

## **CAMPUS CONCERN POLICY**

1.0 CASC is committed to providing a positive educational and work environment for students, employees, and visitors. Through enforcement of this policy, CASC seeks to prevent, correct, and discipline behavior that violates this policy. CASC strongly encourages students, visitors and employees to promptly report any campus concerns.

1.1 CASC's procedures for handling concerns place a strong emphasis on resolving concerns informally in a non-adversarial process in which the parties involved reach a mutually satisfactory understanding and agreement. Without feeling constrained by specific definitions, any person who believes that his or her educational or work experience is compromised should feel free to discuss the problem with a faculty member, administrator, or supervisor informally.

1.2 Situations may occur where an employee, student, or visitor believes that the fair and consistent application of a policy affecting him or her has not been followed.

1.3 Complaints concerning Sexual Harassment, Sexual Assault involving a CASC student, or Discrimination are governed by separate policies.

## 2.0 DEFINITIONS:

2.1 The "Complainant" is an employee, student, or visitor who informs the CASC Human Resources Office that the employee, student, or visitor believes he or she has been denied rights under CASC policies and procedures.

Complainant does not include a CASC supervisor, administrator, employee, or official who reports an incident that he or she has observed or a complaint he or she received involving other persons.

The Complainant does not have to be the specific person to whom the action was directed, but must be a person who was affected by the incident.

2.2 The "Respondent" is the employee, student, or visitor who allegedly denied rights to another person.

2.3 "Retaliation" means any action or failure to act with respect to an individual based on that individual's making a complaint, participating in the investigation of a complaint, or participating in the process under this policy, where such action or failure to act could have the effect of dissuading a reasonable person from participating or assisting with this policy.

2.5 Issues addressed by this policy can include, but are not limited to academic issues, student conduct issues, policies, workplace environment, or such conduct that has the purpose or effect of unreasonably interfering with a person's work or

academic performance or creating an intimidating, hostile or offensive work or social environment.

The CASC Human Resources Office will determine whether or not a dispute is within the scope of policy.

### 3.0 INITIATING A COMPLAINT:

3.1 Employees, students, or visitors who believe they have been denied rights must report the incident to the CASC Human Resources Office using a Campus Concern/ Grievance Form. The Campus Concern/ Grievance Form includes the Complainant's name and contact information, identifies the complained-of individual, and describes the complained-of conduct, including but not limited to dates, times, places, and witnesses, if any, along with the Complainant's preferred outcome for resolving the matter.

3.2 The complaint should be turned into the CASC Human Resources Office no later than thirty (30) days after the last complained-of incident.

3.3 Any CASC supervisor, administrator, or official receiving a complaint of denied rights should inform the individual of this policy and refer them to the Human Resources Office.

4.0 COMPLAINT RESOLUTION: The Human Resources Department will determine, whether a complaint is to be resolved by formal or informal means.

4.1 INFORMAL RESOLUTION: The informal resolution process is appropriate when the concern can be resolved through communication and/or mediation. Neither the Complainant nor the Respondent may have an attorney or representative present during the informal resolution process. The Complainant and/or Respondent is responsible for presenting their own case.

4.1.1 The Human Resources Office shall attempt to resolve the concern using the informal resolution process within a reasonable amount of time after the concern has been submitted.

4.1.2 At any time during the Informal Resolution process, the Human Resources Office may request a formal resolution process.

4.2 FORMAL RESOLUTION: If the informal process fails to resolve the concern, and the student, employee, or visitor wishes to continue the matter, he/she must begin the steps of the formal resolution process. Neither the Complainant nor the Respondent may have an attorney or representative present during the formal

resolution process. The Complainant and/or Respondent is responsible for presenting their own case.

4.2.1 Initiating the Formal Resolution Process: The Complainant must have previously submitted to the Human Resources Office a Campus Concern/ Grievance Form.

4.2.2 The President (or designee) shall appoint an investigator(s) to examine all written, formal complaints against employees, students, and visitors. The investigator(s) may or may not be CASC employees.

4.2.3 In the course of the investigation, a copy of the written concern will be given to the Respondent. The Respondent shall have ten (10) Working Days in which to submit a signed, written response to the concern.

4.2.4 The investigator(s) interviews separately the Complainant and the Respondent as soon as reasonably possible after receipt of the written concern and written response, if any.

4.2.5 The Respondent will not take any action against the Complainant or any witnesses or other persons, in retaliation for their initiation of or participation in the complaint process. Retaliation is a separate violation of this policy and may result in discipline even where the original complaint is unfounded.

4.2.6 The investigator(s) may interview any other persons considered to have information relevant to the complaint.

4.2.7 The investigator(s) may receive, gather, and review any documents and physical evidence related to the complaint.

4.2.8 Where necessary, the investigator(s) may recommend to the President temporary adjustments to the Complainant's class schedule or work environment pending conclusion of the investigation.

4.2.9 The investigation of complaints against visitors may differ from the investigation described herein based on the circumstances.

4.3 Findings of Facts and Recommendations: The investigator prepares written findings of fact and provides Complainant and Respondent, by hand delivery or other traceable means of delivery, a copy of the written findings of fact.

4.3.1 The Complainant and Respondent shall have ten (10) working days to submit a "written reply" regarding the findings of fact to the Human Resources Office. The Human Resources Office shall provide the President with a copy of the Complainants and Respondent's "written reply", if any.

4.3.2 Within a reasonable time after receiving the written findings of fact, the President (or designee) shall review the written findings of fact, and review the Complainants and Respondent's "written reply".

4.4 If it is determined that policy was violated, the President (or designee) shall take appropriate discipline or corrective action with the Respondent including but not limited to expulsion or termination.

4.5 The President's (or designee's) determination on the findings of fact and discipline shall be final and non appealable.

5.0 CONFIDENTIALITY: Complaints and investigations into allegations are kept confidential to the extent possible consistent with the need to investigate the complaint and come to a thorough and effective resolution.

6.0 RETALIATION PROHIBITED: Any employee, student, or visitor who retaliates in any way against an individual who has initiated or participated in the resolution of a good faith complaint is subject to discipline, up to and including termination of employment, suspension, or expulsion from CASC, even if no violation is found.

7.0 FILING OF FALSE COMPLAINTS and Statements: Anyone who knowingly or intentionally files a false complaint or false statement is subject to discipline, up to and including termination of employment, suspension or expulsion from CASC.

8.0 EFFECT ON PENDING DISCIPLINARY ACTIONS: Filing a Grievance/Complaint will not prevent, delay or affect any non-retaliatory evaluation or discipline of the Complainant for conduct, performance, or academic deficiencies or for violation of CASC policies and procedures.