

**GADSDEN STATE COMMUNITY COLLEGE**  
**RESIDENCE HALL POLICIES AND PROCEDURES**  
**AND LEASE AGREEMENT**

Gadsden State Community College (GSCC) provides the opportunity for students to reside on campus in Fowler Hall. The Residence Hall Director (RHD) and his/her staff are in charge of Fowler Hall. The RHD has been tasked by the College President to provide a safe and livable environment for all residents. It is a privilege for students to be able to reside at Fowler Hall. The following policies and procedures must be directly followed by each resident and/or their guest at all times. These policies and procedures are published to ensure that each and every Fowler Hall resident are aware of these rules and regulations and know that they must be adhered to. The residents must also abide by all policies as listed also in the College's Student Handbook and by signing this form indicates that each student has read and understands these policies. The RHD will ensure that all residents and guest comply with these policies.

All residents must be full-time students (minimum of 12 credit hours in regular semester or 6 in summer mini-terms) or cleared by the Residence Hall Director. Each resident is responsible for becoming familiar with and abiding by the policies and procedures as stated in this "Lease Agreement." Failure to comply with these rules may result in disciplinary action and/or expulsion from the residence hall. By signing this agreement, the resident is indicating that they will abide by these policies and understand the consequences of their actions.

It is expected that residents will cooperate with the Residence Hall Director, the Residence Hall Staff, and with each other in maintaining a routine of living conducive to good study habits. The College reserves the right to inspect rooms at any time to determine if repairs and maintenance are needed or to determine if rooms are being used in violation of city, state, or federal laws or in violation of the rules and regulations of the College, the State Board of Education, and the Department of Postsecondary Education.

The College strives to provide a safe environment in Fowler Hall. An annex of the Gadsden State Security Office is located on the first floor, female side. Security cameras are located in each hall, each laundry room, the lobby, and at each outside door. Residents are encouraged to maintain a safe environment by notifying the RHD, Residence Hall Staff, or GSCC Security if they see strangers in the building unaccompanied by a resident or if they notice suspicious behavior.

**POLICIES**

**ALCOHOLIC BEVERAGES**

The possession or consumption of an alcoholic beverage, public intoxication in the residence hall or on any GSCC property, or driving on GSCC property while under the influence of alcohol or any controlled substance, is prohibited.

**APPLIANCES**

No cooking appliances other than a small microwave oven, crock pot, rice cooker, George Foreman type grill, and a cubical refrigerator may be used in the residence hall rooms. Heavy-drawing electrical appliances such as hair dryers, electric irons, televisions, microwaves, and refrigerators are to be plugged directly into outlets, not multiple plug attachments. This is a safety regulation and this policy will be strictly enforced! There will be no electrical hot plates, toaster ovens, or regular toasters in the residence hall rooms. If there are any questions concerning this policy, contact the Residence Hall Director.

**CHECK IN/OUT POLICY**

All student living in Fowler Hall will be required to sign out when leaving Fowler Hall for the weekend. Upon returning you will be required to sign in. In this case the weekend is understood to begin at five o'clock on Thursday afternoons.

## **CLEANLINESS & ROOM INSPECTIONS**

Rooms must be kept in good sanitary condition with an orderly appearance at all times. Suitemates are responsible for keeping the bathroom clean. The tub, commode, and lavatory must be cleaned and the floors in the suite mopped at least once weekly. Trash must be emptied daily in the trash bin on the south parking lot. Open food must be kept in a sealed container. Scheduled room inspection will occur weekly. The first unsatisfactory room inspection may result in a written counseling. The second unsatisfactory room inspections may result in having to complete community service in or around Fowler Hall. Three unsatisfactory room inspections may result in removal from the dorm. Doors and walkways must be kept clear at all times.

## **CLOTHING**

Residents and guests are expected to be dressed appropriately when in the halls, the lobby, or the outside vicinity of the residence hall. These are "public areas" therefore appropriate clothing is required. Appropriate dress means that the same dress would be permissible in the general public.

## **COMPUTERS**

Computers are located in the dorm lobby for student use only. Educational and research use of the Dorm's computers takes precedence over any use for personal e-mail, chat rooms, or other recreational purposes. Users may be asked to vacate a computer if necessary to permit access by a student with research or educational needs. If there are students waiting to use the computers, there is a one hour time limit on their usage. Any inappropriate or unauthorized use such as obscene and copyright violations will be dealt with as outlined in the current College's Student Handbook under Policies on Computer Use and Internet Access. No student will download any software from the internet without the express permission and guidance from Dorm Staff. Students may not install any software or pictures on the lobby computers. All students are required to be knowledgeable of the College's Student Handbook concerning "Policies on Computer Use and Internet Access." Students must log in on the Computer Log before using a computer.

## **CONTROLLED SUBSTANCES**

The possession, use, manufacturing of, sale, or distribution of any controlled substance or drug paraphernalia as defined by Federal or Alabama law is prohibited on GSCC property. This includes buildings, grounds, roads, parking lots, and residence hall facilities and rooms. Violation of this policy will result in the expulsion of the resident. The college reserves the right to inspect any room at any time to determine if repairs and maintenance are needed or to determine if rooms are being used in violation of city, state, or federal laws or in violation of the rules and regulations of GSCC. The College reserves the right to invite law enforcement officials with trained dogs to come to the campus, including Fowler Hall and Fowler Hall parking, for the purpose of conducting random searches. The College reserves the right to notify local law enforcement officers if college officials have reason to believe that the GSCC policies concerning alcohol and drugs are being violated. Any and all information regarding or relating to such will be turned over to the proper authorities for investigation and used as they see fit. GSCC is committed to being a drug-free campus and will fully cooperate with law enforcement authorities against all offenders under this policy.

## **CRIME REPORTING**

All crimes against a student, employee, or school property on or off campus shall be reported to the Residence Hall Director, the Residence Hall Staff, or the Director of Safety and Security and the local police department as soon as possible. This report can be made to any uniformed GSCC Security Officer or in person at the Security Office. Call (256) 312-2132 twenty-four hours a day for assistance or information. The Security staff will assist the student in processing an offense with the local police department.

## **DAMAGE**

Damage or defacement to the room or furnishings will be assessed immediately and must be paid by the occupant. Damage to or theft of items in common areas of the residence hall will be assessed to the residents of that section on a prorated share of the damage or loss if the person/persons who caused the damage cannot be determined. Occupants may not alter the premises of the residence hall in any way. Residents may not nail, screw, glue, or inscribe anything on the walls, woodwork, doors, windows, or furnishings; blinds are not to be removed from the windows. Residents may not move any furniture (mattress, box springs, bed frame, desk, and entertainment center) from room to room. Each resident is responsible for damages caused by his/her guests.

## **DOORS AND ALARMS**

All side and rear Fowler Hall doors are emergency exits only and will remain locked at all times for security reasons. Tampering with doors to prevent them from locking is prohibited.

## **FIREARMS**

Possession in the residence hall or on college premises of firearms, including devices for firing blank cartridges or charges, explosives to include fireworks, dangerous chemicals or other dangerous devices such as knives or swords are prohibited from the Dorm. Violation of this policy is grounds for removal.

## **FIRE ALARMS AND SMOKE DETECTIONS**

Fire alarms, smoke detectors, and emergency equipment are for the safety of residents. Tampering with any safety equipment or any irresponsible initiation of alarms is a violation of school policy. Tampering with smoke detectors is extremely dangerous to all occupants of the residence hall and could cause loss of life. Covering the smoke detector, unplugging the smoke detector, or removing the battery, is a direct violation of this policy. There will be no open flames in the dorm. This includes burning lighted candles and burning incense. THERE IS "NO SMOKING" IN FOWLER HALL ANYWHERE! Violation of this policy is grounds for removal.

## **GAMBLING**

Any and all forms of gambling in the residence hall or on College premises are prohibited.

## **LEWD BEHAVIOR OR PROFANITY**

Lewd, indecent, or obscene behavior or language that flagrantly flaunts community standards is prohibited.

## **MEAL PLAN**

Residence Hall fees include participation in a 15 meals per week plan provided by Sodexo Campus Services. These meals consist of three meals per day, Monday through Friday, except on days the College is closed. Special needs, health, religious, or scheduling may be discussed with the Director of Food Services. Present the request in writing with appropriate documentation to assist in delivery of services.

## **NOISE**

Loud noise in or around the residence hall (including the playing of vehicle stereos) is prohibited. Radios, stereos, televisions, etc., should be played at a volume that cannot be heard outside the door of a room. Residents should be considerate of a suitemate's need for quiet time. Failure to respect the rights of others by being continually loud and disruptive will result in disciplinary action.

## **VISITORS**

All visitors, regardless of gender, must turn in their student ID cards or driver's licenses and sign in at the front desk indicating the room number they will be visiting, along with the name of their host or hostess. The resident is responsible to ensure that their visitor has signed in appropriately at the front desk in the "Visitation Sign-in/Sign out" log. Visitors must remain in the room that they have signed in to visit. ID's will be returned when the visitor checks out. Residents should accompany visitors at all times and are responsible for visitors' behavior. There is a limit of two (2) visitors per resident at any one time. Residents may have visitors in their rooms from 12:00 noon until 10:00 p.m. Sunday through Thursday and from 12:00 noon until 11:00 p.m. on Friday and Saturday.

## **OVERNIGHT GUESTS/FAMILY MEMBER**

Residents who wish to have overnight guests must obtain permission from the Residence Hall Director. There is no exception to this policy. There is a \$10.00 charge for each guest/family member for each night spent in the residence hall. Guests may not stay for more than two consecutive nights. Family members of the opposite sex of the resident may not stay overnight unless there is a vacant room available. Guests must lodge on the side of the building that's appropriate for their gender. **There will be no guest**

**under the age of 16 at any time.** Residents found with overnight visitors without approval may forfeit their ability to live at Fowler Hall.

### **PETS**

No animals or pets of any kind are allowed in Fowler Hall except trained seeing-eye animals for visually impaired residents. Documentation that a seeing-eye animal is required must be furnished to the RHD.

### **REGISTERED SEX OFFENDERS**

A current list of all Alabama Registered Sex Offenders is posted on the Alabama Department of Public Safety web site. Click on sex offenders search and enter your county of interest. If you need assistance, contact the GSCC Security Office or call (256) 549-8364.

### **SEXUAL HARASSMENT**

There is ZERO tolerance of any sexual harassment. Detailed school policy attached.

### **PHYSICAL OR VERBAL ABUSE**

Physical or verbal abuse of any person on College premises by a resident or visitor is prohibited, including harassment or intimidation on the basis of race, color, religion, gender, national origin, age, or disability.

### **EXCESSIVE PERSONAL PROPERTY**

Excessive personal belongings should not be brought to the dorm. Storage rooms for these items are extremely limited. If personal belongings are requested to be stored, they will only do so in a case by case basis approved only by the Residence Hall Director. A request must be made and a complete inventory completed of each item that will be stored in the dorm storage room. A copy of the complete inventory will be attached to the box or item, a copy to the Residence Hall Director, and the student must maintain a copy. These forms must be signed by the individual and the RHD or his Staff. All personal belongings placed in storage must be claimed at the end of each semester. It must be understood that GSCC is not responsible for the safekeeping of these personal effects that are stored.

### **PROPERTY-ABANDONED**

Personal belongings left in Fowler Hall after the exit date each term will result in a charge of \$10.00 per night. If a college official must remove a resident's personal belongings from a room, there will be an additional charge of \$25.00. The college is not responsible for the protection of items while in storage. Personal belongings left for thirty (30) days will be considered abandoned and will become the property of the College and may be disposed of at the discretion of the College and without notice.

### **QUIET HOURS**

Reasonable quiet is expected in the residence hall at all times. Quiet hours set aside for study are in effect from 7 p.m. until 7a.m. Sunday through Thursday and all hours during exam week.

### **RESIDENCE HALL MEETINGS**

Announced meetings will be held periodically throughout the year. Attendance is required of all residents. Concerns may be discussed at any time with the Residence Hall Director.

### **TOBACCO**

THERE IS "NO SMOKING" IN FOWLER HALL ANYWHERE! Smoking and other forms of tobacco are prohibited in the residence hall. There is a designated smoking area directly across the street from the residence hall. Cigarettes are not to be dropped on the front entrance or in the shrubbery.

### **EMERGENCY PRODEDURES**

Each resident should become familiar with the nearest exit route in case of fire or emergency evacuation. In case of fire evacuation, residents should convene across the street from Fowler Hall's front doors on the steps leading to Inzer Hall. In case of

tornado warning, residents should seek safety in the basement floor hallway. Residents of Fowler Hall who require assistance during emergency situations should report to the lobby. Staff or Security will assist you to the safety area. Evacuation drills are conducted each semester to help residents be familiar with appropriate exit procedures. Residence Hall Staff or GSCC Security (after hours) will be responsible for conducting an inventory of what students are accounted for. All residents must stay in this designated area until they are released by the proper authorities after any emergency or drill.

### **HOLIDAYS & BREAKS**

The Residence Hall may be closed during holidays such as Thanksgiving, Spring Break, and semester breaks. Residents must leave their rooms during this time unless special permission to remain is given by the Residence Hall Director. If the Residence Hall remains open, there is no charge for holidays within a paid semester, such as Spring Break, Thanksgiving, etc. When the resident leaves for a semester break, he/she must turn in the room key until their return to avoid any additional charges. If a resident is staying during the break, a charge of \$8.00 per day must be paid prior to the beginning of the break. If a resident does not turn in their room key before they leave for the break, a \$8.00 charge per day will be assessed and must be paid prior to their returning to their room.

### **KEYS**

If a residence hall room key is lost or unaccounted for, the resident should notify the Residence Hall Director immediately. The resident will be charged \$40.00 for re-keying the lock. When a room is vacated, the key must be turned in. Room keys must be turned in between semesters even if the resident is planning to return the next semester. If a key is not returned, the student will be charged \$8.00 per day for access to the room during the break.

### **MEDICAL CONDITIONS**

A resident with a special medical condition should make the Residence Hall Director aware of the condition and any medications being taken. GSCC is not responsible for any medical expenses incurred by a resident. Each resident is responsible for providing his/her own health and hospital insurance. Any resident who has any type of communal or infectious disease or health issue must immediately notify the RHD.

### **PROPERTY-LOSS/DAMAGE**

GSCC is not responsible for loss or damage to the personal property of residents. Each resident is urged to provide for the security of his/her own belongings by locking the room and by carrying personal property insurance. This type of insurance is not available through the college. Any loss of personal property should be reported to the Residence Hall Director, Dorm Staff, or GSCC Security immediately.

### **REFUNDS-ROOM & BOARD**

Per State Board Policy 803.02, students who officially request a meal ticket refund and/or withdraw from the Residence Hall before the official first day of classes or during the first three weeks of the semester/term will receive any refund due on the same basis as complete withdrawals. See the catalog/student handbook for details.

### **ROOM RESERVATION FORM/DEPOSIT**

Each resident must have paid the security/damage deposit fee (refundable at exit) and returned a Room Reservation Form each term to be placed on a tentative room list for the next term. To be guaranteed a room for the next semester, the dorm fee must be paid in full prior the first day of class for the next term. The Room Reservation Form may also be used to inform staff of a cancellation of reservation. A form will be placed on each resident's door. Notices will be posted in the Fowler Hall lobby with the date by which the forms must be returned.

### **SUITEMATES**

All suites are double occupancy for residents of Fowler Hall. Efforts will be made to honor each student's suitemate request, but the college reserves the right to assign rooms and relocate residents if necessary.

### **VACATING RESIDENCE HALL**

Each resident leaving the residence hall permanently must follow these steps when exiting:

1. Complete the appropriate exit forms, which should be obtained from and signed by the RHD. The exit forms can be left with the Residence Hall Staff.
2. Complete a change of address form, which should be turned into the Residence Hall Staff.
3. Turn in the room key to the Residence Hall Staff.
4. The Residence Hall Staff and the resident will jointly inspect the room.
5. The room should be free of trash and in good condition with no damage or defacement to furniture or walls; the bathroom should be clean, including the lavatory, tub, and commode; floors should be swept and mopped. If the room is found to be dirty or if there is damage, money will be taken from the deposit/reservation deposit to clean the room and/or to repair damages. If the cost is more than the deposit fee, the resident is responsible for paying the additional amount.

### **PROCEDURES FOR CHARGES INVOLVING RESIDENCE HALL MISCONDUCT**

The following procedures are used for charges involving Residence Hall Conduct and these procedures are within the guidelines of the College's Student Handbook.

Any member of the College community may file charges against a resident/visitor of Fowler Hall for non-academic misconduct related to violations of Residence Hall Policy that occur in or on the grounds of Fowler Hall. Procedures for disciplinary hearing for minor residence hall infractions shall be as follows:

Charges must be filed with the Residence Hall Director (RHD). The RHD may investigate and dispose of a case by an informal resolution process for any infraction listed below:

1. Gambling in any form
2. Having pets reside in the residence hall
3. Having or operating an open element electrical appliance
4. Engaging in solicitation and sales without permission from the RHD
5. Utilizing weight-lifting apparatus in room
6. Playing or practicing of musical instruments
7. Using dart boards, darts, or any type of throwing knives
8. Being in unauthorized possession of College, state, or federal property or supplies
9. Smoking inside residence halls
10. Using profane language, engaging in verbal abuse, and/or insubordination toward any College

employee

11. Engaging in any acts that constitute sexual harassment or discrimination (Complaints of sexual harassment and discrimination will be referred to the Title IX Coordinator as provided in the College's Sexual Harassment and Discrimination Policy.)

The RHD must make a preliminary investigation by consulting the primary parties involved to determine whether the charges may be disposed of informally without the initiation of the Student Discipline Committee.

After initial investigation, the RHD may decide what disciplinary action is required. The RHD will notify the student, the party bringing the charge(s), and the Vice President in writing regarding the decision.

#### **Sanctions to be Imposed for Non-Academic Misconduct.**

If the student wishes to appeal the RHD's decision(s), or for other residence hall infractions, the student is entitled to a hearing before the Student Discipline Committee. If an appeal, the student must request such in writing to the Vice President within three (3) working days of notification of the decision by the RHD. In this event, the **Procedure for Conducting the Hearing on Non-Academic Misconduct** will be followed.

Violations of Residence Hall policy occurring in or on the grounds of Fowler Hall which are considered strictly residence hall related will not affect the status of the resident as a student and will be conducted according to the following procedures:

- (1) Charges are filed with or by the Residence Hall Director (RHD).
- (2) The RHD will investigate the case.
- (3) The RHD and the resident(s) involved will determine if the case can be heard as an administrative hearing with the RHD or the Assistant to the President or to have the case referred to the Student Discipline Committee. The RHD

will be responsible for notifying the College's Vice President of Student and Support Services if the case is referred to the Student Discipline Committee.

- (4) Residents have the right to appeal the decisions of the RHD. A review may be sought by requesting in writing to the College's Vice President of Student and Support Services. Procedures for conducting the hearing on non-academic misconduct will be followed in such situations.
- (5) Penalties appropriate for residence hall violations are listed in the catalog in the section titled "Sanctions to be imposed for Non-Academic Misconduct."
- (6) A repeat offense within one academic year will be sanctioned more harshly. A minor violation for a resident with a history of non-compliance may be removed from the residence hall.

**SECTION: Compliance with Federal Law**  
**SUBJECT: Sexual Harassment & Discrimination Policy**  
**SOURCE REFERENCE: SBE 601.04**

**NUMBER: E/1.4**

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## **SEXUAL HARASSMENT AND DISCRIMINATION POLICY**

### **Introduction**

The College is committed to providing both employment and educational environments free of harassment or discrimination related to an individual's race, color, gender, religion, national origin, age, or disability. Any practice or behavior that constitutes harassment or discrimination shall not be tolerated on any campus or site, or in any division, or department by any employee, student, agent, or non-employee on college property and while engaged in any College-sponsored activities. It is within this commitment of providing a harassment-free environment and in keeping with the efforts to establish an employment and educational environment in which the dignity and worth of members of the College community are respected, that harassment of students and employees is unacceptable conduct and shall not be tolerated at the College.

For these purposes, the term “**harassment**” includes, but is not necessarily limited to:

**Slurs, jokes, or other verbal, graphic, or physical conduct relating to an individual's race, color, gender, religion, national origin, age, or disability. Harassment also includes unwelcome sexual advances, requests for sexual favors, and other verbal, graphic, or physical conduct of a sexual nature to include unwelcome touching, patting, pinching or fondling.**

A non-harassment and nondiscriminatory environment is essential to the mission of the College. For this purpose, the College has promulgated and implemented this policy to explain the procedure for making a complaint of sexual harassment and/or discrimination. The policy shall only pertain to incidents of sexual harassment and/or discrimination based upon sex. As to any other illegal forms of harassment and/or discrimination based upon impermissible factors other than sex, please refer to the applicable policy for guidance.

A sexually abusive environment inhibits, if not prevents, the harassed individual from performing responsibilities as student or employee. It is essential that the College maintain an environment that affords equal protection against discrimination, including sexual harassment. Employees and students who are found in violation of this policy shall be disciplined as appropriate to the severity of the offense. Employees and students of the College shall strive to promote a college environment that fosters personal integrity where the worth and dignity of each human being is realized, where democratic principles are promoted, and where efforts are made to assist colleagues and students to realize their full potential as worthy and effective members of society. Administrators, professional staff, faculty, and support staff shall adhere to the highest ethical standards to ensure a professional environment and to guarantee equal educational opportunities for all students. Harassment of employees or students by non-employees is also a violation of this policy. Any employee or student who becomes aware of any such harassment shall report the incident(s) to the Title IX Coordinator, or to the Cabinet Member of the area in which the incident or the alleged incident occurred.

The employees of the College determine the ethical and moral tone for the College through both their personal conduct and their job performance. Therefore, each employee must be dedicated to the ideals of honor and integrity in all public and personal relationships. Relationships between College personnel of different ranks which involve partiality, preferential treatment, or the improper use of position shall be avoided. Consensual amorous relationships that might be appropriate in other circumstances are inappropriate when they occur between an instructor and any student for whom the instructor has responsibility, between any supervisor and an employee, or between a College employee and a student where preferential treatment results. Further, such relationships may have the effect of undermining the atmosphere of trust on which the educational process depends. Implicit in the idea of professionalism is the recognition by those in positions of authority that in their relationships with students or employees there is always an element of power. It is incumbent on those with authority not to abuse the power with which they are entrusted.

All personnel shall be aware that any amorous relationship (consensual or otherwise) or any otherwise inappropriate involvement with another employee or student makes them liable for formal action against them if a complaint is initiated by the aggrieved party in the relationship. Even when both parties have consented to the development of such a relationship, it is the supervisor in a supervisor-employee relationship, the faculty member in a faculty-student relationship, or the employee in an

employee-student relationship who shall be held accountable for unprofessional behavior. This policy encourages faculty, students, and employees who believe that they have been the victims of discrimination or sexual harassment to contact the Title IX Coordinator at the institution. Any reprisals shall be reported immediately to the Title IX Coordinator or to the Cabinet Member of the area in which the incident or alleged incident occurred.

### **Definition of Sexual Harassment**

Sexual harassment is a form of sex discrimination which is illegal under Title VII of the Civil Rights Act of 1964 for employees and under Title IX of the Education Amendments of 1972 for students. Sexual harassment does not generally refer to a single sexual joke, offensive epithet or request for a date. Instead, it is conduct and/or behavior of a sexual nature which rises to the nature that it interferes with the work or education of its victims and their co-workers or fellow students. Sexual harassment may involve the behavior of a person of either sex against a person of either sex.

Sexual harassment can be verbal, visual, or physical. It can be overt, as in the suggestions that a person could get a higher grade or a raise by submission to sexual advances. The suggestion or advance need not be direct or explicit; it can be implied from the conduct, circumstances, and relationship of the individuals involved. Sexual harassment can also consist of persistent, unwanted attempts to change a professional or educational relationship to a personal one. Sexual harassment is distinguished from consenting or welcome sexual relationships by the introduction of the elements of coercion; threat; unwelcome sexual advances; unwelcome requests for sexual favors; other unwelcome sexually explicit or suggestively written, verbal, or visual material; or unwelcome physical conduct of a sexual nature.

There are two kinds of sexual harassment; **Quid Pro Quo** and **Hostile Environment**. **Quid Pro Quo** describes a situation in which a student or employee is confronted with sexual demands to keep his or her job, or to obtain a promotion or raise, obtain a higher grade or educational benefit and occurs when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational opportunities, or when submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting that individual. **Hostile Environment** typically involves sexually offensive conduct that makes it difficult or unpleasant for an employee or a student. It occurs when such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or creates an intimidating, hostile, or offensive work or educational environment.

Examples of verbal or physical conduct prohibited within the definition of sexual harassment include, but are not limited to:

1. Physical assault or unwanted touching;
2. Direct or implied threats that submission to or rejection of requests for sexual favors will affect a term, condition, or privilege of employment or a student's academic status;
3. Direct propositions of a sexual activity;
4. Subtle pressure for sexual activity;
5. Repeated conduct intended to cause discomfort or humiliation, or both, that includes one or more of the following: (i) comments of a sexual nature or (ii) sexually explicit statements, questions, jokes, or anecdotes;
6. Repeated conduct that would cause discomfort and/or humiliate a reasonable person at whom the conduct was directed, including one or more of the following: (i) touching, patting, pinching, hugging, or brushing against another's body; (ii) commentary of a sexual nature about an individual's body or clothing; or (iii) remarks about sexual activity or speculations about previous sexual experience(s);
7. Intimidating or demeaning comments to persons of a particular sex, whether sexual or not;
8. Displaying objects or pictures which are sexual in nature and that would create a hostile or offensive employment or educational environment and serve no educational purpose related to the subject matter being addressed.

It is important to point out that the conduct should be judged from an objective standard in that the facts will be judged on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular sensitivity or reaction of a specific individual. All students and employees should report any harassment and/or discrimination that he/she may experience and/or observe. No student or employee should assume that an official of the College knows about his or her particular situation.

## **Resolution of Harassment and Discrimination Complaints**

### **Procedure for Reporting Complaints**

1. Any member of the College community who believes that he or she has been the victim of sexual harassment or illegal discrimination should immediately bring the matter to the attention of the Title IX Coordinator, or to any academic or administrative officer, dean, director, supervisor, or advisor, who will then forward the complaint to the Title IX Coordinator or the person designated by the President to coordinate the investigation of such complaints. Upon receipt of the complaint, the Title IX Coordinator shall meet and interview the complainant. During this initial meeting, in addition to gathering the additional information needed to initiate an investigation into the complaint, the Title IX Coordinator shall explain the procedure and shall present a copy of this Harassment and Discrimination Policy. The President and the Vice Chancellor for Legal and Human Resources of the Alabama Department of Postsecondary Education shall be promptly notified of the complaint.

2. The complainant should present the complaint as promptly as possible after the alleged sexual harassment or discrimination occurs, preferably within six (6) months of the incident. The complainant should submit a written statement of the allegations.

3. It is the intention of this policy to resolve complaints of sexual harassment and illegal discrimination as promptly as possible after the complaint and/or report is made. All complaints and/or reports will be investigated and resolved within forty-five (45) days of receipt; except in extraordinary cases that require more time for completion of the investigation. Both the complainant and alleged offender shall be given periodical updates as to the status of the investigation.

4. The investigation record shall consist of formal and/or informal statements from the alleged victim, the alleged offender, witnesses identified by the victim or offender, and others deemed by the investigator to have pertinent knowledge of the facts involved in the complaint. All witnesses who provide relevant information should submit a written, signed statement attesting to their knowledge of the incident. The investigation will afford the accused a full opportunity to respond to the allegations.

5. Complaints may be resolved through informal or formal procedures. Informal means are encouraged at the beginning point, but the choice of where to begin rests with the complainant. If the Title IX Coordinator, or the person designated by the President to handle the complaint, believes that the matter is sufficiently grave because of the nature of the alleged offense, or because the complainant seeks to have a sanction imposed, then formal procedures shall be initiated.

### **Informal Procedures**

1. The complainant may, if he or she chooses, attempt to resolve the matter directly with the alleged offender and report to the Title IX Coordinator. However, if the complainant does not feel safe in confronting the alleged offender concerning the behavior or if the behavior does not stop, he/she shall immediately report such to the Title IX Coordinator.

2. The Title IX Coordinator may notify the alleged offender of the complaint and take whatever steps deemed appropriate to affect an informal resolution that is acceptable to both parties. The informal action stage will last no more than fifteen (15) days, unless extended by the consent and agreement of the complainant.

3. The parties may choose to participate in mediation. If the complaint is resolved informally, no record of the complaint will be entered in the alleged offender's personnel file or student record. However, the Title IX Coordinator will keep a record of the complaint and the resolution. A copy of the record will be forwarded to the President. All such records will remain confidential.

4. If the results of the investigation and informal resolution of the complaint are accepted by the alleged victim and he or she desires no further action against the alleged offender, then the complainant will sign a statement requesting that no

further action be taken. The alleged offender will receive a statement explaining the resolution of the investigation as conducted under this policy and procedure and will sign a statement documenting his or her understanding of the resolution.

5. Some reports of sexual harassment and discrimination may not be appropriate for informal resolution and may require a formal investigation at the discretion of the Title IX Coordinator, or the person designated by the President to coordinate the investigation of the complaint. Substantial weight will be given to the wishes of the complainant when determining whether to investigate a complaint, however, GSCC may investigate a complaint without the complainant's and/or alleged victim's consent when circumstances so warrant.

### **Formal Action**

If the complaint cannot be resolved on an informal basis within fifteen (15) days or such extended time as agreed to by the complainant, the complainant may file or pursue a formal complaint. Each complainant has the right to proceed with or withdraw from the formal complaint procedure once it has been submitted. The issues involved in the complaint should not be changed once the charge has been made. However, administrative procedures may be revised to accommodate issues arising during the investigation which were not known to the complainant or the institution when the initial complaint was filed.

1. If the formal complaint is against an employee of the College, it shall remain with the Title IX Coordinator for investigation and disposition pursuant to applicable law and grievance/discipline procedures.

2. If the formal complaint is against a student, not acting in an instructional or other employment capacity, the Vice President shall refer complaint to the Title IX Coordinator for disposition pursuant to applicable law and grievance/discipline procedures.

3. If the formal complaint is against a person not considered an employee or student of the College, it shall be directed to the Title IX Coordinator and Director of Safety and Security for disposition pursuant to applicable law and grievance/discipline procedures.

4. If conflicts or other problems exist with the Title IX Coordinator handling the formal complaint, the complaint may be filed with the President.

5. In the event of complaints against employees and/or students, the Title IX Coordinator will notify the alleged offender in writing of the complainant's decision to take formal action. Formal action will consist of the Title IX procedures as set forth:

a. The original and two copies of Grievance Form A must be filed with the Title IX Coordinator within 30 calendar days following the date of the alleged violation(s). The alleged violation(s) must be clearly and specifically stated. Complainant is advised to keep a copy of all forms. (*See Appendix A-1*).

b. The Title IX Coordinator will conduct whatever inquiry he/she deems necessary and will arrange conferences with the complainant, the alleged offender, and any other appropriate persons. The investigation will afford the accused an opportunity to respond to the allegations and offer any witnesses or evidence which are relevant to the resolution of the complaint. The Title IX Coordinator will make a record of the case, including a record of their decision, and a copy of that record will be retained in its confidential files. Within forty-five (45) days following the receipt of Grievance Form A, the Title IX Coordinator shall notify the complainant and the alleged offender of the outcome of the investigation; however, that information should be treated by both parties as confidential and private. Said notification shall be mailed to his/her home address by certified mail, return receipt requested.

c. Within fifteen (15) calendar days following receipt of the findings, a complainant or accused not satisfied with the resolution achieved by the formal procedures may seek an appeal by the completion and submission of Form B with the Title IX Coordinator and the President. If a notice of appeal is filed, appeal Form B must be used. Complainant must state clearly and specifically on Form B the objections to the findings and/or decision. Copies of Form B must be provided to the Title IX Coordinator and the President. If complainant fails to file notice of appeal by the end of the 15<sup>th</sup> calendar day following receipt of the findings, the right to further appeal will be forfeited. (*See Appendix A-2*).

d. The President will have 30 calendar days following date of receipt of complainant's notice of appeal to investigate and study complainant's allegations and the written report of findings to complainant. At the completion of the President's review, the complainant and alleged offender shall be provided with a written report and disposition. Said

notice shall be mailed to his/her home address by certified mail, return receipt requested. In addition, a copy of the written report and disposition shall be provided to the Title IX Coordinator and President.

e. An alleged offender not satisfied with the resolution achieved by the formal procedures may seek an appeal by the completion and submission of Form C with the Title IX Coordinator and the Chancellor. If notice of appeal is filed, appeal Form C must be used. Complainant must state clearly and specifically on Form C the objections to the findings and/or decisions of the President. Copies of Form C must be provided to the Title IX Coordinator and the Chancellor. If complainant fails to file notice of appeal by the end of the 15<sup>th</sup> calendar day following receipt of the President's report, the right to further appeal will be forfeited. If the last day for filing notice of appeal falls on either a Saturday, Sunday or a legal holiday, complainant will have until the close of the first business day following the 15<sup>th</sup> calendar day to appeal. *(See Appendix A-3.)*

f. The Chancellor will have 30 calendar days following the date of receipt of complainant's notice of appeal to investigate, study complainant's allegations and the report of the President, hold a formal hearing, and make a written report of findings to the complainant. At the completion of the Chancellor's review, the complainant and alleged offender shall be provided with a written report and disposition. Said notice shall be mailed to his/her home address by certified mail, return receipt requested. A copy of the report and disposition shall be provided to the Title IX Coordinator. The decision of the Chancellor shall be final and binding upon all parties involved.

### **Sexual Harassment & Discrimination Review Committee**

The Committee shall review the Sexual Harassment & Discrimination Policy and training programs annually and make recommendation for changes to the Title IX Coordinator.

### **Confidentiality and Assurance against Retaliation**

Every effort possible shall be made to ensure confidentiality of information received as part of an investigation. Complaints will be handled on a "need to know" basis with a view toward protecting the interest of all parties involved. The College will do everything consistent with enforcement of this policy and with the law to protect the privacy of all parties involved and to ensure that all involved are treated fairly.

This policy seeks to encourage students, faculty, and other employees to express freely, responsibly, and in an orderly way, opinions and feelings about any problem or complaint of sexual harassment and discrimination. An employee or student bringing a complaint or assisting in investigating a complaint will not be adversely affected in terms of conditions of employment or enrollment, including any act of reprisal, including internal interference, coercion, and restraint, by a GSCC employee or by one acting on behalf of GSCC. Retaliation against a student or employee for bringing a sexual harassment or discrimination complaint is strictly prohibited. Retaliation is itself a violation of this policy and may be grounds for disciplinary action.

### **Disciplinary Sanction**

A conclusion that sexual harassment and discrimination has occurred shall subject the offender to appropriate disciplinary action and may result, but not limited to, his/her suspension, discharge, expulsion, or dismissal

It is the intent of this policy to provide for a prompt and thorough investigation of any complaints. The time limits set forth within these guidelines are subject to change as needed to ensure a satisfactory conclusion to the investigation.



**GADSDEN STATE COMMUNITY COLLEGE**  
**STATEMENT OF ACKNOWLEDGEMENT**

Name (Print): \_\_\_\_\_ Age: \_\_\_\_\_

Semester: \_\_\_\_\_ Year: \_\_\_\_\_ Room Number: \_\_\_\_\_

I hereby acknowledge that I have received a copy of the Gadsden State Community College Residence Hall Policies and Procedures, Lease Agreement and Sexual Harassment Policy. I understand that violations may result in probation and/or being expelled from campus housing. If expelled, I will not be allowed to re-enter the housing facilities as a visitor or resident.

I acknowledge receipt and review of the detailed Sexual Harassment Policy. I have read and understand the College's Sexual Harassment Policy.

I acknowledge that I also must abide by the Gadsden State Community College's Student Handbook.

I hereby acknowledge and accept responsibility for the advised need to obtain a current Meningitis Vaccination.

I accept responsibility for these stated policies and procedures for Fowler Hall.

Resident Signature \_\_\_\_\_ Date: \_\_\_\_\_

If resident is under age 19, parent or guardian must also sign.

Parent or Guardian \_\_\_\_\_ Date: \_\_\_\_\_

Residence Hall Dorm Director/Residence Hall Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_