

B.1 Lafayette College Policy on Sexual Misconduct [Rev. 16-15, 18-66]

B.1.1 Statement of Purpose

Lafayette College is committed to providing a learning and working environment that emphasizes the dignity and worth of every member of its community. Sexual Misconduct (which includes Non-Consensual Sexual Contact, Non-Consensual Sexual Penetration, Sexual Exploitation, Intimate-Partner Violence, and Stalking, as defined below) in any form or context is contrary to this principle. Sexual Misconduct interferes with the expectation that all individuals at the College will learn and work in an environment that is free from discrimination, and it threatens the safety, well-being, educational experience, and career of students, faculty, and staff. It will not be tolerated in any form and is prohibited by this Policy on Sexual Misconduct (the "Policy"). [Rev. 16-15, 18-66]

The College does not discriminate on the basis of sex or gender in any of its education programs and activities, and it does not tolerate discrimination or harassment on the basis of sex or gender. Sexual Misconduct may constitute a form of sexual or gender-based harassment. The College maintains a separate Policy on Sexual and Gender-Based Harassment and Other Prohibited Conduct, which addresses: a) sexual harassment, gender-based harassment, and retaliation that does not constitute Sexual Misconduct, as defined in this Policy; and b) certain relationships that are prohibited by the College but are not violations of this Policy. When reported conduct involves a potential violation of both this Policy and any other College policy, such as the Policy on Sexual and Gender-Based Harassment and Other Prohibited Conduct, the procedures set forth in this Policy will apply.

The College will provide a prompt and equitable response to reports or notice it receives about Sexual Misconduct with measures designed to stop the behavior, prevent its recurrence, and address adverse effects of such conduct in College-related programs or activities. Through processes that address both prevention and remedies, this Policy aims to maintain a campus environment that is free of Sexual Misconduct.

This Policy also prohibits retaliation against individuals for reporting Sexual Misconduct or participating in the processes outlined in this Policy. The College will take disciplinary action against persons who retaliate or attempt such retaliation, even if the underlying allegations of prohibited conduct are not established by a preponderance of the evidence. [Rev. 16-15, 18-66]

The College intends to maintain, consistent with this Policy: (1) Processes sensitive to both the Reporting Party and the Responding Party in responding to reports of Sexual Misconduct, which consist of informing the parties of available resources including medical, counseling, and support services and available alternative remedies; (2) prompt and equitable processes and procedures for determining violations of this Policy which assure fairness to both the Reporting Party and the Responding Party; (3) College disciplinary sanctions for those who are found responsible for violating this Policy ; (4) individual and community remedies to address the effects of Sexual Misconduct; and (5) an ongoing Presidential Oversight Committee to review and provide input on the College's prevention and education programs and contemplated changes to policies and/or procedures. [Rev. 16-15, 18-66]

B.1.2 Policy on Sexual Misconduct

B.1.2.1 Definitions: Parties

B.1.2.1.1 Reporting Party

Reporting Party refers to the individual reportedly subjected to Sexual Misconduct. [Rev. 16-15, 18-66]

B.1.2.1.2 Responding Party

Responding Party refers to the individual reported to have engaged in Sexual Misconduct.
[Rev. 16-15, 18-66]

B.1.2.1.3 Third-Party Reporter

Third-Party Reporter refers to the individual reporting to the College an incident of Sexual Misconduct that happened to someone else.

B.1.2.2 Definitions: Terms and Prohibited Conduct

B.1.2.2.1 Sexual Misconduct

Sexual Misconduct is an umbrella term encompassing the range of behavior prohibited by this Policy, including: Non-Consensual Sexual Contact, Non-Consensual Sexual Penetration, Sexual Exploitation, Intimate-Partner Violence, and Stalking.

B.1.2.2.2 Consent

Consent for purposes of this Policy means permission to engage in certain activity. Consent shall be deemed to have been given if the other person assents, through an affirmative and voluntary statement or action, to the sexual gesture or activity. [Rev. 16-15]

- Assent obtained through physical force, threats, intimidation, coercion, or by taking advantage of the Incapacitation of another person is not considered Consent. It is the responsibility of the initiator of sexual contact to receive Consent and to understand fully what the other person wants and does not want sexually. [Rev. 16-15]
- Consent to one type of sexual activity does not imply Consent to other forms of sexual activity. For example, Consent to kissing or fondling cannot be presumed to be Consent to sexual intercourse.
- Consent on a prior occasion does not constitute Consent on a subsequent occasion.
- Consent to an act with one person does not constitute Consent to an act with any other person.
- The existence of a prior or current relationship does not, in itself, constitute Consent to a particular sexual activity; even in the context of a relationship, there must be mutual Consent.
- Consent can be withdrawn or modified at any time, and sexual contact must cease immediately once Consent is withdrawn.
- Consent cannot be inferred from silence, passivity, or lack of resistance.
- Consent cannot be given by an individual under 13 years of age. Similarly, Consent cannot be given by an individual under 16 years of age if the other individual is four or more years older.
- If a person is incapacitated, they are unable to give Consent (see B.1.2.2.3 below).

B.1.2.2.3 Incapacitation

Incapacitation means that a person lacks the ability, temporarily or permanently, to make informed judgments about whether or not to engage in sexual activity. A person may be Incapacitated as a result of the consumption of alcohol and/or other drugs, or due to a temporary or permanent physical or mental health condition. A person is also Incapacitated if they are unconscious, asleep, or otherwise unaware that the sexual activity is occurring. [Rev. 16-15]

When alcohol or other drug use is involved, Incapacitation is a state beyond impairment or being under the influence. The College does not expect community members to be medical experts in assessing Incapacitation; however, if at any point in an interaction you are unsure of an individual's level of capacity, you are highly encouraged to refrain from engaging in any sexual activity with that individual. [Rev. 16-15]

A person's level of intoxication is not always demonstrated by observable signs, but individuals should look for the common and obvious warning signs that show that a person may be Incapacitated. Although every individual may manifest the impacts of alcohol or other drugs differently, typical signs of Incapacitation include slurred or incomprehensible speech, unsteady gait, combativeness, emotional volatility, vomiting, or incontinence. [Rev. 16-15]

If the person initiating sexual activity knew or reasonably should have known that the other person was Incapacitated, that other person's apparent assent to the activity will not constitute Consent. [Rev. 16-15]

Voluntary impairment or being under the influence by a Responding Party is never an excuse for, or a defense to, Sexual Misconduct, and it does not diminish the responsibility to determine that the other person has given Consent.

B.1.2.2.4 Non-Consensual Sexual Contact [Rev. 18-66]

Non-Consensual Sexual Contact is: [Rev. 18-66]

- a) Any intentional touching of intimate body parts, such as genitalia, groin, breast, buttocks, or mouth or any clothing covering them, without Consent; [Rev. 18-66]
- b) The removal of, or the attempt to remove, another person's clothes without Consent; [Rev. 18-66]
- c) Touching a person with one's own intimate body parts without Consent; [Added 18-66]
- d) Compelling another to touch one's intimate body parts without Consent; or [Added 18-66]
- e) Any other intentional sexual touching with any object by a person upon another person with Consent. [Added 18-66]

B.1.2.2.5 Non-Consensual Sexual Penetration [Added 18-66]

Non-Consensual Sexual Penetration is: [Added 18-66]

- a) Any vaginal or anal penetration (i) no matter how slight, (ii) with any body part or object, [Added 18-66]
- b) Or oral penetration by a sex organ of another person or object, [Added 18-66]

c) That occurs without Consent or by force. [Added 18-66]

B.1.2.2.6 Sexual Exploitation [Rev. 16-15]

Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other Sexual Misconduct offenses. [Rev. 16-15]

Such Sexual Exploitation includes but is not limited to engaging in voyeurism; observing, photographing, videotaping, or making other visual or auditory records of sexual activity or stages of undress/nudity where there is a reasonable expectation of privacy and without the consent of all parties; the sharing of visual or auditory records of sexual activity or nudity without the knowledge and consent of all recorded parties; exposing one's genitals or breasts in non-consensual circumstances or inducing another to expose genitalia or breasts; allowing others to observe personal sexual activity without the consent of all involved parties; and engaging in sexual activity with another person while knowingly infected with an STI, STD, or HIV without previously informing the other person of the infection. [Rev. 16-15]

B.1.2.2.7 Intimate Partner Violence

Intimate Partner Violence includes any act of physical violence or threatened physical violence against a person who is, or has been involved in a sexual, dating, domestic, or other intimate relationship with that person. It may involve one act or an ongoing pattern of behavior. Intimate Partner Violence includes, but is not limited to, placing another in reasonable fear of serious bodily injury, restraining another's liberty or freedom of movement, engaging in any other form of Sexual Misconduct, or other violence or threat of violence to oneself, one's sexual or romantic partner, or to the family members or friends of a relationship partner. [Rev. 16-15, 18-66]

Other types of abusive behavior such as verbal, emotional, psychological, and economic abuse, while not covered in this definition may violate other policies under the Student Code of Conduct, *Faculty Handbook*, or HR policies and will be referred to other College officials, as appropriate.

B.1.2.2.8 Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person in that same circumstance to feel fear for their safety or the safety of others, or to suffer substantial emotional distress. Stalking may include repeatedly following, monitoring, surveilling, harassing, threatening, intimidating, or communicating to or about another by telephone, mail, electronic communication, social media, or any other action, device, or method. Acts may be direct actions or may be communicated by a third party, and can include threats of harm to self, others, or property. Stalking must involve at least two or more actions, as described above, within a twelve-month period.

B.1.2.2.9 Retaliation

Retaliation is an intentional behavior taken against an individual or group of individuals involved in a protected activity. Protected activity includes: (1) making a good faith report under this Policy; (2) opposing in a reasonable manner and consistent with College policy an action reasonably believed to constitute a violation of this Policy; (3) filing an external complaint about conduct prohibited by this Policy; or (4) participating in proceedings under this Policy.

Retaliation can take many forms, including, but not limited to, adverse action or violence, threats, and intimidation by or on behalf of an individual that would discourage a reasonable person (under similar circumstances and with similar identities to the individual allegedly retaliated against) from engaging in protected activity. Actions in response to a good faith report or response under this Policy are considered retaliatory if they have a materially adverse effect on the working, academic, or College-controlled living environment of an individual or if they hinder or prevent the individual from effectively carrying out their College responsibilities. All individuals and groups of individuals are prohibited from engaging in retaliation and will be held accountable under this Policy. An individual may be found responsible for retaliation even if the underlying allegations of prohibited conduct have not been established by a preponderance of the evidence. [Rev. 16-15, 18-66]

B.1.2.3 Scope and Jurisdiction

Sexual Misconduct violates the standards of conduct expected of every member of and visitor within the College community. Some forms of Sexual Misconduct may also violate state and federal laws, and criminal prosecution may occur independently of any disciplinary action imposed by the College.

This Policy applies to the conduct of all community members, including students, employees, volunteers, and other third parties (including vendors, independent contractors, visitors and guests). All community members have a responsibility to adhere to College policies, as well as local, state, and federal laws. An individual found to have violated this Policy will be subject to disciplinary action consistent with the procedures set forth below. Disciplinary action may include expulsion (for a student), termination (for an employee), or limits on access to the College or campus (for a third party).

This Policy applies to conduct occurring: on Lafayette College property; in the context of any College-related or sanctioned education program or activity, regardless of the location (including travel, research, or internship programs); through the use of College-owned or provided technology resources; or that otherwise creates a Hostile Environment on campus or in the context of any College-related or sanctioned education program or activity. This Policy also applies to all other off campus conduct by a Lafayette student, consistent with the Student Code of Conduct.

The prohibited conduct defined in this Policy can be committed by or occur between individuals of any gender identity or expression.

B.1.2.4 The College's Title IX Coordinator

The College's Title IX Coordinator oversees the College's compliance with this Policy, consistent with the Coordinator's oversight of Title IX and related provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA). The Title IX Coordinator also oversees the College's centralized response to all reports of Sexual Misconduct to ensure consistent implementation of this Policy and compliance with federal and state law.

The Title IX Coordinator may delegate responsibilities under this Policy to designated administrators. The Title IX Coordinator is available to address questions or provide additional clarity and guidance about College policy, procedures or available resources.

The College's Title IX Coordinator is:

Amanda Hanincik
202 Feather House
(610) 330-5338
hanincia@lafayette.edu

B.1.3 Seeking Assistance, Reporting Options, and Resources

B.1.3.1 Seeking Assistance from Either Confidential or Private Resources

An individual who has experienced Sexual Misconduct has a variety of available options and resources for support. Individuals are encouraged to familiarize themselves with their options and responsibilities when deciding whether to disclose a potential violation of this Policy to a College employee, as College employees have different reporting responsibilities based on their role. [Rev. 16-15, 18-66]

In evaluating reporting options, it is important to understand the difference between privacy and confidentiality. While they are closely related, the concepts of privacy and confidentiality are distinct terms that are defined below and have an impact on how information may be shared within the College.

B.1.3.1.1 Confidentiality and Confidential Resources [Rev. 16-15]

B.1.3.1.1.1 Definition

Confidentiality refers to the protection from disclosure of information shared with professional, licensed mental health counselors and ordained clergy whose official responsibilities include providing mental health counseling or pastoral care to members of the College community (the College's "Confidential Resources") [Rev. 16-15]

B.1.3.1.1.2 Seeking Assistance from Confidential Resources

Confidential Resources are not required to report any information about an incident to the Title IX Coordinator without a Reporting Party's permission. In limited circumstances, Confidential Resources may have ethical or legal obligations which compel them to reveal certain information. For example, an otherwise Confidential Resource may disclose information if it concerns suspected abuse or neglect of a minor. [Rev. 16-15]

The following is the contact information for those who serve as the College's Confidential Resources: [Rev. 16-15]

The Counseling Center

Bailey Health Center, 2nd Floor
(610) 330-5005

After hours crisis telephone support available.

Drop-in Consultation Clinic during the academic year:

Monday – Friday, 10:00 am – 11:30 am and 1:00 pm – 3:30 pm

College Chaplain

Rev. Alex Hendrickson
107 Farinon
(610) 330-5959

Available during regular business hours. Call to schedule an appointment.

B.1.3.1.2 Privacy and Private Resources [Rev. 16-15]

B.1.3.1.2.1 Definition

Privacy refers to the discretion that will be exercised by the College in the course of any report, investigation, or disciplinary processes under this Policy. When the College has notice of a potential violation of this Policy, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the reported conduct. Information related to a report of Sexual Misconduct will only be shared with a limited number of College employees who need to know in order to assist in the assessment, investigation, and resolution of the report and related issues. In all such proceedings, the College will take into consideration the privacy of the parties to the extent reasonably possible. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (FERPA).

B.1.3.1.2.2 Seeking Assistance from a Private Resource (Limited Confidentiality)

Some College employees, designated as Private Resources, while not meeting the definition of Confidential Resource, are able to talk to a Reporting Party without being required to disclose personally identifiable information about the Reporting Party or witnesses to the Title IX Coordinator. Instead, in order to foster increased reporting and access to resources, these employees are only required to share a limited report to inform the Title IX Coordinator of the date, time, general location, and nature of the allegations. [Rev. 16-15, 18-66]

Because of the limited information that is shared, the Title IX Coordinator's ability to respond may be limited. In addition, unlike Confidential Resources, who have statutorily-protected legal confidentiality, records maintained by Private Resources may be subject to release by court order, search warrant or subpoena.

The following is contact information for those who serve as the College's Private Resources:

Bailey Health Center (Medical)

607 High St.
(S.W. Corner of High & McCartney Sts.)
(610) 330-5001

PASA Adviser: The faculty or staff adviser of the student group Pards Against Sexual Assault (PASA) is designated a Private Resource when acting in the capacity of PASA Adviser.

B.1.3.2 Reporting Options [Rev. 16-15]

A Reporting Party, Third-Party Reporter, or witness may choose to:

- Report incidents of conduct that may violate state law to the College's Department of Public Safety or the appropriate law enforcement agency (see B.1.3.2.1 below);
- Report incidents of conduct prohibited under this Policy to the Title IX Coordinator or a Responsible Employee of the College (see B.1.3.2.2.1 and B.1.3.2.2.2 below);
- Make an anonymous report (see B.1.3.2.2.3 below);

- Seek assistance from a Confidential Resource (see B.1.3.1.1.2 above). ***Note that a request for assistance from a Confidential Resource does not constitute a report to the College, and further action by the College will not be taken unless the Reporting Party requests same;*** and/or
- Seek assistance from a Private Resource at the College (see B.1.3.1.2.2 above). ***Note that this does not constitute a report to the College, but instead means that the Private Resource will share non-identifying information about the report with the Title IX Coordinator.***

An individual may make a report to the Title IX Coordinator or a Responsible Employee of the College, to law enforcement (the Department of Public Safety or Easton Police Department), to neither, or to both. Campus internal processes and law enforcement investigations operate independently of one another, although the College will coordinate with law enforcement. An individual may pursue some or all of these steps at the same time (e.g., one may simultaneously pursue a Sexual Misconduct report under this Policy and a criminal complaint).

The College recognizes that deciding among these options can be difficult and is a personal decision. Reporting parties and witnesses are encouraged to seek assistance from resources and to explore all potential reporting and support options.

In addition, it is important to understand the different responsibilities of Lafayette College employees. Employees may be designated as a Responsible Employee, a Confidential Resource, or a Private Resource, as defined in this Policy. A Reporting Party who is unsure of a College employee's reporting obligations and ability to maintain confidentiality may ask about the employee's responsibilities, and an inquiry into an individual's reporting obligations will not, by itself, trigger an investigation.

B.1.3.2.1 Reporting to Law Enforcement and Seeking Emergency Medical Assistance

Emergency medical assistance and campus safety/law enforcement assistance are available both on and off campus. Individuals are encouraged to contact law enforcement and seek medical treatment as soon as possible following an incident that may pose a threat to safety or physical well-being or following a potential criminal offense.

A Reporting Party or Third-Party Reporter has the right to report, or decline to report, potential criminal conduct to law enforcement or campus authorities, and the College will assist a Reporting Party or Third-Party Reporter in contacting law enforcement at any time. Under limited circumstances posing a threat to health or safety of any College community member, the College may independently notify law enforcement.

The **Department of Public Safety** is available 24 hours a day to receive reports of Sexual Misconduct. The Department of Public Safety may be reached at (610) 330-4444 (emergency), or (610) 330-5330 (non-emergency).

B.1.3.2.2 Reporting to the College

B.1.3.2.2.1 Reporting to the Title IX Coordinator [Rev. 16-15]

The Title IX Coordinator is responsible for overseeing the College's response to reports of sexual misconduct and retaliation. The College strongly encourages all individuals to report a potential violation of this Policy directly to the Title IX Coordinator or to one of the Deputy Title IX Coordinators: [Rev. 16-15, 18-66]

Amanda Hanincik
Title IX Coordinator
Director of Educational Equity
202 Feather House
(610) 330-5338
hanincia@lafayette.edu

Lisa Rex
Deputy Title IX Coordinator
Director of Human Resources-Employment
12 Markle Hall
(610) 330-5060
rexl@lafayette.edu

Jamila Bookwala
Deputy Title IX Coordinator
Dean of the Faculty
219 Markle Hall
610-330-5285
bookwalj@lafayette.edu

Jennifer Dize
Deputy Title IX Coordinator
Assistant Dean of Students
204 Feather House
(610) 330-5082
dizej@lafayette.edu

Terrence Haynes
Deputy Title IX Coordinator
Assistant Director of Residence Life
Kirby House 114
(610) 330-3290
haynest@lafayette.edu

Reports may be made in person, by telephone, by email, or through the College's online reporting tool. In-person reports can be made during regular business hours. Appointments are encouraged. [Rev. 16-15]

As noted, individuals may also report to the Title IX Coordinator through the reporting tool located at sash.lafayette.edu or by using the Universal Reporting form at onepard.lafayette.edu. The reporting tool is only monitored during regular business hours and should not be used in emergencies or situations where an immediate response is required. In such situations call Public Safety at (610) 330-4444 (emergency), or (610) 330-5330 (non-emergency). [Rev. 16-15]

B.1.3.2.2.2 Reporting to Responsible Employees at the College

A Responsible Employee is a College employee who has the authority to redress Sexual Misconduct, who has the duty to report Sexual Misconduct, or who a student or employee could reasonably identify as having this authority or duty.

Lafayette College has **designated all faculty (including visiting faculty) and all full-time administrators as Responsible Employees**. Examples of Responsible Employees include: [Rev. 16-15]

- The President
- Directors and Deans in all Departments
- Public Safety Officers or other Campus Security Personnel
- Residence Life Staff including Resident Advisors
- All Campus Life Staff including Athletic Coaches and Trainers

For more information about Responsible Employees, visit sash.lafayette.edu.

Any time a Responsible Employee is told or becomes aware of any information related to alleged Sexual Misconduct, the Responsible Employee must promptly share all relevant information about the reported incident with the Title IX Coordinator or a Deputy Title IX Coordinator. The Responsible Employee is only responsible for sharing what was disclosed and will not attempt to investigate the allegations. To the extent possible, information reported to a Responsible Employee will be shared only with people responsible for handling the College's response to the report. [Rev. 16-15]

B.1.3.2.2.3 Anonymous Reporting

Anyone can make an anonymous report of Sexual Misconduct by going to sash.lafayette.edu and clicking on "Report Sexual Misconduct" or by going to onepard.lafayette.edu and filling out the Universal Reporting Form. Based on the nature of the information submitted, the College's ability to respond to an anonymous report may be limited.

B.1.3.3 Additional Resources

The College's website for Sexual Violence Prevention, Education, and Response (sash.lafayette.edu) provides the most comprehensive and current list of available on- and off-campus resources and support services for Reporting and Responding Parties. [Rev. 16-15, 18-66]

B.1.3.4 Amnesty Statement

Sometimes, individuals are hesitant to report an incident of Sexual Misconduct to College officials because they fear that they themselves may face disciplinary sanctions as a result of their own violation of College policy (e.g., for personal consumption of alcohol or other drugs). To encourage reporting, and the free exchange of information, the College will generally not proceed with disciplinary proceedings against such an individual who reports an allegation of Sexual Misconduct, provided that the Reporting Party's own violation did not jeopardize the health or safety of others. [Rev. 16-15, 18-66]

B.1.3.5 Timeframe for Reporting

Reporting Parties are encouraged to report any violation of this Policy as soon as possible in order to maximize the College's ability to respond promptly and effectively. However, the College does not limit the timeframe for reporting. Reports under this Policy may be made at any time without regard to how much time has elapsed since the incident(s) in question.

Depending on the length of the delay, however, the College's ability to respond effectively may be limited. For example, if the Responding Party is no longer a student or employee at the time of the report, the College may not be able to take disciplinary action against the Responding Party. The College will still seek to meet its obligations by providing support for the Reporting Party.

(and, in appropriate circumstances, the Third-Party Reporter) and by taking any available steps to end the prohibited behavior, prevent its recurrence, and address its effects. The College may also assist the Reporting Party in identifying and contacting law enforcement and/or other external enforcement agencies.

B.1.4 College Action following a Report: Initial Assessment, Interim Measures & Requests for Anonymity

B.1.4.1 Overview of Resolution Options at the College

The College is committed to providing a prompt, thorough, equitable, and impartial resolution of all reported violations of this Policy. The College uses two processes to resolve reports of prohibited conduct under this Policy:

- a) **Formal Resolution**, which involves an investigation, possible initiation of a hearing process, and, if appropriate, the imposition of sanctions; and
- b) **Informal Resolution**, which includes informal or restorative options for resolving reports and does not involve disciplinary action against a Responding Party.

Note: It is possible to report an incident of Sexual Misconduct without pursuing either of these options. (See B.1.6.6 below.)

B.1.4.2 Notice Received by the Title IX Coordinator [Rev. 16-15]

Prior to deciding whether formal or informal resolution may be appropriate, the Title IX Coordinator, or designee, after receiving information about a potential violation of this Policy, will conduct an initial assessment. The purpose of this assessment is to determine whether the conduct reported, if true, could constitute a violation of the Policy. [Rev. 16-15, 18-66]

The first step of this assessment will usually be a meeting between the Title IX Coordinator, or designee, and the Reporting Party (or, in appropriate circumstances, the Third-Party Reporter). The Title IX Coordinator may also invite appropriate College administrators to participate throughout the assessment process on a need-to-know basis. [Rev. 16-15, 18-66]

As part of the **initial assessment**, the College will: [Rev. 16-15, 18-66]

- Assess the nature of the report;
- Address immediate needs of the Reporting Party, the Responding Party, or any other pertinent individual;
- Discuss available procedural options and determine the Reporting Party's preference for resolution;
- Provide the Reporting Party with information about resources both on and off campus, including informing the Reporting Party of the right to notify law enforcement and the right to seek medical treatment;
- Assess for patterns or other similar conduct by the Responding Party;
- Enter non-identifying information about the report into the College's crime log, if the conduct is criminal in nature.

This assessment weighs multiple factors (no single factor is necessarily determinative of the decision to move forward or not move forward with an investigation). At the conclusion of the initial assessment, the College will proceed with one of the following options:

- a) Proceed with an investigation under the Formal Resolution process. This will occur when the reported conduct, if true, could constitute a policy violation, **and**
 - 1) A Reporting Party requests an investigation;
 - 2) The Title IX Coordinator determines that an investigation must be pursued even when a Reporting Party requests that no investigation be pursued; or
 - 3) Where Informal Resolution is not appropriate or available.
- b) Proceed with Informal Resolution. This will always require the consent of all parties.
- c) Proceed with neither Formal nor Informal Resolution when:
 - 1) After evaluating a request from the Reporting Party not to move forward, and weighing all other factors, including the safety of the community, the Title IX Coordinator determines that it is appropriate to not move forward with any Resolution process; or
 - 2) The College may choose this option due to lack of information.

Note: Even if the Formal or Informal Resolution processes outlined herein are not initiated, the College may proceed with other educational initiatives to address environmental and/or cultural issues (see section B.1.5 below). Certain individuals and/or groups identified by the College as needing further education surrounding Sexual Misconduct prevention may be required to participate in educational opportunities.

- d) In the event of a report in which, after an initial assessment, it has been determined that any conduct does not fall within the scope of this Policy, the College may refer the matter to the appropriate office or department for resolution under the relevant policy.

B.1.4.3 Request for Anonymity

If the Reporting Party or Third-Party Reporter requests anonymity or asks that a report not be pursued, the Title IX Coordinator will consider this request in the context of the College's responsibility to provide a safe and non-discriminatory environment for all members of the College community. [Rev. 16-15, 18-66]

In reaching a determination on whether the request can be honored, the Title IX Coordinator will balance the Reporting Party/Third-Party Reporter's request with various factors including, but not limited to, the following:

- The nature and scope of the alleged Sexual Misconduct, including whether the reported behavior involves the use of a weapon;
- The risk posed to any individual or to the campus community by not proceeding, including the risk of additional violence;

- Whether there have been other reports of Sexual Misconduct or other misconduct by the Responding Party; and
- The College's obligation to provide a safe and non-discriminatory environment.

The Title IX Coordinator will consider what steps may be possible or appropriate when a Responding Party is unknown or the Reporting Party/Third-Party Reporter requests anonymity, and what other measures or remedies might be considered to address any effects of the reported behavior on the campus community. The Title IX Coordinator will make a determination regarding the appropriate manner of resolution under the Policy. The College will seek resolution consistent with the Reporting Party/Third-Party Reporter's request, if it is possible to do so, based upon the facts and circumstances, while also protecting the health and safety of the Reporting Party and the College community.

When the Title IX Coordinator determines that a Reporting Party/Third-Party Reporter's request(s) can be honored, the College may nevertheless take other appropriate steps to eliminate the reported conduct, prevent its recurrence, and remedy its effects on the Reporting Party and the College community. Those steps may include offering reasonable and appropriate interim measures to the Reporting Party, providing targeted training and prevention programs, and/or providing or imposing other remedies. The Title IX Coordinator may also request that a report be re-opened and pursued under this Policy if any new or additional information becomes available, and/or if the Reporting Party decides that they would like a Formal Resolution to occur.

In those instances when the Title IX Coordinator determines that the College must proceed with an investigation despite the Reporting Party's request that it not occur, the Title IX Coordinator will notify the Reporting Party that the College intends to initiate an investigation.

The College's ability to investigate and respond fully to a report may be limited if the Reporting Party/Third-Party Reporter requests anonymity or declines to participate in an investigation or in any resulting adjudicatory process. The College will, however, pursue other steps to limit the effects of the potential prohibited conduct and prevent its recurrence. In all cases, the final decision on whether, how, and to what extent the College will conduct an investigation and whether other interim remedial or protective measures will be taken in connection with a report of prohibited conduct will be made in a manner consistent with this Policy.

B.1.4.4 Interim Measures

Upon receipt of a report of Sexual Misconduct, the College will provide reasonable and appropriate interim measures designed to preserve the Reporting and Responding Parties' educational experiences; protect the Reporting and Responding Parties during an investigation; address safety concerns for the broader College community; maintain the integrity of the investigative and/or resolution process; and deter retaliation. These measures may be designed to maintain continued access to educational opportunities or involve a restrictive action.

Interim measures may include:

- Access and/or referrals to counseling and medical services;
- Assistance in obtaining a sexual assault forensic examination;
- Assistance in rescheduling exams and assignments and arranging extensions of deadlines;
- Academic support;

- Assistance in requesting long-term academic accommodations;
- Change in class schedule, including the ability to transfer course sections or withdraw from a course;
- Change in College work schedule or job assignment;
- Change in campus housing;
- Assistance navigating off-campus housing concerns;
- Escort and other safety planning steps;
- Imposition of a “no contact directive,” an administrative remedy designed to curtail contact and communications between two or more individuals;
- Voluntary leave of absence;
- Referral to resources which can assist in obtaining a protective order under Pennsylvania law;
- Referral to resources which can assist with any financial aid, visa, or immigration concerns;
- Any other remedial measure that can be used to achieve the goals of this Policy.

In addition to the above, a Responding Party may be suspended on an interim basis to ensure the safety and well-being of members of the Lafayette community or preservation of College property; or if the Responding Party poses an ongoing threat of disruption, or interference with, the normal operations of the College. The decision to impose interim suspension may be made at any point in the process, but only after an individualized assessment of the propriety of such a suspension by an appropriate College official. If the college imposes an interim suspension the Responding Party shall have the right to immediately appeal this decision. To appeal, the Responding Party must make that appeal in writing to the Vice President of Campus Life within 24 hours of receiving notice.

Interim measures may be available to the Reporting Party regardless of whether the Reporting Party pursues an investigation or seeks formal disciplinary action.

The availability of interim measures will be determined by the specific circumstances of each report. Requests for interim measures may be made to the Title IX Coordinator. The Title IX Coordinator, or designee, is responsible for ensuring the implementation of interim measures and coordinating the College's response with the appropriate offices on campus. The Title IX Coordinator, or designee, has the discretion to impose and/or modify reasonably available interim measures in a manner consistent with other College policies. The Title IX Coordinator, or designee, will consider a number of factors in determining which measures to take, including the needs of the student or employee seeking remedial and/or protective measures; the severity or pervasiveness of the alleged conduct; any continuing effects on the Reporting Party and the Responding Party; whether the parties share the same residence hall, academic course(s), or job location(s); and whether judicial measures have been taken to protect the Reporting Party (e.g., protective orders). The College will work in good faith to implement the requirements of judicially-issued protective orders and similar orders, to the extent that doing so is within its authority.

The College will provide reasonable interim measures to third parties as appropriate and available, taking into account the role of the third party and the nature of any contractual relationship with the College.

The Title IX Coordinator is available to meet with a Reporting or Responding Party to address any concerns about the provision of interim measures. The College will maintain the privacy of any interim measures provided under this Policy to the extent practicable and will promptly address any violation of interim measure.

All individuals are encouraged to report to the Title IX Coordinator any concerns about the failure of another to abide by any restrictions imposed through an interim measure. In the event of an immediate health or safety concern, individuals should contact 911 or the Department of Public Safety immediately. The College will take immediate action to enforce a previously implemented measure, and disciplinary penalties can be imposed for failing to abide by a College-imposed interim measure.

B.1.4.5 College as Reporting Party

For purposes of this Policy, if the individual alleged to have been subjected to Sexual Misconduct is a Third Party (that is, the individual is not a student or employee of the College), they will not be considered a "Reporting Party", but rather will be considered a "Third-Party Reporter." In these situations, the College reserves the right to step into the role of the Reporting Party and move the process forward.

B.1.5 Informal Resolution

Following the initial assessment, the Title IX Coordinator will discuss available resolution options, including informal resolution, with the Reporting Party. Upon determining that the informal resolution process may be appropriate, and if the Reporting Party consents, the Title IX Coordinator will consult with the Responding Party to determine whether they also agree to participate in the informal resolution process. Informal resolution will be pursued only with the consent of both parties after they receive full disclosure of the allegations against the Responding Party; details about the informal resolution process, including the effect of any agreement reached as a result of the process; and the options for formal resolution.

The informal resolution process does not involve a formal investigation or adjudication, but rather is an educational approach that is intended to raise awareness, facilitate understanding between the parties, and reach mutually agreed-upon resolution. The informal resolution process may include facilitated conversation, training and education for individuals or groups, and/or any other individual or community remedies designed to maintain the Reporting Party's access to the educational, extracurricular, and employment activities at the College and to eliminate a potential hostile environment or that can be tailored to the involved individuals to achieve the goals of this Policy.

At any time before a resolution is reached, both the Reporting and Responding Parties have the right to end the informal resolution process and begin the formal resolution process. If the informal process results in a resolution, both parties will receive written outcome notification that the process has concluded and the case will be closed. Agreements for resolution reached via the informal resolution process shall be final and binding. Once the informal resolution agreement is finalized, formal resolution is no longer an option.

If the parties are unable to reach a resolution in a timely manner (normally within 45 business days), or if either party requests to terminate the informal resolution process, the formal process may proceed upon the request of one or both parties. The use of the informal resolution process is not a prerequisite to initiating formal resolution procedures.

Anyone who has an inquiry or who is requesting an informal resolution may bring an adviser of choice to meetings with the Title IX Coordinator and/or designee.

The Title IX Coordinator will maintain records of all reports and conduct referred for informal resolution, including a copy of any final agreement for resolution.

B.1.6 Formal Resolution

B.1.6.1 Investigation Procedures

B.1.6.1.1 Timeframe for Investigation and Resolution

Though the College strives to resolve all cases in a timely manner, the typical timeline for a case varies based on the circumstances of the case. The College will attempt to complete the investigation within 60 business days after providing notice of the investigation to the parties, and will attempt to complete the disciplinary process promptly after the conclusion of the investigation, typically within 30 business days; however, the College may extend any timeframe in this Policy for good cause to ensure the integrity and thoroughness of the investigation; to comply with a request by law enforcement; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in the College calendar, College finals periods, the complexity of the investigation, and the severity and extent of the alleged misconduct. Investigations will proceed according to the timeframes in this Policy to the extent possible during the summer and at other times when classes at the College are not in session. These timeframes are contingent on reasonably prompt responses from all parties involved.

While requests for delays by the parties may be considered, the College cannot unduly or unreasonably delay the prompt resolution of a report under this Policy. The College will not typically entertain requests for delays due to an Adviser's unavailability. The College will notify the parties in writing of any extension of the timeframes for good cause and the reason for the extension.

B.1.6.1.2 Initiating an Investigation

When the decision is made to initiate an investigation, the College will appoint an investigator or team of investigators to conduct a prompt, thorough, fair, and impartial investigation. The investigator may be a College employee and/or an experienced external investigator. Any investigator used by the College will receive annual training on the issues related to Sexual Misconduct and on how to conduct an investigation that is fair and impartial, provides parties with notice and a meaningful opportunity to be heard. The investigator will be impartial and free from conflict of interest or actual bias for or against the Reporting Party or Responding Party.

Oversight of the internal investigation process varies depending on whether the Responding Party is a student, faculty member, or staff member. The designated "College Official", as outlined below, will oversee the investigation process (outlined in section B.1.6.1.4 below) and communicate with both the Reporting and Responding Parties throughout the investigation process:

- a) If the Responding Party is a student: The Title IX Coordinator, or designee, will oversee the investigative process.
- b) If the Responding Party is a faculty member: The Title IX Coordinator will refer the matter to the Provost. The Provost will oversee the investigative process.

- c) If the Responding Party is a staff member: The Title IX Coordinator will refer the matter to the College's Human Resources office. The Human Resources office will oversee the investigative process.

B.1.6.1.3 Notice of Investigation

If an investigation consistent with formal resolution is going to take place, the designated College Official will issue a notice, in writing, to both the Reporting and Responding Parties, which shall include the following:

- a) The names of the Reporting Party and the Responding Party;
- b) The date, time (if known), location, and nature of the reported conduct;
- c) The possible Policy violation(s);
- d) The name(s) of the investigator(s);
- e) Information about the parties' respective rights and responsibilities;
- f) A reminder about the prohibition against retaliation;
- g) The importance of preserving any potentially relevant evidence in any format;
- h) How to challenge participation by the investigator on the basis of a conflict of interest or bias; and
- i) A copy of this Policy.

If the investigation reveals the existence of additional or different potential Policy violations, the investigator or College Official overseeing the investigative process will issue a supplemental notice of investigation.

B.1.6.1.4 Overview of Investigation

During an investigation, the investigator will seek to meet separately with the Reporting Party, Responding Party, Third-Party Reporter (if different from the Reporting Party), and any other relevant witnesses. Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, or related matters. Witnesses may not participate solely to speak about an individual's character, and character evidence will not be considered. Where witnesses are interviewed as part of the investigation, the name of the witness and the information gathered in the interviews will be shared with the parties at the conclusion of the investigation. The investigator will also endeavor to gather other relevant information or evidence, including documents, photographs, communications between the parties, medical records (subject to the consent of the applicable person), and other electronic records as appropriate.

The investigator, not the parties, is responsible for gathering relevant evidence to the extent reasonably possible. The Reporting Party and Responding Party will be asked to identify witnesses and provide other relevant information, such as documents, communications, photographs, and other evidence. Both persons are encouraged to provide all relevant information as promptly as possible to facilitate prompt resolution. The College cannot unduly delay an investigation if a party declines voluntarily to provide information in a timely fashion.

In the event that a party declines voluntarily to provide material information, the College's ability to conduct a prompt, thorough, and equitable investigation may be impacted.

The investigator may also consider relevant information publicly available from social media or other online sources that comes to the attention of investigator. The College does not actively monitor social media or online sources; however, and as with all potentially relevant information, the Reporting Party, Responding Party, or witness should bring online information to the attention of the investigator.

The investigator may visit relevant sites or locations and record observations through written, photographic, or other means. In some cases, the investigator may consult medical, forensic, technological, or other experts when expertise on a topic is needed in order to achieve a fuller understanding of the issues under investigation. The College will not consider polygraph results or any expert testimony provided by the parties or witnesses. In general, a person's medical and counseling records are confidential and not accessible to the investigator unless the person voluntarily chooses to share those records with the investigator. In those instances, the relevant information from the records that will be reviewed by any decision maker must be shared with the other party.

The investigator will review all information identified or provided by the parties and will determine the appropriateness, relevance, and credibility of the information developed or received during the investigation. In general, the investigator will not consider statements of personal opinion or statements as to any party's general reputation for any character trait, as these generally do not produce relevant information. All information considered relevant by the investigator will be provided to the parties for their review and comment, as described in this Policy.

The Parties will be provided periodic updates about the status of the investigation, including notice, if applicable, that the investigation timeline must be extended for good cause.

B.1.6.1.5 Coordination with Other Policies/Consolidation of Investigation

The Title IX Coordinator, or designated College Official, has the discretion to consolidate multiple reports into a single investigation if evidence relevant to one incident might be relevant to the others. Consolidation might involve multiple Reporting Parties and a single Responding Party, multiple Responding Parties, or conduct that is temporally or logically connected.

When reported conduct involves a potential violation of both this Policy and any other College policy, including the Policy on Sexual and Gender-Based Harassment and Other Prohibited Conduct, the procedures set forth in this Policy will apply.

B.1.6.1.6 Adviser of Choice

Throughout the investigation and resolution of an allegation of Sexual Misconduct, the Reporting Party and Responding Party each have the right to consult with an adviser of their choosing. The adviser may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation. The Reporting Party and Responding Party may be accompanied by their respective adviser at any meeting or proceeding related to the investigation and resolution of a report under this Policy.

The role of an adviser is to provide support and advice to their advisee, and they may do so at any meeting and/or proceeding; however, an adviser may not speak on behalf of their advisee, direct their advisee on how to answer a question, or otherwise participate in, or in any manner delay, disrupt, or interfere with meetings and/or proceedings. While an adviser

may review and provide feedback on written material that their advisee plans to submit, the adviser may not submit written material on their advisee's behalf, edit their advisee's work, or write material for the advisee to submit as the advisee's own work.

An adviser should plan to make themselves reasonably available; the College will not unduly delay the scheduling of meetings or proceedings based on the adviser's unavailability. An adviser may be asked to meet with a College administrator in advance of any proceedings to understand the expectations of their role, privacy considerations, and appropriate decorum.

B.1.6.1.7 Prior or Subsequent Conduct of the Responding Party

Prior or subsequent conduct of the Responding Party may be considered in determining pattern, knowledge, intent, motive, or absence of mistake, when those issues are relevant to an allegation or investigation. For example, evidence of a pattern of prohibited conduct by the Responding Party, either before or after the incident in question, regardless of whether there has been a prior finding of a Policy violation, may be deemed relevant to the determination of responsibility for the Sexual Misconduct under investigation. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar prohibited conduct. The investigator, in the first instance, will determine the relevance of this information.

B.1.6.1.8 Prior Sexual History

The sexual histories of the Reporting Party and Responding Party will never be used to prove character or reputation. Evidence related to the prior sexual history of the parties is generally not used in determining whether a violation of this Policy has occurred and will only be considered under limited circumstances. For example, if Consent is at issue, the sexual history between the parties may be relevant to determine the nature and manner of communications between the parties, which may inform the determination whether Consent was sought and reasonably appeared to have been given during the incident in question. As set forth in the Consent definition, even in the context of a relationship, Consent on one occasion does not constitute Consent on a subsequent occasion. In addition, prior sexual history may be relevant to explain injury, to provide proof of a pattern, or to address another specific issue raised in the investigation. The investigator, in the first instance, will determine the relevance of this information.

B.1.6.1.9 Investigative Report

At the conclusion of the investigation, the investigator will prepare a final investigative report. The final investigative report will be referred to the designated College Official for further handling and resolution consistent with the applicable Procedures Following Investigation (see Section B.1.6.2 below).

B.1.6.2 Procedures Following Investigation

The final investigative report will be provided to the College Official with authority over the Responding Party. The College Official with authority over (i) students is the Vice President of Campus Life or a designee; (ii) faculty is the Provost or designee; and (iii) staff members is the Associate Vice President of Human Resources or designee. [Rev. 16-15, 18-66]

The responsible College Official will inform the Reporting Party and the Responding Party of the applicable policies and procedures that will be followed after the completion of the investigation: [Rev. 16-15, 18-66]

- If the Responding Party is a student, the responsible College Official will take steps in accordance with the procedures outlined in the *Student Handbook*. For procedures involving a student Responding Party, see the *Student Handbook*. [Rev. 16-15, 18-66]
- If the Responding Party is a faculty member, the responsible College Official will take steps in accordance with the procedures outlined in the *Faculty Handbook*. For procedures involving a faculty Responding Party, see Appendix B of the *Faculty Handbook*. [Rev. 16-15, 18-66]
- If the Responding Party is a staff member, the responsible College Official will take steps in accordance with the procedures outlined in either the *Salaried/Exempt Employee Handbook* or *Hourly/Non-Exempt Employee Handbook*, as appropriate. For procedures involving a staff member Responding Party, see “Staff Disciplinary Procedures Applicable to Alleged Violations of the College’s Policy on Sexual Misconduct and Policy on Sexual and Gender-Based Harassment and Other Prohibited Conduct.” [Rev. 16-15, 18-66]

In situations involving Sexual Misconduct, the applicable procedures that take place after completion of the investigation shall be adapted as necessary to ensure the following: [Rev. 16-15, 18-66]

1. The disciplinary process will be prompt, fair, and equitable, and will be conducted by annually trained and impartial officials who do not have a conflict of interest or a bias for or against the Reporting Party or the Responding Party. [Rev. 18-66]
2. Both the Reporting Party and Responding Party will have the same opportunities to be accompanied to any related meeting or proceeding by an adviser of their choice. [Rev. 18-66]
3. Any decision finding an individual responsible for a violation of this Policy will be made using the preponderance of the evidence (“more likely than not”) standard. [Rev. 16-15, 18-66]
4. Both the Reporting Party and the Responding Party will be notified simultaneously, in writing, of: [Rev. 18-66]
 - a) The outcome of any disciplinary proceedings, any sanction imposed, and the rationale for both;
 - b) The procedures to appeal the outcome, if applicable;
 - c) Any changes to the outcome prior to the outcome becoming final; and
 - d) The final determination and sanction, if any, following any appeal or when the appeal period lapses.

B.1.6.3 Discipline and Sanctions

If, as a result of Procedures in Section B.1.6.2 above, there is a finding of responsibility for a policy violation, discipline and/or sanctions may be imposed as follows:

- Students who are determined to have violated this Policy are subject to sanctions up to and including expulsion from the College. Potential sanctions include Formal Warning, Warning Probation, Disciplinary Probation Level I, Disciplinary Probation Level II, Suspension and Expulsion. A complete list of sanctions and detailed

descriptions of each sanction that may be imposed are set forth in the College's *Student Handbook*.

- Faculty members who are determined to have violated this Policy are subject to sanctions up to and including separation from the College. A complete list of sanctions and detailed descriptions of each sanction that may be imposed on faculty are set forth in the *Faculty Handbook*.
- Staff members who are determined to have violated this Policy are subject to sanctions up to and including separation from the College. A complete list of sanctions and detailed descriptions of each sanction that may be imposed on staff members are set forth in the College's *Salaried/Exempt Employee Handbook* or *Hourly/Non-Exempt Employee Handbook*, as appropriate.
- For members of a College affiliated group or organization determined to have violated this Policy, the group or organization is subject to sanctions up to and including revocation of the College's recognition of or affiliation with the group or organization. A complete list of sanctions that may be imposed is set forth in the College's *Student Handbook*.

B.1.6.4 Appeals

The process for an appeal, if any, is set forth in the relevant procedures noted above applicable to the particular category of Responding Party (student, faculty or employee) (see Section B.1.6.3, above).

B.1.6.5 Expectations for the Parties

During the investigation and disciplinary proceedings, both parties (Reporting Party and Responding Party) have equal rights, including to receive a written notice of investigation; to participate in the investigation; to review and present information and relevant evidence; to be accompanied by an adviser of their choice to any meeting; to timely and equal access to information that will be used in final disciplinary proceedings where sanctions may be issued; to timely notice of meetings at which their presence will be requested or required; to simultaneous written notice of the outcome, sanction, and rationale.

B.1.6.6 Coordination with Law Enforcement

The Reporting Party may seek resolution through the College's grievance procedures, may pursue criminal action, may choose one but not the other, may choose both, or may choose not to pursue action under either process.

The process under this Policy is separate and distinct from Pennsylvania's criminal process. Law enforcement's investigation, decision to prosecute, and the outcome of any investigation and/or prosecution are not determinative of whether the College will take action against a Responding Party and are not determinative of whether a violation of the Sexual Misconduct Policy occurred.

Proceedings under College procedures for an alleged violation of this Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. The College will pursue its own investigation even if there is a concurrent law enforcement investigation; however, cooperation with law enforcement may sometimes require the College to temporarily suspend the fact-finding portion of an internal investigation. The College will not wait for the conclusion of a criminal proceeding to begin its own investigation and, if needed, will take immediate steps to provide appropriate interim measures.

B.1.7 Grievances about this Policy or Related Procedures

B.1.7.1 Questions about this Policy or Related Procedures

Questions about this Policy or the relevant procedures may be addressed to one of the following individuals:

- The Title IX Coordinator; or
- The Vice President for Campus Life (for students); or
- The Associate Vice President of Human Resources (for staff); or
- The Provost (for faculty).

B.1.7.2 Grievances

If an individual feels that this Policy or the relevant procedures are not compliant with the law, or that the College has not appropriately carried out its duties as outlined in this Policy, they may file a grievance. Grievances about the College's application of this Policy should be presented, in writing, to the Title IX Coordinator. [Rev. 16-15, 18-66]

If the grievance involves the Title IX Coordinator, the grievance should be directed to one of the following designated officials:

- The Vice President for Campus Life;
- The Associate Vice President of Human Resources; or
- The Provost.

The Title IX Coordinator, or other designated official, will review the grievance and attempt to resolve it to the satisfaction of all concerned. If an individual believes that a grievance has not been fairly resolved by the Title IX Coordinator or other designated official, they may appeal the grievance to the President of the College within 20 days of the proposed resolution.

Concerns about the College's application of Title IX may also be addressed to the Department of Education's Office for Civil Rights (address below):

Office for Civil Rights
Philadelphia Office
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Telephone: (215) 656-8541
Fax: (215) 656-8605
Email: OCR.Philadelphia@ed.gov

For general information about Title IX, visit the Department of Education's website:

ed.gov/policy/rights/guid/ocr/sex.html

B.1.8 Policy Distribution and Review

This Policy will be widely distributed on campus to all students, faculty, and staff at the beginning of each academic year so that all community members are informed of College policies, procedures and resources. The most current version of this Policy can be found online at sash.lafayette.edu.

The Title IX Coordinator and the Presidential Oversight Committee on Sexual Misconduct will review this Policy and related procedures on a periodic basis in order to capture evolving legal requirements, align with best practices, and improve the delivery of services. [Rev. 18-66]