



**POLICY TITLE:  
COMPLAINT/GRIEVANCE PROCEDURE  
STUDENT-ON-STUDENT SEXUAL MISCONDUCT,  
DOMESTIC VIOLENCE, DATING VIOLENCE, OR  
STALKING**

Purpose of Policy:	Compliance with Title IX. To prohibit all forms of sexual discrimination and violence. Prohibit all forms of domestic violence, dating violence, and/or stalking
Scope:	<input checked="" type="checkbox"/> Faculty <input checked="" type="checkbox"/> Staff <input checked="" type="checkbox"/> Student <input type="checkbox"/> Visitor <input checked="" type="checkbox"/> Other
Committee(s) Responsible:	Student Services
Location of Policy:	<i>My GSC Portal</i>
Attachments:	None
Forms Location:	None
Related Policies:	Complaint/Grievance Procedure-General; Harassment-Free and Discrimination-Free Campus; Sexual Misconduct
Date Approved by Committee:	04/03/2018
Prior Review Dates:	8/24/2015; 06/2017
Next Review Date:	01/2019
Date Policy Effective:	07/01/2018
Final President Approval:	07/01/2018

**Introduction:**

Title IX of the Education Amendments of 1972 prohibits sex discrimination—which includes sexual misconduct—in educational programs and activities. All public and private schools, school districts, colleges and universities receiving federal funds must comply with Title IX. It is the policy of this College to prohibit all forms of sex discrimination. Additionally, it is the policy of this College to prohibit all instances of domestic violence, dating violence, and/or stalking.

**College Compliance Office**

The College Compliance Office may be contacted at:

Call or Text: 513-479-1758  
Email: [Reporting@email.gscollge.edu](mailto:Reporting@email.gscollge.edu)

Any questions concerning or related to this policy should be directed to the College Compliance Officer.

When an allegation of student-on-student misconduct is brought to the College's attention, a prompt investigation will be performed. Upon conclusion of the investigation, a report will be prepared and submitted to the College Compliance Officer. In the event that the College Compliance Officer has reasonable grounds to believe that a violation of this policy has occurred, the College Compliance Officer will issue a written notice of violation to the accused student and provide a copy of that notice to the complainant. Any notice of violation will also include a recommendation regarding disciplinary measures. In the event that the College Compliance Officer does not have reasonable grounds to believe that a violation has occurred, the College Compliance Officer will notify both the complainant and the accused student in writing of that finding.

If either party feels aggrieved by the findings, he or she may challenge those findings through this grievance procedure.

If a notice of violation has been issued, and the accused student fails to challenge the notice of violation by submitting a written grievance within the requisite time period, the notice of violation will be submitted to the Dean, Student/Alumni Services for a final decision regarding discipline.

### **Grievance Procedure:**

**Step 1:** All grievances shall be written and submitted to the College Compliance Officer within ten (10) days of the date the student receives the above-described notice from the College Compliance Officer. All written grievances shall include the following: (1) the name, addresses, and phone number of the grievant; (2) a detailed description of the circumstances surrounding the grievance; and (3) the specific relief the grievance is requesting through the grievance procedure. The College Compliance Officer will promptly provide a copy of the grievance to the other involved student(s), hereafter known as the respondent(s). The respondent may submit a written response to the grievance to the College Compliance Officer within ten (10) days of receipt of the grievance.

If the grievant or respondent believes that the College Compliance Officer or Dean has a conflict of interest or bias, the grievant or respondent shall identify his or her reasons for that belief in writing and submit that writing within three (3) business days of the filing of the grievance. If it is determined that the College Compliance Officer has a conflict of interest or bias, the College Compliance Officer will be recused from the grievance process and a non-involved Dean will perform all duties assigned to the College Compliance Officer.

**Step 2:** After receipt of the grievance, the College Compliance Officer or appropriate Dean will contact the grievant and the respondent within five (5) business days to schedule separate pre-hearing meetings. These pre-hearing meetings are designed to allow the grievant and/or the respondent to ask questions regarding the grievance procedure. Both the grievant and the respondent are permitted to be accompanied by an advisor during the pre-hearing meeting. Pre-hearing meetings are not mandatory and are designed to be informational only. No evidence or underlying facts will be discussed at a pre-hearing meeting.

**Step 3:** After the pre-hearing meetings (or after the parties decline the pre-hearing meetings), the College Compliance Officer will submit the grievance and the respondent's response to a Grievance Committee. The Grievance Committee will consist of three (3) College faculty members randomly chosen from a defined pool. Each of the faculty members in the defined pool receives annual training on issues related to domestic violence, dating violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. The grievant and the respondent will be promptly notified of the Grievance Committee's composition.

If either party believes that a member of the Grievance Committee has a conflict of interest or bias, that party shall identify his or her reasons for that belief in writing and submit that writing within three (3) business days of notification of the Grievance Committee's composition. If the College Compliance Officer determines that a member of the Grievance Committee has a conflict of interest or bias, that member of the Grievance Committee will be replaced by a different faculty member from the defined pool.

**Step 4:** After the Grievance Committee is finalized, the College Compliance Officer will notify the grievant and the respondent of the date, time, and location of the grievance hearing. Grievance hearings are closed to the public. Both the grievant and the respondent are permitted to have an advisor present. However, that advisor is not permitted to participate as a vocal advocate during the hearing.

Both the grievant and the respondent are permitted to present relevant witnesses and evidence at the hearing. Each party must identify in writing the witnesses and/or evidence he or she intends to present at the hearing no later than five (5) business days prior to the hearing. The College prefers the use of live witnesses, but if a witness is unavailable to participate in a live proceeding, a signed, written statement may be submitted for the witness.

A party is permitted to ask questions of the other party's witnesses, but the questions must be submitted to the Grievance Committee. The Grievance Committee will then ask the questions on the party's behalf. The Grievance Committee retains discretion to exclude irrelevant questions or evidence.

The College will accommodate requests from either the grievant or the respondent to not be present in the same room during the grievance hearing.

**Step 5:** Within ten (10) days of the conclusion of the grievance hearing, the Grievance Committee will issue a written decision. The Grievance Committee will use a preponderance of the evidence (i.e. "more likely than not") standard to determine whether or not an alleged violation occurred.

The College Compliance Officer will promptly provide written notice to both the grievant and the respondent of the Grievance Committee's decision. The College Compliance Officer will also notify the parties of their right to appeal the decision and, if applicable, the sanctions or disciplinary measures to be imposed.

**Step 6:** After the College Compliance Officer notifies the parties of the Grievance Committee's decision, either party will have seven (7) days to submit a written appeal of the Grievance Committee's decision to the College President. The possible bases for appeal include: (1) a procedural error that has significantly impacted the outcome of the hearing; (2) the introduction of previously unavailable relevant evidence which would have significantly impacted the outcome of the hearing; or (3) where a sanction is substantially disproportionate to the Grievance Committee's findings.

If either party chooses to appeal, the other party will have seven (7) days to submit a written opposition to the appeal. Upon receipt of the written opposition or the passing of the timeframe allowed to submit a written opposition, the College President will promptly issue a written decision affirming the Grievance Committee's decision; reversing the Grievance Committee's decision; or remanding the grievance back to the Grievance Committee to consider additional evidence or remedy a procedural error. If the College President remands the disciplinary panel's decision, the College President may order that a new Grievance Committee hear the matter. The College President's decision will be issued in writing to both parties.

A decision will be considered final if no party submits a timely appeal of a Grievance Committee's decision or if the College President affirms or reverses the Grievance Committee's decision. Any sanctions or discipline imposed will be stayed until the resolution of the appeal process.

All of the time frames above may be extended by a showing of good cause. All parties involved will be promptly notified if a time extension has been granted.

A student is not required to file a grievance with the College and, if applicable, may file a complaint with the U.S. Department of Education's Office of Civil Rights or the Ohio Civil Rights Commission at any time.

In the event that the College finds that any student has been a victim of discrimination or harassment relating to his or her sex, any form of sexual misconduct, domestic violence, dating violence, or stalking, the College will take immediate measures to remediate and/or correct the conduct or circumstances. Any individual who is subjected to such conduct will be notified of the College's measures to remediate and/or correct such conduct.

The College prohibits retaliation against anyone who files a grievance under this section or otherwise complains that he or she has been a victim of discrimination or harassment relating to his or her sex, any form of sexual misconduct, domestic violence, dating violence, or stalking. This prohibition of retaliation similarly extends to anyone who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing relating to a grievance or complaint under this section.

All documents, witness statements, evidence, and written submissions associated with a grievance under this section will be confidentially maintained, to the extent permitted by law, in the student's electronic college record. Any request by a student to review the documents, witness statements, evidence, and written submissions associated with his or her grievance under this policy should be submitted to the College Compliance Officer.

The notifications required by this policy will not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. § 1232g), commonly known as the Family Education Rights and Privacy Act of 1974 (FERPA).