

W&M in Washington

Internship Agreement

This mutual agreement represents the understanding between the following three parties

- The W&M in Washington Program
- _____ (Employer)
- _____ (Student)

1. To cooperate in creating a successful internship for William and Mary students participating in The W&M in Washington Program.

2. To abide by The College of William & Mary's Sexual Harassment and Consensual Amorous Relations Policy as it is stated in the attached document from *The Faculty Handbook*.

The W&M in Washington Program, the aforementioned employer, and the student intern recognize the need and benefits of providing educational and professional training to students. Therefore, in consideration of above-mentioned goals, the parties agree to the following.

The intern agrees to:

- Intern a minimum of 30-35 hours per week (Monday – Thursday) for the duration of this agreement.
- Inquire about work hours, report to the employer at the agreed upon times, and make any special travel arrangements with the employer for any transportation that is required on behalf of the employer.
- Learn and abide by all employer policies and procedures, including emergency preparedness, as set forth by the employer.
- Seek assistance in understanding employer policies and procedures from the employer when necessary.
- Inform in a timely and reasonable manner, the employer and The W&M in Washington Program of any problems that may occur, including concerns regarding substantive work issues, during the course of the internship.
- Supply forms/evaluations to the employer at the beginning of the semester.
- Assist The W&M in Washington Program staff in arranging a mid-semester site visit.
- Ensure that the employer is timely informed of mandatory or unanticipated events vital to the student's ability to earn credit.

The employer agrees to:

- Comply with all applicable state and federal labor laws.
- Provide the student with substantive work projects for as much of the student's time as possible. These projects should be of such a nature as to provide information or ideas for an end-of-semester academic project.
- Ensure that the student reports to work for a minimum of 30-35 hours per week (Monday – Thursday).

- Provide the student with information regarding the employer's policies and procedures, including emergency preparedness directions, and be available to respond to any questions the student may have.
- Provide the student with an orientation to the office and the student's position in addition to training the student on the use of office equipment.
- Provide the student with ample instructions and feedback for completing projects.
- Provide the student with a desk and computer and other necessary tools in order to effectively complete internship responsibilities.
- Coordinate with The W&M in Washington Program staff to complete the student's evaluations by the stated due dates.
- Participate in on-site reviews of the intern's performance and conduct additional meetings as is necessary.
- Allow flexibility in the student's workflow to accommodate for mandatory academic or unexpected personal events. (Please see attached semester schedule.)
- Notify The W&M in Washington Program in a timely and reasonable manner if any problems arise, including the possible termination of the student.

The W&M in Washington Program agrees to:

- Monitor the internship for quality assurance as it relates to both the student and the employer.
- Ensure that as much of the intern's time as possible is spent on substantive projects.
- Conduct at least one on-site visit to review the student's performance and the internship quality.
- Respond to and assist the student and the employer, in a timely manner, in answering questions and/or in resolving any problems that may arise during the course of the internship.
- Provide evaluation forms to the student and employer.
- Notify and consult with the employer in a timely and reasonable manner regarding the possible termination of the student.
- Advise the student in the development and implementation of learning objectives.
- Work with the student to address areas where room for improvement exists.
- Explain and enforce W&M in Washington policies and procedures as is necessary.

Please check one:

- This is an unpaid internship.
- This internship is paid. The pay rate per *hour / day / week / month* is \$_____.
- The stipend for the semester is \$_____.

I understand and voluntarily consent to this agreement.

Student: _____ Date: _____

Employer: _____ Date: _____

This agreement is valid from _____ through _____.

C. SEXUAL HARASSMENT AND CONSENSUAL AMOROUS RELATIONS

1. Sexual Harassment Policy.

The College of William and Mary is committed to an environment in which students, faculty, staff and guests are free from sexual harassment. Sexual harassment threatens the legitimate expectation of all members of the campus community that academic achievement or employment progress is determined by classroom and job performance. Particularly unacceptable in a college setting, sexual harassment seriously undermines the atmosphere of trust essential to the academic enterprise. Sexual harassment is prohibited at The College of William and Mary and in its programs, activities and functions. Sexual harassment may also constitute violations of the criminal and civil laws of the Commonwealth of Virginia and the United States.

a. Definition of Sexual Harassment.

For the purpose of College policy, sexual harassment is defined as unwelcome (1) sexual advances or (2) requests for sexual favors, or (3) other behavior of a sexual nature where:

- * Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or participation in a College sponsored program or activity, or
- * Submission to or rejection of such conduct by an individual is or may be used as the basis for an academic, employment or other College decision affecting that individual, or
- * Such conduct unreasonably interferes with an individual's academic and/or work performance, participation in College sponsored programs or activities, or it creates an intimidating, hostile or offensive working, educational, or residential environment provided by the College.

Conduct alleged to be sexual harassment will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context and duration of the questioned behavior. Unwelcome conduct of a sexual nature can form the basis of a sexual harassment claim if a reasonable person, similarly situated, would consider it so unreasonable, severe or pervasive as to interfere with academic, educational, or employment performance or participation in a College program or activity or residential environment.

Sexual harassment can occur when one person has power or authority over another; however, it may also occur between individuals of equal status or rank within the College. Sexual harassment may occur between males and females and between persons of the same sex.

b. General Information.

All members of the College community are required to act in accordance with this policy.

The College's Director of Equal Opportunity is authorized to take steps as necessary so that a person who in good faith reports, complains about, or participates in an informal resolution or formal investigation of a sexual harassment allegation will not be subjected to retaliation.

In the absence of the Director of Equal Opportunity (or Chair of the Equal Opportunity/Sexual Harassment Committee), the Director may delegate the responsibility to implement any provision of this policy, or the President shall designate another College representative to do so.

Students, faculty, staff or guests who believe that they have been subjected to harassment by a student at the College are advised to use the procedures described in the *Student Handbook*.

Classified employees of the College may use either the procedures set forth in this policy or those described in *Grievance Procedures for State Employees* administered by the Office of Human Resources, which will specify the time within which a complaint must be filed.

An **informal or formal complaint** of sexual harassment is initiated when an individual who feels injured submits a signed written complaint alleging sexual harassment (see Sections III.C.1.f., III.C.1.g., and III.C.1.h.).

A **report** of sexual harassment is initiated when a person who feels injured or a third party reports an alleged incident but, after reviewing existing avenues for redress, the person who feels injured declines to file a complaint (see Section III.C.1.j.).

Inquiries about and complaints or reports of sexual harassment shall generally be treated with confidentiality. Only when required by law or when personal safety is at risk will confidential information normally be disclosed to others outside the process. However, an investigation may require disclosure of information to obtain relevant details, as from witnesses.

c. Prevention and Education.

This policy will be published and disseminated to the College community, included in orientation materials for new students, faculty, and staff, and made available in the College's Office of Equal Opportunity and other appropriate locations on campus. In addition, appropriate educational sessions will be conducted by the College's Office of Equal Opportunity and other campus offices to (1) inform the campus community about identifying sexual harassment and the problems it causes, (2) advise members of the campus community about their rights and responsibilities under this policy, and (3) train personnel in the administration of this policy.

d. Sexual Harassment Committee.

The Equal Opportunity / Sexual Harassment Committee consists of individuals with training and/or experience or special awareness of the issues in question appointed by the Provost. Members of the Committee receive training regarding the College's sexual harassment policy and complaint procedures to enable them to carry out their duties and responsibilities.

The Committee is chaired by the Director of Equal Opportunity. Its membership includes at least: two tenured faculty members recommended by the Faculty Assembly, one administrative/professional faculty member, one classified employee recommended by the Hourly and Classified Employees Association, one member of the professional counseling staff of the College, and two students (one graduate, one undergraduate) recommended by the Vice President for Student Affairs. Student members do not participate in the complaint and resolution procedures. Members of the Equal Opportunity / Sexual Harassment Committee may recuse themselves from serving on the Investigative Team and participating in committee deliberations when their impartiality might reasonably be questioned. Members of the Committee serve three-year staggered terms as appropriate and may be reappointed. Former committee members may also be appointed to serve as investigators.

e. Reporting Requirements.

Sexual harassment complaints to the College must be submitted in writing (see Sections III.C.1.f., III.C.1.g., and III.C.1.h.) within thirty calendar days of the alleged incident or when the complainant knows or should have known of the circumstances giving rise to a violation of this policy, whichever time is later. The complaint must be made timely to the person(s) authorized in this policy under the procedures governing complaints or reports of sexual harassment. The Director of Equal Opportunity reserves the right to extend time limits when there are justifiable circumstances.

In the event a student alleges that she or he was penalized with respect to a grade as a consequence of an incident that she or he alleges constituted sexual harassment, but is not informed of the grade within the thirty day period, she or he may still file a complaint but must do so within thirty days after receipt of the final semester course grade.

The complainant has the burden of providing evidence of the alleged sexual harassment. The complainant and the accused will be kept apprised on request of the progress of any investigation as well as the outcome.

It is a violation of College policy for any member of the campus community to make an intentionally false accusation of sexual harassment.

To assure college-wide compliance with this policy and federal and state law, the College's Office of Equal Opportunity must be advised of all complaints or reported incidents (see Section III.C.1.j.) of sexual harassment. The Office of Equal Opportunity will monitor repeated complaints or reports within the same units or against the same individual, where appropriately identified, to assure that such allegations are fairly and properly handled.

The College reserves the right to use previous complaints (see Sections III.C.1.f., III.C.1.g., and III.C.1.h.) or credible reports (see Section III.C.1.j.) of sexual harassment to identify patterns of behavior. In such cases, the College's Office of Equal Opportunity, on its own motion, may initiate an investigation after having informed the individual against whom the complaints or reports have been made.

f. Procedures Governing Complaints of Alleged Sexual Harassment.

The prevention of sexual harassment is a responsibility of the entire campus community. Accordingly, the administration of the College has made this a priority, but ultimately no satisfactory investigation or resolution of a complaint can occur without the initiative and continuous cooperation of the person who feels injured.

Listed below are the internal procedures to be used by any member of The College of William and Mary community to pursue complaints alleging sexual harassment where a member of the faculty (instructional, administrative or professional) or a classified employee is accused.

Members of the campus community who believe they have been subjected to sexual harassment should be aware that there are a variety of different ways to bring it to the attention of the College. If an individual wishes to file a complaint of sexual harassment, she or he should submit a signed written complaint in a timely manner to any one of the following:

- * The Director of Equal Opportunity,
- * The Director of Human Resources,
- * The Dean of Students,
- * The immediate supervisor of the alleged harasser, or
- * Any Academic Dean.

When any College administrator or supervisor receives a complaint of sexual harassment, she or he will promptly notify the Director of Equal Opportunity. The Director will manage and coordinate all matters relating to informal and formal complaints. Individuals who witness possible sexual harassment should encourage the potential complainant to report the incident to one of the individuals identified above.

The College also may respond to complaints by persons external to the College community about conduct of College employees alleged to be sexual harassment as defined by this policy. A complainant has the option of filing an external complaint with the State's Office of Equal Employment Services (EOS), or the following federal agencies: the Equal Employment Opportunity Commission (EEOC) or the Office for Civil Rights (OCR). She or he should consult with the appropriate agency with respect to the guidelines and timetables for initiating a complaint.

These procedures are not intended to impair or limit the right of anyone to seek remedies available under state or federal law. Since federal and state procedures require that complaints be filed within specific deadlines from the onset of the behavior construed as sexual harassment, individuals who pursue the internal complaint procedures described below may fail to meet state and federal guidelines for filing a complaint. Accordingly, a complaint may be filed with an external in order to meet state and federal deadlines without jeopardizing one's right to a College hearing. However, if relief is sought outside the College, the College is not obliged to continue processing a grievance while the case is being considered by an outside or criminal/civil court.

In all cases, a person who (1) makes a complaint, (2) participates in an investigation, or (3) is accused of sexual harassment may be accompanied by a support person of her or his choice.

g. Informal Complaint and Resolution Procedures.

The purpose of this informal procedure is to provide assistance and guidance to both the complainant and the accused in the functioning of the College's sexual harassment procedures. It provides an opportunity for the complainant and the accused to resolve the problem in an informal manner, without the necessity of disciplinary action or of the more formal procedures for processing a complaint.

Many sexual harassment complaints can be resolved through an informal process. Discussing the problem in an informal, non-adversarial atmosphere often provides the opportunity to educate the parties about what actually constitutes sexual harassment and encourages the parties to identify the problem. However, if parties are unable to reach a mutually satisfactory agreement, the option of filing a formal sexual harassment complaint is still available.

An informal complaint is initiated when an individual submits a signed written complaint of an alleged incident of sexual harassment. Generally within five working days, the Chair of the Equal Opportunity / Sexual Harassment Committee (Director of Equal Opportunity), or a committee member designated by the Chair meets with the complainant to discuss that individual's concerns, to clarify the College's policy and internal complaint procedures, and if appropriate, to remind the individual that professional counseling is available inside and outside the College. The committee member also provides the complainant with sources of information regarding federal and state sexual harassment complaint procedures.

The College must respect the due process rights of the complainant and the accused. Accordingly, when an informal complaint has been initiated, the Chair of the Equal Opportunity / Sexual Harassment Committee or a committee member designated by the Chair meets separately with the parties to discuss the complaint, to clarify the College's policy and internal complaint procedures, and to determine the facts and respective positions of the parties.

The committee member prepares a brief summary of the meetings. The summary is forwarded to the Chair of the Committee in order for the Chair to assess whether the alleged behavior would constitute sexual harassment. If the alleged behavior does not constitute sexual harassment, the complainant will be informed; if the alleged behavior would constitute sexual harassment, the process may continue. If the complainant disagrees with the decision of the Chair that the behavior does not constitute sexual harassment, she or he may still file a formal complaint within thirty days (see Formal Complaint and Resolution Procedures below).

The resolution procedure used may depend upon the complainant's willingness to have her or his identity disclosed to the individual alleged to have committed the unwelcome behavior covered by these procedures.

- (1) If the complainant does not agree to the disclosure of her or his identity, the committee member, after meeting with the complainant and accused as described above, contacts the complainant to confirm that a meeting was held with the accused and to summarize the outcome of that meeting. Further action on the complaint normally will not occur if the complainant does not disclose her or his identity. The committee member also prepares a written summary report of the complaint procedures followed and files the report with the Chair of the Committee, generally within ten working days after the meeting with the individual accused of violating College policy.
- (2) If the complainant agrees to the disclosure of her or his identity, the committee member prepares a written resolution agreement, based on the information obtained from the complainant and the accused. The proposed resolution agreement is forwarded to the Chair for review on behalf of the College. If the resolution is agreeable to all parties, a final copy of the resolution agreement will be sent to the complainant and the accused. A copy is also filed with the Chair of the Committee, normally within three working days after the resolution agreement has been signed by both parties.

If the resolution agreement proposed by the committee member is unacceptable to the complainant or to the accused, each is advised in writing of that fact by the committee member and of the formal internal procedures for addressing sexual harassment complaints. A copy of this letter is also sent to the Chair of the Committee.

Within ten calendar days from the date of the notification of the unsuccessful resolution of the informal complaint, the complainant may elect to file a formal complaint under the procedures outlined in Section III.C.1.h.

The written record of the informal complaint and resolution procedures described above will be retained by the Director of Equal Opportunity, as required by law or while the accused party continues in the College's employ, whichever is longer.

h. Formal Complaint and Resolution Procedures.

The purpose of this procedure is to investigate alleged sexual harassment where a formal complaint is made against a member of the instructional, administrative or professional faculty or a classified employee. The College will investigate all formal charges of sexual harassment.

Formal charges under this policy's procedures must be made in writing (with signature) to the Director of Equal Opportunity (Chair of the Equal Opportunity / Sexual Harassment Committee) within thirty calendar days from the date of the alleged incident or when the individual knows or should have known of the circumstances giving rise to a violation of this policy, whichever is later, or within ten calendar days from the date of notification of the unsuccessful informal resolution. When a formal investigation is initiated, the person accused of sexual harassment must be notified of the charge and given the opportunity to respond to any allegations before final disciplinary actions are taken. The Director reserves the right to extend the time limits when there are justifiable circumstances.

The purpose of the investigation, which will include interviewing the parties and available witnesses, is to gather and verify facts about the case. Formal investigations will be conducted in consultation with the College's Office of Equal Opportunity by a gender-mixed (if possible) two-member team consisting of members from the Equal Opportunity / Sexual Harassment Committee. Within ten working days of receipt of the complaint, the investigation team, appointed by the Chair, meets separately with the complainant and the accused to advise them of (1) the College's policy on sexual harassment and (2) the formal complaint procedures, and to determine the facts relevant to the complaint.

Generally within ten working days after meeting with the parties and available witnesses, the investigators present their written findings to the Chair. Within five working days of receiving that document, the Chair sends a copy of the investigation team's written report to the complainant and the accused, with an invitation to comment in writing within five working days. The Chair reserves the right to extend time periods when there are justifiable circumstances.

The Chair timely convenes a meeting of the Equal Opportunity / Sexual Harassment Committee, except for the student members, to consider the report of the investigation team and any written comments offered by the complainant or the accused. The Chair may supplement the substance or procedures of the initial investigation to ensure adequate consideration of the matter. Possible outcomes of the formal investigation are (1) a finding that the allegations are not warranted or could not be substantiated, (2) a negotiated settlement of the complaint, (3) a finding that the allegations are substantiated, and (4) recommendations to the appropriate supervisor.

The report of the formal investigators and any recommendations together with the investigation team's initial report are then transmitted by the Chair to the complainant and the accused as well as the accused's dean or senior level administrator for consideration, and if appropriate, for resolution under the relevant faculty or administrative procedures for sanctions or dismissal. Pending a final disposition, the dean or senior level administrator may take such interim action as is reasonable to manage the complaint, including restricting further contacts between the parties. The complainant and the accused will be notified in writing of the final disposition of a formal complaint.

If the accused party is not exonerated, the written record of the formal complaint and resolution procedures described above will be placed in the accused party's personnel file.

i. Disciplinary Action and Grievance Procedure.

The disciplinary procedures taken will depend on all the facts and circumstances specified in the final report. The relevant procedures for faculty are in the *Faculty Handbook*, Section III.B.8., III.B.13., and III.B.14.; for students, in the *Student Handbook*, section on Student Affairs; for classified staff, in the *Grievance Procedures for State Employees*; and for Administrative and Professional Faculty, in the *Policies and Procedures Regarding Employment and Performance Review of Administrative and Professional Faculty*.

Disciplinary action pursuant to College procedures may include, but is not limited to:

- * a requirement not to repeat or continue the harassing conduct,
- * separation of the parties,
- * attendance at sexual harassment education programs,
- * a reprimand,
- * reassignment of duties,
- * denial of pay increase,
- * reduction in rank or salary,
- * suspension or termination of employment.

The Director of Equal Opportunity will be informed of any disciplinary action taken by the College.

Those against whom disciplinary action is taken, whether because an allegation has been substantiated or because an intentionally false accusation was made, may use the relevant grievance procedure to appeal the disciplinary action and the procedures followed.

j. Procedures Governing Reports of Sexual Harassment Without an Informal or Formal Complaint.

Neither the informal nor formal procedures described above can be initiated in the absence of a complaint from a person who feels injured. It is possible that a person who feels injured or a third party may report an alleged incident but, after reviewing existing avenues for redress, the person who feels injured declines to file a complaint. In this case, the College administrator or supervisor to whom the report is made should discuss the report with the accused party if the administrator or supervisor considers the report to be credible. The College administrator or supervisor will first inform the person who made the report of the possibility that the report will be discussed with the accused and respect, to the extent practicable, a request for anonymity.

If the College administrator or supervisor decides the report is credible, she or he should do the following within fifteen working days from receiving the report: (1) meet with the accused party to discuss the report; (2) compile a written summary of when the meeting occurred and what was discussed; (3) provide the accused party a copy of the summary and give that individual an opportunity for written response; (4) submit a copy of the written summary and any response from the accused party to the Director of Equal Opportunity; and (5) inform the person reporting the alleged incident that a record is being maintained and provide him or her a briefing on the accused person's position. The written summary and any response from the accused party will not be included as part of the accused party's personnel record. However, the written summary and any response from the accused party will be retained by the Director of Equal Opportunity, as required by law or while the accused party is in the College's employ, whichever is longer.

If the College administrator or supervisor decides the report is not credible, she or he should do the following within ten working days of receiving the report: (1) note the reason(s) for that decision in writing to the person who has reported the alleged incident, and (2) provide copies of the written statement of the reason(s) to the accused party and to the Director of Affirmative Action. The written statement recording a decision

that the report is not credible will not be included as part of the accused party's personnel record. However, the written statement will be retained by the Director of Affirmative Action, as required by law or while the accused party is in the College's employ, whichever is longer.

k. The College's Investigative Authority.

Nothing in this policy shall be interpreted as preventing the College from investigating any complaint of misconduct in violation of federal or state law even if it is untimely reported, providing further proceedings shall respect the due process rights of anyone accused and any disciplinary action shall be subject to appeal following appropriate College procedures.

2. Policy and Procedures Affecting Consensual Amorous Relationships.

a. Introductory remarks.

The College's educational mission is promoted by professionalism in faculty-student relationships. Faculty-student romantic and/or sexual relationships, even mutually consenting ones, are a basic violation of professional ethics when the faculty member has any professional responsibility for the student's academic performance or professional future.

Faculty members' unbiased evaluation of students is an integral part of the College's mission. An amorous relationship between a faculty member and a student, even if consensual, creates the potential for favoritism (or the appearance thereof), thereby undermining the actual or perceived fairness of the evaluative process. Even when the faculty member has no current direct professional responsibility for a student, consensual amorous relationships may limit the educational opportunities or options for the student's future academic, co-curricular, and extra-curricular activities.

Accordingly, the College prohibits consensual romantic and/or sexual relationships between faculty members and undergraduate students, as well as between faculty members and those graduate students for whom the faculty member has direct professional responsibility.

The College's policy derives from the following principles that, in part, define the ethical and professional relationship of faculty members to their students.

- (1) Faculty members must support the unfettered pursuit of learning in their students.
- (2) Faculty members must adhere to their proper professional roles as instructors and counselors.
- (3) Faculty members must ensure that their evaluations of students fairly reflect each student's true merit.
- (4) Faculty members must be aware that even when they have no direct professional responsibility for students, consensual amorous relationships may still be asymmetrical and/or disruptive to the community.

b. Policy.

The College prohibits consensual romantic and/or sexual relationships (hereinafter referred to as "amorous" relationships) between faculty members and undergraduate students, as well as between faculty members and those graduate students for whom the faculty member has direct professional responsibility.

For the purpose of this policy, "faculty" shall include all full- or part-time college personnel who teach or carry out research and administrators with faculty status. The term "direct professional responsibility" refers to many faculty roles, both within and outside of the classroom, including, but not limited to: teaching, academic advising, coaching (athletics, drama, etc.), service on evaluation committees (awards, prizes, etc.), graduate or undergraduate thesis committees, etc. In effect, "direct professional responsibility for students" includes the supervision of all college-sponsored academic, co-curricular, and extra-curricular activities.

c. Exemptions.

Following the principles outlined above (see Introductory Remarks), the Deans of the Schools and of Arts and Sciences may grant exemptions from this policy in exceptional circumstances.

d. Complaints.

Members of the university community who believe that violations of this policy have occurred may initiate a complaint with the appropriate department chair or academic dean. A complaint alleging that a dean or other academic administrator has violated this policy may be filed with the Provost or President. Complaints must be filed no more than two years after an alleged violation.

e. Sanctions and Procedures.

Violations of this policy will be considered misconduct on the part of a faculty member and will be subject to institutional sanctions, including possible termination of the faculty member's appointment. Treatment of allegations and imposition of sanctions will be governed by procedures specified in sections III.B.13. and II.B.8. of the *Faculty Handbook*.

Nothing in this policy shall be deemed as supplanting or otherwise affecting the College's sexual harassment policy. Unsolicited and unwelcome advances of a sexual nature may violate the College's sexual harassment policy. (See section III.C of the *Faculty Handbook*)

[Adopted by the Board of Visitors, November 16, 2001]