

or values of the College. Therefore the principles listed under Campus Regulations should be carefully considered. Works of art that qualify for outdoor display on the Rhodes campus shall be works of art intended as ends in themselves, such as those found in galleries or sculpture gardens. Works that qualify for outdoor display on the campus shall not include items of advocacy or protest or items of information such as posters. (See policy on posting.)

Commuter Student Lockers

Lockers for commuter students are located in the Bryan Campus Life Center. To receive a locker assignment, contact the Assistant Athletics Director.

Complaint Procedure

Students with complaints or concerns regarding College policy should address their concerns to the Dean of Students.

Discrimination and Harassment

Rhodes College's Commitment to Diversity

A diverse learning community is a necessary element of a liberal arts education, for self-understanding is dependent upon the understanding of others. We, the members of Rhodes College, are committed to fostering a community in which diversity is valued and welcomed. To that end, Rhodes College does not discriminate -- and will not tolerate harassment -- on the basis of race, gender, color, age, religion, disability, sexual orientation, and national or ethnic origin.

We are committed to providing an open learning environment. Freedom of thought, a civil exchange of ideas, and an appreciation of diverse perspectives are fundamental characteristics of a community that is committed to critical inquiry. To promote such an academic and social environment we expect integrity and honesty in our relationships with each other and openness to learning about and experiencing cultural diversity. We believe that these qualities are crucial to fostering social and intellectual maturity and personal growth.

Intellectual maturity also requires individual struggle with unfamiliar ideas. We recognize that our views and convictions will be challenged, and we expect this challenge to take place in a climate of open-mindedness and mutual respect.

I. Rhodes College Statement

Discrimination and harassment on grounds of race, gender, color, age, religion, disability, sexual orientation, and national or ethnic origin are forms of misconduct that undermine the institutional mission of the College and thus will not be tolerated. All members of the College community are responsible for maintaining an environment of mutual respect for all persons.

The College's policy on sexual misconduct is contained in a separate section. This section contains the College's policy governing other forms of harassment as well as discrimination. The Dean of Students is responsible for ensuring that students are informed of this policy. The Dean of the Faculty and the Director of Human Resources are responsible for taking necessary steps to notify College faculty and staff of the provisions of this policy.

Rhodes College reserves the right to modify these policies and procedures as needed in order to maintain the environment of mutual respect for all persons that is an objective in issuing this present document.

II. Definitions

Discrimination – the act of denying opportunities, resources, or access to an individual or group based on race, gender, color, age, religion, disability, sexual orientation, and national or ethnic origin.

Harassment – actions meant to demean, debase or injure and based on race, gender, color, age, religion, disability, sexual orientation, national or ethnic origin, whether intentional or unintentional.

Harassment can include hostile or intimidating verbal or written communications, physical threats or intimidating conduct based on a person's race, gender, color, age, religion, disability, sexual orientation, national or ethnic origin that adversely affects the individual and that interferes with a person's ability to function successfully in her or his academic, work, or social life at Rhodes. Freedom of expression does not include the right to intentionally and maliciously aggravate, intimidate, ridicule or humiliate another person.

It is necessary to consider the intentions and knowledge of the alleged offender in determining whether harassment in violation of this policy has occurred. Even if you don't know who is responsible for the incident,

it is important for students to report incidents of alleged harassment to Dwaun Warmack, Associate Dean of Students.

Both discrimination and harassment may be subject to legal action based on applicable laws. Any act that is thought to constitute a crime should be reported to the Director of Human Resources and the Director of Campus Safety.

Retaliation – Anyone who retaliates against any individual making complaints of discrimination or harassment, or anyone making a false or malicious charge against an employee or student of Rhodes College is in violation of this policy and will be subject to sanctions accordingly.

III. Geographic Jurisdiction

To fall within the jurisdiction of these procedures, the act of discrimination or harassment must have been committed against a Rhodes student or employee by another Rhodes student or employee (a) on College-owned or leased property or (b) at a College-related function. Because students may also be sanctioned for conduct which constitutes a hazard to the health, safety, or well being of members of the College community or which is detrimental to the College's interest whether such conduct occurs on campus, off campus or at College-sponsored events, the College reserves the right to pursue disciplinary action of off-campus incidents on a case by case basis.

IV. Employee (faculty and staff) Concerns

All employee complaints of discrimination or harassment, including sexual harassment, whether the complaint involves alleged discrimination or harassment must be reported by the employee to the Director of Human Resources or to the Dean of the Faculty.

The Director of Human Resources receives the complaint from the student when the accused is an employee of the College, either staff or faculty. Student complaints against faculty or staff are not subject to the optional procedures outlined in this policy.

V. Student Concerns

Students have several options for handling this situation. You may decide first to talk with the alleged offender yourself in the event that he or she seems unaware of the effects of his or her behavior. You can talk with any RA (resident advisor), faculty, staff or administrator about your sense of being harassed or discriminated against. However, keep in mind that, because harassment and discrimination are destructive to the entire College community, Rhodes will not tolerate such behaviors. Therefore, all RAs, faculty, and administrators are mandated by College policy to report knowledge of allegations of harassment or discrimination to the appropriate office. RAs, faculty, and administrators of the College are expected to keep conversations alleging discrimination and harassment limited to those parties who are responsible for enforcing this policy.

Note: Employee complaints of discrimination or harassment are not subject to the procedural options outlined in this policy.

Counseling Center staff, the Chaplain, the Nurse, and Physicians may be bound by professional ethical requirement to keep conversations with clients confidential. Those professional confidentiality requirements and applicable law will dictate whether information provided to those persons will be shared with others.

Students are strongly encouraged to consult with Dwaun Warmack, Associate Dean of Students, to ensure that any alleged harassment or discrimination may be addressed appropriately and according to the policy of the College and applicable laws.

Reporting Process and Follow up Procedures

The basis or grounds of a complaint should be discussed with Dwaun Warmack, Associate Dean of Students. If the alleged incident of harassment appears to violate any applicable laws, the Associate Dean of Students will report the incident to the Director of Human Resources and the Director of Campus Safety, as required by such laws. The College cannot file charges on a student's behalf, but the Associate Dean of Students will inform the student about the legal avenues that he or she can pursue.

Described below are three processes for resolution of a complaint. A complaint by the student may be addressed by using the following processes: individual action (option I below), mediation (option II below), or formal complaint (option III below). However, the College at all times reserves the right to address the

complaint without regard to the resolution process chosen by the student. Violation of this policy could result in suspension or expulsion.

If after meeting with the Associate Dean of Students, the student complainant decides to make a Formal Complaint, the Associate Dean of Students registers the Formal Complaint to the Dean of Students or designee.

Investigations will be arranged for and conducted as promptly and in as confidential a manner as possible. Investigations will include discussions with both the complainant and the alleged offender. Inquiries may also be made of other persons who may have knowledge about or related to the alleged incident. The investigator may outline to the complainant the investigative actions that will be taken and the anticipated time frame for completing the investigation.

It is important that the schedule allow for a thorough investigation. The amount of time needed may vary with the nature of the alleged incident.

Alleged violations by students will be dealt with by the procedures outlined below for an administrative hearing.

Procedural Option I — Individual Action

Pursuing some type of individual action to resolve a problem either before or instead of a formal complaint process is not uncommon. While individual action is no substitute for good policy and procedure and may not be advisable in certain situations, it can be an important tool for educating the alleged offender (who may be unaware of the impact of his or her behavior) and restoring the victim's sense of dignity. Examples of individual action include:

1. Talking to the alleged offender about the incident. You may wish to take someone with you for support.
2. If the behavior continues, you may want to keep a log of times, dates, places, witnesses, the nature of the discrimination or harassment, what the alleged offender said and did, how you responded, etc.
3. Writing a specific kind of letter to the person whom you believe has discriminated against or harassed you that includes:
 - a. The writer's factual account of what happened, but without any subjective evaluation of such. This account should be as detailed as possible, including dates, places, and descriptions of the incidents.
 - b. A description of how those events made or still make the writer feel, and what the writer wants to happen next and in the future. This part may be very short, since most writers usually just want the behavior to stop, e.g., "Please do not say these things to me again."

The letter should be delivered only to the alleged offender either in person or via email. The writer is encouraged to keep a copy of any letter written to the alleged offender.

If the letter does not achieve its purpose, the letter can be used to support further complaints. Ideally, the letter will be a way to prompt a conversation with the alleged offender. If you think an official of the College should be involved, then you should meet with the Associate Dean of Students who can explain further options to you.

Procedural Option II — Mediation

The mediation process provides an official administrative alternative to the informal procedure above. It is intended to allow those involved in alleged discrimination or harassment to discuss their respective understandings of the incident with each other with the assistance of the Associate Dean of Students. Mediation is designed to encourage each person to be honest and direct with the other and to accept personal responsibility where appropriate. Its goal is to facilitate the resolution of the incident.

Requests for mediation are filed in writing with the Associate Dean of Students. A request may be filed either by the complainant or by someone who has been accused of discrimination or harassment. Both the complainant and alleged offender must voluntarily enter into mediation. The Associate Dean of Students will work with both parties to determine their willingness to participate in mediation and to verify that mediation is their choice at this time among the alternatives provided by the College.

Mediation Procedures. When both parties have agreed to mediation, the Associate Dean of Students or a trained designee will initiate the mediation process. The Associate Dean of Students (or his/her designee) will contact both parties to set the date, time and location of the mediation session(s). Every reasonable effort will be made to begin mediation within one week after the complaint is filed and to complete the mediation session(s) within one week of their initiation.

The only parties present at the mediation session(s) will be the parties directly involved in the incident and the mediator. During the mediation process the mediator may:

1. Ask the complainant and then the alleged offender to give their versions of the incident in question, including both factual information and their feelings;
2. Identify key issues that emerge in the first step and make these known to both persons;
3. Seek the agreement of both parties on the issues;
4. Facilitate discussion as the two parties consider each issue more completely and as they generate solutions for each; and
5. Work with both parties to develop a written document that will include a statement of agreement on each issue. Any activity or behavior that either party has agreed to perform following the mediation should be included in this agreement. In particular, the mediation agreement must include the agreement of both parties not to compel the mediator to provide testimony or to provide his or her notes in any process outside the mediation procedure.

The written mediation agreement shall be signed by both parties and approved by the Associate Dean of Students or the designated mediator.

Because participation in the mediation process is entirely voluntary and the final result is a product of mutual agreement, this process cannot be appealed. If either party is dissatisfied with the mediation process, at any time prior to signing of a written agreement, that party may request that the mediation process cease. A Formal Complaint Process (Option III) may be pursued by the complainant at any point prior to the signing of the statement of agreement if the complainant or alleged offender requests that the mediation process cease.

In order to promote honest and direct communication among the parties and the mediator and to facilitate the completion of agreed-upon terms, all statements made in the mediation process must remain confidential, and as noted above the parties to the mediation procedure must agree not to compel the mediator to provide testimony or to provide his or her notes in any process outside the mediation procedure. The Associate Dean of Students' office keeps copies of the complaint form, the mediation agreement, and any documentation concerning completion of or non-compliance with the agreed-upon activities or behavior.

In the event that a Formal Complaint Process is initiated after some part of the mediation process has taken place, only the Written Complaint (see below) will be forwarded to the administrator in charge. Only the party making the statement may disclose statements made during the mediation process in the investigation or hearing processes. Violations of the terms of the mediation agreement should be brought to the attention of the Associate Dean of Students, who will set in motion a Formal Complaint Process.

Procedural Option III — Formal Complaint Process

A Formal Complaint Process may be initiated when the seriousness of the alleged violation warrants it or when mediation does not produce a resolution. A Formal Complaint Process is requested by the person allegedly victimized.

Formal Complaints are initiated by submitting a Written Complaint to the Associate Dean of Students. The Associate Dean of Students meets with the complainant to discuss the complaint and to help the complainant determine whether it is indeed appropriate to go ahead with a Formal Complaint.

If the meeting concludes with a decision to go forward with the Formal Complaint Process, the Associate Dean of Students forwards the Written Complaint to the appropriate administrator for adjudication or referral to the appropriate judicial council (Reference SRC Policy).

If the alleged incident of harassment appears to violate any applicable laws, the Associate Dean of Students will report the alleged incident to the Director of Human Resources and the Director of Campus Safety, as may be appropriate under applicable law. The College cannot file charges on the complaining student's behalf.

A Formal Complaint should be filed as soon as possible after the occurrence to facilitate a prompt and thorough investigation. In every case, an investigation will be conducted as promptly and in as confidential a manner as possible.

Appeals

Either the complainant or the accused may appeal the decision of the administrator/Social Regulations Council. The appeals procedure is outlined in the Rhodes College Student Handbook, Regulations and Appeals section (for hearings conducted by an administrator) and in the Social Regulations Constitution section (for SRC hearings).

The appeals officer/SRC shall provide the accused, the complainant and the Dean with copies of the appeals officer's/SRC's final decision. The decision may include affirmation, reversal or modification on the original decision. This decision shall be final.

If You Think You Have Been Discriminated Against or Harassed by a Campus Organization

You should report the incident to the Associate Dean of Students. The Associate Dean, in consultation with the Dean of Students, will recommend the best procedure for resolution of such complaints.

The Dean of Students may impose sanctions upon student organizations up to and including the temporary or permanent loss of status as a recognized campus organization. Sanctioning an organization does not preclude the College from taking action against individual members who are alleged to have led or participated in the incident. Those individual members will be dealt with according to the procedures outlined earlier in this document.

Campus Resources

Dean of the Faculty

223 Palmer
843-3795

Dean of Students

4th Floor Burrow
843-3885

Dwaun Warmack, Associate Dean of Students

301 Briggs
843-3628

Counseling Center

Moore Moore Counseling Center
843-3128

Chaplain's Office

310 Briggs
843-3849

Director of Human Resources

Human Resources - Modular
843-3750

Director of Campus Safety

Spann
843-3880

Sexual Misconduct

Opening Statement

Rhodes College is committed to providing a working, educational, social, and residential environment for all members of our College community, including all faculty, staff, and students, that is free from any form of sexual misconduct including harassment and assault. Sexually abusive behavior is harmful to both the learning environment and the sense of community the college is trying to foster among students, faculty, staff, and administrators. This policy aims to maintain a consistent, compassionate, campus-wide mechanism for assisting Rhodes students who have been sexually assaulted or harassed by a Rhodes student or employee regardless of where or when the incident occurred.

Sexual Harassment

Sexual harassment is a form of misconduct that undermines the institutional mission of the College. Sexual harassment may be defined as unwelcome sexual advances, requests for sexual favors, physical conduct, written, verbal or electronic communication or printed materials of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational experience;
2. Submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting such individual; and/or