

TITLE IX POLICY

It is the policy of Belhaven University (“University”) not to discriminate against any person on the basis of gender in violation of any applicable law, including but not limited to, Title VII of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000e), and Title IX of the Education Amendments of 1972 as well as its implementing regulations (34 CFR Part 106).

It is the policy of the University not to discriminate on the basis of gender in the educational programs and activities that it operates. This prohibition against gender based discrimination extends to all University educational programs, and activities, as well as to admission into such programs and activities, distribution of institutional resources, hiring practices, employment, promotion and policies.

The University is committed to fostering a positive working and educational environment in which there exists mutual respect for all University students, faculty, and staff. Harassment of employees or students based upon sex is inconsistent with this objective and contrary to the University policy of equal employment and academic opportunity without regard to race, color, national origin, sex, age, or disability. Sexual harassment is illegal, and will not be tolerated within the University. It is the policy of the University that no member of its community shall sexually harass another. Any employee or student who violates this policy will be subject to disciplinary action up to and possibly including separation from the University.

Members of the University community who believe that this policy has been violated are strongly encouraged to report the allegations of sexual harassment as promptly as possible. Delay in making a complaint of sexual harassment may make it more difficult for the University to investigate the allegations.

TITLE IX Complaint Procedures

A. Reporting Discrimination Based on Sex

Any student at Belhaven University who believes that she or he has been discriminated against on the basis of their sex (the “complainant”) by University students, faculty or staff is encouraged to promptly take the following actions:

1. Submit a written complaint within two (2) weeks of the alleged discriminatory conduct to the Title IX Coordinator.
2. The complaint should include the following information:
 - a. The name and telephone number, if available, of the complainant and respondent;
 - b. Specific acts alleged, including dates, times and locations;
 - c. Names of any potential witnesses, including addresses and telephone numbers, if available; and

- d. Actions taken by any party to address the discrimination, if any.
3. The following procedure will govern all investigations of complaints alleging violations of the policy, with the exception of sexual harassment complaints, The University reserves the right to deviate from these procedures only when such deviation is necessary to ensure appropriate processing of the investigation.
 - a. The investigation will begin within ten (10) work days of receipt of the complaint.
 - b. The Title IX Coordinator will investigate allegations of violations of this policy unless another University official is designated. The Title IX Coordinator may request assistance from other trained and qualified employees.
 - c. The investigation shall include interviewing the complainant and the respondent as well as any relevant witnesses suggested by the complainant and the respondent.
 - d. If witnesses cannot be reached or are unavailable, the complaint will be investigated in their absence.
 - e. The investigation also shall include reviewing any documents deemed relevant by either party.
 - f. Confidentiality of the investigation will be maintained to the extent possible.
 - g. After all available information is reviewed and interviews are completed, the Title IX Coordinator will:
 - (1) Determine whether a violation of this policy has occurred, and if so, the appropriate response.
 - (2) Notify the complainant and the respondent in writing of the outcome of the investigation ten (10) working days after the completion of the investigation.
 - (3) Make recommendations to the appropriate supervisor regarding discipline, if warranted.
 - (4) Partner with departments' supervisors to take corrective action as may be appropriate under the circumstances.
 - h. All complaints will be adjudicated as expeditiously as possible and generally within sixty (60) days.

B. Reporting Sexual Harassment

A member of the University community who wishes to file a complaint about sexual harassment by an employee or student of the University should take the following action:

- If the alleged harasser is a faculty or staff member, the complaint should be made in writing to the University's Title IX Coordinator.
- If the alleged harasser is a student, the complaint should be made in writing to the Dean of Students.

The University can most effectively investigate and respond to alleged sexual harassment if the complaint is made as promptly as possible after the alleged sexual harassment occurs.

The University can only take corrective action when it becomes aware of problems. Therefore, the University encourages persons who believe that they have experienced sexual harassment to come forward with their complaints and seek assistance within the University. Faculty, staff, and students who believe that they have witnessed sexual harassment are encouraged to report the alleged harassment promptly. In addition, supervisors are expected to promptly report all allegations of sexual harassment to the Title IX Coordinator.

Reports of sexual assault are governed by the University's Sexual Assault Policy. Reports of other crimes should be directed to the Director of Security regardless of whether the matter is also reported and being investigated as sexual harassment.

C. Contact Information

Title IX Coordinator:

Ms. Virginia Henderson
Chief Financial Officer and Vice President of Business Affairs
(601) 856-8673
vhenderson@belhaven.edu

D. Processing Complaints

All complaints of alleged sexual harassment are investigated under the oversight of the University's Title IX Coordinator (administrators, faculty and staff) and the Dean of Students (students). The University will process all formal complaints of sexual harassment it receives; regardless of where the conduct, which is the basis for the complaint, allegedly occurred. The Title IX Coordinator and the Dean of Students may also determine that an investigation is warranted without a formal complaint if the University has sufficient notice that sexual harassment may have occurred.

1. Investigation Timelines

Investigations of sexual harassment will normally be completed within sixty (60) calendar days, within an additional fifteen (15) calendar days to complete a formal report where appropriate. If the investigation cannot be completed within that timeframe, the complainant and the respondent will be informed of the reasons for the delay and an estimated date of completion.

2. Interim Measures

The University may take interim measures it deems necessary during an investigation. Interim measures will be taken within the context of University policies and might include changes to class or housing assignments for student or work assignments for employees.

3. Complaints in Which a Student is the Alleged Harasser

Complaints of alleged sexual harassment by a student will be investigated under the oversight of the University's Dean of Students. Such complaint will be processed under the Grievance Procedure for Sexual Harassment outlined in *The Kilt*.

4. Complaints in Which an Employee is the Alleged Harasser

Complaints of alleged sexual harassment by a faculty or staff member will be investigated under the oversight of the University's Title IX Coordinator. Each complaint of sexual harassment will result in an investigation, including interviews and the review of evidence, such as electronic and written material, if any exists. Both the complainant and the alleged harasser will be notified of the outcome of an investigation. IF an investigation results in a determination that sexual harassment has occurred, the University will take remedial action, including, where appropriate, disciplinary action, to eliminate the harassment and prevent its recurrence. The Title IX Coordinator, in cooperation with the relevant University officials, will continue to monitor the matter to assure that harassment does not recur.

E. Confidentiality

The review of sexual harassment complaints, including formal investigation, will be conducted confidentially to the extent permitted by law, except insofar as information needs to be disclosed so that the University may effectively investigate the matter or take corrective action.

F. Retaliation

Persons who file a complaint about sexual harassment, or who cooperate in the University's investigation and handling of sexual harassment reports or complaints, shall not be subject to retaliation for complaining or cooperating, even if the University finds that no sexual harassment occurred. If a complainant or witness believes that she or he is being subjected to retaliation, she or he should promptly contact the Dean of Students within the office of Student Life or the Title IX Coordinator.

G. Cooperation

Members of the University community are expected to cooperate in the University's investigation of alleged sexual harassment by University officials.

H. Assistance with Processing Complaints

A discrimination-free environment is the responsibility of every member of the community. Faculty and staff set the tone regarding acceptable conduct and climate within their campus area. Employees who need assistance in applying this policy, education and training with respect to the policy and who have questions about sexual harassment prevention may contact: The Dean of Students within the office of Student Life and the Title IX Coordinator.