant time to finish a class, a semester, a particular job assignment, an evaluation period or for any other similar reasonable timeframe, the Complainant may file a formal complaint of harassment or discrimination up to one hundred and eighty (180) days following the alleged incident of harassment or discrimination. Formal complaints

ñled within this period will be investigated even where the Complainant has terminated any association with the University.

The Oó ce of Diversity, Equity, and Inclusion or the President may extend for a reasonable period of time any of the deadlines speciñed in this section.

## **b Where to File Your Complaint and Who Will Investigate**

**1) Complaints against:** University students

**File complaint at:** The Dean of Students Oó ce

**Process:** The Oó ce of Diversity, Equity, and Inclusion or the Dean of Students Oó ce will conduct an investigation and the investigator will forward a report and any evidence gathered to the Dean of Students Oó ce. Action will be taken in accordance with The Student Code of Conduct and where applicable.

**2) Complaints against:** Faculty

**File complaint at:** The Oó ce of Diversity, Equity, and Inclusion

**Process:** The Oó ce of Diversity, Equity, and Inclusion Oó ce of Dñ n ss



**Process:** The Office of Diversity, Equity, and Inclusion will conduct an investigation and the investigator will forward a report and any evidence gathered to the Respondent's supervising Vice President for review and final determination. The Vice President determines the resolution and sanctions. If the Respondent is a member of a union, the investigation, review and resolution will be in accordance with this policy and the applicable collective bargaining agreement.

**4) Complaints against:** An individual from the Office of Diversity, Equity, and Inclusion

**File complaint at:** The Office of the President

**Process:** A designee of the President will conduct an investigation and the investigator will forward a report and any evidence gathered to the Office of the President, who will make a final determination.

**5) Complaints against:** A University Vice President

**File complaint at:** The Office of Diversity, Equity, and Inclusion

**Process:** The Office of Diversity, Equity, and Inclusion will conduct an investigation and will forward a report and any evidence gathered to the Office of the President for review and final determination.

**6) Complaints against:** The President of the University

**File complaint at:** The Office of Diversity, Equity, and Inclusion

**Process:** The Office of Diversity, Equity, and Inclusion will communicate and cooperate with the Office of Chief Counsel, PASSHE, to identify the individual or office who will investigate the specific complaint. The investigator will forward a report to the Chancellor for review and final determination by the Chancellor or designee.

## **2 Disciplinary Process**

**Notice and Timeline.** Both the Complainant and the Respondent shall be fully informed of the steps taken during the investigation and disciplinary process. Absent extenuating circumstances, the University will abide by the following timelines:

**Charges:** Within 15 calendar days of the filing of a complaint, the Office of Diversity, Equity, and Inclusion or the Office of the President will assess whether the allegations, if true, constitute a violation of the Policy and should be investigated. The Respondent will be notified either of the charges and who will be investigating the complaint, or both the Respondent and the Complainant will be notified that the allegations are not a violation of the Policy and that no further investigation will be conducted.

**Investigation:** Within 15 days of notice of the charges, the investigator will begin the investigation by conducting individual investigation meetings. The investigator will meet with the Complainant, the Respondent, (and respective advisors if they so desire), and any witnesses who can corroborate or clarify the facts. All investigations shall proceed in accordance with

Respondent, or in the case of faculty, to the President. In cases of sexual harassment involving a student, the Complainant will also receive a copy of the report.

**Pre-disciplinary Conference (PDC):** The PDC consists of a meeting with the President or supervising Vice-President and the Respondent, who may be accompanied by an advisor.

**Final Determination:** Within 60 days of the filing of the complaint,

resolved. Such suspension will be in accordance with any applicable collective bargaining agreements.

## **Failure to participate in the investigation**

If the Respondent elects not to participate in the investigation, the investigator shall complete the report based on the information in the investigator's possession. No adverse inference will be drawn from the lack of participation.

## **Final Determination**

### **a Unfounded Report No Violation**

If the matter is determined as unfounded after the conclusion of an investigation, the Office of Diversity, Equity, and Inclusion or the President will issue a letter to that effect to the Complainant and the Respondent and the matter will be deemed closed.

### **b Founded Report Violation**

In all instances, the President or supervising Vice-President retains the sole power and discretion to take formal disciplinary action against an employee. Individuals who are found to have violated this policy will be subject to disciplinary actions as set forth by the applicable Collective Bargaining Agreement, Board of Governor Policy, or University Policy. Such action against employees could include, but is not limited to, an informal oral reprimand, a written reprimand, required training, suspension or other disciplinary action up to and including termination of employment.

## **E Right of Appeal**

The Complainant and the Respondent shall be entitled to one written appeal of any decision rendered. Appeals must be based only on new evidence that was not considered during the investigation, evidence of an inappropriate or unfair investigation, or evidence of a denial of due process rights.

Appeals shall be filed in writing with the Office of Diversity, Equity, and Inclusion no later than ten days after the date the decision was received.

Appeals will be heard by the President's Appeal Board. The President's Appeal Board will be comprised of a faculty member, an administrator and a staff member appointed annually by the Office of the President. The Appeal Board will make a recommendation and forward its recommendation to the President. The President will rule on all appeals and all rulings are final.

# **V Consensual Relationships Rationale and Policy**

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An individual who ha

This policy is not intended to interfere with any rights an employee may have under an applicable collective bargaining agreement. Unionized individuals may choose to pursue a complaint through the appropriate Collective Bargaining Agreement grievance procedures.

## **VIII Posting of the Policy**

This policy shall be available at the Office of Diversity, Equity, and Inclusion in Carver Hall.

## **IX Resources**

All parties have access to a variety of campus, community, state and federal resources. Below is a list of some of those resources. Questions regarding confidentiality and privacy may be directed to [Ry a](#)



personal growth. Typical course

## **Student Health Center**

(Location: Kehr Union Building, # 324, Phone: 570-389-4451,  
Hours: M-F 8:00 am to 6:00 pm)



an ally, and be a support person. If you wish

## **Financial Aid Office**

(Location: Warren Student Services Center, Room 119, Phone:  
570-389-4297, Hours: M-F 8:00 am to 4:30 pm)

<http://www.bloomu.edu/aid>

## **Community Gover**

testing and treatment, HIV testing, counseling/education and cancer screening. Fees are based on ability to pay. All services are by appointment only.

## **Geisinger**

(Location: 111 North Market Street, Bloomsburg, PA 17815,  
Phone: 570-784-6631, 24 Hour Hotline 800-544-8293 or  
570-784-6631)

The philosophy of the Women's Center is that all individuals are equal to one another and have the right to live in a non-violent environment. Services include emergency shelter for battered women and children, individual and group counseling,

(Location: 168 E. Fifth St., Bloomsburg, PA 17815-2206, Phone: 570-784-8760, Toll Free 877-515-7079)

## **State Resources**

### **Pennsylvania Coalition Against Rape PCAR**

(Sexual Assault Hotline: 888\_\_\_\_\_ .



animals for disability. Retaliation for filing a complaint, opposing unlawful behavior or assisting investigations is also illegal. PHRC investigates employment discrimination complaints on behalf of the U.S. Equal Employment Opportunity Commission, or EEOC. These partnerships protect the rights of complainants under both state and federal law.

## **Rape Abuse and Incest National Network RAINN**

(Sexual Assault Hotline: [800-656-4673](tel:800-656-4673), Hours: 24/7)

RAINN is the nation's largest anti-sexual violence organization and operates the National Sexual Assault Hotline in partnership with more than 1,100 local rape crisis centers across the country. RAINN also carries out programs to prevent seque

(Location: PO Box 1167, Harrisburg, PA



Education funds. OCR also has responsibilities under Title II of the Americans with Disabilities Act of 1990 (prohibiting disability discrimination by public entities, whether or not they receive federal financial assistance).

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