

University of the Virgin Islands

Sexual Harassment Policy



June 2011

David Hall
President

Alexander A. Moorhead
Chairman of the Board

I. POLICY

A.1. POLICY STATEMENT

The University of the Virgin Islands is committed to uncompromised integrity and to doing all within its power to ensure a working environment that is inclusive and respectful of diversity and which promotes intellectual growth and development, and support the academic pursuits of faculty, students and staff. It is critically important that we create a safe and supportive environment for all students, employees and visitors. We must always be mindful of our responsibilities to others and ensure that there are clear guidelines for the resolution of concerns and complaints. Sexual harassment in the workplace is unacceptable and will not be tolerated in any form. It is our goal to build on the positive environment that exists at the University of the Virgin Islands and ensure that it remains a safe and inviting place to study, work and meet.

A.2. SCOPE

This policy applies to all members of the University of the Virgin Islands (UVI) community in both on-and off-campus sponsored events and activities. Members of the UVI community are encouraged to promptly report observance of and/or complaints about sexual harassment, sexual misconduct, and unlawful sexual contact to any of the following: supervisor or manager; Title IX Coordinator; EEO Officer; **Human Resources**; or other UVI administrator/official. Persons found to be in violation of this policy shall be subject to a transfer, or may face disciplinary action which may include, but is not limited to, written warning, demotion, suspension, expulsion, dismissal or termination.

B. DEFINITIONS

1. Sexual Harassment

Sexual harassment is a form of sex discrimination and is prohibited by Title VII of the Civil Rights Act of 1964, as amended, and Title IX of the Education Amendments of 1972. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following circumstances:

- a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the education institution.

Examples of Sexual Harassment:

Acts that constitute sexual harassment take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- 1) Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- 2) Threats or insinuations that a person's employment, wages, academic grade, promotional opportunities, classroom or work assignments or other conditions of employment or academic life may be adversely

affected by not submitting to sexual advances.

- 3) Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene phone calls.
- 4) Sexually suggestive objects, pictures, videotapes, audio recordings, computer communications, or literature placed in the work or study area that may embarrass or offend individuals. Materials with sexual content that are used or displayed in an educational setting must be related to educational purposes.
- 5) Unwelcome and inappropriate touching, patting, pinching, or obscene gestures.
- 6) Consensual sexual relationships where such relationships lead to favoritism of a student or subordinate employee with whom the instructor or superior is sexually involved, or may result in the perception of such favoritism, and where such favoritism adversely affects other students and/or employees.

2. Sexual Misconduct

Sexual misconduct is defined as non-consensual physical contact of a sexual nature. Acts that constitute sexual misconduct take a variety of forms. Examples of the kinds of conduct that may constitute sexual misconduct include, but are not limited to acts using force, threat, intimidation, or advantage gained by the offended party's mental or physical incapacity or impairment of which the offending party was aware or should have been aware. The use of any drug, including alcohol, judged to be related to the commission of an offense will be considered a contributing factor rather than a mitigating factor.

3. Unlawful Sexual Contact

Title XIV, Chapter 85 of the Virgin Islands Code prohibits unlawful sexual contact. The University of the Virgin Islands will be guided by the relevant University policy in addressing instances of unlawful sexual conduct by any University student or employee. Examples of unlawful sexual contact, which may also violate this policy on Sexual Harassment, may include, but are not limited to, acts of force, coercion, or intimidation when used to accomplish unlawful sexual contact; physical contact that includes touching, assaulting, impeding or blocking movements.

C. CONSENSUAL RELATIONSHIPS

Sexual, romantic, or intimate relationships between persons in an unequal power relationship that appear to be voluntary and welcome may nonetheless constitute sexual harassment under this definition. Relationships between faculty and subordinate faculty or staff, between a supervisor and those employees whom he or she supervises, between a faculty member or teaching assistant and his or her student, or between an employee and a vendor or contractor may give rise to legal and ethical concerns or to conflicts between personal and professional interests. Although such a relationship may be viewed by the parties involved as consensual, that fact alone does not mean that no sexual harassment exists.

In addition, such relationships can result in discrimination or harassment where (1) third parties are adversely affected in academic or employment matters because of a consensual relationship between others; (2) where a consensual relationship creates a hostile and intimidating work or learning environment for third parties; or (3) when a consensual relationship ends, and one of the parties continues behavior which the other party has made clear is now unwelcomed.

Administrators, supervisors, instructors or mentors shall avoid beginning or having an amorous relationship with a person under their charge, and if he or she is already involved in such a relationship, has the obligation to remove him- or herself from the supervisory or mentoring role. In instances where the administrator, supervisor, instructor, or mentor is not in a position to remove him or herself from the supervisory or mentoring role, the relationship should be terminated. In the event the relationship is not terminated, the conduct of the administrator,

supervisor, instructor or mentor shall be evaluated under and be governed by the applicable University disciplinary policy.

In keeping with UVI's commitment to uncompromised integrity, employees in positions of authority and employees who may have supervisory and/or management oversight of students or other employees should be mindful of their duty to maintain a workplace or educational environment free from discrimination on the basis of sex. As such, employees should be mindful of potential difficulties that may arise out of engaging in sexual, romantic, or intimate relationships with students and/or persons under their supervision.

D. RESPONSIBILITY

Individuals who are aware of, or have experienced an incident of, sexual harassment or sexual assault should promptly report the matter to a supervisor, manager, University Administrator, Human Resources, or the University officials designated to receive informal or formal complaints. (Please see pp. 8-10) Under this policy, a third party may also file a complaint if the sexual conduct of others in the education or work environment permeates the work or education environment, even if such conduct is not directed at the third party, but occurs in his or her presence, and has the purpose or effect of substantially interfering with the third party's welfare, or academic or work performance.

E. RETALIATION

No employee, applicant for employment, student, vendor or member of the public shall be subject to restraints, interference, coercion or reprisal for action taken in good faith to seek advice concerning a sexual harassment matter, to file a sexual harassment complaint, or to serve as a witness or a panel member in the investigation of a sexual harassment grievance. Retaliatory acts are a violation of federal law and the Virgin Islands Code and of this sexual harassment policy. Acts of retaliation will be investigated and resolved accordingly.

F. MALICIOUS, FALSE ACCUSATIONS

Any person filing a complaint that is found to be false or brought with malicious intent will be subject to a transfer, or may face disciplinary action which may include, but is not limited to, written warning, demotion, suspension, dismissal, expulsion, or termination.

G. FEDERAL AND TERRITORIAL LAWS AND UNIVERSITY POLICIES

Sexual harassment is a form of sex discrimination that is prohibited by law and policy including:

- **Federal Law**
 - Title VII of the Civil Rights Act of 1964 (Employment)
 - Title IX of the Education Amendments of 1972 (Education)
- **Territorial Law**
 - Virgin Islands Code, Title 24, Chapter 17: Discrimination in Employment
 - Virgin Islands Code, Title 10, Chapter 5: Civil Rights Commission
 - Virgin Islands Code, Title 14, Chapter 85: Rape and Related Offenses
- **University of the Virgin Islands Documents**
 - Employee Policy Manual
 - Faculty Policy Manual
 - Student Handbook

II. GENERAL PROCEDURES AND INFORMATION

In general, if any faculty member, staff member, or student feels that he or she is being sexually harassed, the first step is for that person to tell or otherwise inform the harasser that the conduct is unwelcome and needs to stop immediately. However, should circumstances preclude this course of action, or if this direct approach is unsuccessful, or the individual being harassed is uncomfortable dealing with the matter in this manner, the University provides several channels of communication that a member of the University community can use to communicate, seek information or advice relative to sexual harassment concerns. The University also provides, in Section III of this policy, specific guidelines relative to informal and formal complaint resolution procedures.

A. INFORMATION, COUNSELING / ADVOCACY

The University of the Virgin Islands encourages members of the University community to reach out to University resource persons regarding sexual harassment matters, irrespective of whether there is a desire to lodge an informal or formal complaint. Students, faculty, and staff are encouraged to seek information, advice, or counseling on matters related to sexual harassment, generally, or in instances where there is uncertainty about whether the behavior being experienced is sexual harassment.

B. WHERE TO GO FOR HELP

1. STAFF

Staff members who would like to report an incident of sexual harassment that may involve them personally or a third party should do so as soon as possible after the incident has occurred. Generally, the University will make every effort to complete investigations of sexual harassment complaints within 30 business days, unless there are compelling reasons why this timeframe cannot be met. In instances where an investigation may take longer than 30 business days, the individual who made the complaint will be apprised of the delay and will be provided the reason(s) for the delay.

Staff members will be asked to complete the Sexual Harassment Reporting Form for Faculty and Staff [See Appendix II] whether the complaint is to be pursued formally or informally. If a complainant is desirous of pursuing a complaint formally, the Department of Human Resources will facilitate the process with the designated campus Title IX Coordinator.

In instances where sexual harassment complaints are made to immediate supervisors and managers, the matter should be addressed through the procedures set forth in Section III, hereof, in coordination with the Human Resources Department, either as a part of the Early Resolution process, or through the internal Grievance Procedure.

2. FACULTY

Faculty members who would like to report an incident of sexual harassment that may involve them personally or a third party should do so as soon as possible after the incident has occurred. Faculty will be asked to complete the Sexual Harassment Reporting Form for Faculty and Staff [See Appendix II]. Generally, the University will make every effort to complete investigations of sexual harassment complaints within 30 business days, unless there are compelling reasons why this timeframe cannot be met. In instances where an investigation may take longer than 30 business days, the individual who made the complaint will be apprised of the delay and will be provided the reason(s) for the delay.

Faculty members are urged to consult the Faculty Policy Manual, as may be amended from time to time, for details regarding the procedures that govern sexual harassment charges that faculty members bring against a fellow faculty member.

In instances where sexual harassment complaints are made to the Dean of School, the Chair of an academic department, or to any immediate supervisor or manager, the matter should be addressed through the procedures set forth in Section III, hereof, in coordination with the Human Resources Department, either as a part of the Early Resolution process, or through the internal Grievance Procedure.

3. STUDENTS

Students should be aware that the procedures that govern the review of incidents of sexual harassment differ depending on whether the alleged sexual harassment incident involved faculty or staff persons, or whether an alleged incident involves another student.

Students who would like to report an incident of sexual harassment either on their own behalf or involving another student, should do so as soon as possible after the incident has occurred. Generally, the University will make every effort to complete investigations of sexual harassment complaints within 30 business days, unless there are compelling reasons why this timeframe cannot be met. In instances where an investigation may take longer than 30 business days, the individual who made the complaint will be apprised of the delay and will be provided the reason(s) for the delay.

In instances where sexual harassment complaints are made to the Deans of Schools and Colleges, the Chair of an academic department, or to any student advisor, supervisor or manager, the matter should be addressed through the procedures set forth in Section III, hereof, in coordination with the Human Resources Department, either as a part of the Early Resolution process, or through the internal Grievance Procedure. Students will be asked to complete a Student Sexual Harassment Reporting Form [See Appendix III] whether the complaint is to be pursued formally or informally. For formal complaints, the Associate Campus Administrator (ACA) for Students Affairs on the campus where the reported incident is alleged to have occurred will facilitate the process with the designated campus Title IX Coordinator.

Special Note to Students: Students are advised that the University of the Virgin Islands' response to students' reports of alleged sexual harassment will be based on the U.S. Department of Education's Office of Civil Rights Title IX, Revised Sexual Harassment Guidance, (2001), as may be amended from time to time. Title IX applies to all higher education institutions that receive federal funds. Thus, as a recipient of federal funds, Title IX applies to UVI. Under Title IX, sexual harassment of students is considered to be a form of sexual discrimination, and as such, is prohibited. Essentially, based on the referenced guidelines by the Office of Civil Rights of the U.S. Department of Education, once a "responsible employee" or an employee who is in a position to make a decision regarding an allegation of sexual harassment, has knowledge of such an incident involving a student, UVI is then obligated to investigate the complaint and timely and effectively address the matter with corrective action, such that the sexual harassment does not recur, and a hostile environment is either not established or is removed. This obligation exists whether a student decides to follow the early resolution or formal grievance process within this policy.

C. GENERAL INFORMATION APPLICABLE TO STUDENTS, FACULTY AND STAFF

The University of the Virgin Islands is committed to providing support for all of its employees and to ensuring a work place free of hostility. As such, in addition to the Title IX Coordinators on each campus, the University provides opportunities for faculty, staff and students seeking information or needing advice and guidance on issues related to sexual harassment to speak with a liaison. A listing of liaisons appears in Appendix I. Additionally, a copy of the University's Sexual Harassment Policy and the procedures governing the investigation and resolution of sexual harassment complaints may be found at the University's website at www.uvi.edu, in the University's libraries, the Student Affairs Office, the Human Resources Department, and the offices of the Title IX Coordinators.

III. RESOLUTION PROCESS

SEXUAL HARASSMENT COMPLAINT RESOLUTION PROCEDURES

If any Manager, Administrator, Director, Cabinet member or other University administrator has been notified of an act of sexual harassment, either by a third party or the complaining party, he or she should refer the complaining party or the third party to the Title IX Coordinator or EEO Designee. However, in the event the complaining party requests that the matter be kept confidential and not be reported further, or that no action be taken in furtherance of their complaint, the complaining party should be advised by the Manager, Administrator, Director, Cabinet member, or other University administrator, including the Deans, Chairs and student advisors that he or she has a duty to report the complaint of sexual harassment or other misconduct to the appropriate University official for investigation, Early Resolution, or other action as may be required by law. If the complaining party refuses to initiate, or authorize the initiation of the Early Resolution or Formal Grievance procedure on his/her behalf, then the Manager, Administrator, Director, Cabinet member or other University administrator shall prepare and execute a sworn affidavit of the conversation(s), and the affidavit shall be submitted to the Title IX Coordinator. The Title IX Coordinator will then proceed on the basis of the steps outlined in the procedure and make a determination to pursue Early Resolution, or to move to the Formal Investigation stage, as further set forth herein.

A. EARLY RESOLUTION

1. The Early Resolution process is intended to encourage persons to come forward who feel that he or she is being sexually harassed, and provides several avenues of communication, information and resolution. The aim of the Early Resolution process is not to determine whether there was intent to harass, but to ensure that the alleged offending behavior ceases and the matter is resolved promptly. No disciplinary action is taken in resolving a complaint as a part of the Early Resolution process. The Early Resolution process is inappropriate and should not be used for severe cases of sexual harassment/sexual assault, or cases where the alleged victim has filed a previous complaint of sexual harassment; or where the alleged harasser has had a previous complaint of sexual harassment filed against him or her.
2. For purposes of this Section III (A), severe cases shall include cases where unwelcomed conduct of a sexual nature involves:
 - a) physical touching;
 - b) the display or dissemination of sexually suggestive objects, photographs, cartoons, posters, videotapes, audio recordings, emails, or other material of a sexual nature that is degrading, derogatory or inappropriate in the work or academic environment (excepting therefrom material that is used, or to be used, in the furtherance of the work or the academic subject);
 - c) any incident involving the presence or dissemination of pornographic material; or
 - d) any incident that is coupled with threats of physical violence or bodily harm.
3. The foregoing list of examples of unwelcomed conduct which characterizes “severe cases” is not intended to be an exhaustive list.
4. There is no requirement that the individual use the Early Resolution process before filing a formal grievance, or that the grievance be put into writing by the Complaining party before the Early Resolution procedures are utilized.
5. Once invoked, a party may withdraw from the Early Resolution procedures and formally request that their complaint be considered under the Formal Investigation procedures herein.

Early Resolution takes place in consultation with the Department of Human Resources and may involve:

1. Requesting that the Title IX Coordinator speak with the alleged offender regarding the conduct for which there has been a complaint.

2. Meeting with the alleged offender and a third party to explain the complaining party's feelings of being sexually harassed, and to discuss the University's Policy on sexual harassment.

Possible Outcomes of an Early Resolution process:

1. The complaint is resolved to the satisfaction of both the complaining party and the respondent.
2. The complaint is not resolved. In this case where resolution of the complaint is not possible utilizing the Early Resolution process, the Title IX Coordinator shall advise the grievant of the option to file a formal grievance, in accordance with the procedures herein.

B. FORMAL GRIEVANCE PROCEDURE

If the decision is made to move to a Formal Investigation, the investigation must commence within five (5) business days of the receipt of the complaint. Although a formal written complaint is not required to initiate an investigation, the complaining party should be encouraged to create a formal written complaint. Upon initiation of the complaint, by written submission or orally, the Title IX Coordinator is responsible for leading the investigation of the allegations and forwarding a recommendation to the Provost. The investigation will proceed as follows:

Interviews will be conducted by the Title IX Coordinator of all persons who have or may have knowledge of facts related to the allegations. Statements will be compiled and reviewed, and the accused will be advised of the allegations at the onset of the formal investigation into the allegations. In the presence of a representative from Human Resources, the respondent (accused) will be advised of the allegations, the process which will be followed to investigate the allegations, and the appeals process.

The Title IX Coordinator shall, within fifteen (15) business days of the receipt of a sexual harassment complaint, prepare a detailed report containing investigative findings and recommendations and forward the same to the Provost for review and determination. The Provost's review can include meeting with the complaining party and the accused to discuss the findings; or speaking with witnesses or requesting additional information not contained in the investigative summary in order to make a determination.

The Provost's decision must be rendered within ten (10) business days from the date that the Title IX Coordinator's investigative findings are presented to him for review. The Provost's findings and decision should be communicated to both parties in writing, via certified mail and by hand delivery, if possible. The findings and decision of the Provost and copies of the letters to both parties submitting the findings and decision shall also be forwarded to the Title IX Coordinator who shall serve as the custodian of the files and records of matters under this procedure. After receiving the decision of the Provost, if either party disagrees with the decision, he or she may file a notice of appeal with the Provost to request an impartial review in accordance with Section III hereof. The notice of appeal must be served upon the Provost by either the Complaining party or the Respondent within five (5) business days of receipt of the Provost's findings and decision. If either party fails to file an appeal within the five (5) business days, the decision of the Provost shall become final.

C. APPEALS

1. If the party appealing the decision of the Provost is a faculty member (as defined in Section 4.1 of the Faculty Policy Manual (2008)) and is the Respondent, the appeal shall be made to the Faculty Grievance Committee ("FGC"). The FGC is established in accordance with Article 9.iii of the Faculty Policy Manual. The appeal must be in writing and must state the nature of the complaint, the grounds upon which the appeal is being made, and if applicable, the remedy being sought. The Faculty Grievance Committee shall hear the appeal of the Provost's findings and decision in accordance with Article 9.v of the Faculty Policy Manual, as may be amended from time to time. Within ten (10) business days from the date the appeal is presented to the FGC, the Committee shall review the findings and decision of the Provost and shall submit its written recommendation to the Complainant, Respondent and to the President no later than five (5) business days following the conclusion of the hearing on the appeal. Either the Complainant or the Respondent may appeal the recommendation of the Faculty Grievance Committee within three (3) business days following the receipt of the recommendation. The appeal

must be in writing and must state the nature of the complaint, the grounds upon which the appeal is being made, and if applicable, the remedy being sought and must be submitted to the President, or his designee, within three (3) business days following the receipt thereof, or it is untimely. The President shall have the right to act on the appeal in accordance with Section D herein.

2. Except for Respondents who are faculty members, all other parties may appeal to the Personnel Review Committee, as constituted in the Human Resources Policy Manual, as may be amended from time to time. The appeal must be in writing and must state the nature of the complaint, the grounds upon which the appeal is being made, and if applicable, the remedy being sought. The Personnel Review Committee shall consist of (3) three members selected and appointed by the Provost, such appointment to be made no more than five (5) business days after the appeal is filed with the Provost. The Chair of the Personnel Review Committee shall, within ten (10) business days from the date the appeal is presented to the Committee, convene a hearing to review the findings and decision of the Provost, if requested by the Complainant or Respondent. At the hearing, the Personnel Review Committee shall give the Complainant and Respondent an opportunity to present evidence and to otherwise be heard, within the discretion of the Committee. The hearing shall be recorded by the Committee. The Personnel Review Committee shall submit its written recommendation to the Complainant, Respondent and to the President no later than five (5) business days following the conclusion of the hearing on the appeal. Either the Complainant or the Respondent may appeal the recommendation of the Personnel Review Committee within three (3) business days following the receipt thereof. The appeal must be in writing and must state the nature of the complaint, the grounds upon which the appeal is being made, and if applicable, the remedy being sought and must be submitted to the President, or his designee, within three (3) business days following the receipt of the recommendation, or it is untimely. The President shall have the right to act on the appeal in accordance with Section D herein.

D. DECISION OF THE PRESIDENT

Upon receipt of the recommendation from either the Faculty Grievance Committee or the Personnel Review Committee, the President will review the investigative findings and recommendations and shall make a final decision to accept, reject, or modify the Committee's recommendations, or may request further information. In reviewing the matter under consideration, the President, may in his discretion, but is not obligated to, conduct interviews, meet with witnesses and engage in a de novo review of the matter before rendering his decision.

In all cases arising under these procedures, the decision of the President shall be final unless appealed within ten (10) days of the date of receipt of the President's decision, made in accordance with applicable law or policies of the University. The decision of the President may include, but is not limited to, demotion, suspension with or without pay, termination or dismissal from employment or enrollment at the University.

IV. EDUCATIONAL PROGRAMS

A. GENERAL

Educational programs are essential to the establishment of a campus community that is free of sexual harassment and in which high standards of conduct in consensual relations are maintained. The University of the Virgin Islands seeks to achieve four goals through its educational programs related to sexual harassment awareness: (a) notifying individuals of conduct that is prohibited; (b) ensuring that all faculty, staff and students are aware of their rights; (c) informing administrators about the proper way to address complaints of violations of this policy; and (d) helping educate the faculty, staff and students about the issues addressed within this policy.

B. PREPARATION AND DISSEMINATION OF INFORMATION

The Director of Human Resources is charged with developing, coordinating, and disseminating the sexual harassment policy and procedure for the University. Accordingly, the Human Resources Department will provide summaries of this policy to current members of the University community and to those who join the community in the future. A summary of this policy will be included in student and employee orientation materials and handbooks for employees and for undergraduate and graduate students. In addition, copies of this policy will be made available on UVI's website, www.uvi.edu, the Employee Policy Manual, offices, libraries, and other appropriate campus locations, and will be distributed in sexual harassment awareness and prevention training sessions.

C. TRAINING / EDUCATION

Sexual harassment awareness and prevention training, workshops, and professional development seminars are available and scheduled from time to time during the academic year. Such training and education will be available to all new employees and periodic updates and training will be provided for current employees. For further information regarding sexual harassment training or education, please contact the Human Resources Office at 340-693-1421.

APPENDICES

Appendix I: Sexual Harassment Information Liaisons

Type of Incident	Name of Liaison*	Contact Number
Faculty → Faculty		
Faculty → Staff		
Faculty → Student		
Staff → Staff		
Staff → Faculty		
Staff → Student		
Student → Faculty		
Student → Staff		
Student → Student	ACA for Student Affairs – St. Croix	340-692-4188
	ACA for Student Affairs – St. Thomas	340-693-1121

**To be determined in consultation with key constituency groups, through the University's Shared Governance process. Liaisons will be identified prior to the promulgation of the approved Policy.*

Appendix II: UVI Sexual Harassment Reporting Form for Faculty and Staff

UNIVERSITY OF THE VIRGIN ISLANDS
Sexual Harassment Reporting Form
[For Faculty and Staff]

Directions: Please use this form to report any instance in which you believe that you have been sexually harassed. Your completed form should be submitted to any of the following individuals: to the Deans of Schools and Colleges, the Chair of an academic department, supervisor or manager, or a representative from the Human Resources Department. Please note, however, that the completion of this form is not required to report an incident involving sexual harassment or to lodge a complaint regarding sexual harassment.

Name: _____ Date of Complaint: ____/____/____

Work Address: _____ Work Phone: _____

1. Please describe, in as much detail as possible, the nature of your complaint. Please include dates and other details that will help with the investigation of your complaint.

2. Please provide names and contact information of any witness(s) who were present when one or more of the details described in item #1 occurred.

Name	Contact Information

3. Please provide the names and contact information of any person(s) with whom you discussed or shared information about the incident(s) that gave rise to this written complaint prior to the filing of this report.

Name	Contact Information	Date Information was Shared

4. Please provide any supporting materials that you have relative to the complaint being filed. (Supporting documents may include e-mails; facsimiles; notes; pictures or other graphics; recorded messages, etc.)

5. How would you like your complaint addressed?

_____ a. Through the Early Resolution Process

_____ b. Through the Formal Grievance Process

Acknowledgment

To investigate your complaint, it will be necessary to interview you, the alleged harasser(s), and any witnesses with knowledge of your complaint. The University will notify everyone involved of the confidential nature of the process and that unauthorized disclosures of information concerning the investigation could result in disciplinary action, up to and including termination of employment. The University is committed to handling your complaint with the highest level of professional integrity and confidentiality and to ensuring due process to both the complainant and the respondent.

The information provided in this complaint is true and correct to the best of my knowledge. I will cooperate fully in the investigation of my complaint and provide requested evidence deemed relevant by the University.

_____ **Complainant's Signature**

_____/_____/_____
Month Day Year

University Official Receiving Complaint Form:

Name: _____

Position Title: _____

_____ **Signature**

_____/_____/_____
Month Day Year

Appendix III: UVI Sexual Harassment Reporting Form for Students

UNIVERSITY OF THE VIRGIN ISLANDS
Sexual Harassment Reporting Form
[For Students]

Directions: This form should be used to report any instance in which you believe that you have been sexually harassed. The University’s Sexual Harassment Policy provides a mechanism through which reports of sexual harassment can be investigated and resolved. Your completed form should be submitted to any of the following individuals: to the Deans of Schools and Colleges, the Chair of an academic department, or to any student advisor, supervisor or manager, or a Human Resources representative.

Name: _____ Date of Complaint: _____ / _____ / _____

College or School: _____ Student ID Number: _____

Address: _____ Contact Number: _____

1. Please describe, in as much detail as possible, the nature of your complaint. Please include dates, locations and other details that will help with the investigation of your complaint.

2. Please provide names and contact information of any witness(s) who were present when one or more of the details described in item #1 occurred.

Name	Contact Information

References

1. Brown University Sexual Harassment Policy, September 2010.
2. Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties: Title IX. January 2001. U.S. Department of Education, Office of Civil Rights.
3. The Ohio State University Sexual Harassment Policy 1.15 (Revised 2006).
[hr.osu.edu/policyhome.htm]
4. V.I. Code Title 14, Chapter 85: Rape and Related Offenses. Sections 1699 – 1709. Michie’s Legal Resources. [<http://www.michie.com/virginislands>]
5. V.I. Code Title 10, Chapter 5: Civil Rights Commission. Sections 61-64a. Michie’s Legal Resources. [<http://www.michie.com/virginislands>]
6. Virgin Islands Code, Title 21, Chapter 17: Employment Discrimination – Rules and Regulations; V.I. Department of Labor, 1981.
7. V.I. Code. Title 21, Chapter 17: Discrimination in Employment. Sections 451 – 462. Michie’s Legal Resources. [<http://www.michie.com/virginislands>]
8. University of the Virgin Islands Employee Policy Manual.