

Division of Inclusion and Equity
www.gvsu.edu/inclusion

CASE STUDY EXERCISE

Case Study #1: Connie

Connie has Autism Spectrum Disorder (ASD) and disclosed her disability to you in detail through a memo from the Disability Support Resources (DSR) office. As a faculty member, you recognize that Connie is very intelligent. From conversations you have had with Connie, you have discovered she has outside interests in gaming and Anime cartoons. You learn that she has joined a couple of student organizations associated with these interests.

Connie calls and emails you every day with questions or comments about things related to your class. She frequently raises her hand during your lectures to ask relevant questions. Whenever you are in your office or holding drop-in appointments, she is waiting for you.

Questions for discussion:

- What is the issue?
 - How would you handle this situation?
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Case Study #2: Pete

Pete has an allergy to peanuts and products made with peanuts. Because his allergy has progressed into an airborne allergy, he is requesting no peanuts or products made from peanuts be allowed in his dorm room or in any of his classrooms.

Questions for discussion:

- What is the issue?
 - How would you handle the situation?
-

Case Study #3: Dawn

Dawn has epilepsy that is not controlled despite medication. Dawn advises the university that it is likely that she will often have seizures in and outside of the classroom as well as in her dorm room. She does not want you to call for an ambulance if she has a seizure.

Questions for discussion:

- What is the issue?
- How would you handle the situation?

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Case Study #4: David and Jamal

As a teaching aid on power and privilege, a psychology professor shows a video on how racial stereotypes can impact everyday interactions. In the video, two young men, David (white) and Jamal (Black/African American) were shown doing the ordinary activities of a person new to city. The class witnessed major differences in how they were treated. The video depicted discriminatory attitudes and behaviors towards Jamal in his interactions with perspective employers, landlords, and service providers.

At the end of the video, the students shared their reactions to what they had seen. The students of color in the class indicated that they were not surprised by what was shown, while one white student disagreed. He expressed that he thought that the discrepancies in how David and Jamal were treated in the video were an exaggeration, and he did not believe that those discrepancies were typical of everyday interactions. He thought that racism was pretty much a thing of the past. After hearing this, a few of the other white students began to try and distance themselves from the comments, calling them “wrong thinking” and “stereotypical” while others quietly agreed with the young man’s statements. Meanwhile, African American and Latino students seemed to become more and more agitated by these comments. A few eventually joined the Asian students in their silence. Others remained very vocal about what they felt were racist comments.

Questions for discussion:

- What would you do to address the situation in a way that would encourage dialogue rather than conflict?
- Given the situation, how would you go about making every student feel valued and safe in the classroom?

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Case Study #5: Flora

Flora is a professor in the Biology Department. She is quite popular with her students and accepts Facebook friend requests from them. She accepted a friend request from her student, Derek. They started to message one another and felt a common attraction toward each other. A few weeks into the term, they begin dating each other.

Although Flora and Derek were discrete, students and other faculty members became suspicious of their relationship. However, Flora did not disclose this relationship to her Unit Head because she feels that she and Derek are adults, and her personal life is no one else's business.

Some students complained that Flora has given preferential treatment to Derek, even though Flora graded him fairly. Derek is planning on applying to graduate school and asked Flora to write a letter of recommendation.

Questions for discussion:

- Should Flora disclose her relationship with Derek to her Unit Head? Why or why not?
- What are some issues that can arise because of Flora and Derek's relationship?
- Should Flora write Derek's letter of recommendation?

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Case Study #6: Anna

During office hours, your student, Anna, comes into your office to ask questions about a lecture. As you are speaking, you notice that Anna seems distracted. Anna pauses and then mentions a need to confide in you, but that you have to promise not to tell anyone else what is said.

Before you can commit to confidentiality, Anna tells you that “something happened” over the weekend, while studying for a midterm examination with Riley, a classmate. They were in Anna’s room in an on-campus apartment. Anna stated that they studied for a couple of hours and then decided to take a break by watching a movie on Netflix. They sat on Anna’s bed as they watched the movie.

Anna tells you that about a half-hour into the movie, Riley leaned over to kiss her. She kissed Riley back and they begin to “make out.” During this time, Riley puts her hand down Anna’s pants and starts to penetrate her vagina. She pulls her hand away, but continues to kiss Riley. A few minutes later, Riley again tries to touch her vagina. Again, Anna pulls her hand away telling Riley that things are moving too fast. Riley tells her “It’s okay,” then puts her hand inside Anna’s pants again and penetrates her vagina. Anna tells you that it wasn’t consensual, but didn’t “fight back” either.

Questions for Discussion:

- Did Riley sexually assault Anna under GVSU’s Interim Sexual Misconduct Policy?
- Did Riley have Anna’s consent the third time she touched her vagina?
- What resources are available for Anna?
- Can you offer Anna confidentiality?
- Should this incident be reported, and, if so, who should you report this incident to?
- Using the Sexual Misconduct Policy, does it appear that this incident may be a policy violation?

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Case Study #7: Matt and Rosh

You pass out your syllabus on the first day of class. One of your students, Matt, approaches you after class and states that your midterm examination falls on Diwali, a Hindu holiday, and requests that you allow him to take the examination on another day.

As part of your class, you periodically give pop quizzes. One of your students, Sarah, is absent from class because it falls on Rosh Hashanah and misses the quiz. Upon her return, she asks that she be allowed to take the quiz, but you wonder if that's fair considering that she found out about the quiz, removing the element of surprise.

Questions for Discussion:

- How should you respond to Matt's request to take his examination on another date?
- Should you allow Sarah to make up her quiz? If so, what type of make-up is appropriate?
- How can faculty members avoid scheduling conflicts with religious holidays?

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Case #8: Belinda

Belinda, an undergraduate student worker in your department comes to you in distress after returning from a visit home for Thanksgiving. She is preparing for finals but finding it difficult to concentrate – she has been feeling very upset, unable to eat, and isn't sleeping regularly. After consoling the student briefly, she comes out to you as a lesbian. She told her parents she had a girlfriend over Thanksgiving break. It didn't go so well. Her mom said she would not be allowed back into their home until "she was over this phase." You are the first person she has told on campus.

Questions for Discussion:

- How do you respond?
 - What resources are available to support Belinda on campus?
 - What resources are available to support you in developing a deeper understanding of diversity related to sexual orientation?
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Case #9: Sally

One of your students, Sally, a transgender woman, approaches you after having met with a group you assigned for a major research project. She complains that a student in her group continues to call her by her dead name (a name she no longer uses) and refers to her using he/him/his pronouns even though she has asked him several times to use her correct name and pronouns.

Questions for Discussion:

- How do you address Sally's complaint?
- How do you intervene in this situation?
- What resources are available to support Sally on campus?
- What resources are available to support you in developing a deeper understanding of diversity related to gender identity?
- What policy might help you address this question?

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Case Study #10: Michael

You are alone in your office, grading papers that were submitted by students the week before. You notice that one of your students, Michael, made several references to suicide throughout his paper, noting at the end, “One might ask whether life is worth living at all”. Two weeks ago, Michael shared with you that he experienced a bias incident on account of his LGBTQ identity. You’ve also noticed that Michael has been more withdrawn in class than usual.

Michael’s paper has left you feeling uneasy. His class with you is in two hours. You are unsure whether you need to address this with him and, if so, how to do it.

Questions for Discussion:

- Is there cause for concern?
- If you determine that action is necessary, would you approach Michael directly? If so, when and how? If not, what would you do?
- What if Michael does not come to class later that day?
- What are legal/ethical considerations under HIPAA, FERPA, etc.?
- What resources are available to Michael? What resources are available to you?

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Case Study #11: Robert and Tom

Robert is a new faculty member in the Psychology Department. He has been at the University for less than one year. Tom is also a Psychology faculty member who has been here for over twenty years. As a fellow Psychology faculty member, you witness Tom treating Robert disrespectfully on several occasions. For example, when Robert speaks you see Tom roll his eyes, make comments such as, “what a dummy” and refer to Robert’s research as “flaky new age Psychology.”

Since you and Robert are cordial, he sends you an email stating that he is “at the end of his rope,” and asks you what he should do about Tom’s behavior.

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Questions for discussion:

- What is the issue?
- How would you handle this situation?

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Case Study #12: Mikel and Peter

Mikel and Peter

Working in pairs, Mikel (African American) and Peter (White) were assigned a project entitled “Thinking About Crime” that involved developing, and presenting to the class on why people break the law, and the events and processes that shaped these views.

Five minutes before the end of class, Mikel suggested to Peter that when thinking about crime, it would also be important to mention racial profiling and its impact on how people of color who are suspected of criminal activity are treated within the criminal justice system, including instances of police brutality and death that do not happen in similar situations with suspects who are white. Peter responded saying “everything isn’t about race, and Black on Black crime is the real problem. If Black people would stop killing themselves and cops, we would see real change.” Peter told Mikel that he believed that innocent people have nothing to worry about, and that the police only get involved when there are legitimate reasons. Peter and Mikel begin to argue further, until Peter yells “stop making everything about race Mikel!” The professor hears this and tells the two students to quiet down. They continue and the professor dismisses the class but asks Mikel and Peter to remain; warning that if Peter and Mikel cannot be civil they will receive a failing grade for the assignment. Mikel goes quiet. Peter requests another partner because he “does not want to enable Mikel’s race baiting behavior”.

Questions for discussion:

- How do you feel about the Professor’s response to what happened?
- What are some other ways this situation could have been resolved?
- How does identity impact the events of the case, and the varied perspectives involved?
- What would you do in this situation?

Civil Discourse Resources

GVSU Context for free speech

<https://www.gvsu.edu/bias/>

GVSU Student Code 3.12 Disruptions

<http://www.gvsu.edu/studentcode/312-disruptions-21.htm>

University of Minnesota Free Speech Statement

http://usenate.umn.edu/usenate/docs/160505free_speech_core_principles.pdf

ACLU Michigan Key Issues/Free Speech

<http://www.aclumich.org/key-issues/free-speech>

CUNY Policy on Expressive Conduct

<http://psc-cuny.org/sites/default/files/Expressive%20Conduct.pdf>

CUNY Statement of Support for the Policy on Expressive Conduct

http://www1.cuny.edu/mu/vc_la/2016/06/13/statement-in-support-of-policy-on-freedom-of-expression-and-expressive-conduct/



Collegiality Policy

Approved By:	President's Cabinet
Date of Last Revision:	June 6, 2014
Responsible Office/Department:	Provost Office

Policy Statement

Grand Valley State University has a tradition of collegiality and shared governance and strives to maintain these standards as a mainstay of its institutional culture. As a value stated in the [University's Administrative Manual](#) as adopted by the Board of Trustees:

A range of thoughtful perspectives is necessary for open inquiry, liberal education, and a healthy community. Recognizing this, we seek and welcome a diverse group of students, faculty and staff. We value a multiplicity of opinions and backgrounds and seek ways to incorporate the voices and experiences of all into our University. We value our local community and embrace the participation of individuals and groups from Michigan, the nation and the world. We also encourage participation in educational opportunities abroad.

In order to foster a healthy and diverse environment, we will act with integrity, communicate respectfully, and accept responsibility for our words and actions. This University is a community whose varied functions, responsibilities, and contributions are supportive of the instructional, research, and service mission of the institution. Collegial interactions as referenced throughout this policy are those interactions that occur among and between colleagues, subordinates, supervisors, administrators and students. Collegial interactions are essential to support that mission in an effective, efficient, and ethical manner.

"Collegiality" defined:

Collegiality represents an expectation of a professional relationship among and between faculty, staff, and students with a commitment to sustaining a positive and productive environment as critical for the progress and success of the University community. It consists of collaboration and a shared decision-making process that incorporates mutual respect for similarities and for differences - in background, expertise, judgments, and points of views, in addition to mutual trust. Central to collegiality is the expectation that members of the University community will be individually accountable to conduct themselves in a manner that contributes to the University's academic mission and high reputation. Collegiality among faculty, staff, and students involves a similar professional expectation concerning constructive cooperation, civility in discourse, and engagement in academic and administrative tasks within the respective units and in relation to the institutional life of the University as a whole. Collegiality is not necessarily congeniality nor

is it conformity nor excessive deference to the judgments of faculty, staff, and students; these are flatly oppositional to the free and open development of ideas. Evidence of collegiality is demonstrated by the protection of academic freedom, the capacity of faculty, staff, and students to carry out their professional and learning functions without obstruction, and the ability of a community of scholars to thrive in a vigorous and collaborative intellectual climate.

Non-collegial Behavior(s):

Allegations or complaints of repeated and unreasonable activity, or a severe non-collegial act, that clearly interferes with the professional working, learning, or other University environment, if verified, will constitute a violation of this policy. Such allegations will be examined in a reasonable, objective, and expedient manner, and in accordance with applicable federal and state laws and university due process procedures. It is crucial for the University to ensure the right of all faculty, staff, and students to perform their individual and collaborative roles in a workplace, learning or other University environment that is free from incivility, misuse of authority, intimidation, humiliation, retaliation, and infringement upon personal and academic freedoms. Non-collegial behaviors constitute bullying.

Procedures

FACULTY AND STAFF MEMBER

If a faculty or staff member believes that she or he has been subjected to act(s) of non-collegiality, ideally, the individual should first try to discuss the matter with the offending person and/or the appropriate unit head or supervisor. If circumstances make this too difficult or if this does not resolve the matter, the faculty or staff member may seek assistance from the Work Life Consultant in Human Resources. In addition to providing help in resolving the matter, the Work Life Consultant can suggest other available resources. If using this process does not resolve the matter or the faculty or staff member so chooses, she or he may file a complaint using the appropriate Complaint Process identified for each staff group as listed below.

Complaint Process:

Faculty members – Chapter 4, Section 2.18 of the Faculty Handbook

Executive, Administrative and Professional Staff – Chapter 4, Section 7 of the Administrative Manual

Professional Support Staff – Section 3.2.4 of the Agreement

Confidential Professional Support Staff – Section 9 of the Confidential PSS Handbook

Maintenance, Grounds and Service Staff – Section 5.2 of the Agreement

Department of Public Safety Staff – Section 5.2 of the Agreement

Security Staff – Personnel Policies in the Security Staff Handbook

STUDENT

If a student believes that she or he has been subjected to act(s) of non-collegiality, ideally, the individual should first try to discuss the matter with the offending person. If circumstances make this too difficult or if this does not resolve the matter, the student may seek assistance from the

Dean of Students Office. In addition to providing help in resolving the matter, the Dean of Students Office representative can suggest other available resources. If using this process does not resolve the matter or the student so chooses, she or he may file a complaint using the appropriate process in the Student Code.

NOTE: The GVSU Collegiality Policy was modeled after policy from Northern Illinois University (www.niu.edu)



Consensual Relationship Policy

Approved By:	President's Cabinet
Date of Last Revision:	November 19, 2012
Responsible Office/Department:	Division of Inclusion and Equity/ Office of Affirmative Action

Policy Statement

Possessing and mastering a range of thoughtful perspectives is necessary for open inquiry, a liberal education, and a healthy community. Recognizing this, the University seeks to include, engage, and support a diverse group of students, faculty, and staff. The institution values a multiplicity of opinions and backgrounds, and is dedicated to incorporating multiple voices and experiences into every aspect of its operations. We are committed to building institutional capacity and strengthening our liberal education through providing an inclusive environment for all of our University constituents.

Article I. Purpose

The University's goals are to maintain a positive work environment and a climate conducive to learning for students. The unequal institutional power inherent in academic and work relationships may heighten the vulnerability of those in subordinate positions. Accordingly, individuals holding positions of authority at the University must be aware of and sensitive to the potential conflict of interest, ethical concerns, and issues of sexual harassment that may occur in consensual relationships. Specifically, the parties to a consensual relationship must be aware that such relationships can create in co-workers and students perceived and real conflicts of interest. These relationships also create an environment of fear of unfair treatment in terms of promotions, grades, professional and/or educational opportunities, etc. This Policy outlines expectations for institutional and individual conduct that apply to all University faculty and staff members and students.

Article II. Consensual Relationships

Consensual romantic and sexual relationships between faculty and their students or between supervisors and their subordinates are inappropriate. Individuals should be aware that these relationships may create a perception of favoritism while the relationships continue. These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change and the conduct that was previously welcome may become unwelcome. If a sexual harassment complaint is subsequently filed, the argument that the relationship was consensual will be evaluated in light of the power differential

in determining whether the University's Anti-Harassment Policy has been violated. Under these circumstances, it will be extremely difficult to use mutual consent as a defense.

Consensual Romantic or Sexual Relationships between Faculty/Staff and Students. A faculty or staff member who has educational, supervisory, evaluation, advising, coaching, or counseling responsibilities for students shall not assume or maintain those responsibilities for a student with whom the faculty or staff member has engaged in romantic or sexual relations, even if such relations were consensual. Whether such romantic or sexual relationships predate the assumption of educational, supervisory, evaluation, advising, coaching, or counseling responsibility for the student, or arise out of the educational relationship, the faculty or staff member shall immediately disclose the romantic or sexual relationship to his or her Unit Head or supervisor, who shall promptly arrange alternate oversight of the student.

Consensual Romantic or Sexual Relationships between Supervisors and Subordinates. If a romantic or sexual relationship exists or develops between a supervisor, manager, or administrator and an employee for whom he or she has professional responsibility, the individuals involved in the relationship must promptly consult the next highest level of supervision (e.g., a supervisor, department head, Vice President, Dean) to determine whether arrangements can be made to eliminate all conflicts of interest. If such arrangements can be made that do not disadvantage the subordinate and are acceptable to the supervisor, manager, or administrator, they must be documented, and ensure that the supervisor does not hire, supervise, advise, evaluate, or otherwise directly influence the subordinate's employment. Relationships between supervisors, managers, or administrators and their subordinates are prohibited when the working relationship is such that it is not possible to eliminate the conflicts of interest. Students employed by the University who supervise other student employees are covered by this section.

Consensual romantic or sexual relationships between students. Complaints concerning relationships between students are governed by the GVSU Student Code.

Article III. Disciplinary Actions

Disciplinary action will be taken against faculty or staff members who violate this Policy, either by entering into or engaging in a sexual relationship with a student or subordinate for whom he or she has educational, supervisory, evaluation, advisory, coaching, or counseling responsibilities or by failing to report such relationship or failing to cooperate in making alternative arrangements.

Article IV. Confidentiality

Confidentiality of the disclosure of consensual romantic or sexual relationships will be observed to the extent permitted by law and that is consistent with protecting the welfare of faculty, staff, and students and the interests of the University.



DISABILITY ACCOMMODATION POLICY FOR FACULTY AND STAFF

Approved By:

President's Cabinet

Date of Last Revision:

September 16, 2013

Responsible Office/Department:

Inclusion & Equity Division

Policy Statement

Grand Valley State University is committed to the fundamental academic principles of equity and accessibility by providing all faculty, staff and students with access to the University's programs, services, events and activities. The aim of this policy is to support an inclusive academic environment by incorporating design concepts that reduce or remove barriers.

University faculty or staff members who are persons with a disability are not required to identify themselves as persons with a disability or to request an accommodation. However, the University cannot accommodate an individual who does not inform the University about his/her disability and his/her need for an accommodation.

A faculty or staff member seeking an accommodation must request it by submitting their request to the Disability Support Resources Office following its procedures.

Procedures

The Disability Support Resources Accommodation Process

To request an accommodation, a University faculty or staff member must:

- A. Self-identify as a person with a disability by application to the Disability Support Resources office (DSR). It should be noted that The University conducts a survey of faculty and staff for statistical purposes and this does not constitute a method of self-identification consistent with this policy. If a faculty or staff member requests an accommodation, the supervisor/unit administrator should refer the faculty or staff member to the DSR or its web site at <http://www.gvsu.edu/dsr/>
- B. Provide documentation of the disability; and
- C. Indicate in the application to the Disability Support Resources office, his/her need for accommodation and provide supporting medical documentation from an appropriate professional, if requested by the Disability Support Resources office. The medical professional must have first-hand knowledge of the condition and a familiarity with the physical, emotional and cognitive demands of the disability.

Once an application has been submitted to the DSR, a DSR advisor will review the application and may contact the faculty or staff member who submitted the application. The advisor will contact the supervisor/unit administrator and discuss whether an accommodation is warranted, explore possible accommodations, and assess the effectiveness each would have in enabling the faculty or staff member to perform his/her job including the following:

- A. The essential job functions of the position. The essential functions are the fundamental job duties of the employment position at issue. To be qualified for a position, an individual must be able to perform the essential functions of the job, with or without a reasonable accommodation.
- B. The faculty or staff member's ability to perform essential job functions with or without a reasonable accommodation; and,
- C. Possible types of reasonable accommodations, if any are needed.

Reasonable accommodations vary depending on the circumstances of each case. In evaluating alternatives for accommodation, the preferences of the individual are considered, but the ultimate decision regarding what type of accommodation, if any, will be provided is made by the University. Nothing in this document shall be construed to waive the University's right to contest whether a faculty or staff member is disabled or is entitled to an accommodation.

Medical documentation, as well as other related materials, will be maintained at DSR. Such documentation is kept confidential, except as necessary to administer the accommodation process or otherwise permitted by law. Such documentation may be shared only with those individuals involved in the accommodation process on an as needed basis.

During the accommodation request process, DSR may:

- A. Request additional documentation;
- B. Consult with Human Resource Office;
- C. Evaluate whether any accommodation is needed and, if it is, whether an accommodation is reasonable and should be made (this evaluation may include preparing cost estimates);
- D. Assess various accommodations;
- E. Identify alternative accommodations or solutions;
- F. Provide information from resources about the capabilities of persons with similar disabilities and the tools/techniques they use;
- G. Determine a reasonable accommodation, if appropriate;
- H. Provide a written determination to the department/unit and faculty or staff member;
- I. Explain the department/unit's responsibility to fund an accepted accommodation or seek alternative funding, if needed;

DSR makes a determination regarding implementation of accommodations. DSR will consider each request for reasonable accommodation and determine: (1) whether the accommodation is needed, (2) if needed, whether the accommodation would be effective, and (3) if effective, whether providing the reasonable accommodation would impose an undue hardship.

Appeals

If a faculty or staff member or supervisor/unit administrator disagrees with the DSR determination, the decision may be appealed to the Vice President of Inclusion and Equity, in writing to:

Vice President of Inclusion and Equity
4035 James H. Zumberge Hall
Allendale, MI 49401
Office number: (616) 331-3296

Retaliation

Retaliation against a faculty or staff member who requests an accommodation is prohibited. Individuals who feel that they have experienced retaliation may contact the Division of Inclusion and Equity

Refer Questions to:

Disability Support Resources
4015 James H. Zumberge Hall
Allendale, MI 49401
616/331-2490
616/355-3270 (TDD)
616/331-3880 (Fax)
Website: www.gvsu.edu/dsr



Bias Incident Reporting Process

Grand Valley State University strives to create an inclusive and equitable campus community where people are treated with dignity and respect. In this community people share thoughts freely, learn from each other, and demonstrate mutual respect and caring for one another despite differences in thinking.

If anyone in the Grand Valley community feels belittled, disrespected, or isolated based on their identity, there is a mechanism to report the incident (see below). The university is committed to safeguarding individual's constitutional rights to free speech and assembly and we are also committed to addressing incidents of bias that may negatively affect individuals and/or communities at the university.

Grand Valley facilitates educational dialogue to ensure that individuals understand both their right to free expression within the community and the impact of their expression on individuals and/or the community. Any time an incident is reported, the reporting party will be contacted and informed about support resources available to them at the university. If behavior appears to be a violation of university policy and/or the law, the reporting party will be informed about additional ways the incident may be addressed.

Reporting Bias Incidents

If you have observed or experienced a bias incident, please report it through any of the following ways:

Online: <http://www.gvsu.edu/bias/report>

(If you wish to remain anonymous, please use the online reporting option)

By Phone: Dean of Students Office (616.331.3585)

In Person: Dean of Students Office, 202 STU or Inclusion and Equity, 4035 JHZ



Religious Inclusion Policy

Approved By:	President's Cabinet
Date of Last Revision:	November 19, 2012
Responsible Office/Department:	Division of Inclusion and Equity/Office of Affirmative Action

Policy Statement

Possessing and mastering a range of thoughtful perspectives is necessary for open inquiry, a liberal education, and a healthy community. Recognizing this, the University seeks to include, engage, and support a diverse group of students, faculty, and staff. The institution values a multiplicity of opinions and backgrounds, and is dedicated to incorporating multiple voices and experiences into every aspect of its operations. We are committed to building institutional capacity and strengthening our liberal education through providing an inclusive environment for all of our University constituents.

Purpose

Many University students, staff, and faculty observe religious traditions from a variety of religions. This Religious Inclusion Policy ("Policy") acknowledges the right of students, staff, and faculty to engage in religious observances. The University is committed to accommodate the exercise of that right.

The University acknowledges that conflicts in scheduling mandatory academic requirements and employment obligations with religious observances are inevitable. Although the University does not observe religious holidays, it recognizes that there are a number of religious holidays that affect significant numbers of our students, staff, and faculty. This Policy is intended to provide clarity to students, staff, and faculty who seek accommodation to practice their faith.

Procedures

Accommodations

Grand Valley State University will make a reasonable effort to allow its students, staff, or faculty to be away from work or a class to observe their religious beliefs, except where accommodating the request would result in undue hardship on the University in its mission, operation or in meeting its academic standards. The University provides quiet areas for student, staff, and faculty reflection, meditation, and prayer. A list of these quiet areas may be found on the Inclusion and Equity webpage.

Faculty should be sensitive to the observance of religious holidays so that students who miss classes to practice their faith are not disadvantaged. A list of religious holidays is found on the

Inclusion and Equity website. Please note that this list is meant to be inclusive of most major religious traditions (although certainly not comprehensive), and that religious holidays have no official status at the University.

Faculty should make every effort to avoid scheduling examinations or assigning work that is due on religious holidays. Some religious holidays begin at sundown on the evening before the published date of the holiday. Consequently, faculty should avoid scheduling late afternoon exams on these days.

Faculty shall not penalize any student who has properly notified the faculty member by complying with the Request Accommodation Procedure for his/her absence in classes, examination, or assignments. Faculty should accept a student's claim of a scheduling conflict on religious grounds at face value. If class attendance is required by the faculty member, classes missed to observe a religious holiday may not be counted as an absence.

Faculty must provide a reasonable opportunity for such a student to make up missed assignments and examinations within a reasonable time period before or after the student's absence, provided the student has properly notified the faculty member by submitting a Request Accommodation Form. Faculty must give the student the opportunity to do appropriate make-up work that is no more difficult or time-consuming than the original exam or assignment.

Nothing in this Policy, however, exempts a student from meeting course requirements or completing assignments. The faculty member may respond appropriately if the student fails to satisfactorily complete the make-up assignment or examination.

Further, when scheduling university events and activities, such as Family Weekend, Commencement, Convocation, and University sponsored conferences, planners should consult the list of religious holidays on the Inclusion and Equity website before selecting the date and time to ensure inclusiveness.

Religious Accommodation Procedure

All requests for accommodation for religious observance should be made in the following manner:

Students: Faculty should inform students of all examination dates and assignment deadlines at the start of each semester in the class syllabus. If a conflict with a religious observance exists, students must request a religious accommodation from their faculty within the first two weeks of each semester or as soon as reasonably possible after the instructor announces a particular mandatory class, examination, or assignment so that alternative arrangements can be made for any class, examinations, or assignments missed. If an accommodation is needed within the first two weeks of the semester, the student must provide the faculty member with reasonable advance notice of the need for accommodation. Requests for accommodation must be made through a Religious Accommodation Form, which may be found at the Dean of Students Office, the Office of Affirmative Action or under "Forms" at www.gvsu.edu/inclusion. It is the student's responsibility to provide faculty with reasonable notice of the need for accommodation and the timing of the notice may be taken into account in determining whether granting the request would create an undue hardship.

The faculty member and the student should discuss and agree upon what would constitute a reasonable accommodation in each given case. If the student and faculty member agree upon an accommodation, the accommodation must be carried out and disclosed on the Religious Accommodation Form. The completed Religious Accommodation Form shall be filed by the faculty member in the Dean of Students Office.

If the student and faculty member cannot agree on an accommodation, either party may bring the matter to the Unit Head to determine the accommodation. Either party may appeal the Unit Head's decision to the Dean, who will make a final binding decision.

Where a student has obligations to a placement site (e.g. internships), that student must also work out arrangements with the placement site to make up for missed responsibilities or duties.

Staff: The use of vacation and personal leave is governed by the staff member's respective Administrative Manual, Staff Handbook, or Collective Bargaining Agreement. Vacation days requested for the express purpose of religious observance will not be unreasonably denied by the staff member's supervisor if the staff member has accrued vacation leave or is eligible for personal leave and the granting of leave or vacation time will not result in undue hardship for GVSU.

Faculty: The use of vacation and personal leave is governed by the Faculty Handbook. Requests by a faculty member for leave for religious accommodation, however, shall be considered under this Policy if the faculty member has made arrangements for any missed classes and the granting of the leave will not result in undue hardship for GVSU. Faculty that miss class time due to a religious observance must make alternate arrangements for that time with his or her Unit Head. If the Unit Head denies the request, the faculty member may appeal to the Dean, who will have final decision authority over the request.

Nothing in this Policy exempts a GVSU faculty or staff member from fulfilling their job responsibilities.

Confidentiality

Although discretion will be exercised, a guarantee of confidentiality or anonymity cannot be made because the determination of a reasonable religious accommodation will involve discussions with other parties. Information about the request for religious accommodation will be revealed only as the deliberation process requires. Discretion will be observed to the extent permitted by law and that is consistent with protecting the welfare of the students, staff, and faculty and the interests of the University.

Retaliation

Any attempt to retaliate against an individual who files a religious accommodation request or otherwise utilizes this Policy is prohibited.



SEXUAL MISCONDUCT POLICY, INCLUDING: SEXUAL ASSAULT, SEXUAL EXPLOITATION, INTIMATE PARTNER VIOLENCE (DOMESTIC VIOLENCE OR DATING VIOLENCE), STALKING, AND RETALIATION

Approved by:	President's Cabinet
Date of Last Revision:	March 31, 2016
Responsible Office/Department:	Division of Inclusion and Equity

I. Policy Statement

Sexual Misconduct is any conduct that is considered sexual assault, dating violence, domestic violence, stalking and sexual exploitation as those terms are defined by this policy. Sexual Misconduct is prohibited conduct at the University. No employee, student or other person at the University shall engage in Sexual Misconduct. The University will take prompt and effective steps to end Sexual Misconduct, eliminate any hostile environment caused by Sexual Misconduct, prevent its recurrence, and remedy the discriminatory effects on the victim and others as appropriate.

This policy and related procedures for addressing complaints of Sexual Misconduct apply to all University programs and activities, including those conducted off-campus. Where relevant, if the off-campus Sexual Misconduct did not occur in the context of a University program or activity, the University will consider the effects of such off-campus Sexual Misconduct when evaluating whether it otherwise creates a hostile environment on campus or in an off-campus education program or activity.

II. Reporting, Procedures & Notifications

- 1) **Reporting:** Reports of Sexual Misconduct should be made immediately to the [Title IX Office](#) and can also be filed [online](#). Under Title IX, most University employees are considered "Responsible Employees" meaning they are required to report to the Title IX Office incidents of Sexual Misconduct that they observe or about which they learn. Professional counselors at the University who provide mental-health counseling are not considered "Responsible Employees" and, therefore, are not required to report any incident of Sexual Misconduct. Other resources are also available: see the following [link](#). Any inquiry concerning the application of Title IX may be referred to the Title IX Coordinator or to the [U.S. Department of Education Office of Civil Rights](#).
- 2) **Procedures:** [Procedures](#) for responding to reports of Sexual Misconduct are maintained by the Division of Inclusion and Equity. Procedures will be reviewed on an annual basis for proposed revision to be normally implemented the

following academic year. Revisions to procedures are approved by the Vice President of Inclusion and Equity, in consultation with the President's Cabinet. The University community (students and employees) will also be broadly consulted and periodically surveyed to obtain input on revisions.

- 3) **Notification:** The University community will be notified, annually, of this policy and any revisions, inquiry contact information, and available resources and provided regular training regarding this policy as well as education related to the prevention and awareness of and response to Sexual Misconduct.

III. Definitions

- 1) **Sexual Assault** is an offense that meets the definition of rape, fondling, incest, or statutory rape, as defined in the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) program, as having or attempting to have sexual intercourse or sexual contact with another individual by force or threat of force; without affirmative consent; or where the person is incapacitated.
- 2) Sexual Assault consists of (a.) Sexual Contact and/or (b.) Sexual Intercourse that occurs without (c.) Affirmative Consent.
 - a. **Sexual Contact** is any intentional sexual touching, however slight, with any object or body part (as described below), performed by a person upon another person.
 - i. Sexual Contact includes: (a) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching another with any of these body parts; and (b) making another touch you or themselves with or on any of these body parts; (c) causing another to touch one's intimate parts, disrobing or exposure of another without permission.
 - b. **Rape** is sexual penetration, however slight, of another person without affirmative consent. Penetration can be of the mouth, vagina, or anus, and can be with a penis, tongue, finger, or foreign object.
 - c. **Sexual Intercourse** is vaginal or anal penetration, however slight, with any object or body part (as described below) performed by a person upon another person; and/or, oral penetration involving mouth to genital contact.
 - i. Sexual Intercourse includes: (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.
 - d. **Affirmative Consent** is informed (knowing); voluntary (freely given); and, active (not passive), meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity and the consenting person is not incapacitated as defined by this policy.

- i. Affirmative Consent cannot be obtained by Force. Force includes:
 - (a) the use of physical violence, (b) threats, (c) intimidation, and/or (d) coercion.
 - 1. Physical violence means that a person is exerting control over another person through the use of physical force. Examples of physical violence include but are not limited to hitting, punching, slapping, kicking, restraining, strangling, and brandishing or using any weapon.
 - 2. Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.
 - 3. Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).
 - 4. Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of Sexual Contact or Sexual Intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the University will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.
- ii. Affirmative Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated.
 - 1. Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in sexual activity.
 - 2. Incapacitation is such that it renders the person incapable of self-care and protection. Incapacitation could be the result of alcohol or other drugs or due to a temporary or permanent physical or mental health condition.
- iii. Affirmative Consent to one form of sexual activity does not, by itself, constitute Affirmative Consent to another form of sexual activity.

IV. Intimate Partner Violence

Intimate Partner Violence is any act of Domestic Violence or Dating Violence as defined by this Policy.

- 1) **Domestic Violence** is any act of violence committed by any of the following individuals: (a) a current or former spouse or intimate partner of the victim; (b) person with whom the victim shares a child in common; (c) person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; and/or, (d) a resident or former resident of the victim's household in the event such household residents have a current or prior intimate relationship.
 - a. An incident of domestic violence can consist of a single act of violence or a pattern of violent acts that includes, but is not limited to, sexual or physical abuse, or the threat to engage in such abuse.
- 2) **Dating Violence** is any act of violence committed by a person who is, or has been, in a social relationship of a romantic or intimate nature with the victim that does not fall within the definition of "domestic violence."
 - a. Dating violence includes, but is not limited to, sexual or physical abuse or assault or the threat of such abuse or assault.
 - b. For the purposes of determining Intimate Partner Violence, whether the relationship is of a romantic or intimate nature is determined by a variety of factors, including: (a) the length of the relationship, (b) the type of relationship, and (c) the frequency of interaction between the persons involved in the relationship.
 - c. A relationship of a romantic or intimate nature means a relationship that is characterized by the expectation of affection or sexual involvement between the parties.
 - d. An incident of dating violence can consist of a single act of violence or a pattern of violent acts that includes, but is not limited to, sexual or physical abuse, or the threat to engage in such abuse.

V. Stalking

- 1) **Stalking** occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear bodily injury or to experience substantial emotional distress.
 - a. **Course of conduct** means two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils,

threatens, or communicates to or about another person, or interferes with another person's property.

- b. **Reasonable person** means a reasonable person under similar circumstances.
- c. **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

- 2) Stalking includes "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact. This policy prohibits all stalking, not just stalking that occurs within the context of a relationship.

VI. Sexual Exploitation

Sexual Exploitation is purposely or knowingly doing any of the following:

- 1) Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give Affirmative Consent (see Section III.2)d.) to sexual activity;
- 2) Allowing third parties to observe private sexual activity from a (a) hidden location (e.g., closet), or (b) through electronic means (e.g., Skype or livestreaming of images);
- 3) Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants or viewing another person's intimate parts (including genitalia, groin, breasts or buttocks) in a place where that person would have a reasonable expectation of privacy);
- 4) Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- 5) Disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- 6) Knowingly exposing another person to a sexually transmitted infection or virus without the other's knowledge;
- 7) Arranging for others to have non-consensual sexual contact, as defined by the Sexual Misconduct policy, with a non-consenting person.

VII. Retaliation

- 1) **Definition:** Retaliation means any adverse action taken against a person for making a good faith report of prohibited conduct (see, generally, policies on [Sexual Misconduct](#), [Sexual or Gender-based Harassment](#), and [Anti-Harassment](#)) or participating in any proceeding under University policy or policies.

- a. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under University policy or policies.
 - b. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of prohibited conduct.
 - c. Retaliation does not include good faith actions lawfully pursued in response to a report of prohibited conduct.
- 2) **Reporting:** Acts of alleged retaliation should be reported immediately to the Vice President for Inclusion and Equity, or designees, and will be promptly investigated. The University will take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

More information about Procedures related to this policy, and other useful information can be accessed at the following [link](#).



SEXUAL OR GENDER-BASED HARASSMENT (INCLUDING RETALIATION) POLICY	
Approved by:	President's Cabinet
Date of Last Revision:	July 1, 2016
Responsible Office/Department:	Division of Inclusion and Equity

I. Policy Statement

Sexual or gender-based harassment is prohibited conduct at the University. No employee, student or other person at the University shall engage in sexual or gender based harassment. The University will take prompt and effective steps to end sexual or gender- based harassment; eliminate any hostile environment caused by sexual or gender-based harassment; prevent its recurrence; and remedy the discriminatory effects on the victim and others as appropriate.

This policy and related procedures for addressing complaints of sexual and gender-based harassment, apply to all University programs and activities, including those conducted off-campus. Where relevant, if the off-campus sexual or gender-based harassment did not occur in the context of a University program or activity, the University will consider the effects of such off-campus sexual or gender-based harassment when evaluating whether it creates a hostile environment on campus or in an off-campus education program or activity.

II. Reporting, Procedures & Notifications

- 1) **Reports:** Reports of sexual or gender-based harassment should be made immediately to the [Title IX Office](#) and can also be filed [online](#). Under Title IX, most University employees are considered “Responsible Employees” meaning they are required to report to the Title IX Office incidents of Sexual Misconduct that they observe or about which they learn. Professional counselors at the University who provide mental-health counseling are not considered “Responsible Employees” and, therefore, are not required to report any incident of Sexual Misconduct. Other resources are also available: see the following [link](#). Any inquiry concerning the application of Title IX may be referred to the Title IX Coordinator or to the [U.S. Department of Education Office of Civil Rights](#).
- 2) **Procedures:** [Procedures](#) for responding to reports of sexual or gender-based harassment are maintained by the Division of Inclusion and Equity. Procedures will be reviewed on an annual basis for proposed revision to be implemented

the following academic year. Revisions to procedures are approved by the Vice President of Inclusion and Equity, in consultation with the President's Cabinet. The University community (students and employees) will also be broadly consulted and periodically surveyed to obtain input on revisions.

- 3) **Notifications:** The University community will be notified, annually, of this policy and any revisions, inquiry contact information, and available resources and provided regular training regarding this policy as well as prevention and awareness education related to the prevention of and response to sexual and gender-based harassment.

III. Definitions

- 1) **Sexual Harassment** is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions outlined in III.3. below. (Click [here](#) for examples of Sexual Harassment).
- 2) **Gender-Based Harassment** includes harassment based on gender, sexual orientation, transgender, gender non-conforming, transitioning, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in 2)a. and/or 2)b., below, are present:
 - a. Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person's employment, academic standing, or participation in any University programs and/or activities or is used as the basis for University decisions affecting the individual (often referred to as "quid pro quo" harassment); or,
 - b. Such conduct creates a hostile environment (See III.3. below).
 - c. Transgender, gender non-conforming, transitioning, gender identity, and gender expression definitions:
 - i. Transgender: An umbrella term that can be used to describe people whose gender identity and/or expression is different from their sex assigned at birth.
 - ii. Gender non-conforming: Describes people who have, or are perceived to have, gender characteristics and/or behaviors that do not conform to traditional or societal expectations.
 - iii. Transition/Transitioning: The process of changing one's gender from the sex assigned at birth to one's gender identity.
 - iv. Gender Identity: A personal, internal sense of oneself as, for example, male, female, both, or neither.
 - v. Gender Expression: The external appearance of one's gender identity, or how one represents one's gender through hair style, clothing, mannerisms, etc.
- 3) A **"hostile environment"** exists when the sexual or gender-based conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with,

limits, or deprives an individual from participating in or benefitting from the University's education or employment programs and/or activities.

- a. In evaluating whether a hostile environment exists, the University will consider the totality of known circumstances, including, but not limited to:
 - i. The frequency, nature and severity of the conduct;
 - ii. Whether the conduct was physically threatening;
 - iii. The effect of the conduct on the Complainant's mental or emotional state;
 - iv. Whether the conduct was directed at more than one person;
 - v. Whether the conduct arose in the context of other discriminatory conduct (see [Anti-Harassment Policy](#));
 - vi. Whether the conduct unreasonably interfered with the Complainant's educational or work performance and/or University programs or activities; and/or,
 - vii. Whether the conduct implicates concerns related to academic freedom or protected speech.
- b. A hostile environment based upon sex or gender can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical; a single incident of sexual or gender-based harassment, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression standing alone, is typically not sufficient to constitute a hostile environment. (Click [here](#) for examples of Gender-Based Harassment).

IV. Retaliation

- 1) **Definition:** Retaliation means any adverse action taken against a person for making a good faith report of prohibited conduct (see, generally, policies on [Sexual Misconduct](#), [Sexual or Gender-based Harassment](#), and [Anti-Harassment](#)) or participating in any proceeding under University policy or policies.
 - a. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under University policy or policies.
 - b. Retaliation may be present even where there is a finding of "no responsibility" on the allegations of prohibited conduct.
 - c. Retaliation does not include good faith actions lawfully pursued in response to a report of prohibited conduct.
- 2) **Reporting:** Acts of alleged retaliation should be reported immediately to the Vice President for Inclusion and Equity, or designees, and will be promptly investigated. The University will take appropriate steps to protect individuals

who fear that they may be subjected to retaliation.

More information about Procedures related to this policy, and other useful information can be accessed at the following [link](#).