

Faculty and appropriate administrative staff will be informed on an annual basis of these policies and procedures and the importance of compliance.

Public Health Service Reporting Obligations

In the case of projects funded through the Public Health Service (PHS), certain reporting obligations pertain. The Office of Scientific Integrity (OSI) of the PHS must be notified at any stage of either an inquiry or investigation of any immediate health hazard, need to protect federal funds or equipment, or need to protect the interests of persons involved in the inquiry or investigation (including those who have made or who are the subject of allegations, their associated, and investigators), or if it is probable that the alleged misconduct is about to be reported publicly. In addition, OSI must be notified within 24 hours after the institution receives any reasonable indication that a crime may have been committed. The Provost also shall notify OSI and explain the reasons for ending an inquiry early.

The decision by the Provost to proceed with an investigation shall be reported in writing to the OSI on or before the date of the start of the investigation; the notification must include the subject's name, the general nature of the allegations, and the PHS application or grant numbers involved.

The Provost shall inform the OSI of any inquiry or investigation developments including facts that may affect the government's disbursement or award of federal funds and shall take interim administrative measures, if necessary to protect federal funds. The Provost shall notify OSI and explain the reasons for ending an investigation early. The Provost shall also request an extension from OSI if the investigation cannot be completed within 120 calendar days, providing the OSI with an explanation for the delay, an interim progress report, and an estimated completion date.

The OSI shall be notified of the outcome of the investigation and provided with a detailed report covering investigation policies and procedures, sources of information, findings, the basis for findings, "the actual text or an accurate summary of the views of an individual(s) found to have engaged in misconduct", and sanctions imposed by the institution. The institution shall make available the documentation substantiating the findings.

Sexual Harassment Policy

Policies and procedures, approved by the Faculty on December 5, 1990 and by the Board of Trustees on January 19, 1991, effective as of May 6, 1991. See accompanying Non-Discrimination Policy and Grievance Procedures. Policies and Procedures are also available in the *Student Handbook*, the *Faculty Handbook*, the *Support Staff Handbook*, and the *Administrative Staff Handbook*.

SEXUAL HARASSMENT POLICY¹

A healthy and productive educational community is one in which students, faculty, and all staff treat each other with mutual respect. Such a community requires an atmosphere free of discrimination on the basis of race, color, sex, national origin, religion, age, disability, marital status, sexual orientation, gender identity or expression, ancestry, or military service. Sexual harassment, a form of discrimination based on sex or sexual orientation, clearly endangers such an atmosphere and is not tolerated at Williams College. Behavior that constitutes sexual harassment is also prohibited by both state and federal law.

The College's definition of sexual harassment, which is based on the definition formulated by the federal Equal Employment Opportunity Commission and state legislation, is as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, instruction, or participation in other college activities, or
- (2) submission to or rejection of such conduct by an individual is used as a basis for making academic, employment, or personnel decisions affecting that individual, or
- (3) such conduct has the purpose or effect of unreasonably interfering with an individual's performance by creating an intimidating or hostile educational or working environment.

Sexual harassment breaches the trust that should exist among members of an educational community. Sexual harassment can have an impact on any member of the college community regardless of sex or sexual orientation. It can occur between people whether or not they are in a relationship where one has power over the other, or are of different sexes or gender identities. Victims can be anyone; students or members of the faculty or staff; superiors, subordinates, or peers. Sexual harassment can disturb the climate in classroom, residence, or workplace, and alter the course of one's education or career, presenting obstacles to the free and full development of an individual. It can, moreover, cause serious and lasting harm to an individual. The College is committed, therefore, to taking whatever action may be needed to prevent, correct, and, if necessary, discipline behavior that constitutes sexual harassment. Officers of the College and advisors who are conversant with the definitions of sexual harassment and the procedures the College uses to prevent and remedy discriminatory behavior are available to all members of the community for consultation.

The term sexual harassment covers a broad range of behavior. Examples of the forms it can take include sexually offensive remarks or conduct; repeated or persistent remarks, jokes, or other actions that are demeaning to one's sex, gender identity, gender expression, or sexual orientation; unwanted physical contact; requests or demands for sexual favors accompanied by implicitly or explicitly promised rewards or threatened punishment; attempted or completed physical sexual assault. Behavior that constitutes sexual harassment is actionable under the College's discrimination grievance procedures.

Sexual harassment may also be at issue in relationships that begin as consensual ones. Anyone in a position of institutional authority over other persons should be

sensitive to the potential for coercion in sexual relationships that also involve professional relationships. These problematic relationships may involve persons in a position of authority over their institutional subordinates (e.g., tenured faculty and non-tenured faculty; administrators and staff); or they may involve those who teach and counsel students. Sexual harassment, when it exploits the authority the institution gives to its faculty and staff, or otherwise compromises the boundary between personal and professional roles, is an abuse of the power the College entrusts to its faculty and staff. Anyone who willingly enters into a sexual relationship is, of course, in some measure personally responsible for the consequences of having done so. In cases, however, where a sexual relationship between a faculty member and a student, or a supervisor and a subordinate, occurs during a period of instructional or supervisory responsibility, the person in the position of authority will be held accountable, by virtue of his or her professional responsibility, should a claim of sexual harassment be lodged against him or her. The recommendations and requirements described in sections A and B below are designed to protect the integrity of the College's instructional, counseling, and supervisory responsibilities by separating sexual relationships from professional ones, where instruction or supervision is involved.

A. Potentially Coercive Relationships Between Students and Faculty or Staff

All faculty and many staff are potentially in a position of power with regard to students; hence, sexual relationships between employees and students are in almost all cases inappropriate. A sexual relationship between them, however, is altogether unacceptable, when a faculty or staff member actually does have teaching, evaluative, advising, or supervisory responsibilities for a student, even if the parties involved view the relation as consensual. Sexual relationships in the instructional context are likely to put claims of consent in question. It is often difficult for a student to be certain of the motives of a member of the faculty or staff. It is also difficult for a person in a position of authority to be certain that the student's consent is genuine, rather than motivated by an unspoken fear of the consequences of not consenting. In addition, a sexual relationship with a student for whom one has professional responsibilities may raise questions of unfair academic advantage or of unwarranted negative evaluation, which can adversely affect the educational environment for other students, as well as for the person directly involved. Should any of these questions arise, sexual discrimination is at issue.

To protect the integrity of the educational process, the College requires a faculty or staff member a) to refrain, except under unusual circumstances and with the permission of the appropriate executive officer, from taking on any teaching, evaluative, counseling, or supervisory roles involving a student with whom he or she has had a sexual relationship in the past. The College also requires a faculty or staff member b) to remove himself or herself from any teaching, evaluative, counseling, or supervisory role involving a student with whom he or she is currently having a sexual relationship, even if it is considered consensual. Since the absence of the faculty or staff member may deprive the student of educational, counseling, or career opportunities, both parties should be mindful of the potential costs to the student before entering into a sexual relationship. If they nonetheless choose to do so, and the faculty or staff member currently has professional responsibilities for the student, the parties involved should consult with either party's executive officer or department chair/director about how best to implement the removal, abiding by the administrator's decision. A faculty or staff person who does not abide by rules (a) and (b) is at substantial risk under College policy to complaints of coercion, or of preferential or prejudicial treatment. Should the complaint be found valid, the faculty or staff member will also be subject to disciplinary action.

B. Potentially Coercive Relationships Involving Faculty and/or Staff

A sexual relationship with a member of the faculty or staff for whom one has professional responsibilities may similarly put claims of consent into question or raise questions of unfair evaluation. To protect the integrity of the working relationships among employees, the College requires anyone in a position of authority a) to refrain from any supervisory, evaluative or counseling role involving a subordinate with whom he or she has had a sexual relationship in the past, unless the circumstances warrant a waiver. The College also requires a faculty or staff person b) to remove him or herself from any supervisory, evaluative, or counseling role involving a subordinate employee with whom he or she currently has a sexual relationship. The parties involved should consult with either party's executive officer or department chair/director concerning the need for a waiver or a removal. That person shall grant or deny the waiver or arrange for the removal, and the parties involved shall abide by the administrator's decision. A faculty or staff person who does not abide by rules (a) and (b) is at substantial risk under College policy to complaints of coercion, or of preferential or prejudicial treatment. Should the complaint be found valid, the faculty or staff member will also be subject to disciplinary action.

Williams College takes seriously any allegation of sexual harassment and will investigate all such charges promptly. In deciding whether alleged conduct constitutes sexual harassment, and in determining the degree of seriousness of the harassment, the College will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual conduct and the context in which the alleged incidents occurred. The College's actions, which are designed primarily to remedy any harm done to those who have been subjected to sexual harassment and to protect other members of the community, may range from a warning to suspension or expulsion, when the offender is a student. When the offender is a faculty or staff member, the disciplinary action may range from a reprimand to non-reappointment or the initiation of proceedings for dismissal for cause. They may also include warnings regarding the consequences of future misconduct, removal from certain teaching, advising, or supervisory roles, and other restrictions on the person's professional role at the College. Students and employees who believe they have been sexually harassed may use the discrimination grievance procedures in the Student Handbook, Faculty Handbook, Administrative Staff Handbook, and Support Staff Handbook. Questions of confidentiality are addressed in the discrimination grievance procedures.

C. Retaliation Prohibited

Persons who make complaints or bring charges of sexual harassment against another member of the College community may not be subjected to retaliation of any sort for having done so. Anyone who retaliates against another person in violation of this rule will be subject to disciplinary action through the established procedures of the College.

Footnotes for Sexual Harassment Policy

1 Nothing in this policy statement should be taken to supersede the College's commitment to academic freedom, which it hereby re-affirms. The College follows the American Association of University Professors' "1970 Interpretive Comments" of the "1940 Statement of Principles on Academic Freedom and Tenure, with 1970 Interpretive Comments," which state that "controversy is at the heart of ... free academic inquiry" but simultaneously "underscore the need for teachers to avoid persistently intruding material which has no relation to their subject" (AAUP Policy Documents and Reports, Ninth ed., 2001, p. 5).

2 The discrimination grievance procedures define the officers and advisors (see Advising Procedure, paragraph 1 and Informal Procedure, paragraph 1).

3 For the purposes of the discrimination grievance procedures, the executive officer for students is the Dean of the College; for faculty, the Dean of the Faculty; and for staff, the Vice-President for Finance and Administration.

4 The removal rule (b) applies also to students who have job supervision responsibilities for other students at the College. A student should not participate in any decisions that would confer direct employment benefits on or withhold them from a student with whom he or she has or has had a sexual relationship. Students to whom this may apply should consult with the department director, who will decide what sort of removal, if any, is required.

5 Failure to abide by rules (a) and (b) may also subject a faculty or staff member to charges of conflict of interest.

6 Failure to abide by rules (a) and (b) may also subject a faculty or staff member to charges of conflict of interest. It should be noted that a removal policy is also in place for family relationships (*Faculty Handbook*, II-P; *Administrative Staff Handbook*, Section IV; *Support Staff Handbook*, Section IV).

Student Business Regulations

The following regulations govern student businesses at Williams:

1. No Williams student may engage in the sale and distribution of goods or services to or solicitation of subscriptions from Williams students without the approval in writing from the office of the Dean of the College.

2. The word "College" must not appear as part of a business name on any advertising letterhead, piece of equipment, or product.

3. Dormitory room addresses, SU box numbers, or general delivery to the Campus Post Office cannot be used in any form of advertising, public notices, or for the delivery of any material. Student distribution charges are \$.07 each for 30 pieces and above. Students distributing mail for outside businesses are charged \$.18 each piece. The Campus Post Office will contact the sender and the Dean's Office prior to distributing mailings with questionable content. Mailings may also be delayed due to current workloads. Three days notice should be given to the Campus Post Office to ensure the timeliness of delivery of business advertisements.

4. A financial report must be submitted to the Dean's Office at the end of each year's operation.

5. Business permits must be renewed annually at the Dean's Office.

6. Inasmuch as the College does not charge a fee for business permits, the practice of "selling" or "auctioning off" the "right" to operate a business is prohibited. Violation will lead to permanent revocation of permission to operate on the campus.

7. Vending machines on the campus are under the control and supervision of the College. Operation of such equipment by students is prohibited.

8. Outside companies or organizations wishing to operate on the campus must do so through a recognized student business.

9. Conflicts:

a) When there are multiple requests to operate businesses within a single field, the office of the Dean of the College will determine the maximum number of student agents allowed to operate.

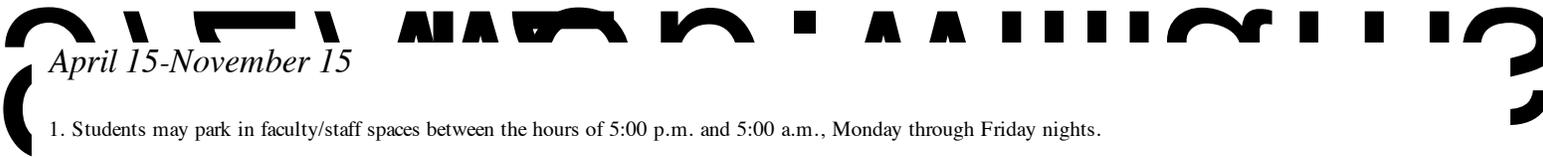
b) When student businesses come into conflict with the activities or services of student organizations recognized by the College Council, the office of the Dean will refer the applications of proposed businesses to the College Council. Upon reviewing the case of the applicant and the case of the organization with which the applicant is in conflict, the College Council will assist the Dean in deciding whether the proposed business should or should not operate.

10. The office of the Dean of the College and the Committee on Undergraduate Life may review at any time the operation of any student business and may revoke its permission to operate on the campus.

Vehicle Parking Regulations

Motor Vehicle Parking Regulations

Each vehicle registered with the College (including motorcycles and mopeds) is assigned a space in a student parking lot; students should park in their assigned lots only. Exceptions are that:



April 15-November 15

1. Students may park in faculty/staff spaces between the hours of 5:00 p.m. and 5:00 a.m., Monday through Friday nights.
2. Students may park in faculty/staff spaces between the hours of 9:00 a.m. and 5:00 a.m. on Saturday and Sunday, except Lawrence Hall Drive where students may park between the hours of 6:00 p.m. and 5:00 a.m., seven days a week.
3. Students may park in the lot between B&G and the Towne Field House as early as 3:30 p.m. on weekdays and 9:00 a.m. on weekends. No overnight parking is allowed. All vehicles must be removed prior to the 5:00 a.m. deadline.

November 16-April 14

1. Students may park in faculty/staff spaces between the hours of 5:00 p.m. and 2:00 a.m., Monday through Friday nights.
2. Students may park in faculty/staff spaces between the hours of 9:00 a.m. and 2:00 a.m. on Saturday and Sunday, except Lawrence Hall Drive where students may park between the hours of 6:00 p.m. and 2:00 a.m., seven days a week.
3. Students may park in the lot between B&G and the Towne Field House as early as 3:30 p.m. on weekdays and 9:00 a.m. on weekends. No overnight parking is allowed. All vehicles must be removed prior to the 2:00 a.m. deadline.

Off campus and commuting students will be assigned to St. Patrick's Church lot at the rear of the church on Southworth Street. There is no overnight or weekend parking in St. Patrick's lot.

All vehicles left on campus during spring break must be parked in the Mission Park lot so as to facilitate the sweeping of all paved areas. Students failing to move their vehicle to the Mission Park lot for spring break will be ticketed for parking in a restricted area and will be towed.

Further information about parking rules and regulations will be provided by the Campus Safety and Security Office at the time students register vehicles.

Penalties

All rules are strictly enforced. A total of two warnings per year apply only to tickets issued for A-D violations.

- A) Parking in restricted area \$50.00
- B) Unregistered/Failure to display decal \$50.00
- C) Overtime \$50.00
- D) Parking in grass \$50.00
- E) Parking in handicap \$101.00 no warning
- F) Parking in fire lane \$101.00 no warning
- G) Unsafe Operation \$101.00 no warning
- H) Boot/immobilizer fee \$201.00 no warning
- I) Suspension \$201.00 no warning

G violations include: 1) one way/wrong way violation, 2) failure to stop or yield at a marked intersection, 3) excessive speed.

An immobilizing device may be placed on unregistered or unidentified vehicles found repeatedly parked illegally on campus. It will be necessary for the person responsible for the vehicle to report to Campus Safety and Security before the apparatus is removed. There will be a \$201.00 fee assessed to remove the boot and the total fine must be paid in full or placed in a term bill.

Repeated offenses beyond the tenth are \$201.00 each and may result in towing and/or disciplinary action. The suspension issued on the tenth ticket will be for the remainder of the current academic year. However, if a student receives five suspended tickets the suspension will be extended to the next academic year.

Tickets will be placed on vehicles that are illegally parked or in violation of a rule or regulation. All unpaid violations will be placed on a term bill for payment.

