

3a.3 General Policy and Information on Harassment – Staff and Administration

The Seminary community reaffirms the principles set forth in its Community Life Statement wherein it is written that:

We renounce attitudes such as greed, jealousy, false pride, lust, bitterness, hostility, an unforgiving spirit and prejudice such as that based on race, sex and academic or socio-economic status.

In accordance with the above, all members of the Seminary community (students and their families, administration, faculty and staff) have a right to be free from discrimination in the form of harassment because of their status in the community, gender, race, denominational preference, age, national origin, ancestry, economic status or physically challenging condition.

Gordon-Conwell Theological Seminary will neither condone nor tolerate harassment of one member of the community by another, including sexual harassment, racial or ethnic innuendoes and derogatory remarks, or any other such activity which tends to defame, ridicule, intimidate or embarrass a community member. Harassment in this document shall cover single instances, as well as repeated instances of such behavior.

It is important for individuals who think they have been harassed to promptly report the incident to his or her supervisor or the Director of Human Resources. Any such complaint shall be pursued through the established procedure. Allegations of harassment will be immediately investigated. The Seminary will tolerate neither mishandling of complaints by supervisors or other notified and authorized personnel, nor negative behavior responses to an individual after making a complaint or for cooperating in an investigation of a complaint. Violation of this policy will result in disciplinary action up to and including possible dismissal.

SPECIFIC POLICY ON SEXUAL HARASSMENT

It is the goal of Gordon-Conwell Theological Seminary to promote a workplace that is free of sexual harassment. Sexual harassment in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated. For purposes of this policy, sexual harassment is defined as any type of sexually-oriented conduct, whether intentional or not, that is unwelcome and has the purpose or effect of creating a work environment that is hostile, offensive or coercive to a reasonable woman or man, as the case may be. The following are examples of conduct that, depending upon the circumstances, may constitute sexual harassment: (a) unwelcome and unwanted sexual jokes, language, epithets, advances or propositions regardless of whether they involve physical touching; (b) written or oral abuse of a sexual nature, sexually degrading or vulgar words to describe an individual; (c) the display of sexually suggestive objects, pictures, posters or cartoons; (d) unwelcome and unwanted comments about an individual's body, sexual prowess or

sexual deficiencies; (e) asking questions about sexual conduct; (f) unwelcome touching, leering, whistling, brushing against the body, or suggestive, insulting or obscene comments or gestures; and (g) demanding sexual favors regardless of whether in exchange for favorable reviews, assignments, promotions or continued employment, or promises of the same.

For policies relating specifically to sexual violence, domestic violence, dating violence, intimate partner violence or stalking, please refer to policy 3a.4 on Campus Violence Elimination.

If you believe that you have been the subject of sexual harassment, or any other type of harassment, subjected to a hostile, offensive or coercive work environment, or if you are not sure whether certain behavior is sexual harassment or whether it is actionable under this policy, you have the right to file a complaint and should immediately notify:

- your supervisor and the Director of Human Resources
- if the complaint is against your supervisor, to any member of the President's Leadership Team or a Director (whose work address and telephone number are listed below) or their successors
- any Director or member of the President's Leadership Team (whose telephone numbers are listed below) or their successors so that the Seminary may have the opportunity to investigate and deal promptly with your complaint.

All allegations of harassment are taken seriously and will be immediately investigated by a team convened and led by the Director of Human Resources. (In a case where the Director of Human Resources is directly involved, the Executive Vice President will assume this role.) All information will be handled confidentially as reasonable under the circumstances and with due regard for the rights of all parties. The employee who was alleged to have been harassed will be involved in the fact finding and will be informed of the result of the investigation. If the investigation supports the allegation, the employee will be informed of the actions taken to alleviate the problem. If the employee is not satisfied by the investigation or the actions taken, he /she may pursue this issue through the Seminary's appeal process described in Section III.11.

The Seminary will tolerate neither mishandling of complaints by supervisors or other notified and authorized personnel, nor negative behavior responses to an individual after making a complaint or anyone who assists in the investigation of the complaint.

Violation of any aspect of this policy will result in disciplinary action up to and including dismissal.

If employees are not satisfied with how their complaint has been handled, they may also contact:

The United States Equal Opportunity Commission
One Congress Street
10th Floor, Room 1001
Boston, MA 02114
(617) 565-3200

In Massachusetts
Massachusetts Commission Against Discrimination
One Ashburton Place, 6th Floor
Boston, Massachusetts 02108 (617) 727-3990

Equal Employment Opportunity Commission
One Congress Street, 10th Floor
Boston, Massachusetts 02114-2023 (617) 565-3200

In North Carolina:

Charlotte District EEOC Office
129 West Trade Street, Suite 400
Charlotte, NC 28202
1-800-669-4000

In Florida:

Florida Commission on Human Relations
2009 Apalachee Parkway
Suite 200, Oakland Building
Tallahassee, FL 32310
1-850-488-7082

Equal Employment Opportunity Commission
501 Polk Street, 10th Floor
Tampa, FL 33602 (813) 228-2310

President's Leadership Team

Robin Higle 978-468-7111 ext 4052
David Currie 978-468-7111 ext. 4176
Michael Colaneri..... 978-468-7111 ext. 4141
Kurt Drescher..... 978-468-7111 ext. 4070
Gregg Hansen 978-468-7111 ext. 4016
Mark Harden617-427-7293 ext 1644
David Horn..... 978-468-7111 ext. 4142
Richard Lints978-468-7111 ext 4029
Timothy Laniak 704-527-9909 ext 5844
Alvin Padilla 978-468-7111 ext 4306
Scott Poblentz 978-468-7111 ext. 4024
Ryan Reeves904-354-4800 ext 112
Jay Trewern978-468-7111 ext 4112

Directors

Cabot Dodge 978-468-7111 ext. 4181
Bill Fisher..... 978-468-7111 ext. 4033
Neely Gaston704-527-9909 ext 5837
Erica Giovannello..... 978-468-7111 ext. 4027
Stacey Glidden 978-468-7111 ext.4059
Robin Higle978-468-7111 ext 4287
Tim Ingraham..... 978-468-7111 ext. 4361
Jim Darlack..... 978-468-7111 ext. 4075
Stephen Klipowicz 704-527-9909 ext. 5841
Stephen Macchia 978-468-7111 ext. 4028
Robert Mayer..... 704-527-9909 ext. 5821
Raymond Pendleton 978-468-7111 ext. 4108
Priscilla Sellers 978-468-7111 ext 4158
David Shorey 978-468-7111 ext. 4015
Michelle Williams 978-468-7111 ext. 4060

Any student who feels that he/she has been harassed by any employee, faculty or student related to Gordon-Conwell Theological Seminary should consult the Student Handbook for guidance on filing a complaint or seeking counsel.

Allegations in Bad Faith

The Seminary also recognizes that knowingly false accusations, especially of sexual harassment, may have serious effects on innocent persons. Employees found to have knowingly made false accusations of sexual harassment will be subject to appropriate disciplinary action, up to and including termination of employment. Please note: This is not meant to include allegations that were made in good faith and reasonable belief of their accuracy but which were later determined to be insufficient or unsubstantiated so as to not prompt remedial action, in which the complainant has done nothing improper. This provision is meant only to cover allegations which the accuser knows to be false at the time they are made or makes them with reckless disregard for the truth.

3a.4 Campus Sexual Violence Elimination & Violence Against Women Elimination Act

Consistent with the values embodied in our *Community Life Statement*, with seminary policies on harassment prevention and in accordance with policies established by Campus Safety, the seminary strictly prohibits domestic violence, dating violence, and stalking. The seminary is available to assist any employee who reports victimization and any report will be promptly investigated. During an investigation, which will be conducted with the full extent of confidentiality reasonable under the circumstances and with due regard for the rights of all parties, both the accused and accuser have the right to have an advisor/support person of their choice present at the meeting. Following a prompt, fair and impartial investigation, appropriate disciplinary action will be taken including possible termination of employment (in the case of an accused employee found to be responsible.) *For a range of potential disciplinary actions, please refer to Section VII Disciplinary Procedures and Termination Issues* of the handbook. The accused individual and accuser will be promptly notified in writing of the outcome of the investigation, which will be provided within one business day from the date of the final outcome being reached. As per the wishes of the victim, law enforcement involvement may be sought.

Definitions:

Domestic, dating or family violence is the abuse of power and control. It is a pattern of behavior used by one person to control another through force or threats.

Domestic Violence (from 42 USC ss 13925):

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Dating Violence (from 42 USC ss 13925):

The term “dating violence” means violence committed by a person—

- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (i) The length of the relationship.
 - (ii) The type of relationship.
 - (iii) The frequency of interaction between the persons involved in the relationship.

Stalking (*from 42 USC ss 13925*):

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to —

- (A) fear for his or her safety or the safety of others; or
- (B) suffer substantial emotional distress.

Who to contact if you need help (victim/survivor or bystander)?

- Call the Police, dial “911” for an Emergency/Active Threat
- Call Campus Safety
- Human Resources (*for Faculty and Staff*)
- Student Life Services, Dean of Students

What can you do as a bystander (*if you see or are aware of an offense*)?

- Call the Police, dial “911” for an Emergency/Active Threat
- Call Campus Safety
- Human Resources (*for Faculty and Staff*)
- Student Life Services, Dean of Students
- Support the victim/survivor
- Assist the victim/survivor in finding help
- Be a strong voice against intimate partner violence and sexual assault

The seminary will provide for honoring any lawful no contact or restraining order, which an employee makes the institution aware of. To learn more, check with Campus Safety or on the Campus Safety website

<http://www.gordonconwell.edu/hamilton/current/Sexual-Misconduct-Information.cfm> for assistance and resources.

If time away from work is needed, an employee may request to take up to 15 days of leave within a 12 month period if the employee or family member is a victim of domestic or sexual violence or stalking. Leave for medical, psychological, legal, housing or other victim assistance services is permissible. This is assuming the employee is not the accused perpetrator in the case of the abusive behavior. Employees are asked to provide reasonable notice of the need for leave, when possible, and may be asked to provide documentation.

Options may be available to an employee to assist in changing working situations if requested and reasonably available. For more information, employees are encouraged to contact Human Resources.