Guidelines for Reporting and Responding to Complaints of Sexual Harassment and Sexual Violence

Morehouse College (the “College” or “Morehouse”) is committed to maintaining a learning environment and place of work free from sexual harassment and sexual violence (including offenses of domestic violence, dating violence, sexual assault and stalking) for all students and employees. Any form of sexual harassment subverts the mission of the College and offends the integrity of the campus community.

Sexual harassment and sexual violence is prohibited by federal and state law. The College strives to provide a place of work and study free of sexual harassment and violence. It is expected that students, employees and other individuals covered by these guidelines will treat one another with respect (also see the College’s Non-Discrimination and Anti-Harassment Policy).

A. General Guidelines

1. Applicability and Sanctions for Policy Violations: This policy applies to all students and employees of the College, as well as others who participate in College programs and activities. Its application includes Morehouse programs and activities, both on and off campus, including international programs. Individuals who violate this policy are subject to discipline up to and including discharge, expulsion and/or other appropriate sanctions or disciplinary actions.

2. Prompt Attention: Reports of sexual harassment, domestic violence, dating violence, sexual assault and stalking, including intimidation or exploitation, are taken seriously and will be dealt with promptly. The specific action taken in any particular case depends on the nature and gravity of the conduct reported and may include intervention, investigation and the initiation of grievance and disciplinary processes. Where sexual harassment has occurred, whether on or off campus, the College will act to stop the harassment, prevent its recurrence, and discipline and/or take appropriate action against those responsible. The College will not attempt to resolve a sexual harassment complaint informally such as through a conference with the parties or mediation.
3. **Confidentiality:** The College recognizes the importance of confidentiality. College administrators and others responsible for implementing this policy will respect the confidentiality and privacy of individuals reporting or accused of sexual harassment and violence to the extent reasonably possible.

A request for confidentiality may, however, limit the College’s ability to respond to the complaint. The College will take reasonable steps to investigate and respond to the complaint consistent with the Complainant’s requests, as long as doing so does not prevent the College from responding effectively to a hostile environment and preventing hostile behavior that may be directed toward others.

Examples of situations where confidentiality cannot be maintained include circumstances when the law requires disclosure of information and when the disclosure required by the College outweighs protecting the rights of others.

4. **Protection Against Retaliation:** In compliance with federal law, the College prohibits retaliation against persons who complain about alleged sexual harassment and sexual violence and cooperate, testify, or participate in any manner in an investigation or proceeding of reported harassment. Retaliation includes intimidating, threatening, coercing, or in any way discrimination against the individual because of the individual’s complaint or participation in an investigation. Retaliation and/or reprisals against an individual who, in good faith, reports or provides information about behavior that may violate this policy are against the law and will not be tolerated.

5. **False Reporting:** Intentionally making a false report or providing false information is grounds for discipline.

6. **Relationship to Freedom of Expression:** The College is committed to the principles of free inquiry and free expression. Vigorous discussion and debate are fundamental to the College and this policy is not intended to stifle teaching methods or freedom of expression generally, nor will it be permitted to do so. However, sexual harassment is neither a legally protected expression nor the proper exercise of academic freedom. It compromises the integrity of the College, its tradition of intellectual freedom and the trust placed in its members.

7. **Required Training, Education and Prevention:** As of May 2015, all employees were required to complete initial sexual harassment and sexual violence training (Title IX). New employees will receive training and these Guidelines as a part of their New Hire Orientation, generally within 30 days of hire. Thereafter, Title IX training will be held at least every two years.

Sexual harassment and sexual violence training will be conducted for all new and transfer students as a part of New Student Orientation at the beginning of each academic year. These Guidelines are included in materials provided to new and transfer students. This information is also available in the Office of Student Services, the Title IX Office, the Office of Human
Resources, Residential Halls, and in other appropriate campus locations. Returning students will receive training at the beginning of each academic year.

In addition, the College will conduct additional training sessions to advise members of the College community about their rights and responsibilities under these guidelines, and train staff personnel in the administration of this policy.

All Title IX training will be conducted by a trainer who has received annual training on issues related to sexual harassment, sexual violence, domestic violence, dating violence, sexual assault and stalking. In addition, the trainer must be knowledgeable about conducting Title IX related investigations and conducting appropriate hearing processes that protect the safety of victims and promotes accountability.

Students and employees with questions or a complaint about sexual harassment or sexual violence should report their concerns to the Title IX Coordinator, located in Gloster Hall, Room 109 (Doris Coleman, doris.coleman@morehouse.edu, 404-681-7589).

B. What is Sexual Harassment/Discrimination?

Sexual harassment and sexual violence is a form of unlawful gender (sex) discrimination. It may involve harassment or violence of women by men, violence of men by women, and harassment or violence between persons of the same sex. It also includes campus sexual violence, domestic violence, dating violence and stalking.

Title VII of the Civil Rights Act of 1964 ("Title VII") and Title IX of the Educational Amendments of 1972 ("Title IX") makes sexual harassment unlawful. **Title IX also includes sexual violence which means physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. Under Title IX, sexual violence (sexual misconduct and sexual assault) is a severe form of sexual harassment.**

A number of acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual coercion, unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature. The College’s Prohibited Discrimination, Harassment, Sexual Misconduct and Retaliation Policy also applies when sexual harassment involves unwanted physical contact. These acts constitute sexual harassment when:

- It is implicitly or explicitly suggested that submission to or rejection of the conduct will be a factor in academic or employment decisions or evaluations, or permission to participate in a College activity, or

- The conduct has the purpose or effect of unreasonably interfering with an individual’s academic or work performance or creating an intimidating or hostile academic, work or student living environment.
Determining what constitutes sexual harassment depends on the specific facts and context in which the conduct occurs. Sexual harassment may take many forms – subtle and indirect or blatant and overt. For example, it may:

- Be conduct toward an individual of the opposite sex or the same sex.
- Occur between peers or between individuals in a hierarchical relationship.
- Be aimed at coercing an individual to participate in an unwanted sexual relationship or it may have the effect of causing an individual to change behavior or work performance.
- Consist of repeated actions or may even arise from a single incident if sufficiently egregious.

C. **How to Report Sexual Harassment/Discrimination**

Reports should be made as soon as possible after the alleged discrimination or sexual incident. The earlier the report is made, the easier it is to investigate and take appropriate remedial action. When reports are delayed for a long period, the College will try to act to the extent it is reasonable to do so, but it may be impossible to achieve a satisfactory result after much time has passed.

Likewise, anyone who receives a report or a grievance involving sexual discrimination, sexual harassment or sexual violence should promptly consult with the Title IX Office. All sexual violence complaints should be reported to Campus Police.

1. Students and employees who have concerns about sexual harassment, information, consultation, advice, or who wish to file a complaint, should contact:

   Doris Coleman  
   Director, Ethics and Compliance Officer/Title IX Coordinator  
   Gloster Hall, Room 109,  
   404-681-7589 Fax 404-659-6106  
   Email: doris.coleman@morehouse.edu

Once the complaint is received, the Title IX Officer is required to provide a written explanation of your rights and options including your right to notify law enforcement and to be assisted by campus authorities in doing so, an explanation of your rights to obtain no contact orders or to enforce an order already in existence, and contact information for campus and local advocacy, counseling, health, mental health and legal assistance services.

You will also be provided with the College’s written policy and procedures as well as information about your rights as a Complainant or Respondent. The Title IX Coordinator will provide you with written detailed procedures that you should follow if a sex offense occurred, including who to contact and information about the importance of preserving physical evidence (an existing provision of the Clery Act).
2. You may also file a criminal report with the Morehouse Police Department or with the Atlanta Police Department. You may pursue the criminal process and the College’s disciplinary process simultaneously.

3. You can contact any designated person or resource center listed below:

- Chief Valerie Dalton  
  **Morehouse Campus Police**  
  Office: 830 Westview Drive  
  Robert Hall, Southwest Annex  
  Phone: 404-215-2666 (24 hours)  
  **Alt. phone:** 404 427-7396 (in case of power outage)  
  [www.campuspolice@morehouse.edu](http://www.campuspolice@morehouse.edu)

- Dr. Timothy Sams  
  **Vice President, Student Development**  
  Gloster Hall, Room 109  
  Phone: (404) 653-7858  
  [tim.sams@morehouse.edu](mailto:tim.sams@morehouse.edu)

- Michael Southern  
  **Associate Dean, Office of Student Conduct (Students)**  
  Kilgore Hall, Room 200  
  Phone: 404-215-2681  
  Fax: 404-507-8605  
  Hours: Monday-Friday, 9 a.m. – 5 p.m.  
  [Michael.southern@morehouse.edu](mailto:Michael.southern@morehouse.edu)

- Amanda Bailey  
  **Associate Vice President, Human Resources (Staff & Faculty)**  
  Gloster Hall, Room 100  
  404-653-7779  
  Fax: 404-614-6047  
  [Amanda.bailey@morehouse.edu](mailto:Amanda.bailey@morehouse.edu)

- Dr. Gary Wright (Confidential Reporting)  
  **Director, Morehouse Student Counseling Center**  
  Location: 830 Westview Drive  
  Sale Hall Annex  
  Atlanta GA, 30314  
  Phone: 404-215-2636  
  Hours: Monday - Friday, 9 a.m. - 5 p.m.  
  [Gary.wright@morehouse.edu](mailto:Gary.wright@morehouse.edu)  
  [www.morehouse.edu/campus_life/counseling](http://www.morehouse.edu/campus_life/counseling)
Professional counseling services help students resolve personal difficulties and acquire the skills, attitudes and knowledge that will enable them to take full advantage of their experiences at Morehouse College. Counseling services are free, confidential, and available to currently enrolled students. Services include but are not limited to issues such as emotional crisis, academic/educational, relationships, career and other personal issues.

- Dr. Cynthia Trawick (Confidential Reporting)
  **Director, Morehouse Student Health Center**
  James B. Ellison, Sr. Student Health Center
  Brazeal Hall, Ground Floor (north end of campus)
  830 Westview Drive, S.W.
  Atlanta, GA 30314-3773
  Office: 404-215-2637   Fax: 404-215-2727
  Hours: Monday-Friday, 8 a.m. to 5 p.m. Closed on weekends and college recognized holidays

  Physician Hours
  Monday, Tuesday, Fridays – 11 a.m. to 1 p.m.; Wednesday: 11 a.m. to 7 p.m.
  Thursday: 11: a.m. to 5 p.m.
  cynthia.trawick@morehouse.edu
  www.morehouse.edu/campus_life/studenthealth

For health emergencies or if emergency assistance is needed after school hours, call 404-215-2666 (Campus Police) or call 911. Campus Police will respond and call an ambulance, if necessary. You should also go to the nearest emergency room to ensure that any physical evidence is preserved.

- **Other Resources:**

  Morehouse Policy on Prohibited Discrimination, Harassment, Sexual Misconduct and Retaliation Policy

  Employee Assistance Program,
  http://tigernet.morehouse.edu/emp/EmployeeAssistanceProgram.pdf

  Student Handbook - Student Conduct, Grievances
  http://www.morehouse.edu/emp/campus_life/student_conduct/index.html

  Brochures:
  - Stalking
  - Cyber-Bullying, Cyber-Stalking, Cyber-Harassment
  - What Every Morehouse Man Needs To Know
www.atixa.org

www.ncherm.org

www.clergcenter.org


http://safercampus.org

http://ww2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html

ocr@ed.gov

National Sexual Assault Hotline
1-800-656-HOPE (24 hours)

National Domestic Violence Hotline
1-800-799-SAFE (24 hours)

National Coalition against Domestic Violence
303-839-1852

National Women's Alliance
202-515-3924

Carroll Rape Crisis center
770-834-7273 (24 hours)

Clayton Rape Crisis Center
770-477-2177 (24 hours)

Cobb Rape Crisis Center
770-427-3390 (24 hours)

DeKalb Rape Crisis Center
404-377-1429 (24 hours)

Fulton (Grady) Rape Crisis Center
404-616-4861 (24 hours)

Gainesville Rape Crisis center
770-503-7273 (24 hours)

Gwinnett Sexual Assault Center
770-476-7407 (24 hours)
In these cases, the level of confidentiality depends on what legal protections are held by the individual receiving the information and should be addressed with them before specific facts are disclosed.

D. Third Party Intervention: Depending on the circumstances, third party intervention in the student residence or academic setting or workplace may be attempted. Third party may be other individuals assigned to the Title IX Office including human resources professionals, other faculty or staff and sometimes an external resource unrelated to the College.

When third party intervention is used, typically the third party (ies) meet privately with each person involved, tries to clarify their perceptions and attempts to develop a mutually acceptable understanding that can ensure the parties are comfortable with their future interactions.

Possible outcomes of third party intervention include explicit agreements about future conduct, changes in workplace assignments, substitution of one class for another or other relief, where appropriate.

E. External Reporting: In addition to the internal resources described above, individuals may pursue complaints directly with the government agencies that deal with unlawful harassment and discrimination claims, e.g., the U. S. Equal Employment Commission (EEOC), the Office for Civil Rights (OCR) of the U. S. Department of Education. A violation of this policy may exist even where the conduct in question does not violate the law. You may contact the following agencies:

The Office for Civil Rights
Atlanta Office
U. S. Department of Education
61 Forsyth St., S. W., Ste. 19T10
Atlanta, GA 30303
404-974-9406 Fax: 404-974-9471
Email: OCR.Atlanta@ed.gov
or the
The U. S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue, S. W.
Washington, D. C. 20202
800-421-3481 Fax: 202-453-6012
Email: OCR@ed.gov
F. Direct Communication

An individual may act on concerns about sexual harassment directly, by addressing the other party in person, or writing a letter describing the unwelcome behavior and its effect and stating that the behavior must stop. The Title IX Office can help the individual plan what to say or write, and likewise can counsel persons who receive such communications.

G. Sexual Harassment and Sexual Violence Harassment by Third Parties

The College prohibits sexual harassment by third parties towards members of the College community when the third party has been brought into contact with the student or employee through a College program or activity. Although individuals who are not students or employees of the College are not subject to discipline under the College’s internal processes, the College will take prompt, corrective action to eliminate sexual harassment and prevent its recurrence in those circumstances.

If a student or an employee believes that they have been sexually harassed in a College program or activity by an individual who is not a College student or employee, the individual should report the alleged harassment or violence to the Title IX Office and to the Administrator responsible for that program or activity.

H. Filing a Formal Complaint

• The applicable procedure depends on the circumstances and the status of the person bringing the charge and the person against whom the charge is brought. Generally the Complainant (Alleged Victim) should provide a written statement of the incident underlying the complaint as soon as possible after the alleged sexual harassment occurs. The College can only take corrective action when it becomes aware of problems. Therefore, students and employees, who believe that they have experienced sexual harassment or sexual violence, are encouraged to come forward with their complaint and seek assistance within the College. Likewise, students and employees who believe that they have witnessed sexual harassment are encouraged to report the alleged harassment or violence promptly to the Title IX Coordinator.

• The Complainant may also provide pertinent records and documentation. The Title IX complaint form provides information that is helpful to an inquiry and resolution of the complaint and includes the following:

□ Date, Time, Name, E-mail, Address and Phone Number of the Complainant

□ Complainant’s title or program /year of study (student)

□ Complainant’s department, division or business unit (employee)
□ Complainant’s role in the incident, e.g., target of alleged sexual harassment/violence

□ Name of the alleged harasser (Respondent)

□ Respondent’s title or program/year of study (student)

□ Respondent’s department, division or business unit (employee)

□ Relationship between the Respondent and the Complainant

□ Address where the alleged sexual harassment/sexual violence occurred

□ Date and time when the alleged sexual harassment/sexual violence occurred

□ A description of the alleged sexual harassment/sexual violence conduct, e.g., sexually degrading comments or gestures, inappropriate touching; sexual contact without consent, including sexual intercourse

□ Other circumstances which contributed or may have contributed to the incident, e.g., physical disability, alcohol, drugs

□ Other incidents of hostile conduct by the Respondent, if any

□ Other(s) involved in the incident as possible Complainant(s), witness(es) or additional Respondent(s)

□ What action by the College does the Complainant seek in response to the harassing conduct?

□ Has the Complainant made a report to others, e.g., local or Campus Police, faculty, students, others?

□ Has the Complainant requested partial or complete confidentiality?

• The College must make a prompt, thorough and impartial inquiry, regardless of whether the Complainant makes a formal report, desires an inquiry or requests that no inquiry be made. The College has the authority to address these complaints in a non-criminal context. The administrative process is completely separate from the criminal police investigation (if required) and the student conduct process. The College will not attempt to resolve a discrimination or sexual harassment complaint informally such as through a conference with the parties or mediation. The Title IX Coordinator will:

  ➢ Oversee the investigation and resolution of all Title IX cases whether they occur on or off campus.
In cases where the Complainant or Respondent is an employee or involves both an employee and a student, the case will be forwarded to the Office of Human Resources and the two offices will work together to investigate and resolve the case.

Determine whether the complaint is one which should be processed through another College dispute resolution procedure, such as a grievance hearing, available to the Complainant; and if appropriate, the Title IX Coordinator shall refer the Complainant to that procedure(s) as soon as possible;

Inform the individual of the provisions of the discrimination/harassment complaint procedures and provide a copy of the complaint procedure;

Inform the person against whom the complaint is brought, of its existence;

Obtain information and evidence, including the identity of any witnesses, from the Complainant and the Respondent;

Attempt to obtain information from the identified witnesses and police reports, if available;

Maintain appropriate documentation relative to the complaint;

Disclose appropriate information to others only on a need to know basis consistent with state and federal law; and

Conduct all investigations in a prompt, thorough, and impartial manner.

The Complainant will be informed, in writing, of the importance of preserving evidence for proof of criminal domestic violence, dating violence, sexual assault, or stalking, and in obtaining a protection order. In addition, the Complainant will be informed of:

- To whom the offense should be reported including options regarding reporting to law enforcement and campus authorities;

- The Complainant’s right to decline to notify authorities;

- The Complainant’s rights and institutional responsibilities on orders of protection, no contact orders, restraining orders, criminal trespass orders, persona non grata orders, or similar lawful orders issued by criminal or civil courts;

- Procedures for institutional disciplinary action in cases of sexual assault, domestic violence, intimate partner violence, dating violence, stalking, etc.;

- Information about how the confidentiality of Complainants will be protected, including how public available recordkeeping will be
accomplished without including identifying information about the Complainant, to the extent possible by law;

- Notification to Complainants about options for and available assistance in changing academic, living, transportation, and working situations, if requested by the Complainant, and if reasonably available, regardless of whether the Complainant chooses to report the crime to campus police or local law enforcement;

- Notification to students and employees about existing counseling, health, mental health, complainant advocacy, legal assistance, and other services available for Complainants both on campus and in the community;

- Their right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;

- Their right to make a victim-impact statement at the campus Student Judiciary Hearing and to have that statement considered by the Hearing Board in determining its recommended sanction(s);

- Notification to Complainants of their right to appeal the finding and sanction of the Student Judiciary Committee in accordance with the standards for appeal established by the College;

- Their right to review all documentary evidence available regarding the complaint, subject to the confidentiality limitations imposed by state and federal law, at least 48 hours prior to the hearing;

- Notification to the Complainants of their right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness’ identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);

- Their right to a hearing closed to the public;

- Their right to bring a Victim/Complainant Advocate or Advisor to all phases of the investigation and campus conduct proceeding; the right to present relevant witnesses to the campus conduct body, including expert witnesses;

- Notification to the Complainant of their right to be fully informed of campus conduct rules and procedures as well as the nature and extent of all alleged violations contained within the complaint;

- Their right to be present for all testimony given and evidence presented before the conduct body;
• Their right to have their complaint heard by conduct officers who have received annual Title IX and misconduct adjudication training;

• Their right to have College policies and procedures followed without material deviation;

• Their right not to have released to the public any personal information about them without their consent.

• The Respondent will be informed of the following in writing:

  ➢ The right to a fair investigation and appropriate resolution by Morehouse of all credible complaints of sexual misconduct made in good faith to the Title IX Coordinator and/or College Administrators;

  ➢ The right to be treated with respect by College officials;

  ➢ The right to have the same opportunity to have an advocate or advisor present during the campus disciplinary hearing in a support or advisory role;

  ➢ The right not to be discouraged by anyone from responding to an allegation against them about an alleged assault or sexual misconduct allegation both on-campus and off-campus;

  ➢ The right to be informed of the outcome and sanction(s) of any disciplinary hearing, in writing, involving a sexual assault or sexual violence allegation usually within 24 hours at the end of the conduct hearing;

  ➢ The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;

  ➢ The right not to have any complaint of sexual assault mediated (as opposed to adjudicated);

  ➢ The right to make a Respondent’s statement at the campus conduct proceeding and to have that statement considered by the Board in determining its sanction;

  ➢ The right to have complaints of sexual misconduct against them responded to and with sensitivity by campus law enforcement officials;

  ➢ The right to appeal the finding and sanction(s) of the conduct body, in accordance with the standards for appeal, established by the College;

  ➢ The right to review all documentary evidence available regarding the complaint, subject to the confidentiality limitations imposed by state and federal law, at least 48 hours prior to the hearing;
The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness’ identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);

The right to the preservation of confidentiality to the extent possible and allowed by law;

The right to a hearing closed to the public;

The right to bring a Respondent Advocate or Advisor to all phases of the investigation and campus conduct proceeding;

The right to give testimony in a campus hearing by means other than being in the same room with the Victim/Complainant;

The right to present relevant witnesses to the campus conduct body, including expert witnesses;

The right to be fully informed of campus conduct rules and procedures as well as the nature and extent of all alleged violations contained within the complaint;

The right to be present for all testimony given and evidence presented before the conduct body;

The right to have complaints heard by conduct officers who have received annual misconduct adjudication training;

The right to have College policies and procedures followed without material deviation;

The right not to have released to the public any personal information about them without their consent;

During this process, the Title IX Coordinator will keep the Complainant and the Respondent informed of the status of the investigation and will seek input from the appropriate supervisor/administrator if the investigation involves an employee. All investigative and disciplinary processes and proceedings are prompt, fair and impartial to the Complainant and to the Respondent.

The amount of time needed to conduct an investigation will depend in part on the nature of the allegation(s) and the evidence to be investigated (e.g., the number and availability of witnesses involved). Pursuant to federal regulations, Title IX complaints, unlike criminal investigations, have no limits on how long it may take to conduct an investigation. Although there is no fixed period of time on how long an institution can take to conduct an investigation and finally resolve it, the College will attempt to resolve
all complaints and issue a final resolution within a 60-day timeframe. More complex cases, such as those involving multiple incidents, may take longer.

In short, “promptness” means prompt as to the final resolution, including all grievance proceedings (if any) and post decision appeals, re-hearings and requests for reconsideration. Usually within sixty (60) days of receipt of the complaint, the Title IX Coordinator will provide notice of the outcome of the investigation or will advise the parties of the additional estimated amount of time needed for the investigation. Upon completion of the investigation, the Title IX Coordinator will notify the Complainant and Respondent, in writing, of the final results of the investigation.

I. Grievances and Appeals

The applicable procedure depends on the circumstances and the status of the person bringing the charge and the person against whom the charge is brought. A grievance or appeal should be initiated following the completion of the investigation by the Title IX Office, a decision in the case, and any appeals. Proceedings are conducted by officials trained on sexual assault and other intimate partner violence issues, and will use the preponderance of the evidence standard (which is “more likely than not” and the standard used by civil courts in the U. S.). In addition, both Complainant and Respondent will be informed in writing of the final results within one business day (24 hours) of such outcome being reached.

J. Procedural Matters

1. Investigations: All complaints of alleged sexual harassment are investigated under the oversight of the Title IX Coordinator. The College will process all formal complaints it receives, regardless of where the conduct occurred, which is the basis for the complaint. The Title IX Coordinator may also determine that an investigation is warranted without a formal complaint if the College has sufficient notice that sexual harassment may have occurred.

Title IX Investigators are responsible for initiating an investigation as expeditiously as possible, but within five (5) calendar days of the receipt of the complaint. The investigation will be conducted in such a way that the Complainant is not re-victimized and in which the privacy of all persons involved is respected to the reasonable extent possible, bearing in mind the safety of the campus community. External Title IX professional investigators may be asked to conduct or to assist in the investigation as deemed appropriate. The results of the investigation will be used in any third party intervention process or in a grievance or disciplinary action.

The Title IX Investigator will not wait until the criminal justice system has run its course or for the conclusion of a criminal investigation. In fact, to do so is in violation of Title IX’s “promptness” mandate if the College declines to act because it is awaiting either the completion of a criminal investigation or a prosecutorial decision as to whether charges will be filed and/or a final judgment by a judge or jury.
The College will take any interim action needed such as a no-contact order, a criminal trespass order, or interim suspension of the Respondent in order to protect the Complainant and the rest of the campus community.

For complaints involving employees, the College will take any appropriate action needed to protect the Complainant (employee) from retaliation or prohibited conduct from occurring during and after any investigations or complaints. The Title IX Office and the Office of Human Resources will prepare a final written investigative report summarizing the results of the investigation and a copy will be forwarded to the Complainant and the Respondent. Both parties may comment, in writing, on the report as required under Title IX regulations. Their comments will be made a part of the investigative record and considered in the review of the complaint. The Complainant and the Respondent will be appropriately notified of any corrective actions to be taken, if any, and those actions will be administered consistent with College policy.

Allegations falling under other policies and procedures, such as those relevant to student employment complaints will be referred to the appropriate administrator for resolution.

In all circumstances, the Title IX Coordinator will conduct a preliminary review of the complaint and either proceed with the investigation or conclude the complaint process due to (a) insufficient information to support a finding of sexual harassment or sexual violence by a preponderance of the evidence or (b) finding that the complaint involves matters which are beyond the scope of applicable College sexual harassment policies.

At any time, the Title IX Coordinator may implement, or recommend to appropriate College administrators, measures to prevent a sexually discriminatory environment and prevent sexual harassment that may be directed toward others.

2. **Student Judiciary Process:** Upon completion of the Title IX investigation, a copy of the final investigative report will be forwarded to the Complainant, Respondent and the Assistant Dean, Student Conduct. The Complainant and Respondent may comment, in writing, on the Title IX investigative report as required under Title IX regulations within five (5) business days of receipt. Such comments are limited to significant new information or evidence and will be made a part of the final investigative record and made available to the Student Judiciary Committee and the Office of Student Conduct. The Assistant Dean, Student Conduct, will schedule a hearing date for the case and notify the Complainant and Respondent. The Complainant and Respondent will have an opportunity to present their case, witnesses and evidence to the Student Conduct Committee during the hearing. Both parties are entitled to the same opportunity to have an advocate or advisor present during the institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advocate or advisor of their choice.
Upon the completion of the hearing appropriate sanctions and/or disciplinary action be issued in the case consistent with the Student Code of Conduct and the College’s misconduct policies. The Complainant and Respondent will receive, in writing, the results of the Student Judiciary Conduct hearing and sanctions.

3. **Right To Appeal:** Either party has the right to appeal the outcome of the Student Judiciary Hearing Committee’s decision in the case. The appeal must be in writing and forwarded to the Director of Student Conduct within four (4) business days after the decision of the Student Judiciary Committee. **All appeals are limited to significant new information or evidence, procedural errors in the case or if sanctions imposed are insufficient or excessive.** All appeals will be heard by the Collegiate Appellate Committee and a decision will be rendered in the case and communicated to the student filing the appeal and the Student Judiciary Committee.

K. **Recordkeeping**

The Title IX Office will maintain and track all reports of sexual harassment and report, at least annually, concerning their number, nature and disposition to the President and administration. The Title IX Office will keep confidential records of reports of sexual harassment and the actions taken in response to those reports, and use them for potential legal purposes and to identify individuals or departments likely to benefit from training so that training priorities can be established. All records regarding sexual harassment complaint investigations will be maintained for at least ten (10) years from the date of final disposition of a complaint unless the outcome of the complaint results in suspension or expulsion, in which case the records will be maintained indefinitely. If the Respondent withdraws from the College prior to issuance of the College’s decision, the records will not be destroyed. The College may provide information regarding the matter, including cases where a respondent has withdrawn prior to the final decision, to other institutions, agencies, employers, or others in accordance with the law.

L. **Retaliation**

The College does not tolerate or condone any form of retaliation against any Complainant, Respondent or against any other person who participates in an inquiry or investigation of a complaint under this procedure.

M. **Exceptions**

This policy does not supersede policies and procedures addressing issues specifically governed by other College policies, such as grade appeals and school dismissal appeals, disability and reasonable accommodation complaints.

Students and employees are expected to present such complaints in accordance with applicable College policy and procedure.
L. Complaints Involving Faculty and Staff

Many College students will be supervised by employees of the College during their educational experiences. If a student is aggrieved by sexual harassment or sexual violence in such a setting, the College will attempt to resolve the situation and take reasonable steps to prevent harassment that may be directed toward others through the Office of Human Resources.