1. Complaint Procedures

All are encouraged to promptly report harassment so that any appropriate action can be taken. The complaint procedures are designed to ensure the rights of the complainant while at the same time according due process to both parties.

a. Form of Complaint. Complaints of harassment will be accepted orally or in writing. Anonymous complaints will be accepted and investigated to the extent possible. Complaint forms are available in several locations, including the Office of Institutional Equity, the Office of the Vice President for Student Affairs, and on the Office of Institutional Equity’s web site at www.institutionalequity.tulane.edu. A complaint need not be made on an official form in order for the University to accept it.

b. Content of Complaint. Any individual who believes he or she is being harassed or has been harassed in violation of this policy should promptly file a complaint including the following information, if known to the complainant: the name of the complainant, a brief description of the offending behavior including times, places, and the name of or identifying information about the alleged perpetrator, and the names or descriptions of any witnesses to the harassment.

c. Reporting the Complaint. It is not necessary to first confront the harasser prior to instituting a complaint under this policy. However, it is appropriate to promptly report a complaint so that a full and complete investigation is possible. Any person designated to receive complaints from students, employees, or faculty must notify the Office of Institutional Equity within twenty-four (24) hours of receiving a harassment complaint.

i. Complaints by Students. A student who believes she or he has been harassed or is being harassed may report the alleged harassing behavior to any of the following individuals or agencies:

   - Dean or Dean of Students (or person designated by same) of school with which complaining student is affiliated
   - Vice President for Student Affairs (or person designated by same), 865-5180
   - Associate Dean for Student Affairs, Tulane University Health Sciences Center, 988-5668
   - Office of Institutional Equity, 862-8083
   - Tulane Department of Public Safety, 865-5381
   - Tulane University Health Sciences Center Security Services, 988-5531

ii. Complaints by Staff. An employee who believes she or he is being harassed or has been harassed in violation of this policy may report the alleged harassing behavior to any of the following individuals or agencies:

   - Direct supervisor
• Dean (or person designated by same) with which complaining employee is affiliated
• Vice President for Human Resources, 865-5280
• Office of Institutional Equity, 862-8083
• Tulane Department of Public Safety, 865-5381
• Tulane University Health Sciences Center Security Services, 988-5531

iii. Complaints by Faculty. A faculty member who believes she or he is being harassed or has been harassed in violation of this policy may report the alleged harassing behavior to any of the following individuals or agencies:
• Department Chairperson
• Dean (or person designated by same) of the school with which complaining faculty member is affiliated
• Senior Vice President for Academic Affairs, 865-5261
• Senior Vice President for Health Sciences, 988-5295
• Office of Institutional Equity, 862-8083
• Tulane Department of Public Safety, 865-5381
• Tulane University Health Sciences Center Security Services, 988-5531

2. Investigation and Informal Resolution of Harassment Complaints

a. Initial Investigation. After receiving a complaint of harassment directly from a student, faculty member, staff member, or administrator, or indirectly from a person designated to receive complaints, the Office of Institutional Equity shall promptly conduct an initial investigation.

b. Informal Process. The University has an informal process to provide those who believe they are being harassed with a range of options designed to bring about a resolution of their concerns.
Depending on the nature and severity of the complaint and the wishes of the person(s) claiming harassment, informal resolution may involve one or more of the following or other appropriate actions:

i. Advising the person(s) about how to communicate the unwelcome nature of the behavior to the alleged harasser;

ii. Distributing a copy of the sexual harassment policy as a reminder to the department or area with which the alleged harasser is affiliated;

iii. If both parties agree, arranging and facilitating a meeting between the person(s) claiming harassment and those accused of harassment to work out a mutual resolution. Students are also encouraged to seek advice or counseling from Educational Resources and Counseling, 865-5113, whether or not they decide to pursue a formal complaint.
Informal resolution may not be appropriate in certain circumstances. While dealing informally with a problem of harassment may be preferable to the complainant, a formal grievance procedure must be followed in order for the University to impose any kind of discipline on the offender. The University will proceed with the investigation and formal resolution process when deemed appropriate by the Office of Institutional Equity.

3. Investigation and Formal Resolution of Harassment Complaints

a. Formal Investigation. If the complaint cannot be informally resolved after the initial investigation, the Office of Institutional Equity shall continue the investigation or designate someone to promptly conduct further investigation of the complaint, which may in some circumstances be an outside neutral third party. In many instances, the Office of Institutional Equity will designate the individual or committee within the school or department where the complaint arises to investigate complaints. The persons charged with investigating the complaint must discuss the complaint or the underlying behavior only with persons involved in the case who have a need to know the information, including the complainant and the accused harasser.

In the case of a complaint against a faculty member, the grievance committee of his or her school within the University shall be the committee to investigate harassment complaints. The committee chair shall notify the Office of Institutional Equity in writing of the findings as well as any action taken or recommendations made by the committee based on those findings. In the case of a complaint against a student, the Office of Institutional Equity will investigate, or will designate the University’s Department of Public Safety to investigate. In all cases the Office of Institutional Equity shall notify the Office of Student Affairs in writing of the findings of the investigation.

In the case of a complaint against a staff member or non-employee individual affiliated with the University (including vendors and independent contractors), the Office of Institutional Equity shall investigate and make recommendations to the appropriate supervisor as to any action to be taken.

b. Resolution within Thirty (30) Days. Within thirty (30) working days of receiving the complaint, the Office of Institutional Equity or its designee, including the appropriate school grievance committee, shall make a finding of whether harassment occurred. If the investigation cannot be concluded within that time, the Office of Institutional Equity shall notify the complainant and the University’s General Counsel, who shall designate the appropriate person or faculty committee to promptly conclude the investigation.

c. Objectivity. The complainant and the accused are entitled to an investigation conducted by an impartial investigator. Thus, if the person(s) charged with overseeing or investigating harassment complaints are implicated in the complaint, or have any personal issue that would cause a conflict of interest, the committee member or members shall recuse themselves from the proceeding. Alternatively, the Institutional Equity
Officer shall conduct the investigation and make findings or shall designate someone impartial to do so, which may in some circumstances be an outside neutral third party.

d. Notice of Outcome.
i. Complaints Against Faculty, Staff and Non-Employee Individuals Affiliated with the University. No more than five (5) working days after a decision has been reached, the Institutional Equity Officer shall notify the parties to the proceeding in writing of the findings and the outcome of the investigation.

ii. Complaints Against Students. No more than five (5) working days after a decision has been reached, the Office of Student Affairs shall notify the parties to the proceeding in writing of the findings and the outcome of the investigation.

e. Sanctions. Individuals found to have engaged in harassment shall be disciplined appropriately. Appropriate sanctions, ranging from a warning to dismissal, will be determined based on the severity of the conduct and in accordance with the provisions of applicable statutes, employment contracts, University policies, disciplinary procedures for faculty as described in the Faculty Handbook, disciplinary procedures for staff as described in the Staff Handbook, and disciplinary procedures for students as described in the Code of Student Conduct and other student discipline codes.

4. Appeals

An appeal by either the complainant or the accused must be filed in writing with the Office of Institutional Equity within ten (10) working days of receiving written notice of the outcome of the investigation. Responsibility for reviewing appeals will depend on the identity of the accused. Where the accused is a student, the appeal shall be reviewed in accordance with appeals procedures described in the Code of Student Conduct. Where the accused is a staff member, the Vice President for Human Resources will review appeals. Where the accused is a faculty member, the Faculty Tenure Freedom and Responsibility Committee of the University Senate will review appeals in accordance with the grievance procedures described in the University Senate Constitution, By-Law III: Standing Committees, Section 1: Committee Functions, Committee on Faculty Tenure, Freedom and Responsibility: Functions.

In exceptional circumstances, except in cases involving faculty, an appeal may be reviewed by an outside neutral third party.