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| AGENDA/MINUTES |
| Team Name | SMART Meeting |
| Date | August 27, 2015 |
| Time | 1:30-3:00 pm |
| Location | A-113/GoToMeeting |

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| --- | --- | --- | --- |
| Facilitator | Cathie Oshiro | Recorder | Cindy Couch |
| Team members | Present XAbsent O |
| x | Cathie Oshiro | x | Ashley Arnold (via GTM) | x | Dr. Robin Garrett | x | Stephanie Joiner |
| x | Angie Maddy | x | Julie Knoblich | x | Jakki Maser |  |  |
| Guests |
| x | Jim Ireland (via GTM) |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
| Informational Items |  |
| **HANDOUT: ATIXA Position Statement on the Need for Victim Advocates on College Campuses.****Items written in bold black are responses from meeting** |  |
| Topics/Notes | Reporter |
| * Initial conversation with Jim Ireland re: Campus Safety Report – Clery Act due in October
	+ **If “reported to campus official” then it falls under Clery Act. Clery Act Report 2015 reports incidents from calendar year 2014. Must submit data collection by October 2015**.
 | Jim Ireland |
| * Upward Bound Title IX questions, request for training
	+ **What liability do we have for children that are left on campus – check with legal counsel for liability issues**
 | Stephanie Joiner |
| * Section 3 Review and Discussion
	+ **Completed, see** [**..\..\1P 1P POLICY\SECTION 3\SECTION 3\08.28 SECTION 3 EDITED.docx**](file:///C%3A%5CUsers%5Cmoorec%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CTemporary%20Internet%20Files%5C1P%201P%20POLICY%5CSECTION%203%5CSECTION%203%5C08.28%20SECTION%203%20EDITED.docx)
 | Team |
| * Investigators: What are our expectations regarding the reporting/documentation component? Would we expect investigators to develop the recommendations?
	+ **Tabled – put on agenda for 9/3/15**
 | Team |
| * ID Investigators
	+ **Tabled – put on agenda for 9/3/15**
 | Team |
| * Advocates: What are our expectations for “support”? Commitment from advocate?
	+ **Discussed – need to discuss more – put on agenda for 9/3/15**
 | Team |
| * ID Advocates
	+ **Tabled – put on agenda for 9/3/15. Cathie Oshiro will assemble a list of the suggested names for the next meeting.**
 | Team |
| * Training Opportunity – September Webinars featuring Brett Sokolow
	+ 9/10/15 – Title IX Investigations: Case Studies in Sexual Misconduct and Harassment
	+ 09/24/15 – Title IX Investigations: Case Studies in Intimate Partner Violence and Stalking
	+ **Team was advised of training dates and times. Dr. Heilman approved for purchase.**
 | Oshiro |
| * Establishing training and compliance budget – begin online discussion
	+ **Cathie Oshiro advised team that Dr. Heilman is open to training and the team needs to assemble a list of training requirements and costs to submit to Dr. Heilman for approval.**
 | Oshiro |

## **Equity Grievance Process for Resolving Grievances of Harassment, SEXUAL MISCONDUCT and OTHER FORMS OF Discrimination**

Barton Community College will act on any formal or informal grievance or notice of violation of the policy on Equal Opportunity, Harassment and Nondiscrimination, that is received by the Title IX Coordinator, Deputy Coordinators, or a member of the Equity Grievance Panel.

The procedures described below will apply to all grievances involving students, staff or faculty members. Redress and requests for responsive actions for grievances brought involving non-members of the community are also covered by these procedures.

# Equity Grievance Panel (EGP)

The College will distribute/post this policy annually to campus, prospective students, their parents, and prospective employees. The list of members and a description of the panel can be found at XXX.

The President, in consultation with the Sexual Misconduct & Assault Response Team (SMART), appoints the panel, which reports to the Title IX Coordinator. At the direction of the Title IX Coordinator, members of the EGP are recruited to serve in specific roles. They receive annual training organized by SMART including a review of Barton Community College policies and procedures so that they can provide accurate information to members of the community. All EGP members are required to attend annual training.

Title IX Deputy Coordinators (Angie Maddy, Julie Knoblich, Ashley Arnold, haven’t decided on structure for others)

* Track and monitor incidents, including sex discrimination and sexual misconduct
* Assist in drafting, implementing, and evaluating College policies and procedures related to sex discrimination, including sexual misconduct
* Provide oversight for investigations assigned to the area and for the development of the investigative report
* Where appropriate, conduct investigations
* Provide leadership as it relates to programming and training in the specific area
* Active participation in SMART

Advocates (To be named)

* Provide sensitive intake and support
* Act as an advocate assisting those involved in grievances to navigate the process, resources, and reporting options available to them.
* Provide limited confidentiality except in extreme cases
* (Stephanie will work on bulleted list)

Advocates are an informal source of advice and referral for those who seek a solution to problems of harassment or who wish to discuss the issue before filing a formal complaint. Advocates endeavor to respect and follow the wishes of an individual who brings forward a discrimination or harassment concern. However, due to ethical and legal obligations to investigate incidents, it may not be possible for a conversation to be kept in confidence without taking action.

Confidential Advocates (Kathy Brock (put letters after name); Jakki Maser, M.S., LPC)

* Provide sensitive intake and initial counseling of grievances
* Act as a confidential advocate to those involved in grievances
* Refer individuals to appropriate resources
* Provide complete confidentiality except in extreme cases

Appeals Panelist

* Serve on appeal panels for grievances (Current Appeals Panel for student conduct: Patrick Busch, Vic Martin, Kathy Boeger have been the ones who have served most often. We have also had Michelle Kaiser and Teresa Johnson)

Investigators (Currently Angie Maddy, Julie Knoblich, Cathie Oshiro, Jonathan Dietz. Amye Schneider has substituted once, others to be named.)

* Investigate grievances – interview relevant parties, gather evidence
* Create comprehensive, written investigative reports
* Recommend appropriate remedial steps

The Equity Grievance Panel includes:

* Title IX Deputy Coordinators:
* Dean of Student Services: Students
* Director of Human Resources: Employees and Guests
* XX: Fort Leavenworth
* XX: Fort Riley
* XX: Grandview Plaza
* At least X investigators (including representation of groups protected by the harassment and non-discrimination policy)
* At least X advocates (How do we differentiate advocate from confidential advocate?) (including representation of groups protected by the harassment and non-discrimination policy)
* At least X grievance panel members (including representation of groups protected by the harassment and non-discrimination policy)
* Two Confidential Advocates – College Counselor, College Nurse
* Lead Campus Safety Officer

Appointments to the EGP are made with attention to representation of groups protected by the harassment and non-discrimination policy.

# Filing a grievance

Any member of the community, guest or visitor who believes that the policy on Equal Opportunity, Harassment and Nondiscrimination has been violated should contact the Title IX Coordinator or a Title IX Deputy Coordinator. It is also possible for employees to notify a supervisor, or for students to notify an advisor or faculty member. These individuals will in turn notify the Title IX Coordinator. The Barton website also includes a reporting form at <http://bartonccc.edu/campussafety/file-a-report> which may serve to initiate a grievance.

All employees receiving reports of a potential violation of Barton Community College policy are expected to promptly contact the Title IX Coordinator, within 24 hours of becoming aware of a report or incident. All initial contacts will be treated with the maximum possible privacy. Specific information on any grievances received by any party will be reported to the Title IX Coordinator. Subject to the College’s obligation to redress violations some details of the case may have to be shared with appropriate parties.

# Grievance Intake

Following receipt of a notice or a grievance, the Title IX Coordinator[[1]](#footnote-1), in consultation with the appropriate Deputy Coordinator will assign an advocate to the person who reported the grievance. The party bringing the grievance also has the option to choose an advocate from either the EGP, or they may choose a non-trained advocate from outside the panel, or if preferred, proceed without an advocate. (See Student conduct – attorney)

Normally, within two College business days, an initial determination is made whether a policy violation may have occurred and/or whether conflict resolution might be appropriate. If the grievance does not appear to allege a policy violation or if conflict resolution is desired by the party bringing a grievance, and appears appropriate given the nature of the alleged behavior, then the grievance does not proceed to investigation.

The College is required to conduct a full investigation if there is evidence of a pattern of misconduct or a perceived threat of further harm to the community or any of its members. The College aims to complete all investigations within a 60 business day period. The Title IX Coordinator can extend the period as necessary for appropriate cause with notice to the parties.

# Investigation

If a party bringing a grievance, or the College, based on the alleged policy violation, wishes to pursue a formal grievance, the following process occurs. The Title IX Coordinator appoints two EGP members to conduct an investigation, usually within two College business days of determining that a grievance should proceed.

Investigation of grievances brought directly by those alleging harm should be completed expeditiously; however, the investigation may take longer when initial grievances fail to provide direct first-hand information. The College may undertake a short delay, to allow evidence collection, when criminal charges on the basis of the same behaviors that invoke this process are being investigated. Barton action will not be altered or precluded because civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced. All investigations will be thorough, reliable, and impartial, and will entail interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, if necessary.

1. If circumstances require, the President may designate another person to oversee the process below, should a grievance be made against the Coordinator or Deputy Coordinators, or the Coordinator be otherwise unavailable or unable to fulfill the duties. [↑](#footnote-ref-1)