VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

GENERAL ORDER)
NUMBER 16) 27 March 2013

Sexual Harassment Policy

A. Policy. The Virginia Military Institute prohibits sexual harassment of any form by any individual on Post and prohibits any form of retaliation against anyone who reports conduct alleged to violate this policy.

B. Purpose. The purpose of this policy is to establish clearly and unequivocally that VMI prohibits sexual harassment by individuals subject to its control or supervision and to set forth procedures by which allegations of sexual harassment shall be filed, investigated and adjudicated.

C. Applicability. This policy applies to VMI cadets, employees, faculty and staff, visitors to Post, contractors working on Post who are not VMI employees, and exchange students, while on Post and to VMI cadets, employees, faculty and staff participating in VMI-sponsored activities off-Post.

D. Definitions

1. Sexual harassment is a form of discrimination based on gender. It is defined as unwelcome sexual advances, requests for sexual favors, or other verbal, non-verbal or physical conduct of a sexual nature, when:

    a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or participation in any aspect of VMI's educational program; or
    b. Submission to or rejection of such conduct by an individual is used as a basis for any decision affecting benefits, activities, or assignments related to an individual's employment or education; or
    c. Such conduct is so severe, persistent or pervasive that it unreasonably interferes with an individual's work performance or with an individual's participation in VMI's educational program or creates an environment that a reasonable person would find intimidating, hostile, or offensive.

2. Forms of behavior which may - separately or in combination - be considered sexual harassment include, but are not limited to:

    a. Verbal - Specific demands for sexual favors; sexual innuendoes; sexually suggestive comments; jokes of a sexual nature; sexual propositions; or sexual threats.

b Non-Verbal - Sexually suggestive emails, other writings, articles or documents; objects or pictures; graphic commentaries; suggestive or insulting sounds or gestures; leering; whistling; or obscene gestures.

c. Physical - Unwelcome physical contact, including touching, pinching, brushing the body, any unwelcome or coerced sexual activity, including sexual assault.

3. The subject of harassment, as well as the harasser, may be a woman or a man. The harassed and the harasser do not have to be of the opposite sex.

4. The victim of harassment defined by paragraph 1. c. above is not only the person toward whom particular conduct is directed, but might be anyone whose work or education are interfered with or whose environment is rendered intimidating, hostile or offensive by the conduct.

5. It is helpful for anyone who believes they are being sexually harassed or subjected to a hostile environment, as described above, to directly inform the harasser that the conduct is unwelcome and must stop. In addition, or instead, they may use the reporting procedures described in sections E and F of this Order.

E. Reporting Contacts

Conduct in violation of this policy should be reported promptly. All reports of sexual harassment should be forwarded to the Inspector General as soon as possible after they are received.

1. VMI strongly encourages all reports of sexual harassment to be made through the appropriate chain of command. If that is not possible or desirable, then reports may also be made through cadet, faculty, staff and employee reporting contacts, directly to Inspector General's staff, or to the Superintendent's Chief of Staff. To allow for effective and equitable investigation of and response to alleged violations, sexual harassment should be reported as quickly as possible.

2. Reports made by Employees: Employees should report violations of this policy to:

   a. their immediate supervisor,
   b. a faculty or staff reporting contact,
   c. the Inspector General, or a member of the Inspector General's staff,
   d. the Superintendent; his Chief of Staff; the Deputy Superintendent for Finance, Administration and Support; the Deputy Superintendent for Academics and Dean of the Faculty; the Commandant; the Director of Intercollegiate Athletics, or the Director of Information Technology.

3. Reports made by Cadets: Cadets should report violations of this policy to one of the following:
   a. the Inspector General, or a member of the Inspector General's staff;
   b. Cadet Equity Association (CEA) reporting contact;
   c. faculty or staff reporting contact;
   d. the Superintendent, his Chief of Staff, the Deputy Superintendent for Finance, Administration and Support, the Deputy Superintendent for Academics and Dean of the Faculty, the Commandant, the Director of Intercollegiate Athletics, or the Director of Information Technology.

4. Reports made by Visitors or Contractors. Visitors and employees of contractors working on Post should report violations of this policy to a member of the Inspector General's staff.

5. The VMI Inspector General and Title IX Coordinator is Colonel William R. Grace. The members of the Inspector General's staff are MAJ Jennifer deHart and MAJ Christopher Perry. Their contact information is listed below.

NAME	LOCATION	OFFICE PHONE	CELL PHONE	E-MAIL
Col William R. Grace	212 Carroll Hall	464-7072	540-462-7140	gracewr10@vmi.edu
MAJ Jennifer deHart	126 Hinty Hall	464-7658	540-784-5545	dehartje@vmi.edu
MAJ Christopher Perry	115 Third Barracks	464-7326	757-719-9902	perryco@vmi.edu

Above names updated 3 Sept 2013

6. Faculty and staff reporting contacts are in Appendix A and cadet reporting contacts are in Appendix B (Note: Cadets are not restricted to reporting to cadet contacts and may report to anyone listed in this policy or any supervisor at VMI.)

F. Process

The Inspector General is responsible for the investigation and resolution of all reports by cadets, faculty and administrative staff of alleged sexual harassment in violation of Title IX of the Education Amendments of 1972 and Title VII of the Civil Rights Act of 1964. The Inspector General shall determine the correct disposition of any report of behavior alleged to be in violation of this policy. Any claim of retaliation for making a report of sexual harassment should be reported immediately to the Inspector General. Retaliation for such reporting is strictly forbidden and, itself, is a violation of this policy.

1. Reports may be made orally or in writing to any of the individuals identified above or in Appendices A and B. The persons receiving a report are under direct order not to disclose to anyone except the Inspector General or said officer's designee, any report received or the fact that a report has been made.

2. At the reporting individual's option, the reporting contacts will accept, without comment or need for explanation, a sealed envelope addressed to the "**Inspector General.**" The envelope, at a minimum, need only contain a piece of paper with the name and room number or phone number of the individual wishing to make a report. As will be the case with all reports, however made, the reporting individual will be contacted as immediately as possible for an interview with a member of the Inspector General's staff.

3. Notwithstanding the forgoing, individuals who believe they have been the subject of conduct in violation of this policy are encouraged to make detailed written statements of the facts, including the name(s) of the offending individual(s), and any witness(es), as soon after the incident as may be possible. Any such statements may be included with the report.

4. The confidentiality of the reporting party will be observed to every extent possible without interfering with the ability to investigate or take corrective action.

G. Sanctions

1. In the event a determination is made that conduct in violation of this policy has, in fact, occurred, sanctions will be determined as follows:

    a. Sanctions for teaching, research, administrative and professional faculty will be determined by the Deputy Superintendent for Academics and Dean of the Faculty; Deputy Superintendent for Finance, Administration and Support; Director of Intercollegiate Athletics; Commandant; Chief of Staff or Superintendent in accordance with the applicable Faculty Handbook for the Virginia Military Institute. Possible sanctions include, but are not limited to counseling, a requirement to undertake additional training, the initiation of dismissal proceedings according to procedures in the appropriate governing regulation, or other action as appropriate.
    b. Sanctions for classified employees will be determined by the Director of Human Resources in accordance with the State's Standards of Conduct Policy. Sanctions that may be imposed by the Institute include, but are not limited to verbal counseling, additional training, issuance of a Written Notice, suspension or termination of employment.

c. Sanctions for cadets will be determined by the Commandant of Cadets in accordance with the cadet regulations and policies will determine the appropriate sanction and, where necessary or appropriate, in consultation with the Superintendent.
d. Contractors shall assign for duty only employees acceptable to the Institute. The Institute reserves the right to require the Contractor to remove from the Post any employee(s) who violate this policy.
e. Visitors who violate this policy will be directed to immediately leave the Post. A trespass notice may be issued to prohibit future visits.

2. In all cases, individuals who violate this policy shall be held accountable in accordance with the degree of severity of the offense.

H. Additional Guidelines for Sexual Harassment proceedings

1. The sexual harassment complainant and the accused are entitled to the same opportunities to present relevant witnesses and other evidence during a VMI administrative disciplinary proceeding.

2. The sexual harassment complainant and the accused are entitled to the same opportunities to have others present during administrative disciplinary proceedings.

3. Both the complainant and the accused shall be informed in writing of the outcome of any VMI administrative disciplinary proceeding or appeal that contains any allegation of sexual harassment. For cadets, possible sanctions during administrative disciplinary proceedings include suspension or dismissal from the Institute. Refer to GO 17 (Administrative Process for Cadet Suspensions and Dismissals) for more information regarding administrative disciplinary proceedings.

4. Mediation shall not be used for any allegation of sexual assault.

I. Retaliation Prohibited

1. Under this General Order, “retaliation” includes intimidation, threats, harassment, and other adverse action taken or threatened against any complainant or person cooperating in the investigation of allegations of sexual harassment.

2. It is a violation of VMI policy and this General Order to retaliate against any person making a complaint of sexual harassment or against any person cooperating in the investigation of any allegation of sexual harassment.

3. Retaliation should be reported immediately to the Inspector General (540) 462-7140 and may result in disciplinary action independent of the sanctions or interim measures imposed in response to the underlying allegations of sexual harassment.

4. VMI shall use every effort to protect victims and other individuals who make reports of sexual harassment from retaliation, and VMI shall use every effort to protect the safety and anonymity of individuals that make reports of retaliation.

J. Education and Awareness

1. For more information about sexual violence and resources available in the local community, please visit the Project Horizon website at www.projecthorizon.org.

2. VMI supports an education, training and awareness program on sexual harassment and other offenses for cadets and employees.

3. The Inspector General's Office conducts training on bystander intervention, consent and other possible sexual harassment topics.

FOR THE SUPERINTENDENT:

Jeffrey H. Curtis
Colonel, U.S. Air Force (Ret.)
Chief of Staff

DIST: E, Cadets

Appendix A: Faculty and Staff Reporting Contacts

Contact	**Building/Office/Phone extension**
LTC Neil Whitmore	Admissions/7039
LTC Dave Williams	Aux. Services (Laundry, Mess Hall, Hospital, etc.)/7095
Mr. Lance Fujiwara	Cameron Hall/7310
Mrs. Pat Troppoli	Carroll Hall/7208
CPT Daniel Jaffe	Cocke Hall/7555
SGM John Neel	Commandant/7706
SFC Buck Bryan	Kilbourne Hall/7698
MAJ Meagan Herald	Mallory Hall/7684
MAJ. Amy DeHart	Marshall Hall/7740
Ms. Tamara Stoops	Maury Brooke Hall/7417
Ms. Carole Green	Moody Hall/7221
COL Jim Squire	Nichols Engineering/7548
LTC Susan Hastings	Preston Library/7607
Ms. Katrina Butner	Protocol & Smith Hall/7104
Ms. Tracy Gordon	Physical Plant/7130
COL Mary Rose Sheldon	Scott Shipp Hall/7691
Ms. Betty Skillman	VMI Museum/7671

Above names updated 20 Sept 2013

Appendix B: Cadet Reporting Contacts

Names updated 3 Sept 2013

Cadet Equity Association, 2013-14

Officers

Nicole M. Harding	President
Benjamin J. Osen	Vice President for Education & Operations
Eric G. Dentler	Vice President for Investigations

Assistant Investigators

Damian O. Arnaiz
Gabriel S. Fisher
Joseph N. Macchiaroli

Company Representatives

Alpha	Patrick A. Purington
Bravo	Roy V. Daniels
Charlie	Phillip C. Kroke
Delta	Zachary A. Hill
Echo	Nathan C. Myers
Foxtrot	Hannah R. Donovan
Golf	Chase E. Barnett
Hotel	Michael J. Maloney
Band	Dwaine H. Wintz
Regimental/Battalion Staff	Christopher T. Miller

Clerk

Jacob T. Goult

Note: Cadets are not restricted to reporting to cadet contacts, and may report to anyone listed in this policy or any supervisor at VMI.