

## **Muskingum University Peer Harassment Policy & Reporting Procedure**

Muskingum University does not condone harassment of any kind. The campus community constitutes an environment where any form of harassment is unacceptable. This policy is in keeping with the spirit and intent of federal, state and University guidelines concerning discrimination and harassment. Sex and gender based harassment or discrimination may be a violation of the sex and gender-based misconduct policy, and as such, may follow the policies and procedures outlined in that policy.

### **Definition**

Harassment is physical, verbal or any other behavior, including written, electronic or pictorial expression, that either recklessly disregards the harmful effect of the behavior on, or that intends to hurt, a specific individual, group of individuals, or campus organization.

### **Reporting Procedures**

The reporting procedures outlined below are designed to provide sufficient flexibility in responding to allegations of harassment. They are intended to be as formal or informal as the allegations dictate.

Any individual who believes he/she has been harassed (as defined above) should contact the Student Life Office, which will help the individual explore the options available to him/her. Initial contact with the Student Life Office will be kept confidential; no formal records will be kept, and all individuals are assured of anonymity (except as required by law [e.g. anonymous statistical reporting which may be required under the federal Campus Right to Know or Cleary Act, or judicial subpoena]). The student may wish to consult someone with special sensitivity or expertise and the Student Life Office will facilitate a referral to such a person if desired. If an individual desires to seek assistance outside the Student Life Office, they are encouraged to approach someone in the Counseling, Wellness, or Chaplain areas.

#### **Informal Reporting Procedure**

An Informal Reporting Procedure may be the first step proposed to resolve an allegation of harassment. Any individual with a complaint may be provided the option to discuss the issue directly with the alleged harasser in the presence of the Dean of Students or designee. This option is often viewed as beneficial as, should the behavior not be so egregious as to warrant removal from campus, the high likelihood of future interaction (even if only in passing) on a campus the size of Muskingum University, can make an amicable resolution desirable for the complainant. However, if the individual does not desire a face-to-face meeting with the responding party, he/she may write a letter or choose a contact person to mediate on his/her behalf, if they wish to pursue an informal resolution.

#### **Formal Reporting Procedure**

Formal Reporting Procedure should be used if the individual making the complaint believes the severity of the complaint warrants it. The individual who desires to file a

formal complaint of harassment will submit a detailed report of the incident directly to the Dean of Students. Note that any individual bringing forth a complaint of harassment may petition to terminate the proceedings at any stage, however, once a formal investigation is initiated, the Dean of Students will determine whether the University may continue as the complainant due to the dual nature of harassment offenses being both an offense against the individual and an offense against the community.

Evidence of retaliation in response to formal or informal grievance procedures will itself be regarded as harassment and will result in the filing of allegations to address said retaliatory behavior.

Formal reports will include information about the date, time, place, participants' names and the harassing behavior. The report will be handled in accordance with the resolution procedures of the Code of Student Conduct with possible additional stipulations because of the nature of the allegations as herein indicated or as deemed appropriate by the Dean of Students or his/her designee.

### **Principles**

In investigating complaints of harassment, the following principles will be adhered to:

- Each complaint will be handled on an individual, case-by-case basis, considering the complete record and all relevant circumstances.
- Investigation will be conducted as promptly as possible.
- In investigating complaints of harassment, confidentiality should be maintained in consideration to both the reporting party and the responding party (except as mandated by law or subpoena).
- The complaint will be resolved in a manner which is consistent with this policy and equitable to all parties concerned.