BRENAU UNIVERSITY
POLICIES & PROCEDURES

Policy Subject: Non-discrimination, Harassment, Prohibited Misconduct & Complaint Policy
Policy Number: P-HR-100-02

Reporting & Resolution Process for Grievances and Complaints
Brenau University provides a process for individuals to express Grievances or Complaints: (https://brenau.formstack.com/forms/grievance_complaint_form).

Brenau University is committed to sustaining a learning and work community free from Discrimination, Harassment, and Prohibited Misconduct. As per the university's Statement on Non-discrimination (see "Reports Classified as Grievances"), Brenau aims to maintain a diverse, academically talented, and well-rounded community of learners in an atmosphere of mutual respect.

Each employee and student is responsible for promoting a positive community culture. As such, this policy applies to the entire campus community and everyone is expected to assist with this process as requested. The policy may also apply to off-campus behavior that has a negative effect on the university.

Reports are handled fairly, transparently, thoroughly, and in a timely manner. Brenau administration, including Decisionmakers, reserve the right to perform investigations and / or use internal or external individuals to fill any role in resolving Reports. Individuals are encouraged to submit a Report about Discrimination, Harassment, Prohibited Misconduct, or Complaints as soon as possible; the sooner a Report is filed, the more effectively the university can investigate. Any individual in the university community aware of a possible policy violation that could reasonably constitute a Grievance is expected to submit a Report whether or not they witnessed the alleged behavior. Confidential Employees are not required to submit a Report; their communications are privileged or confidential under federal and / or state law (see "Confidential Employee / Resource" in glossary). However, they are expected to educate those they serve about the opportunity and process to submit a Report.

Individuals with Disabilities may request reasonable accommodations to participate in resolution.

Unless it is not possible, all official documents regarding a Report are sent via Brenau University email.

Discrimination and Harassment violate federal, state, and local laws. Individuals are not required to use the university's process or to first follow a "chain of command." In addition to (or instead of) using the university process, a person may choose to file a Report with an external agency (i.e. the Equal Employment Opportunity Commission [EEOC] or the Department of Education's Office for Civil Rights [OCR]).

Concerns for which specific resolution procedures are defined—such as but not limited to grade appeals or academic dishonesty incidents—must be addressed through those designated processes. Reports that could constitute Sexual Misconduct are immediately given to the Title IX Coordinator or Designee to handle under the Title IX Sexual Misconduct Policy & Resolution Process.

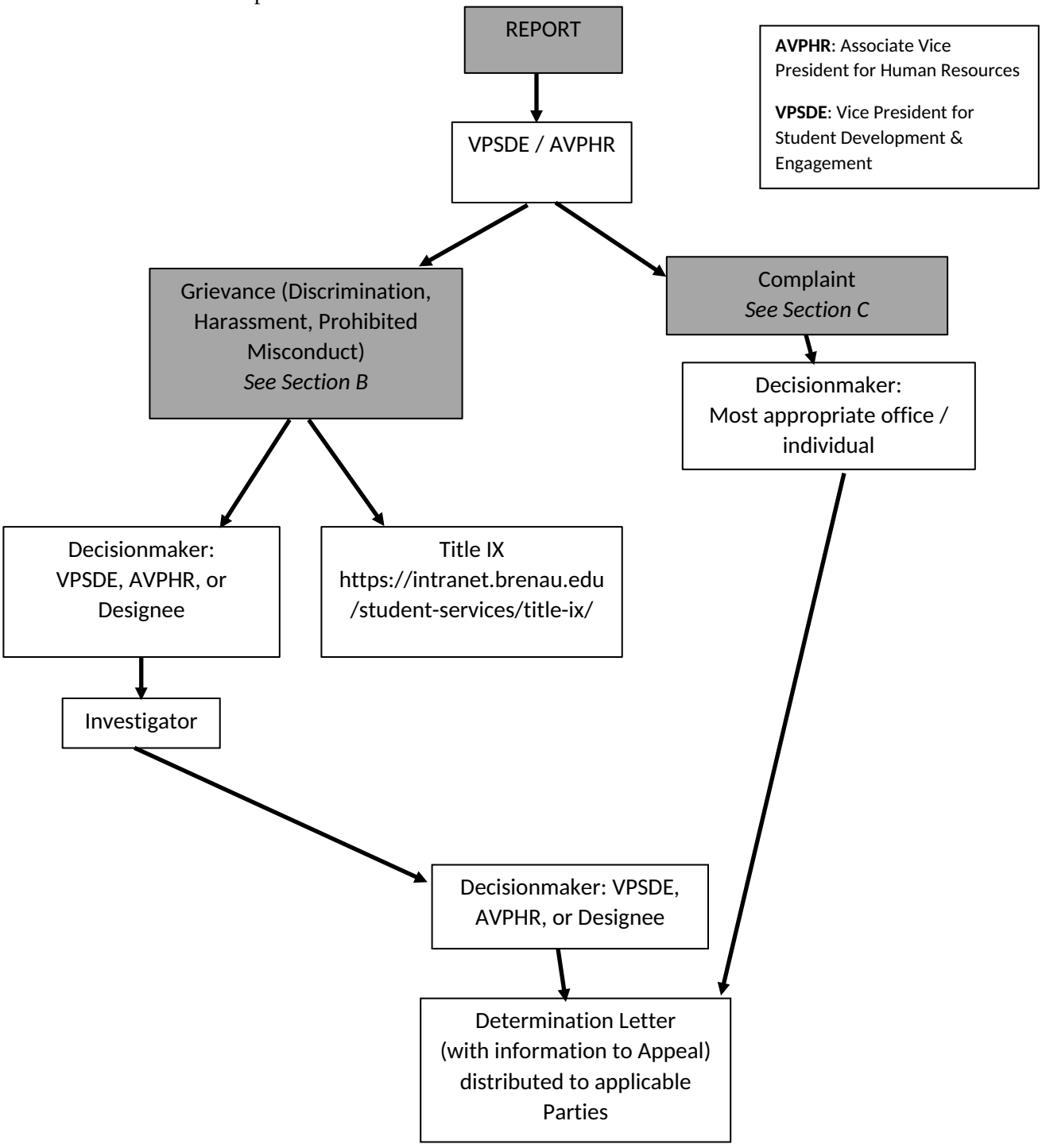
A. GENERAL REPORT PROCESS

Individuals are encouraged to make the university aware of Grievances or Complaints by submitting a Report using the link provided: https://brenau.formstack.com/forms/grievance_complaint_form. The first step toward resolution is classifying a Report as a Grievance or a Complaint:

- "Grievance" is defined as a written report that indicates a situation under the scope of a protected class (as identified in Title VI, Title VII, Title IX, Brenau's Non-discrimination Statement, and all federal or state laws that prohibit discrimination) is unsatisfactory or unacceptable and the Complainant (or Third-party on behalf of the Complainant) requests Brenau University help to resolve.
- "Complaint" is defined as a written report that indicates a situation is unsatisfactory or unacceptable and the Complainant (or Third-party on behalf of the Complainant) requests Brenau University help to resolve.

Additional definitions are listed in the glossary of terms.

This chart summarizes the process:



ASSIGNING & RESOLVING REPORTS

The Vice President for Student Development & Engagement (VPSDE), Associate Vice President for Human Resources (AVPHR), or Designee reviews the submitted information and determines if the Report seems to constitute a Grievance or a Complaint. Then, the VPSDE or AVPHR assigns the Grievance or Complaint to Human Resources, Academic Affairs, Title IX, Risk Management & Operations, Student Development & Engagement, or the office / individual most appropriate to resolve the matter.

If a Grievance or Complaint is against the VPSDE, the AVPHR or Designee serves as the substitute. Likewise, the VPSDE or Designee serves as the substitute if the Report is against the AVPHR.

When a Third-party submits a Report, the Decisionmaker determines if action is warranted and ensures the Report is handled appropriately (see "Reports Classified as Grievances" and "Reports Classified as Complaints). The expressed wishes of the Complainant regarding Confidentiality are considered in the context of the university's legal obligation to act. Legal and regulatory obligations may require the university to take action.

The Decisionmaker or Designee may provide Supportive Measures to the Complainant and / or the Respondent at any stage of the resolution process to maintain or restore a Party's ability to participate in and / or benefit from the university's educational programs or activities while a Report is being resolved. These individualized measures are offered as appropriate, as reasonably available, without unreasonable burden on a Party, not for punitive or disciplinary reasons, and without fee or charge. Supportive Measures may be imposed regardless of whether or not a Grievance is filed and whether or not they are requested by the Party.

The university presumes that the Respondent is not responsible for the Allegation(s) until the resolution procedure has concluded and a Determination is reached. Note that determining responsibility is not always an outcome, especially in Grievances resolved through mediation or when Reports are classified as Complaints.

Upon resolution, the Decisionmaker drafts a Determination Letter that summarizes the matter, how it was resolved, and how a Party may Appeal. A copy of the Determination Letter is always provided to the VPSDE, AVPHR, and / or Designee to be filed with the original Report. Not all Determinations are shared with the Complainant, Respondent, and / or Third-party reporter. The nature of the Report and Parties involved determine what information is shared and with whom.

RETALIATION

Retaliation occurs when an office or individual punishes a person for engaging in legally protected activities, such as reporting Discrimination, Harassment, Prohibited Misconduct, or Complaints, or for participating in an investigation. Retaliation will not be tolerated, and concerns regarding Retaliation should be reported using the Non-discrimination, Harassment, Prohibited Misconduct & Complaint Policy Reporting & Resolution Process. Complainants reporting a violation in good faith will not face negative actions if there are reasonable grounds for believing the information is true. False Allegations are covered under the corrective action policy (SE 4-02 for employees) and under the code of conduct (for students).

RETENTION OF DOCUMENTS

The original Report, along with all other official documentation related to the matter (such as but not limited to the Notice of Allegation, Investigative Report, Resolution Agreement, Determination Letter, Appeal) are kept on file in either the Office of Human Resources (for employees), Student Development & Engagement (for students), or both if the Report involves an employee and a student. These records are retained in compliance with Brenau Policy VPFS-100-04.

B. REPORTS CLASSIFIED AS GRIEVANCES

A Grievance is a written Report that indicates a situation under the scope of a protected class is unsatisfactory or unacceptable and the Complainant (or Third-party on behalf of the Complainant) requests Brenau University help to resolve.

Statement on Non-discrimination:

Brenau University believes in equal opportunities for all individuals. Brenau University does not discriminate based on race, color, sex, sexual orientation, pregnancy or related condition, national and ethnic origin (including shared ancestry and / or perceived ethnic characteristics), age, religion, creed, disability, marital status, status regarding public assistance, veteran status, citizenship status, genetic information, or any other category protected by applicable federal or state laws in its educational policies, programs, activities, and employment.

This policy protects all members of the Brenau University community from Discrimination, Harassment, and Prohibited Misconduct based on an individual's protected status(es) and / or characteristic(s) listed in the Statement above and as defined in the glossary.

PROCESSING GRIEVANCES

Upon receipt of the Grievance, the Decisionmaker (the VPSDE, the AVPHR, or Designee), sends a Notice of Allegation(s) to the Respondent and assigns a trained internal or external Investigator with no Conflict of Interest or Bias for or against any involved Party. Note: Grievances may be dismissed before a Notice of Allegation(s) is sent to a Respondent and / or prior to an investigation in defined circumstances (see "Grievance Dismissal & Appeal Process").

The Decisionmaker or Designee may provide reasonable and appropriate Supportive Measures designed to protect the Parties involved. The university will make reasonable efforts to communicate with the Parties to ensure that all safety, emotional, and physical well-being concerns are being addressed.

Upon assignment, an Investigator promptly begins collecting evidence through interviews and other methods, ultimately compiling relevant findings into an Investigative Report, which is given to the Decisionmaker. All Parties have the opportunity to provide information during the investigation, and all individuals involved in resolving a Grievance are instructed to maintain Confidentiality throughout and after the investigation.

If the Decisionmaker reviews the Investigative Report and finds more information is needed, the Investigator gathers additional information. If the Investigative Report is complete, the Decisionmaker establishes the best course of action toward resolution. If the Decisionmaker finds, based on Preponderance of the Evidence standard, evidence is insufficient to support the Grievance as such, the matter is dismissed out of the Grievance process and addressed as a Complaint (see "Processing Complaints").

GRIEVANCE DISMISSAL & APPEAL PROCESS

Grievances may be dismissed by the Decisionmaker before, during, or after an investigation is complete for the following reasons:

- The Respondent cannot be identified. The university is unable to identify the person(s) alleged to have participated in Discrimination, Harassment, or Prohibited Misconduct after taking reasonable steps.
- The Allegation(s) is against a Respondent who is not an employee, student, or participant in a university program or activity the university has jurisdiction over.
- The Complainant withdraws the Grievance at any point before the investigation is complete, ending the process. However, the Decisionmaker has the right to continue addressing the Grievance if the investigation uncovers concerns for the university community or for other compelling reasons.
- The alleged conduct does not constitute a Grievance. The university determines that even if the Allegation(s) was true, the alleged conduct would not be considered Discrimination, Harassment, or Prohibited Misconduct under this policy. In this case, the Report would be resolved as a Complaint (see "Processing Complaints").

Before dismissing a Grievance, Brenau University makes reasonable efforts to clarify the Allegation(s). If a Grievance is dismissed, the Decisionmaker promptly informs the Complainant of the reason in writing, as well as the right to Appeal (see "Appeals Officer Review Process"). If the Respondent has already been notified of the Allegation(s), that person will also be promptly informed in writing of the dismissal, reason, and right to Appeal. When a Report is submitted on behalf of a Complainant, the Third-party reporter, is not informed of dismissals, outcomes, or the

right to Appeal. Appeals must be made in writing and received by the Decisionmaker within 2 (two) Calendar Days after receiving the dismissal notification.

GRIEVANCE RESOLUTION PROCESS

Possible mechanisms for Grievance resolution may include but are not limited to:

- One-on-One Meeting: the Complainant meets with the Respondent to discuss the situation and clearly states that the behavior is unwanted and must stop.
- Intervention by a Supervisor: a supervisor or other person with authority meets with the Respondent to address and communicate that the behavior is unwanted.
- Training or Coaching: the Decisionmaker or Designee may arrange for training, education, or coaching to help address the specific behaviors or issues.
- Mediation: the Decisionmaker coordinates resolution of the issue through mediation using a neutral internal or external Third-party Mediator. Once an agreement is reached, the Mediator drafts a Resolution Agreement that outlines the specific actions to be taken by both the Complainant and Respondent. The document is presented to the Complainant, Respondent, and Decisionmaker for their signatures. Then, the Decisionmaker sends a fully-endorsed copy of the Resolution Agreement to both Parties and any other relevant offices. Note: for matters resolved through Mediation, determining the Respondent's responsibility regarding the Allegation(s) is not necessarily always a goal, and the Resolution Agreement is likely to constitute the majority of the Determination Letter.
    - Both the Complainant and the Respondent have two (2) calendar days (from the date the signed Resolution Agreement is distributed) to change their mind. To withdraw from the agreement, a Party must submit a written request to the Decisionmaker via email. If a written request is not received within the defined timeframe, the Resolution Agreement is considered final and binding.
    - A duplicate Report cannot be submitted to attempt an alternative outcome based on the same facts.

Meetings (in person or virtual) may not be recorded. Outside agencies, attorneys, and support persons are prohibited from attending any part of the proceedings. During resolution, if a Party admits to or is proven to have committed Harassment, Discrimination, or Prohibited Misconduct, the Decisionmaker has the discretion to act upon and / or document that information for future consideration.

DETERMINING SANCTIONS & REMEDIES

If a Determination of responsibility is made during the resolution process, the Decisionmaker may consider any past instances of Discrimination, Harassment, and / or Prohibited Misconduct in identifying the appropriate Sanctions and / or Remedies. Discovery of policy infractions are handled for employees through SE 4-02 Corrective Action & Separation Procedures. The Decisionmaker also consults with the following individuals, depending on the status of the Respondent:

- For Faculty & Adjuncts: the Provost or Designee, the Associate Vice President for Human Resources, and the direct supervisor.
- For Staff: the Vice President (or Designee) of that staff member's department, the Associate Vice President for Human Resources, and the direct supervisor.
- For Students: the Dean of Students or Designee and the Vice President for Student Development & Engagement (for non-academic issues) **or** the Provost's Office, the Registrar's Office, and the student's academic advisor (for academic issues).

DETERMINATION LETTER

The Decisionmaker writes a Determination Letter, which summarizes information applicable to the matter such as but not limited to the Grievance, Investigative Report, resolution process, Determination, Sanctions and / or Remedies. The letter also provides Appeal instructions. A copy of the Determination Letter is always filed with the original Report.

Not all information regarding the Determination, Sanctions and / or Remedies is shared with the Complainant, Respondent, and / or Third-party reporter in the Determination Letter. The nature of the Grievance determines what information is shared and with whom. Typically, only the Complainant and Respondent receive a copy of the Determination Letter from the Decisionmaker via Brenau University email. When a Report is classified as falling

under Title IX, the Clery Act, and/or the Violence Against Women Act (VAWA), all Parties receive a copy of the Determination Letter. For Reports constituting protections under Title VI, the outcome is not communicated to the Complainant and / or Third-party reporter.

If the Determination Letter and / or Resolution Agreement includes terms a Party must follow and if the terms are not followed, a new claim of Discrimination, Harassment, Prohibited Misconduct, or Retaliation (potentially resulting in disciplinary action) could result. If terms are breached, the impacted person should contact the Office of Human Resources (if other Party is an employee), the Dean of Students (if the other Party is a student and terms are non-academic related), or the Office of Academic Affairs (if the other Party is a student and terms are academic related). The matter is handled by that office's standard procedure.

GRIEVANCE OUTCOME APPEALS

An Appeal is not a rehearing. Its purpose is to review whether one of the specific grounds for Appeal listed below may have affected the final outcome. Both the Complainant and Respondent have two (2) Calendar Days from the time the Grievance Dismissal or Determination Letter is sent to file an Appeal. To do so, the Party submits a written Appeal to the Decisionmaker. If the Appeal is not received in writing or within the defined timeframe, the Determination Letter becomes final and binding. This means a Report cannot be filed later about the same matter.

Grievance outcomes may be appealed only under the following circumstances:

- Procedural Irregularity: a procedural error occurred that may have modified the outcome.
- New Evidence: new, relevant evidence was discovered that was not reasonably available when the decision was made, and it may have modified the outcome.
- Bias: the Investigator and/or Decisionmaker had a Conflict of Interest or Bias against either Party.

APPEALS OFFICER REVIEW PROCESS

After the Decisionmaker receives an Appeal, the Decisionmaker provides all relevant documents to the Appeals Officer. These documents may include but are not limited to the Appeal, the Grievance, the Investigation Report, the dismissal notice or Determination Letter, and the Resolution Agreement, if applicable. The Appeals Officer denies an Appeal if it is not based on one of the designated grounds. In that case, the Decisionmaker's original decision stands. If an Appeal is accepted, the Appeals Officer informs both Parties via email and may request additional written information. After reviewing all information, the Appeals Officer decides whether to uphold or overturn the Decisionmaker's original findings and Determination.

The Appeals Officer prepares an Appeal Outcome Letter that includes a summary of the final decision and the rationale. A copy is sent electronically to both Parties, the Decisionmaker, and the VPSDE and / or the AVPHR (ensuring the outcome of each Report is documented) at the same time.

If the Appeals Officer reverses or modifies the Decisionmaker's original Determination, the Appeals Officer also sends a copy of the Appeal Outcome Letter electronically to those listed below:

- For Faculty & Adjuncts: the Provost (or Designee), the Associate Vice President for Human Resources, and the direct supervisor.
- For Staff: the Vice President (or Designee) of that staff member's department, the Associate Vice President for Human Resources, and the direct supervisor.
- For Students: the Dean of Students or Designee and the Vice President for Student Development & Engagement (for non-academic issues) **or** the Provost's Office, the Registrar's Office, and the student's academic advisor (for academic issues).

C. REPORTS CLASSIFIED AS COMPLAINTS

A Complaint is a statement that shares that a situation is unsatisfactory or unacceptable and the Complainant (or a Third-party on behalf of the Complainant) requests Brenau University help to resolve.

Once a Report is classified as a Complaint, the VPSDE (for Complaints from students), the AVPHR (for Complaints from employees), or Designee provides the submitted Report to the most appropriate Decisionmaker / office for resolving that particular Complaint.

Upon receipt of a Complaint, the Decisionmaker or Designee may provide reasonable and appropriate Supportive Measures designed to protect the Parties involved. The university will make reasonable efforts to communicate with the Parties to ensure that all safety, emotional, and physical well-being concerns are being addressed. Supportive Measures may be imposed regardless of whether or not a Complaint is filed and whether or not they are requested by the Party.

The typical Complaint resolution process involves the Decisionmaker gathering facts, taking action to resolve the issue, and clearly communicating outcomes (and next steps, if applicable) via a Determination Letter to the Parties involved and / or relevant offices via Brenau email.

The Decisionmaker has the authority to decide if a Complaint requires any level of investigation and may conduct that investigation or assign the task to a trained Investigator. All individuals involved in the resolution of the matter, whether internal or external to the university, are instructed to maintain Confidentiality. The Decisionmaker ensures all existing policies and processes relevant to the Complaint are reviewed and matters resolved consistently and fairly.

Meetings in person or virtual may not be recorded. Outside agencies, attorneys, and Support Persons are prohibited from attending any part of the proceedings or Appeal process.

During the resolution process, if a Party admits to or is proven to have participated in any form of Prohibited Conduct, the Decisionmaker has the discretion to act upon and / or document that information for future consideration.

During the course of resolving the Complaint, should details emerge that indicate the matter may instead constitute a Grievance, the Decisionmaker must consult with the VPSDE, AVPHR, or Designee. This group will determine if the matter should remain a Complaint or be resolved as a Grievance.

Upon resolution, a Determination Letter is written by the Decisionmaker. The Determination Letter summarizes all of the applicable information such as but not limited to: the Complaint, evidence, the resolution process, the Determination (including any Sanctions or Remedies), and information on how to Appeal. A copy of the Determination Letter is always provided to the VPSDE and / or the AVPHR to be filed with the original Report. Typically, only the Complainant and Respondent receive a copy of the Determination Letter from the Decisionmaker. Not all Outcomes and / or Sanctions are shared with the Complainant, Respondent, and / or a Third-party reporter. The nature of the Complaint determines what information is shared and with whom.

COMPLAINT APPEALS

An Appeal is not a rehearing. Its purpose is to review whether one of the specific grounds for Appeal listed below may have affected the final outcome. Both the Complainant and Respondent have two (2) Calendar Days from the time the Determination Letter is sent to file an Appeal. To do so, the Party submits a written Appeal to the VPSDE (for students) or the AVPHR (for employees). If the Appeal is not received in writing or within the defined timeframe, the Determination Letter becomes final and binding. A duplicate Report cannot be submitted to attempt an alternative outcome based on the same facts.

Complaint outcomes may be appealed only under the following circumstances:

- Procedural Irregularity: a procedural error occurred that may have modified the outcome.
- New Evidence: new, relevant evidence was discovered that was not reasonably available when the decision was made, and it may have modified the outcome.
- Bias: the Decisionmaker or Investigator (if applicable) had a Conflict of Interest or a Bias against either Party.

The VPSDE or AVPHR gives the Appeals Officer all relevant documents, including but not limited to the original Complaint, information and evidence from the Decisionmaker (and Investigator, if applicable), and the Determination Letter. The Appeals Officer denies an Appeal if it is not based on one of the designated grounds, and the Decisionmaker's original decision stands. If an Appeal is accepted, the Appeals Officer informs both Parties via email and may request additional information. After reviewing all information, the Appeals Officer decides whether to uphold or overturn the Decisionmaker's original findings and Determination.

The Appeals Officer prepares an Appeal Outcome Letter that includes a summary of the final decision and the rationale. A copy is sent electronically to both Parties, the Decisionmaker, and the VPSDE or AVPHR at the same time.

If the Appeals Officer reverses or modifies the Decisionmaker's original Determination, the Appeals Officer also sends a copy of the Appeal Outcome Letter electronically to those listed below:

- For Faculty & Adjuncts: the Provost (or Designee), the Associate Vice President for Human Resources, and the direct supervisor.
- For Staff: the Vice President (or Designee) of that staff member's department, the Associate Vice President for Human Resources, and the direct supervisor.
- For Students: the Dean of Students (or Designee) and the Vice President for Student Development & Engagement (for non-academic issues) **or** the Provost's Office, the Registrar's Office, and the student's academic advisor (for academic issues).

D. RESOURCES

TIPS FOR RESOLVING COMPLAINTS

Complaints often result from minor incidents, flash arguments, or perceived "wrong-doings," and they can often be resolved directly without submitting a Report. The most effective way to resolve conflict is to communicate openly and honestly, which can increase understanding of one another, build trust, and strengthen relationships. Involved Parties are encouraged to consider the following suggestions as they seek resolution:

- Tame anger and try not to be defensive: the urge to feel defensive often comes from an overarching feeling of anger. When anger is exchanged for curiosity, people can learn to see things from the other person's perspective and ask the other Party to explain.
- Be objective: conflict can work both ways. Before placing blame, a person should reflect on the matter to identify how he or she may have contributed to the conflict.
- Really listen: listening is more than comprehending words. When a question is asked, the other Party should be given time for response without interruption. This may lead to a better understanding of what happened.
- Begin with "I-statements": doing so addresses the problem without further escalation and encourages those involved to express how they feel. Example: "I feel X when this happens. I think that X is because of Y."
- Avoid overcommunication via email, as this modality can easily be misinterpreted or misconstrued because it is difficult to identify tone and emotion. In-person meetings are typically preferable.
- Be open to compromise or apologize when appropriate.

CAMPUS RESOURCES (*confidential campus resources identified with an asterisk)

Campus Safety & Security ..... 770-534-6202 / security@brenau.edu
*Health Services 770-534-6135
*Brenau University Center for Counseling & Psychological Services (BCCPS)
Gainesville 770-297-5959
Ivester House 470-941-6028
North Atlanta 470-228-8942
*University Chaplain 770-297-5903

EXTERNAL RESOURCES

Emergency Assistance 911
Suicide & Crisis Lifeline 988
Bridging Hope Crisis Line ..... 770-503-7273 or 800-721-1999
National Sexual Assault Hotline 800-656-4673
National Domestic Violence Hotline 800-799-7233

E. GLOSSARY OF TERMS

Age: with respect to employment, individuals who are forty (40) years of age or older. No age threshold for protection from discrimination exists for students or other participants in educational programs or activities.

Allegation: a statement by a complainant (or by a third-party on behalf of a complainant) alleging an act of discrimination, harassment, prohibited misconduct, or complaint.

Appeal: an appeal is not meant to be an opportunity to seek a different outcome. Its purpose is to review the evidence and decide whether the outcome was affected by a procedural error, new evidence, or a conflict of interest or bias.

Appeal Outcome Letter: a document produced by the appeals officer that summarizes the decision and rationale regarding an appeal.

Appeals Officer: an individual who has been trained and given authority to review and make decisions on appeals at the university.

Bias: refers to a predisposition or preconceived opinion that prevents impartial judgment, which may be based on personal beliefs, experiences, or relationships.

Calendar Day: corresponds to each of the seven (7) days of the week without exception. It includes workable / working days, business days, public holidays and weekly rest days / weekends.

Citizenship Status: the legal standing of being a member of a particular nation, which grants rights, privileges, and responsibilities.

Complaint: a written report that indicates a situation is unsatisfactory or unacceptable and the complainant (or third-party on behalf of the complainant) requests Brenau University help to resolve.
Color: an individual's skin pigmentation, complexion, shade, or tone.

Complainant: the person alleging that they have been subject to discrimination, harassment, prohibited misconduct, or is otherwise unsatisfied with a situation and is asking for help to resolve.

Confidentiality: the state of keeping or being kept secret or private.

Confidential Employee / Resource: an employee of Brenau University whose communications are privileged or confidential under federal or state law due to the services provided. See "Campus Resources" for resources identified as confidential.

Conflict of Interest: occurs when a personal, professional, or financial interest could compromise or appear to compromise an individual's ability to make objective and unbiased decisions in their institutional role.

Creed: a set of beliefs or aims which guide a person's actions.

Decisionmaker: an individual charged with reviewing the grievance or complaint and determining the appropriate outcome.

Designee: a person who has been designated to serve in place of another.

Determination: the final outcome of a report, including any sanctions or remedies when there is a finding of responsibility.

Determination Letter: a document written by the decisionmaker that summarizes the grievance, the resolution process, evidence, the determination, and information on how to appeal.

Disability: a physical or mental impairment that substantially limits one or more major life activities.

Discrimination: occurs when an individual or group is treated unfavorably or unequally based on a protected status(s) or characteristic(s).

Ethnic Origin: refers to a person's 'roots' and should not be confused with his or her citizenship status, nationality, language, or place of birth.

Gender: a socially-constructed set of expectations, roles, behaviors, and activities a given society or culture considers appropriate for individuals; gender is generally based on an individual's sex assigned at birth.

Genetic Information: information about an individual's genetic tests, the genetic tests of family members of such individual, and the manifestation of a disease or disorder in family members of such individual.

Grievance: a written report that indicates a situation under the scope of a protected class (as identified in Title VI, Title VII, Title IX, Brenau's Non-discrimination Statement, and all federal or state laws that prohibit discrimination) is unsatisfactory or unacceptable and the complainant (or third-party on behalf of the complainant) requests Brenau University help to resolve.

Harassment: a type of discrimination that occurs when unwelcome verbal, visual, physical, electronic, or other conduct based on an individual's or group's protected status or characteristic is sufficiently severe to significantly interfere with that individual's or group's ability to participate in or benefit from Brenau University's educational programs or activities, including their terms and conditions of employment. This can include conduct that significantly interferes with the individual's or group's:

- educational environment (e.g., admission, academic standing, grades, assignment);
- work environment (e.g., hiring, advancement, assignment);
- participation in a university program or activity (e.g., campus housing); or
- receipt of legitimately requested services (e.g., disability or religious accommodations).

Investigation: a formal, objective inquiry to determine whether a violation coded as a Grievance has occurred.

Investigative Report: a document that is the compilation of all findings of fact and / or evidence collected by an investigator; its purpose is to help the decisionmaker confirm if the matter constitutes a grievance or complaint, responsibility if relevant, and the best resolution.

Investigator: an individual either internal or external to the university assigned to gather evidence relevant to the matter, ultimately compiling an investigative report.

Marital Status: a person's state of being single, married, separated, divorced, or widowed.

Mediator: an individual either internal or external to the university who has been trained and given authority to facilitate between the complainant and respondent mutually agreed upon conditions to resolve a matter. The conditions must also be acceptable to the university as determined by the decisionmaker or designee.

Prohibited Misconduct: behavior or actions (intentional or unintentional) that violate a university policy, such as but not limited to the university's Non-Discrimination, Harassment, Prohibited Misconduct, or Complaint Policy. Prohibited misconduct includes conduct that interferes with or limits an individual's ability to participate in or benefit from university educational programs, activities, or employment on the basis of a protected class or characteristic.

National Origin: an individual's actual or perceived country or ethnicity of origin.

Party: means a complainant or respondent.

Pregnancy or Related Condition: a medical condition related to pregnancy, childbirth, termination of pregnancy, or lactation.

Preponderance of Evidence: one type of evidentiary standard used in a burden of proof analysis in which the burden of proof is met when the party with the burden convinces the fact finder that there is a greater than 50% chance that the claim is true.

Public Assistance: government benefits provided to the needy, usually in the form of cash or vouchers.

Race: an individual's actual or perceived racial or ethnic ancestry or physical characteristics associated with a person's race, such as a person's color, hair, facial features, height, and weight.

Religion: all aspects of religious observance and practice, as well as belief according to federal law.

Remedies: measures that may be provided at the conclusion of a resolution process to any person who was identified as having had their equal access to Brenau University's education program or activity limited or denied.

Report: a written notice (defined as a grievance or complaint after submission) that indicates a situation is unsatisfactory or unacceptable and requests Brenau University help to resolve.

Resolution Agreement: written agreement, signed by both parties, that outlines the specific actions to be taken by both the complainant and respondent.

Respondent: the person or office, program, department, or group against whom the allegation(s) is made.

Retaliation: this occurs when an office or individual punishes an individual for engaging in legally protected activities, such as reporting discrimination, harassment, prohibited misconduct, or complaints, or for participating in an investigation.

Sanctions: consequences that may be imposed on the respondent after a determination of responsibility; sanctions are summarized in the determination letter.

Sex-based Harassment: a form of sex discrimination covered under the Title IX policy.

Supportive Measures: individualized measures offered as appropriate to the complainant and / or respondent, as reasonably available, without unreasonable burden on either party, not for punitive or disciplinary reasons, and without fee or charge. Supportive measures are designed to maintain or restore the parties' participation in or benefit from Brenau University's educational programs or activities while a report is being resolved.

Sex: either of the two main categories (male and female) into which humans and most other living things are divided on the basis of their reproductive functions.

Sexual Orientation: one's sexual, romantic, physical, and/or emotional attraction (or lack of attraction) to others.

Shared Ancestry: the concept that different individuals descend from a common ancestor, leading to similarities in genetic and physical traits.

Third-party: someone not directly involved as a complainant or respondent, but who may be impacted by or have relevant information about the matter. This can include individuals who report incidents on behalf of others, or those who observe or become aware of prohibited conduct.

Title VI: a federal law of the Civil Rights Act of 1964 prohibiting discrimination based on race, color, or national origin (this includes protection based on ancestry or ethnic characteristics) in programs and activities that receive federal financial assistance.

Title VII: a federal law that prohibits employment discrimination based on race, color, religion, sex, or national origin. This applies to all aspects of employment, including hiring, firing, promotions, pay, and training.

Title IX: a federal law of the Education Amendments of 1972 that prohibits discrimination based on sex in educational programs and activities that receive federal financial assistance. This includes protection against sexual harassment, sexual assault, dating violence, domestic violence, and stalking, and applies to all aspects of the educational experience, including admissions, academics, athletics, employment, and student services.

Veteran Status: covered veterans include disabled veterans, special disabled veterans, veterans of the Vietnam era, and other protected veterans as defined by federal and state law.