

## II.3 Specific Grievance Procedures for Employee-Employee or Student-Employee Misconduct

If the complainant and respondent are employees, the Title IX Coordinator may refer the conduct allegation to the Office of Human Resources. If the respondent is an employee, and the complainant a student, the conduct allegation may be referred to both, the offices of Human Resources and Student Life. The Office of Human Resources will then coordinate with the designee in Student Life to address the complaint.

### *Investigations of a Complaint*

As soon after the initiation of the investigation as possible, the Title IX Coordinator or the designated investigator(s) shall notify the College employees or students who are believed to have documentary, electronic, or tangible evidence to preserve such evidence for the investigation. The College must also notify the complainant of (a) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order, (b) the agencies to whom the alleged offense should be reported, (c) options regarding law enforcement and campus authorities, including notification of the complainant's option to (i) notify proper law enforcement authorities, including on-campus safety authorities and local police, (ii) be assisted by campus authorities in notifying law enforcement authorities if the complainant so chooses, and (iii) decline to notify such authorities.

When investigating a formal complaint, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the College and not on the parties. Unless the College has a party's voluntary, written consent, it cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, therapist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party. In addition, the College may not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

### *Adjudication and Hearings*

If a staff member is a respondent in a formal complaint under Section II, hearings shall be held by the Office of Human Resources pursuant to the policies and procedures set forth in the [Georgetown College Policy and Procedures Manual](#)<sup>[1]</sup>. If a faculty member is a respondent in a formal complaint under Section II, hearings shall be held by the Office of Human Resources and pursuant to the policies and procedures set forth in the [Georgetown College Faculty Handbook](#)<sup>[2]</sup>.

### *Determination of Responsibility*

Human Resources will consult with the appropriate Executive Cabinet member relative to any disciplinary action and/or steps to be taken or not taken. A formal written decision will be provided to the complainant and to the respondent.

Appropriate action will depend on the nature of the evidence supporting the complaint and other surrounding circumstances. Any disciplinary action taken as the result of the failure of any employee to comply with this policy shall require the approval of the President.

The Office of Human Resources is responsible for the effective implementation of any sanctions or remedies.

<sup>[1]</sup> This entirety of this manual will be made available upon request. Please contact the Office of Human Resources (502-863-8035 or [Debbie\\_clark@georgetowncollege.edu](mailto:Debbie_clark@georgetowncollege.edu)) for further information.

<sup>[2]</sup> This entirety of this manual will be made available upon request. Please contact the Provost's Office (502-863-8146 or [Provost@georgetowncollege.edu](mailto:Provost@georgetowncollege.edu)) for further information.