

The American College of Greece Harassment and Sexual Misconduct Policy

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Issuing Authority: Office of the Vice President of Administration

Responsible Officers: Dean of Students (first instance), Vice President of Administration (appellate level)

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I. Policy statement

The American College of Greece [ACG] is dedicated to adding distinctive and sustainable value to the lives of students and to maintaining a campus ethos of mutual respect, care and responsible action,

ACG is committed to preventing and responding to incidents of sexual harassment and misconduct, and to cultivating appreciation for diversity and inclusion,

ACG is committed to the protection of all higher education students registered at the College from harassment and sexual misconduct from other students, faculty, staff and visitors/third parties. ACG extends the same degree of protection to all ACG Community members and visitors/third parties (*see ACG Whistleblower Policy; ACG Non-Discrimination, Anti-Harassment, Sexual Misconduct, Relationship Violence and Stalking Policy*).

ACG encourages student activism in the area of diversity and anti-sexual violence advocacy on campus and in the greater society,

ACG focuses on the principle of victim's choice, safety and well-being, and setting the needs of the victim at the center of institutional attention and care, perceiving them to be everyone's concern and, thus, requiring collective effort and action,

In addition to the **Harassment and Sexual Misconduct Policy** [ACG HSMP], the College has developed the comprehensive *ACG Non-Discrimination, Anti-Harassment, Sexual Misconduct, Relationship Violence and Stalking* and *ACG Whistleblower* policies, the *ACG Safeguarding* and the *ACG Equality and Inclusion* policies; and sets its own standards for student conduct and procedures for disciplinary sanction in the *Student Conduct Code* and the *Residences Rules and Regulations*,

ACG is committed to ensuring that the above policies are easily accessible on the [ACG website](#) and the Student Handbook and user-friendly for students, faculty, staff and third parties affected by sexual violence/misconduct,

ACG ensures that students are guided through all relevant College policy during Orientation,

Policy-making and implementation is driven by campus leadership and vetted by key campus stakeholders – the Office of the Vice President of Administration, the Office of the Dean of Students and Student Affairs, the Office of Human Resources, the ACG Counseling Center, Campus Security, Residential Life, students and student groups such as the LGBTQ+ Awareness Club – and external Greek and comparative law experts and local police authorities, who evaluate and provide feedback towards greater clarity, quality and effectiveness,

ACG takes into account the perspective of students, particularly students who have been affected by sexual misconduct in developing, reviewing and amending the ACG HSMP,

ACG develops appropriate dissemination and training to all community members, including persons with disabilities and individuals who are not proficient in the English language,

ACG incorporates standards set by Greek and E.U. law and policy and U.S. federal laws, and complements relevant ACG Policies, Protocols and Codes of Conduct, where applicable, thereby intra-coordinating College by-laws to ensure efficient response.

Individual incidents of misconduct are dealt with through ACG's internal policies and disciplinary processes. Students who feel that an issue is not resolved can refer their concerns to the competent Greek authorities.

II. Prohibited conduct

A. Harassment

Harassment¹ includes unwanted behavior or conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics:

- Age
- Disability
- Gender and/or gender identity or expression
- Gender reassignment
- Race
- Ethnicity
- Religion, belief or non-belief
- Sex
- Sexual orientation
- Color and membership of a minority
- Social origin, birth and property
- Language
- Political or other opinion
- Pregnancy and maternity
- Genetic information
- Marital status
- Citizenship status
- Veteran or military status

or any other characteristic which constitutes a legally prohibited basis for discrimination and is, thus, unlawful.

Harassment includes domestic violence, abuse and stalking. Abuse, specifically, can involve control, coercion and threats.

¹ As defined by Section 26 of the Equality Act 2010.

Harassment also includes incidents of physical violence towards another person(s) on the basis of a protected characteristic, and hate crimes, such as those criminal offences which are perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity.²

Harassment includes, but is not limited to:

- Verbal abuse and/or offensive and hostile behavior, such as insulting, teasing, mocking, degrading or ridiculing;
- Derogatory remarks concerning a person's sex, gender and/or gender identity or expression, sexual orientation, or any other legally prohibited basis, including display of offensive symbols;
- Unwelcome physical contact, questions, advances, jokes, comments, epithets or demands; • Physical assault or stalking;
- Electronic transmission or displays of offensive, demeaning or hostile materials;
- Unwillingness to collaborate with an ACG Community member within the scope of assigned tasks and responsibilities or College programs.

B. Sexual misconduct

Sexual misconduct relates to all unwanted conduct of a sexual nature, including, yet not limited to: sexual harassment, specifically engaging in unwanted conduct of a sexual nature or related to gender reassignment or sex, with the purpose or effect of violating one's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment³; unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment⁴; assault⁵; rape⁶; physical unwanted sexual advances⁷; intimidation, or promising resources or benefits in return for sexual favors⁸; distributing private and personal explicit images or video footage of an individual without their consent.⁹

Sexual harassment is a specific form of discriminatory harassment and includes physical, verbal, nonverbal, written, graphic and electronic communications; and any unwelcome conduct of sexual nature, including unwelcome sexual advances, request for sexual favors, or other unwanted verbal, nonverbal, graphic, or physical conduct of a sexual nature.

² See Office for Students statement of expectations for preventing and addressing harassment and sexual misconduct affecting students in higher education.

³ See Section 26 (2) of the Equality Act 2010.

⁴ See the Equality Act 2010.

⁵ See the Sexual Offences Act 2003.

⁶ See the Sexual Offences Act 2003.

⁷ See the Sexual harassment and the law: Guidance for employers, Equality and Human Rights Commission, 2017.

⁸ See <https://www.equalityhumanrights.com/en/publication-download/sexual-harassment-and-harassment-work-technical-guidance>

⁹ See Criminal Justice and Courts Act 2015.

Sexual assault is a form of sexual harassment that involves non-consensual intercourse or non-consensual sexual contact.

- **Non-consensual sexual intercourse** is using force, threat of force or coercive conduct to engage in or attempt sexual intercourse with another individual, without affirmative consent, or where the other individual is incapacitated. Any form of penetration, however slight, with a body part or an object amounts to sexual intercourse.
- **Non-consensual sexual contact** is using force, threat of force or coercive conduct to have or attempt sexual contact with another individual, without affirmative consent, or where the other individual is incapacitated; touching, fondling and any other intentional contact, over or under an individual's clothing, with private body parts for purposes of sexual gratification.

Harassment and sexual misconduct **can also occur online**. Activity by email, audio, video and text message communications via cell phone or social media, regardless of where and when they occur, can also constitute conduct prohibited by the Policy.

C. Conduct prohibited by law

Prohibited conduct under the Policy could also violate the laws of the local jurisdiction in which the incident occurs. Should conduct prohibited under the Policy be found to also violate the law of the local jurisdiction, internal College procedures will run parallel to or be postponed until legal proceedings conclude. The Respondent may be subject to criminal prosecution. The College is required to report incidents of prohibited conduct or alleged violations of the Policy that are deemed criminal offences to the local police authorities.

Education, awareness-raising and prevention programs developed for the dissemination of the Policy refer to conduct prohibited by law in the applicable jurisdiction.

The Respondent may also be subject to civil liability.

Records of internal investigation and proceedings under the Policy may be subpoenaed in cases of criminal prosecution and/or civil litigation.

Where an incident involves or could involve punishable conduct as per Greek criminal law, the College and all ACG Community members and third parties to whom the Policy applies are expected to report such conduct to the police and/or Prosecutor. The College may take interim measures, such as no-contact orders or suspension, while police investigation, prosecution or court proceedings are pending.

D. Examples of prohibited conduct under the ACG HSMP:

- Physical assaults of sexual nature, such as rape, sexual battery, molestation or attempts of such physical assaults;
- Intentionally or unintentionally touching, pinching, patting, grabbing or brushing against another individual's body, especially private body parts;

- Reacting to someone’s refusal of sexual advances with physical assault;
- Requesting sexual favors and implying or expressly threatening another individual by reference to job performance or academic standing implications of non-submission;
- Remarks, lewd or sexually suggestive comments, jokes, gestures and noises about a person’s sexuality or sexual appearance;
- Display of sexually demeaning or pornographic materials (pictures, graffiti, objects, reading materials) on ACG premises or digital locations to which persons to whom the Policy applies upload/access content;
- Sex stereotyping and hostile actions against another individual on the basis of sex, sexual orientation, and gender identity;
- Bullying or name-calling;
- Documenting (photography, video, or other visual or auditory documentation) sexual activity or nudity, and/or sharing such, where privacy is reasonably expected, without the knowledge and consent of involved parties.

III. Policy scope

This ACG HSMP applies to all registered students; all ACG premises and off-campus locations of scheduled College programs and activities in Greece and abroad (study abroad programs, conferences and tournaments etc); the virtual space within which electronic communications involving students, faculty, staff and third parties take place; relationships involving ACG Community members. Prohibited conduct within the scope of this Policy sexual harassment and misconduct. Violations of the Policy are subject to appropriate sanction or action up to and including discharge and expulsion.

College leadership, department heads, managers and supervisors are specifically expected to serve as models of appropriate conduct for students and other employees, adhere to and enforce the Policy, and not engage in sexual harassment and misconduct. They have a duty to report prohibited conduct under the Policy that they witness/observe, learn about, or reasonably suspect has occurred. Knowingly allowing prohibited conduct to continue or adopting a casual approach to the enforcement of the Policy shall result in disciplinary action and sanctions. ACG holds them to a higher standard of accountability. Recognizing that positions of authority exist also within Student Life at Deree-ACG (student leadership in Clubs/Organizations vis-à-vis student membership, Club/Organization advisors vis-à-vis students, Athletics, Coach vis-à-vis students/athletes and teams), sexual harassment and misconduct within, and among members of, the ACG student community fall within the scope of this policy.

IV. Senior College Leadership Commitments and Responsibilities

The Dean of Students and the Vice President of Administration are the designated officers responsible for the implementation of the ACG HSMP. The Dean of Students, when the Complainant is a student, and the Vice President of Administration, when the Complainant is an employee or third party, are responsible for addressing, in a neutral manner, disclosed incidents of harassment and sexual misconduct.

Conversations with the above parties are not deemed confidential. The Dean of Students and the Vice President of Administration will handle information provided by persons involved in an incident of prohibited conduct under the Policy with the utmost discretion and sensitivity, and are trained to handle sensitive information in accordance with GDPR standards and College policies and procedures. Such information will be shared exclusively on a need-to-know basis. In rare circumstances, where a community safety concern is substantiated by the information shared, the Dean of Students and the Vice President of Administration may request that an individual take steps to initiate a formal complaint by reporting the incident.

The Dean of Students and the Vice President of Administration:

- Guide students to available resources on campus and facilitate access to confidential resources.
- Decide on and help arrange interim measures to safeguard that ACG Community members continue their studies and/or work and participate in campus life.
- Mediate to facilitate informal resolution between the involved parties, if and as appropriate, with the goal of reaching a mutually acceptable resolution. The outcome of the process will be communicated to the involved parties in writing and recorded on Jenzabar.
- Provide information on this Policy and other applicable College policies and procedures.
- Provide information about filing a formal complaint using ACG's reporting system, and options for reporting harassment and sexual misconduct, including anonymous reporting.
- Investigate reported misconduct under this Policy. Investigation and hearing processes are proscribed by the Student Conduct Code.
- Ensure equitable rights of the Complainant and the Respondent during the investigative process. Balancing the standard of preponderance of the evidence with the presumption of innocence principle and due process with respect to the respondent is critical for the fairness of the process.
- Collaborate with Sexual Assault Response Team (SART, see below) and external resources as appropriate in cases of sexual assault and rape to advise victims about preservation of physical evidence, forensic exam, and HIV prophylaxis (within 72 hours after the incident) at a Greek state hospital, and offer support of a SART representative during the forensic exam. Victim consent to a specific individual acting as support person must be explicit and affirmative.
- Ensure immediate physical protection and transportation to a state hospital, if the victim requests a forensic exam and HIV prophylaxis.
- Support persons to whom the Policy applies in seeking medical care and pursuing legal action.

V. Student Responsibilities and Rights

Students may report incidents involving prohibited conduct under this Policy to the Dean of Students or the Office of Student Affairs.

Anonymous reporting occurs when the name or identity of the complainant or witness is not disclosed, nor that of other parties involved. No action by the College is requested. Action by

the College shall depend on the nature of the information shared. The privacy of individuals reporting prohibited conduct or mentioned in reports shall be protected to the extent permitted by law and this Policy. Individuals who are survivors/victims of crime or witnesses of prohibited conduct have the right to request protection and confidentiality regarding their name or identity. Information conveyed through anonymous reporting assists the College and the police to track patterns of prohibited conduct.

For urgent concerns, the Aghia Paraskevi Campus Main Gate (+302106009800 ext. 1100), and the Downtown Campus Front Desk (+302108964531) are staffed 24/7 and will provide immediate response and referrals to on and off campus resources.

College Nurses can be reached during ACG Health & Wellness Center operating hours (+306009800 ext. 1500, 1093, 1193).

Regarding off-campus resources: 24-hour Victims of Violence hotline (197) provides assistance to victims of sexual assault and rape.

Students have the right to:

- Report incidents to the police or the Prosecutor.
- Have disclosures of prohibited conduct under this Policy treated seriously.
- Make decisions about disclosure of incidents free from pressure by ACG.
- A fair and impartial process.
- Be treated with dignity and receive available health care and counseling services from ACG.
- Describe the incident to as few ACG employees as practicable and not be required to unnecessarily repeat a description of the prohibited conduct.
- Be reasonably protected from retaliation.
- Access first-instance and at least one level of appeal as per the Deree Student Code of Conduct and this Policy.
- Proactively engage, through their student representatives, in the development, implementation and evaluation of this policy and in the support afforded by ACG to students who have experienced harassment and sexual misconduct.

VI. Behavioral expectations and sanctions

The definitions of prohibited conduct under this Policy provide a clear delineation of ACG's behavioral expectations of all students, as well as faculty, staff and visitors/third parties.

Sanctions imposed where these are not followed, as per the Student Conduct Code, are given by the Dean of Students. Sanctions can be proposed by the Executive Director of Operations, responsible for the operation of College residences, if the violation occurred at the Residence Complex. For the imposition of a sanction, the nature and the severity of the misconduct, the students' conduct history and the harm and damage inflicted will be taken into consideration. Repeated violations or single incidents comprising multiple violations will result in more severe sanctions. Sanctions include:

- **Reprimand and Written Warning**

Verbal reprimands for inappropriate behavior are registered in internal records. Written Warnings that admonish the students involved in a violation of the ACG HSMP may notify the student that further misconduct/violation(s) could result in additional conduct proceedings and sanctions. Warnings are registered in internal records.

- **Reflective Work**

Along with a written warning, students may be asked to complete educational activities intended to involve the student in a positive learning experience related to the student's unacceptable behavior. Educational activities allow students to reflect upon their inappropriate behavior, to understand why their behavior was inappropriate, and to educate other students, so they do not find themselves in similar circumstances. These may include, but are not limited to:

- a campus service project (hours for restitution will range from 5 to 15 hours, depending on the severity of the offense and the students' conduct history);
- a personal assessment, mediation, or counseling (a student may be required to complete a specified assessment relative to the violation committed and assessment reports shall be submitted to the Dean of Students and become part of the students' conduct record);
- a reflection paper (student may be asked to write a paper related to the implications of the student's conduct);
- a written apology.

- **Restriction/loss of College Privileges**

The student may lose the privilege of participating in activities that include, but are not limited to, participation in athletic, musical and theatrical productions, clubs, societies and organizations and other College sponsored events for a specified or indefinite period of time and may be denied the use of facilities such as the gym, the pool and the Residence Complex.

- **Removal from the Residence Complex**

The student may lose the privilege of living at the Residence Complex and parents/guardians or the partner institution may be notified accordingly. This sanction is proposed by the Executive Director of Operations, responsible for the operation of College residences, and imposed by the Dean of Students (local students) or the Director of International Enrollment and Student Services (study abroad/international students).

- **Student Conduct Probation**

All Disciplinary Sanctions are communicated to the student(s) through an Admonishment Letter. An Admonishment Letter for student conduct probation should be understood to mean that any further violation(s), even of a minor nature, could warrant immediate suspension or expulsion from the College. The duration of the student conduct probation, typically not less than one semester, affects the non-academic status of the student. During this time, the student cannot hold an elected or appointed office in any student organization, club or society registered with the College, represent the College in any extra/co-curricular activity or official function, work at the College through the Work Study program, or apply for a position to the International Internship and Study Abroad Program. Any student placed on

conduct probation may lose scholarships (e.g. academic scholarship or other merit based institutional gift aid).

- **No-Contact Order**

A student may be prohibited from communicating in any way and medium (i.e. through third parties, telephone, visitation, email, social networking sites, letters, etc.) with a named individual or group.

- **Temporary Suspension**

The student is suspended from taking classes, using the College facilities and taking part in any College event, pending conduct proceedings, for a specified period of time at the discretion of the Dean of Students where it is believed the student would constitute serious disruption or danger to the health, safety or welfare of the College, others, or oneself. Temporary suspension will remain pending until the completion of the conduct process.

- **Suspension**

The student is suspended from taking classes and or living in the Residence Complex for a specified or indefinite period of time. The student must comply with all sanctions prior to readmission.

Note: Students suspended from the College and/or Residence Complex, regardless of the amount of time remaining in the semester, are not eligible for refunds or rebates for charges associated with housing, tuition or fees.

- **Expulsion**

The student is permanently expelled and cannot be readmitted to the College.

Note: Students expelled from the College, regardless of the amount of time remaining in the semester, are not eligible for refunds or rebates for charges associated with housing, tuition, or fees.

The College respects and protects the confidentiality of student records. In extraordinary circumstances such as serious injury to a student, a violent crime committed by or upon a student, serious concerns or threats to a student's physical or emotional health, and other sufficiently grave incidents relevant to prohibited conduct under this Policy, which cannot be exhaustively enumerated or described in the nature of things, the College may notify parents or guardians.

The College is committed to the student's best interest and, in special circumstances, will discuss the matter with the student to assess whether such notification is undesirable or inappropriate.

The Dean of Students or the Director of International Enrollment and Student Services in the case of incidents involving study abroad/international students may send a notification or a copy of the student's Admonishment Letter to the address on file for parents/guardians of students.

Whenever possible, a conversation in person will be held with both the student and the student's parent or legal guardian.

Home/Sending institutions of study abroad/international students may be notified about student misconduct by the Director of International Enrollment and Student Services or the Dean of North American Enrollment & Study Abroad.

Records of all sanctions imposed will be retained in the Student File at the Office of the Registrars and a file will be created for students involved in incidents at the Office of Student Affairs.

College officials including, but not limited to, Academic Deans, Advisors, Department Heads, Coaches may be informed of the sanctions imposed.

Failure to comply with sanctions as directed may result in additional disciplinary sanctions including suspension or expulsion from the College.

VII. Training and awareness-raising

Awareness-raising, prevention, emergency response and victim support programs developed by the College for the dissemination of this Policy to the student population and the training of ACG employees provide guidelines for responding to incidents of prohibited conduct, specifically for:

- reporting all available facts and circumstances in a manner that will preserve significant evidence and aid the investigation, and
- offering valid information and guidance to victims who consent to such support regarding preservation of evidence, available care on and off campus, and reporting the incident to the local authorities (police and/or the Prosecutor).

New incoming local and international students, as well as study abroad students, are trained as part of their induction during the week of Orientation and through educational programming developed by the Office of Student Affairs and the ACG Health & Wellness Center with the support of key campus stakeholders. In collaboration with the Offices of Student Affairs and International Student Services, College administration identifies target groups within the incoming student population and ensures that trainings are tailored to meet diverse needs (e.g. emphasis on cultural awareness and interactive body space perception workshops in sessions addressing international and study abroad students).

Other dissemination activities addressing the student population, faculty, staff and visitors/third parties include, but are not limited to, campus-wide awareness-raising campaigns incl. information posters, graphics, stickers and Facebook ads, study abroad pre-departure orientation sessions, co-curricular programming, online materials available on the ACG website, newsletters. Collaboration with the Student Government and Student Clubs, Organizations and Societies to disseminate the content of this Policy and the message that harassment and sexual misconduct are not tolerated by ACG will be undertaken by the Office of Student Affairs.

The College organizes ongoing targeted trainings addressing all College employees every Fall and Spring semester, as well as an annual training/high level meeting for Senior Leadership

and the annual SART [Sexual Assault Response Team] meeting (see below). The purpose of training initiatives is to prevent the occurrence of such incidents and encourage reporting and appropriate response where they do occur. Trainings include topics such as consent and receiving and handling disclosures.

Orientation content and employee trainings provide information for all students, faculty and staff on how they can report, disclose or seek support and advice if they experience or witness any incident of harassment and sexual misconduct.

Indicative training and awareness-raising topics specifically for ACG Employees include: neurobiology of trauma; strategies/role-playing to respond to victims in crisis; working with survivors from marginalized and/or multicultural populations; self-care for notification personnel; collaboration between College and Prosecutor on cold cases; victim advocacy and support services; victim notification procedures; explaining forensic science in layman's terms; intersection of the Policy with other ACG Policies and Procedures; specialized training for College Nurses.

VIII. Response to misconduct

A. Institutional responsibility

ACG will make every reasonable and appropriate effort to preserve the privacy and protect the confidentiality of students involved in incidents falling within the scope of this Policy.

B. Responsibilities of ACG Community members

ACG Community members who are made aware of an incident of prohibited conduct involving a student are expected to report it to the Dean of Students or the Office of Student Affairs without delay.

ACG Community members are not expected to investigate, preserve evidence or determine the facts of an incident, unless they are specifically entrusted with this responsibility in this Policy.

ACG Community members involved in responding to prohibited conduct are required to maintain a high degree of confidentiality towards ensuring the fairness and the integrity of the process, and the effectiveness of response and care provided to the complainant of the alleged misconduct.

C. Responsible Employees

Responsible Employees at ACG include:

- All faculty,
- All administrators/staff in a supervisory position, including supervisors of student employees (student assistants and on campus interns),

- All administrators/staff who have specific responsibility for the wellbeing of students or employees, such as campus security and senior staff members in Student Affairs and ACG Health & Wellness Center, Educational Counseling Services, Residence Life, International Student Services, and Athletics,
- Instructors, teaching assistants, coaches, advisors, program counselors, such as the Study Abroad Program, who teach, advise, coach or mentor students.

Students can disclose in confidence to Responsible Employees.

Students must understand the reporting obligation of Responsible Employees before they reveal any information.

Responsible Employees are required to report incidents, incl. personally identifying details, of prohibited conduct under this Policy involving ACG students or any other community member or third party without delay.

Helpful Language for Responsible Employees:

- Be supportive and patient.
- Listen and validate feelings shared by the student/colleague/third party.
- Refrain from pressing the student/colleague/third party to give details.
- Explain clearly and before the student/colleague/third party discloses details about prohibited conduct that, as a Responsible Employee, you are obliged to report.
- Provide guidance regarding reporting options and Confidential Resources as per this Policy.
- Give time and space to the student/colleague/third party to decide on course of action.
- Avoid asking “Why” and sharing own opinion about the events and the persons involved.
- Responsible Employees are expected to say: “I can help you connect with support on campus services, such as the ACG Health & Wellness Center or Campus Security, or guide you to external resources. But first, I want you to know that I am a Responsible Employee, which means that I must share with the Dean of Students/Vice President of Administration any information disclosed to me about harassment and sexual misconduct. I want you to be able to make an informed choice about what you share with me. I can also connect you to the ACG Counseling Center, the College’s on-campus confidential resource.”
- You can say: “Thank you for sharing...”, “Thank you for trusting me...”, “I regret this has happened to you”, “What can I do to help?”
- Responsible employees should be aware that male and LGBTQI+ victims may be less likely to report an incident or want a medical exam and should be made aware they have the right to request a male/female or LGBTQI+ health care provider when reporting or disclosing details or undergoing a medical exam.

D. On-Campus Confidential Resources

On-Campus Confidential Resources are available free-of-charge to ACG community members impacted by harassment and sexual misconduct.

Upon referring individuals to Confidential Resources, Responsible Employees are required to also contact the Dean of Students (in case of student victims) or the Office of the Vice President of Administration (in case of employees, faculty or staff) to report the incidents brought to their attention and inform about the time, date and means of referral to Confidential Resources. Immediate reporting serves the purpose of timely follow up and ensures that persons affected by the incident are supported appropriately and effectively.

Confidential consultations about prohibited conduct are available from persons who, by law, have special professional status.

The ACG Counseling Center is the designated confidential resource for ACG students, providing confidential short-term emotional support and ongoing individual counseling, and helping students access further off-campus resources and support teams, including hotlines and psychological support/psychiatric care.

Anyone reporting prohibited conduct under this Policy is advised to ask whether confidentiality can be maintained prior to confiding in an ACG employee. Confidential Resources at ACG cannot share information without an individual's express consent, unless there is imminent risk of serious harm to self or others; or to avert serious threat to health or safety; or as part of law enforcement activities such as investigations of criminal conduct or of victims of crime, in response to court orders, in emergencies, or as required by law; or in response to a subpoena or a lawful order from a court.

The College will take reasonable steps to notify anyone reporting prohibited conduct under this Policy about the disclosure of the information confided in an ACG employee or Confidential Resource.

Information about an incident may be released to a family member or friend who is involved in an individual's care without consent or authorization if the individual is incapacitated or if, in the professional judgment of the ACG employee handling the incident, the release of information is considered to be in the best interests of the individual.

IX. Access to appropriate and effective support

ACG is committed to ensuring the safety and well-being of all students and to taking immediate and interim measures to those ends. Both the reporting and responding parties are guaranteed equitable access to appropriate support prior to the decision to launch a formal investigation, for the duration of any investigation, and following its outcome. Protective measures also aim at prohibiting retaliation against those who file a complaint or third-party report, or otherwise take part in the investigation and/or disciplinary process, such as bearing witness.

Interim measures for non-retaliation may include, but are not limited to, no-contact orders and changing the Respondent's living arrangements or course schedule. Protective measures and accommodations include, but are not limited to: the ability to move dorms or temporarily and free of charge move from off-campus housing to the ACG Residence Complex, change of work schedules, altering of academic schedules, withdrawal from/retaking a class free of

charge and without penalty, access to academic support, such as directed study or tutoring, and any other appropriate academic accommodations, where such do not impose undue hardship. In cases of anonymous reporting or if a victim's request for confidentiality limits the ability of the College to investigate a reported incident, steps may be taken to limit the effects of alleged prohibited conduct under this Policy and prevent its recurrence without proceeding with formal action. Protective measures and accommodations in that case include, but are not limited to: increased monitoring, supervision or security at locations or activities where the reported misconduct occurred; awareness-raising, training and education for ACG Community members; memorandum communicating this Policy to the ACG Community; and conducting campus climate surveys regarding harassment and sexual misconduct.

When responding to a victim of a harassment and sexual misconduct, ACG Community members are advised to:

- Opt for a personalized approach and in-person communication towards responding immediately to emotional reactions and guiding, without delay, to support services. Phone call communication, where in-person communication is not possible, also allows for immediate response to questions, needs and for building rapport with victims. Written communication, including text messaging, should be used only as a last resort as it can be easily intercepted.
- Victims should be asked whether they want to continue contact, and their safety and confidentiality should always be respected.
- Provide written resource materials, available at the ACG Health and Wellness Center and on the ACG website, and clear guidance to victims about immediate steps, on-campus and external support services, contact information of key external medical and legal resources.

X. ACG Resources and Services

ACG resources and services to students and employees who are concerned about harassment and sexual misconduct:

A. Campus Security and ACG Health & Wellness Center/College Nurses

In a case of emergency, persons to whom this Policy applies, including bystanders, must contact Campus Security (210 6009800 ext. 1100). If a person involved in an incident of sexual misconduct needs immediate care, the ACG Health & Wellness Center/College Nurses (210 6009800 ext. 1500, 1093, 1193) must be notified. The ACG First Aid Protocols, Emergency Response Protocols, and ACG Whistleblower Policy apply.

ACG first response resources:

- Are trained to inform about reporting options, provide first aid and respond to emergencies until external emergency response professionals (first aid or police, or both, depending on Complainant's/victim's preference) arrive.
- Cannot collect or preserve DNA evidence.
- College Nurses receive specialized training (online), but are not allowed to perform checks that exceed the scope of care outlined in ACG's medical protocols (ACG First Aid Protocols). College Nurses are aware of the type of evidence that may be crucial in a forensic investigation. College Nurses advise the victim to note areas of injury

(bruising, bite marks, scratches) for providing this information to the police or public hospital professionals undertaking the DNA examination.

- College Nurses make referrals for follow up care, and are trained to educate victims of harassment and sexual misconduct about STDs and pregnancy risks.
- When College Nurses are not on campus, the victim is referred to external emergency response professionals (the police or public hospital). Campus Security, Responsible Employees and the ACG Counseling Center may not collect, preserve or provide guidance about preservation of DNA evidence.
- Sexual assault exams are conducted by the Forensic Service of the area where the crime was reported by the victim and are free of charge. Crimes reported within the Attica region, are handled by the Athens Forensic Service, 10 Anapafseos Str., 116 36 Athens, Greece (+30 2109244900). The exam involves description of the injuries, pelvic exam, vaginal/penile/anal swabs, head and pubic hair samples, fingernail scrapings, and blood and saliva samples for DNA identification. Victims of sexual assault or rape are allowed to bring a friend or other support person during the forensic exam. Trained ACG employees handling an incident involving a study abroad/international student or student resident will offer to act as the support person during the forensic exam.

B. Sexual Assault Response Team [SART]

SART is an on-campus community-based team trained to provide immediate and confidential response in cases of a sexual assault incident.

SART directs victims to campus and external resources, helps navigate and activate the reporting process and access specialized counseling and healthcare professionals.

SART meets regularly and ad hoc, on occasion of reported prohibited conduct, to coordinate institutional response; support the victim; and maintain victim-centered and offender-focused approach to case review.

SART is composed of:

- The Dean of Students,
- A Human Resources representative,
- A Campus Security representative,
- ACG Health & Wellness Center representatives, incl. a College Nurse,
- An ACG Counseling Center representative,
- An ACG International Student Services representative (when victim or alleged perpetrator are study abroad/international students),
- An ACG Residence Life representative, incl. an RA (when victim or alleged perpetrator are student residents) and
- The Dean of Academic Administration.

ACG's SART meets annually to develop and revise operating guidelines and propose amendments to the Policy, where needed, in view of best practices in Sexual Assault Response. ACG's SART meets on occasion of and in the aftermath of an incident of sexual assault to coordinate and evaluate, respectively, College response.

SART members are trained to offer emotional support to victims who have experienced sexual misconduct and others in their immediate environment.

SART members can propose on-campus interim measures to the Dean of Students or the Vice President of Administration.

XI. Enforcement, Hearing Processes, Evidence Standard

Enforcement emphasizes proactive measures, such as awareness-raising campaigns and targeted training, interpersonal reconciliation, conflict resolution, education and learning.

Students, faculty and staff are expected to actively address complaints and concerns, including concerns about faculty conduct, as an integral part of the educational process. Where additional resources and measures are required to address complaints specifically about faculty conduct, formal and informal processes must be resorted to.

While employees are advised to respect the organizational charts of their respective departments in reporting incidents, they can access, if necessary, directly the Dean of Students or the Vice President of Administration when an incident of prohibited conduct under this Policy involving students or employees respectively is brought to their attention.

In enforcing this Policy, however, specific **deviations from usual procedures** may apply:

- Mediation is rarely appropriate.
- The standard of preponderance of the evidence must be balanced with the presumption of innocence principle and due process with respect to the respondent.
- If the Complainant reports the incident to the Prosecutor or the police, the internal disciplinary process shall be postponed until police investigation or legal proceedings conclude. Interim measures such as no-contact orders can be issued in the meantime by the Dean of Students or the Vice President of Administration and Human Resources.
- Internal investigation of a reported incident of prohibited conduct under the Policy must include trained individuals. ACG will consult internal and external experts, where necessary in the process, and involve them in the decision on appropriate sanctions.

Internal disciplinary procedures may result in the following findings:

- The complaint is unsubstantiated, meaning allegations are found to be without merit based upon facts.
- The complaint is partially substantiated.
- The complaint is fully substantiated.

Informal hearing process:

An informal hearing process is an attempt to resolve the Complainant's concerns with process and outcome remaining confidential. If either party objects to an informal hearing, the matter is automatically referred to a formal hearing process as per the Student Code of Conduct. A summary of the informal hearing process, covered by confidentiality as appropriate, is inserted in Jenzabar.

Formal complaint and hearing process:

To file a formal complaint regarding harassment and sexual misconduct, students must provide a signed Incident Report Form to the Dean of Students, who notifies immediately the Vice President of Administration.

It is at the discretion of the College to form *ad hoc* Disciplinary Committees at first instance and appeal levels to address incidents involving different ACG Community member types, that is, students and faculty or staff.

To protect the complainant from the pressure to withdraw the complaint, the complaint may not be withdrawn until the conclusion of the formal hearing process.

The College is committed to supporting students regardless of whether a formal report or complaint is made.

The formal hearing process can result in:

- Sanctions (as described *supra*),
- Accommodations for the Complainant/victim,
- Additional remedies and measures for the College community.

Possible sanctions for ACG Employees in violation of this Policy

- If the complaint is unsubstantiated, no action is taken.
- If the complaint is partially substantiated, or if minor claims are fully substantiated, sanctions may include, but are not limited to, a formal letter of apology, mentoring, counseling or continuing education, or a period of probation.
- If the complaint is fully substantiated, or if major claims are partially or fully substantiated, sanctions may include, but are not limited to, a formal letter of apology, mentoring, counseling or continuing education, a period of probation, suspension or removal. For suspension or removal, the internal ACG Committee convenes in the presence of ACG's legal advisors.

The parties will be informed about the results of the formal hearing process by simultaneous written notice, incl. description of applicable appellate procedures, grounds for appeal and the entity that will decide appeals, namely the Vice President of Administration, shall be referred to in the written notice.

XII. Charges and investigation, Notification, Hearing and Appeals Processes

A. Charges and investigation

Any member of the College community may file charges against a student for alleged violations as per the Student Conduct Code.

Charges must be submitted as follows:

- The Dean of Students must be involved in all stages of the hearing process.
- Students can use the Incident Report Form available at the Office of Student Affairs, the Office of International Student Services and at all Residence Complex help-desks, if the violation took place at the Residence Complex, immediately following the incident.

- If the violation occurred at the Residence Complex, charges must also be communicated to the Executive Director of Operations.
- Charges must be communicated immediately following the incident.
- If the violation took place on campus after 5 pm, students can report the incident by using the online Incident Report Form and sending an email to incident@acg.edu.
- Administrators responsible for processing reports are expected to use specified fields on the Incident Report Form to facilitate investigation.
- Appeals to decisions/sanctions under the jurisdiction of the Dean of Students are directed to the Vice President of Administration.

Violations are determined based on all the available facts and circumstances, including statements of the Complainant, the Respondent and any witnesses to the alleged violation, as well as information about pre- and post-incident conduct that can be associated with the incident. Enforcement of the Policy may take place parallel to law enforcement. **Internal investigation** of incidents involving conduct prohibited by the Policy may be conducted parallel to police investigation, prosecution or court proceedings.

B. Notification

The student against whom a formal complaint for an alleged violation was filed will receive notification within five (5) working days since the reporting of the incident. During that time, College administration will investigate the case. The student may be asked to visit the Office of Student Affairs to discuss the incident and will be advised regarding next steps.

C. Hearing Process

Incidents of harassment and sexual misconduct shall be referred to a Hearing Board as per relevant provisions in the Student Conduct Code. The student may request to reschedule the Administrative Hearing Board once, within five (5) working days from the date of notification. If the student does not engage with this process, the process will continue in absentia and sanctions will be issued accordingly. The student has the opportunity to review and comment on the documentation of the case, to present evidence on his/her own behalf, and to present witnesses. The student will be asked whether or not he/she takes responsibility for his/her actions. Within five (5) working days the Dean of Students will make a final decision, based on the facts of the case and the outcome of the Hearing Board, re whether or not to hold the student responsible for the alleged violation, and will issue sanctions respectively

D. Appeals Process

A student has the right to appeal issued sanctions. Appeals are not re-hearings and they are granted on the basis of disagreement with the decision resulting from the Hearing Board based on the following grounds:

- The Hearing and the Hearing Board was not conducted according to the Student Conduct Code Reporting & Hearing process.
- There was insufficient evidence to establish responsibility.
- There is new and substantial evidence that exonerates, clears the student, or puts the conduct situation into a different context.
- The student experienced bias or discrimination during the hearing process.

In order to appeal, a student needs to write a letter to the Vice President of Administration within five (5) working days of the receipt of the sanction. The Vice President of Administration may choose to extend the deadline for the submission of appeals in unusual circumstances. Within ten (10) working days upon receipt, the appeal will be reviewed by the Vice President of Administration. In some instances, students appealing a decision may be asked to meeting to discuss their situation; however, such meetings are not necessary for an appeal to be considered and decided upon.

The appeal may result in one of the following actions:

- The appeal is granted, and the sanctions are overturned.
- The appeal is granted, and the sanctions are modified.
- The appeal is denied, and the sanctions remain in effect.
- The appeal is denied and additional sanctions are imposed.

The student will receive written notification from the Vice President of Administration regarding the decision on the appeal.