

DISPUTE RESOLUTION PROCEDURE

Students enrolled at Iḷisaġvik College may use this procedure to challenge an academic decision or action of a faculty member, administrator or fellow student, including without limitation any claims of discrimination, harassment or gender based and sexual misconduct under Title IX of the Civil Rights Act of 1964, as amended.

Students are permitted to have an advocate of their choosing (such as Student Success Center staff, an advisor or student government representative) present in meetings throughout the dispute resolution process. Advocates are not permitted to present the student's case, but may advise the student. Both the College and the student may seek legal advice at their own expense; however, the student shall not be represented by a lawyer during any meeting or hearing involving the College and the student under this section. General guidelines are as follows:

1. Where possible, the student is first encouraged to discuss the matter with the faculty member, administrator or fellow student in an effort to resolve the matter informally.
2. If the student's concerns remain unresolved, the student may file a formal grievance by submitting a written grievance to the Dean of Academics. The written grievance must be submitted within seven (7) business days of the student's unresolved matter.
3. The Dean may, but is not required to, meet with the student, conduct an independent investigation, or convene a formal meeting with the student and the affected party or parties. The Dean shall notify the student of his/her decision in writing within seven (7) business days after receipt of the written grievance or after the meeting, as applicable.
4. If the student is not satisfied with the Dean of Academics' decision, the student may request a meeting with the President. The President will notify the student of the meeting date and time. The President's decision will be provided in writing to the student.
5. If the student is not satisfied with the President's decision, the student may submit a request to present his/her grievance to the Iḷisaġvik College Board of Trustees.
6. In addition to the process outlined above, the student has recourse to the following external agencies, as may be applicable: the Office for Civil Rights at the U.S. Department of Education, the U.S. Equal Employment Opportunity Commission, the Alaska State Commission for Human Rights and the Inupiat Community of the Arctic Slope.
7. Confidentiality of all parties involved is respected to the extent of law; retaliation against anyone reporting discrimination or harassment is prohibited.

GENDER-BASED AND SEXUAL MISCONDUCT POLICY

Iḷisaġvik College has a zero-tolerance policy for gender-based and sexual misconduct. Members of the College community and visitors have the right to be free from all forms of gender and sex-based discrimination, including sexual violence, sexual harassment, stalking, domestic violence, and dating violence.

Iḷisaġvik College prohibits rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, domestic violence and all other forms of gender-based misconduct. In the event that these events do occur, Iḷisaġvik takes the matter very seriously. Iḷisaġvik will take steps to stop the behavior, prevent its recurrence, and provide remedies to the victims.

Sexual misconduct can include attempted or unwanted sexual activity perpetrated upon a person, regardless of gender or sexual orientation, without that person's consent, including but not limited to rape, sexual harassment or sexual assault. This may include sexual activity coerced through physical or verbal threats, force or other forms of manipulation and sexual activity when one

person cannot give consent due to incapacitation. Such activities are against the law and are a direct violation of Iñisaġvik College's Code of Social Conduct. When violations are believed to have occurred, disciplinary action (both institutional and legal) can and will be pursued.

Sexual harassment is a form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where:

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or education;
2. submission to or rejection of such conduct by an individual is used as the basis for retaliation, or for other employment or academic decisions affecting that individual; or
3. such conduct has the purpose or necessary effect of unreasonably interfering with an individual's work or creating a hostile, intimidating, or offensive working, living or learning environment; and (a) such conduct is known by the offender to be unwelcome, harmful or offensive; or (b) a person of average sensibilities would clearly understand the behavior or conduct is unwelcome, harmful, or offensive;

Confidentiality/Mandatory Reporting

The College values the privacy of its students and other community members. Federal and state laws, however, impose reporting obligations on College employees that may require them to share information from a report of gender-based or sexual misconduct. When College employees have an obligation to report to others, they will protect students' privacy to the greatest extent possible. If you have questions about a College employee's reporting requirements, information and resources are available with the Student Life Coordinator in the Student Success Center.

Confidential Resources

The following are confidential resources for students to learn about options for obtaining additional support from the College and others. These confidential resources will not report the incident without the student's permission.

North Slope Borough Arctic Women in Crisis
5125 Herman Street
Barrow, AK 99723
24-hour Crisis Number: 1-800-478-0267 or (907) 852-0261

Additional Resources (Non-Confidential)

The College encourages students to report incidents of gender-based or sexual misconduct to the Title IX Coordinator so that the College can investigate and respond effectively. Any College employee (other than the confidential resources listed above) who receives a report is required to inform the Title IX Coordinator about the incident.

Title IX Coordinator:
Dean of Students
(907) 852-1823

Title IX Investigator:
Director of Human Resources
(907) 852-1838

Students may also report incidents of gender-based or sexual misconduct to the North Slope Borough Police Department. The College can assist in making these reports. The Title IX

Coordinator or his/her designee can help arrange a meeting with law enforcement authorities as well as accompany students during the meeting.

North Slope Borough Police Department
1068 Ahkovak Street, Barrow AK 99723
9-1-1 or 907-852-6111

If you or someone you know is in immediate danger or needs medical attention **CALL 9-1-1**.

Procedures for Responding to Reports of Gender-Based and Sexual Misconduct

When the College receives a report of gender-based or sexual misconduct, the Title IX Coordinator is notified. When the complainant (the person making the allegations of misconduct) chooses, or the College believes it is necessary, the Title IX Coordinator will initiate a prompt, fair and impartial investigation, which may lead to the imposition of sanctions upon the respondent (the person alleged to have committed the misconduct).

The Title IX investigator will complete an official investigation and the College will hold a hearing. The College will reveal information about its investigation, hearing, and disciplinary proceedings only to those who need to know in order to carry out their duties and responsibilities. During the investigation and hearing, the complainant and respondent will have an opportunity to make statements and provide other evidence. Because every case is different, each investigation and hearing will be tailored to the specific facts of the case while maintaining a meaningful opportunity for the complainant and respondent to be heard. Although the College will encourage the complainant and respondent to participate in the process, they may decline to participate and the College may continue the process without their participation.

Through the process, the complainant and respondent are entitled to the same opportunities for a support person or advisor of their choice, including any meeting, conference, review or other procedural action. They will also be provided with written notice of any meetings in which they may participate. Once complete, the complainant and respondent will be informed, promptly and in writing, of the outcome, including the findings, conclusions, sanctions (if any) and the rationale for these decisions. If gender-based or sexual misconduct is found, the College will discipline the offender. Sanctions range from warnings up to expulsion or termination of employment.

All parties will be informed of the College appeal processes, and their rights to exercise a request for appeal.