



TITLE IX POLICY



DICKINSON COLLEGE

8/1/2024

DICKINSON COLLEGE TITLE IX POLICY

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Statement of Non-Discrimination

Dickinson College is an intellectual and social community that values justice, free inquiry, diversity, and equal opportunity. It is a fundamental policy of the College to respect pluralism, civility and mutual understanding within its community. The College does not discriminate on the basis of race, color, national origin, sex, disability, religion, age, veteran status, gender identity or expression, sexual orientation or any other protected class.

Dickinson College prohibits all forms of discrimination, including sexual and gender-based discrimination in all of its programs and activities, including academics, employment, athletics, admissions, and other extracurricular activities.

Overview

This policy provides our campus community members with information and guidance to assist those who have experienced or been affected by sexual or gender-based discrimination or misconduct. This policy supersedes any and all other Dickinson policies, processes and/or handbooks relative to the handling of sexual or gender-based discrimination or misconduct that is governed by Title IX.

This policy contains information regarding the procedures for information shared with or reported to the Title IX and Sexual Respect Office involving allegations of sexual discrimination, sexual harassment, sexual assault, dating violence, domestic violence, fondling, stalking, and retaliation. This document may use the term “TIX Sex Discrimination” to refer to any or all those prohibited behaviors.

Title IX of the Education Amendments of 1972 states:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

The College is committed to taking all appropriate steps to eliminate TIX Sex Discrimination, prevent recurrence and address their effects. All College proceedings are conducted in compliance with the requirements of Title IX, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the Violence Against Women Act (VAWA), the Family Educational Rights and Privacy Act (FERPA), other applicable federal, state and local laws and regulations.

Inquiries or complaints concerning the application of Title IX may be referred directly to Dickinson College’s Title IX Coordinator:

Title IX Coordinator

Kat Matic

Title IX and Sexual Respect Office

41 Conway Street

(717) 254-8316

matick@dickinson.edu

titleix@dickinson.edu

Website: <https://www.dickinson.edu/titleix>

Jurisdiction

This policy applies to all faculty, staff, students and other individuals participating in or attempting to participate in Dickinson College's educational program or activity at the time of the alleged incident. This Policy addresses only sex discrimination and sex-based harassment as defined by the 2024 Title IX Regulations that occurred on or after August 1, 2024. Allegations of Title IX Sexual Harassment occurring before August 1, 2024, will be addressed using the Title IX policy that was effective November 2022, found here: <https://www.dickinson.edu/titleix>.

In order for this Policy to apply, the College must have knowledge of alleged Title IX Sex Discrimination that occurred:

- Against a Party who is participating in or attempting to participate in the College's education program or activity in the United States;
- On Dickinson College property, or;
- On Dickinson College property and within an education program or activity including locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which the alleged sexual or gender-based discrimination occurs, or;
- Any building owned or controlled by a student organization that is officially recognized by the College irrespective of whether the building is on campus or off campus, or;
- When some conduct alleged is contributing to a hostile environment on campus even if the conduct occurred outside the College's education program or activity or outside the United States.

This policy also applies to misconduct on Dickinson College's social media sites or networks that can subject an individual or group to allegations of violations of this policy. The College's program(s) or activities encompass all of the operations of the College, and includes computer and internet networks, digital platforms, and computer hardware or software owned, operated by, or used by Dickinson College. This Policy applies while participating in remote classes and programs and while interacting with the Dickinson College campus community virtually.

Nothing precludes the College from choosing to address allegations of conduct outside of the College's education program or activity. While the Title IX Coordinator must dismiss allegations that do not meet the jurisdiction of the College, or where the misconduct allegations do not meet the definitions within this policy, those concerns may be referred by the Title IX Coordinator to other offices/departments for their review and resolution through procedures consistent with other College policies. The Title IX Coordinator or designee may refer allegations to other offices, including but not limited to the Division of Student Life, Human Resources and the Provost and Dean of the College's Office.

For incidents that occur abroad, Dickinson College can, in its sole discretion, initiate conduct proceedings through other policies, and/or offer supportive measures to address sexual and gender-based discrimination and harassment allegations against a person outside of the United States.

A third party is any individual who is not a College student or employee or is not a participant in any College-related program or activity. The College's ability to take action against a third party will be determined by the nature of the relationship of the third-party to the College. Where the Respondent is

a third-party, the College's ability to take action may be limited. In those instances, when this policy does not apply, the College will offer resources and support services to the Complainant, and support in contacting external law enforcement if the Complainant chooses to make a report to law enforcement.

While this policy typically identifies the employee who is responsible for certain duties or procedures herein, the College at its discretion can designate other College offices, employees, or external individuals to perform any roles or duties described in this policy.

Coordination with Other Policies and Staff

At all times it is within the College's discretion to determine which policies apply to alleged prohibited conduct. Some prohibited conduct may result in a referral to other offices/departments, separate investigation and separate sanctions under other College policies. If there is additional information discovered during the course of review or investigation of allegations through other offices/departments and where the prohibited conduct definitions could be met under this policy, an office/department will refer the case to the Title IX and Sexual Respect Office for further appropriate procedures.

Statement on Academic Integrity and Freedom of Speech

The College is committed to the principles of free inquiry and expression. Vigorous discussion and debate are fundamental to this commitment, and this policy is not intended to restrict teaching methods or freedom of expression. Offensiveness of conduct, standing alone, is not sufficient for the conduct to constitute prohibited conduct under this policy. The conduct must constitute sex discrimination or sex-based harassment, as defined by this policy, in order to be actionable.

Pregnancy and Related Conditions

Dickinson College does not discriminate in its education program or activity against any applicant for admission, student, applicant for employment, or employee on the basis of current, potential, or past pregnancy or related conditions. This policy and its pregnancy-related protections apply to all persons, regardless of their gender identity or expression.

Any Dickinson College employee who becomes aware of a student's pregnancy or related condition is required to provide the student with the Title IX Coordinator's contact information and communicate that the Coordinator can help take specific actions to ensure equal access to Dickinson's education program an activity and take steps to prevent discrimination. If the employee has a reasonable belief that the Title IX Coordinator is already aware of the pregnancy or related condition, the employee is not required to provide the student with the Title IX Coordinator's contact information.

The Title IX Coordinator will contact the student to offer reasonable modifications, ensure lactation space availability, and inform the student about their rights and resources available.

Supporting documentation for reasonable modifications will only be required when it is necessary and reasonable under the circumstances to determine which modification to offer to determine other specific actions to take to ensure equal access to Dickinson's college program and activity.

Students experiencing pregnancy-related conditions that manifest as a temporary disability under the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act are eligible for reasonable accommodations just like any other student with a temporary disability. The Title IX Coordinator will consult with Access and Disability Services staff to ensure the student receives reasonable accommodations for their disability.

Employees

Information about employee pregnancy and related conditions may be found here:

https://www.dickinson.edu/homepage/1602/parental_leave_resources

Lactation Policy: https://www.dickinson.edu/download/downloads/id/8455/lactation_policy.pdf

Prohibited Conduct and Definitions under TIX

Title IX Sex Discrimination is a broad term encompassing sex discrimination and sex-based harassment as defined in this policy.

The following forms of conduct are prohibited under this policy:

Sex Discrimination is discrimination on the basis of sex, including discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Sex-based Harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including harassment on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity; sexual assault, dating violence, domestic violence, and stalking.

Prohibited sex-based harassment includes the following conduct:

(1) Quid pro quo harassment:

- an employee, agent, or other person authorized by Dickinson College
- to provide an aid, benefit, or service under Dickinson College's education program or activity
- explicitly or impliedly conditioning the provision of such an aid, benefit, or service
- on a person's participation in unwelcome sexual conduct.

(2) Hostile environment harassment:

- unwelcome sex-based conduct, that
- based on the totality of the circumstances,
- is subjectively and objectively offensive, and
- is so severe or pervasive,
- that it limits or denies a person's ability to participate in or benefit from Dickinson College's education program or activity.

Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- a. The degree to which the conduct affected the individual's ability to access Dickinson College's education program or activity;
- b. The type, frequency, and duration of the conduct;
- c. The parties' ages, and roles within Dickinson College's education program or activity, previous interactions, and other factors about a party that may be relevant to evaluating the effects of the conduct;
- d. The location of the conduct and the context in which the conduct occurred; and
- e. Other sex-based harassment in Dickinson College's education program or activity.

(3) Sexual Assault is defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. All prohibited conduct definitions below encompass actual and/or attempted offenses. Sexual Assault includes:

Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Sodomy: Oral or anal sexual intercourse with another person, without the consent of the victim.

Sexual Assault with an Object: To use an object or instrument to unlawfully penetrate however slightly, the genital or anal opening of the body of another person, without the consent of the victim.

Fondling: The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim.

Incest: Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Nonforcible sexual intercourse with a person who is under the statutory age of consent.

(4) Dating Violence is violence committed by a person:

- (a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (b) Where the existence of such a relationship will be determined based on a consideration of the following factors:
 - a. The length of the relationship
 - b. The type of relationship
 - c. The frequency of interaction between the persons involved in the relationship.

(5) Domestic Violence includes felony or misdemeanor crimes of violence committed by a person who:

- (a) Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the College, or a person similarly situated to a spouse of the victim;
- (b) Is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- (c) Shares a child in common with the victim; or
- (d) Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

(6) Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- (a) fear for their safety or the safety of others; or
- (b) suffer substantial emotional distress.

(7) Retaliation: Intimidation, threats, coercion, or discrimination against any person by the College, a student, or an employee or other person authorized by the College to provide aid, benefit, or service under the recipient's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part, including in an Informal Resolution process, in Resolution procedures, and in any other actions taken by a College under this policy. Nothing in this definition or this part precludes the College from requiring an employee or other person authorized by the College to provide aid, benefit, or service under the College's education program or activity to participate as a witness in, or otherwise assist with, an investigation, proceeding, or hearing under this part.

Prohibited Relationships by Persons in Authority

Sexual and/or other intimate relationships between faculty and students, staff and students, or supervisors and subordinate employees are prohibited.

Faculty, administrators, and others who educate, supervise, evaluate, employ, counsel, coach or otherwise guide students should understand the fundamentally asymmetrical nature of the relationship they have with students or subordinates.

Similarly, College employees (faculty and staff) who supervise or otherwise hold positions of authority over others are prohibited from having a sexual or other intimate relationship with an individual under their direct supervision.

Intimate or sexual relationships where there is differential in power or authority produce risks for every member of our community and they undermine the professionalism of faculty and supervisors. In either context, the unequal position of the parties presents an inherent element of risk and may raise sexual harassment concerns if one party to the relationship has the actual or apparent authority to supervise, evaluate, counsel, coach or otherwise make decisions or recommendations as to the other party in connection with employment, education or any other benefit.

Sexual relations between persons occupying asymmetrical positions of power, even when both consent, raise suspicions that the person in authority has violated standards of professional conduct and potentially subject the person in authority to charges of sexual harassment. Similarly, these relationships may impact third parties based on perceived or actual favoritism or special treatment.

Relationships of this nature are strictly prohibited. If two parties contemplate beginning such a relationship, the person in a position of authority is required to immediately: 1) discontinue any supervising role or relationship over the other person; and, 2) report the circumstances to one's own supervisor. The supervisor must, in turn, discuss with the Title IX Coordinator or designee whether any intervening measures are appropriate. These steps must be taken without delay. Failure to fully or timely comply with these requirements is a violation of this policy, and the person in authority and/or their supervisor could be subject to disciplinary action, up to and including dismissal from employment by the College.

Any individual may file a complaint alleging sexual harassment or bias, including an aggrieved party outside the relationship affected by the perceived harassment or bias. Retaliation against persons who report concerns about consensual relationships is prohibited and constitutes a violation of this policy.

Important Related Information – Consent, Force, Incapacitation, Coercion

Consent is:

- *Informed* - parties have information and understanding of sexual activity;
- *An Agreement* – between participants to engage in sexual activity. Consent must be clearly and freely communicated. A verbal and affirmative expression of consent can help both you and your partner to understand and respect each other's boundaries. When sexual activity is agreed upon, it can be withdrawn through clear words or actions;
- *Freely given* - there is no pressure, coercion, intimidation, threat, or force; and
- *Mutually understandable* - parties express in words or actions their willingness or agreement to sexual activity.

The responsibility of obtaining consent rests with the individual who wishes to engage in sexual activity. Prior to engaging in sexual activity, each participant should ask oneself the question, "has the other person consented?" If the answer is "no" or "I'm not sure," then consent has not been demonstrated and does not exist. An individual who initiates sexual activity should be able to explain the basis for their belief that consent existed.

Consent to engage in sexual activity must be informed, knowing, and voluntary. Consent to engage in sexual activity must exist from the beginning to the end of each instance of sexual activity. Consent to one form of sexual contact does not constitute consent to all forms of sexual contact. Each participant in a sexual encounter must consent to each act of sexual activity.

Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage in sexual activity.

Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance or lack of active response alone.

Consent may be withdrawn by either party at any time. When both parties are freely and mutually engaging in sexual activity and a party wishes to stop that sexual activity, withdrawal of consent must also be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. This will provide clarity to another person the desire to end that sexual activity that was initially consensual. Once withdrawal of consent has been expressed, sexual activity must stop. Parties may re-engage in sexual activity as long as both parties understand and agree to the sexual activity.

A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates a willingness to engage in sexual activity.

Consent is not effective if it results from the use of physical force, threat of physical force, intimidation, coercion, incapacitation or any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to have sexual contact.

If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent.

Force

Force refers to the use or threat of physical violence to compel someone to engage in sexual activity. Examples of physical violence include, hitting, punching, slapping, kicking, choking, restraining and or threat or use of any weapon.

Incapacitation

An individual who is incapacitated cannot consent to sexual activity. Incapacitation is the inability, temporarily or permanently, to give consent or communicate unwillingness, because an individual is mentally and/ or physically helpless, unconscious, asleep or unaware that the sexual activity is occurring. Where alcohol or other drugs are involved, incapacitation is a state beyond drunkenness, intoxication or impairment. In assessing the impact of incapacitation, the College will consider whether a Respondent knew or should have known that the Complainant was incapacitated based on objectively and reasonably apparent indicators of incapacitation.

Alcohol or Other Drugs

The College considers sexual contact while under the influence of alcohol or other drugs to be risky behavior. Being intoxicated or impaired by drugs or alcohol does not diminish an individual's responsibility to obtain informed and freely given consent. Alcohol and drugs impair a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. The use of alcohol or drugs can create an atmosphere of confusion over whether or not consent has been freely and clearly sought or given. If there is any doubt as to the level or extent of the other individual's intoxication or impairment, the safest course of action is to forgo and cease any sexual contact or activity.

Coercion

Coercion is the use or attempted use of pressure and/or oppressive behavior, including expressed or implied threats, intimidation, or physical force, which places a person in fear of immediate harm or physical injury or causes a person to engage in unwelcome sexual activity. This is something very different from the words of persuasion an individual might use to induce another to voluntarily consent to sexual activity. A person's words or conduct cannot amount to coercion unless they wrongfully impair

the other's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion also includes administering or pressuring another to consume a drug, intoxicant, or similar substance with the intent to impair that person's ability to consent prior to engaging in sexual activity.

Know Your Options - for Support Services and Reporting

After an incident of sexual discrimination, sex-based harassment, sexual assault, fondling, dating violence, domestic violence, stalking or other gender-based misconduct, individuals have many options for taking care of themselves and addressing the incident. Dickinson College recognizes the sensitivity of such incidents and aims to support individuals and their choices regarding whether and where to report. The College endeavors to respect the wishes of the Complainant regarding whether to move forward with a resolution process, while providing written notification to them about how to make a complaint and offer support services both on and off-campus, including but not limited to health services, counseling services and victim advocacy.

You have many options, such as:

- Notifying on-campus Public Safety and/or local police;
- Being assisted by campus officials in notifying law enforcement authorities;
- Only seeking medical attention and taking time to learn about and consider if you want to file a complaint;
- Speaking with a confidential resource, such as a health service practitioner or counselor about the incident and your options;
- Speaking with an Advocate/Counselor at the YWCA;
- Obtaining support services, such as a no contact directive, Public Safety escort to and from areas on campus; emotional support through counseling services; academic, employment or residential modification;
- Filing a report only internally with the College;
- Requesting an informal resolution process through the College;
- Requesting a formal resolution process through the College;
- Filing a report only with law enforcement;
- Filing a report both internally with the College and also filing a report with law enforcement;
- Reporting the incident Anonymously, without disclosing your name or identity;
- Declining notifying the College/law enforcement of the incident.

Reporting

Any person may report TIX Sex Discrimination in person, telephone, or e-mail to the Title IX Coordinator. Under Title IX, in order for the College to have actual knowledge of allegations an individual must report the information to the College's Title IX Coordinator or any Mandated employee.

Any individual may make a report to the College by contacting the Title IX Coordinator:

Kat Matic

Title IX and Sexual Respect Office

41 Conway Street

(717) 254-8316

titleix@dickinson.edu

Online Report Form: <https://www.dickinson.edu/titleix>

Any person can submit an anonymous report through our online reporting form at [Dickinson.edu/titleix](https://www.dickinson.edu/titleix). If you wish to remain anonymous, **do not** include your name or contact information in the form.

The anonymous report should not be used for emergency situations needing an immediate Public Safety, law enforcement or medical emergency response. Online reports are not monitored 24 hours a day and **in the event of an emergency, please call 911 or the Department of Public Safety at 717-245-1111.**

File a Report with the College

A **Report** provides notice to Dickinson College of an allegation or concern about Title IX sex discrimination, harassment, or retaliation and provides an opportunity for the Title IX Coordinator to provide information, resources, and supportive measures to a directly affected party.

Filing a report is not the same as filing a complaint (see below). Filing a report with the College does not automatically trigger an investigation, and in most cases, the affected person (Complainant) has the autonomy to decide if they want their allegations to be investigated, and they can initiate an investigation and/or a college Resolution process by filing a complaint.

Anonymous Reporting. The College accepts anonymous reports about conduct that may constitute Title IX Sex Discrimination through its on-line reporting system. While anonymous reports are accepted, the College's ability to address the conduct alleged in an anonymous report is significantly limited.

Reporting to Police. Some sexual misconduct may constitute violations of criminal law. A Complainant has the right to choose whether or not to file a complaint with law enforcement agencies. Dickinson College's Public Safety is available to facilitate a report to law enforcement when a Complainant seeks to make such reports.

File a Complaint with the College

A **Complaint** is a request made by the Complainant that they would like to initiate an investigation or other appropriate Resolution Process. A Complainant or individual may initially make a report and may decide at a later time to make a Complaint.

Request to Remain Anonymous

Where the Complainant requests that their identity not be shared with the Respondent or that the College not pursue further action, the College must consider this request in the context of the College's responsibility to provide a safe and non-discriminatory environment for all College community members. The College, through the Title IX Coordinator, will take all reasonable steps to review and respond to the complaint consistent with the request not to share identifying information or pursue an investigation, but its ability to do so may be limited.

If a Complainant requests a formal process, the Complainant cannot remain anonymous. If a Complainant requests no further action from the College, after making a report, the Title IX Coordinator will determine if this request can be upheld.

Under these circumstances, the Complainant's request will be balanced against a number of factors including the seriousness of the conduct; whether there have been other reports of misconduct against the Respondent; the right of the Respondent to receive notice and relevant information before any action that affects the Respondent is taken; whether the circumstances suggest there is an increased risk of future acts of sexual misconduct under similar circumstances; fair treatment of all involved individuals and the College's obligation to provide a safe and non-discriminatory environment for all its community members.

Title IX Coordinator May File a Complaint

When a Complainant requests that the College take no further action with regard to a Report, the College will generally try to honor the request. However, there are certain instances in which the College has a broader obligation to the campus community and may need to act, despite the wishes of the Complainant. In such circumstances, the Title IX Coordinator will determine whether to initiate a Complaint.

Prior to initiating a Complaint, the Title IX Coordinator will notify the Complainant and address reasonable concerns about the Complainant's safety and the safety of others, including by providing Support Services. When the Title IX Coordinator initiates a Complaint, they do not become the Complainant. The Complainant is the person who experiences the alleged conduct that could constitute a violation of this Policy.

Time Frame for Reporting

Individuals are encouraged to report alleged TIX Sex Discrimination immediately in order to maximize the College's ability to respond promptly and effectively. The College does not, however, limit the timeframe for reporting.

If the Respondent is no longer a student or employee, the College will provide reasonably available support services to a Complainant, assist the Complainant in identifying external reporting options, and taking reasonably available steps to end the harassment, prevent its recurrence, and address its effects.

Amnesty for Student Complainants, Student Reporters, and Student Witnesses

Students who share information with the College about sexual or gender-based discrimination or misconduct allegations will not face disciplinary action due to their use of alcohol or other drugs at or near the time of an incident.

The College encourages reporting and seeks to remove any barriers to reporting by making the procedures for reporting transparent and straightforward, by prohibiting retaliation and by providing amnesty for individuals who experience or share information about prohibited conduct.

The College will not seek to hold any student who shares or reports information regarding sexual or gender-based misconduct allegations accountable for violating the College's drug and alcohol policies due to their own use of alcohol or other drugs at or near the time of the alleged incident. The College may choose, however, to pursue educational remedies, including assessment and counseling, for those individuals. Under limited circumstances, a student may be held accountable for other misconduct that resulted from their use of alcohol or other drugs and that was not directly related to the sexual or

gender-based misconduct allegations in question; such violations will be reviewed in conduct proceedings separate from the proceedings under this policy.

Presumption of Good Faith Reporting

The College presumes that reports of Prohibited Conduct are made in good faith. A finding that the behavior at issue does not constitute a violation of this Policy or that there is insufficient evidence to conclude that the incident occurred as reported does not mean that the report was made in bad faith. All community members are expected to provide truthful information in any proceeding under this policy. Submitting or providing false or misleading information in bad faith, with a view to personal gain or to cause intentional harm to another in connection with a report or investigation under this policy is prohibited. A student who is found to have violated this provision may be found in violation of the Dishonesty provision of the Community Standards; an employee may be subject to appropriate discipline under the Employee Handbook or Academic Handbook.

Presumption of Non-Responsibility

The Respondent is presumed to be not responsible until a preponderance of the evidence supports a finding that the Respondent violated the Policy.

Title IX Team – Title IX Deputies

The Title IX Coordinator is supported by Title IX Deputies. Title IX Deputies are individuals who are available to support the Title IX Coordinator's initial and emergency assessment of allegations under this Policy and have the authority to implement supportive and emergency measures if the Title IX Coordinator is not available.

You can contact any Title IX Deputy to obtain information on how to make a report, understanding your rights, the resolution process options, and to answer questions and assist you with obtaining support services. Please note that these individuals are private, but not confidential resources. Title IX Deputies can address your complaint with sensitivity and keep your information as private as possible. These Officials have a responsibility to refer to the Title IX Coordinator any information they learn of regarding allegations of Prohibited Conduct under this policy.

Title IX Team – Title IX Deputies:

Dee Danser | Assistant V.P., Compliance & Chief of Public Safety
Department of Public Safety | (717) 254-8317 | danserd@dickinson.edu

George Stroud | V.P. for Student Life & Dean of Students
Student Life Office, HUB | (717) 245-1639 | stroudg@dickinson.edu

Debra Hargrove | V.P. Human Resource Services
55 N. West St. | (717) 245-1503 | hargrove@dickinson.edu

Renée Cramer | Provost & Dean of the College
Old West, 2nd Floor | (717) 245-1108 | cramerre@dickinson.edu

Celine Cunningham | Director of Athletics

Kline Center | (717) 245-1364 | cunnince@dickinson.edu

Kim Masimore | Senior Woman Administrator/Head Women's Lacrosse Coach

Kline Center | (717) 245-1662 | masimore@dickinson.edu

Stephen Winn | Assistant Title IX Coordinator

41 Conway St. | (717) 254-8316 | winnst@dickinson.edu

When a Title IX Deputy has actual knowledge of possible TIX Sex Discrimination or sex-based harassment, they are required to report the information to the Title IX Coordinator by filing an online report at: www.dickinson.edu/titleix.

Title IX Deputies, mandated reporters (see below), and confidential employees are not required to report information disclosed at public awareness events (e.g., "Take Back the Night," candlelight vigils, "survivor speak-outs" or other public forums in which individuals may disclose incidents of prohibited conduct; or during a student's participation as a subject in an Institutional Review Board-approved human subjects research protocol ("IRB Research"). Even in the absence of such obligation, all employees subject to these exceptions are encouraged to contact the Title IX Coordinator if they become aware of information that suggests a safety risk to any member(s) of our College community. The College may provide information about how to file a report, College support services and/or community resources at public awareness events. Institutional Review Boards may, in appropriate cases, require researchers to provide such information to all student subjects of IRB Research.

Questions about reporting responsibilities should be directed to the Title IX Coordinator.

Protection of Minors

Every member of the Dickinson College community has a duty to report child abuse or neglect if they have reasonable cause to suspect that a child is a victim based on information from the child, any other individual, first-person observations or personal knowledge.

Under this policy, any Dickinson College community member suspecting child abuse is required to immediately make a report to:

1. Childline by calling 1-800-932-0313 (TDD:866-872-1677)
2. The Director of Enterprise Risk Management, and
3. The Chief of Public Safety (DPS) at 717-245-1111

The Department of Public Safety (DPS) has the obligation to ensure that appropriate authorities have been notified, appropriate individuals are notified internally, and appropriate investigations are initiated. Under Pennsylvania law, a child is any individual under the age of 18. This may include Dickinson students, visitors and guests. For more information visit our [Protection of Minors Policy](#).

Mandated Reporters

At Dickinson College, all employees including faculty are Mandated Reporters except those identified and designated as confidential employees.

Student employees are included within the definition of Mandated Reporter.

All Mandated Reporters will promptly report to the Title IX Coordinator any and all information that the Mandated Reporter has about conduct that reasonably may constitute Title IX Sex Discrimination.

Mandated Reporters are not permitted to report the information anonymously. Mandated Reporters are required to report all such information even if the Complainant elects not to or is unable to make an official Report.

This allows for the Title IX Coordinator to connect the Complainant with resources and support both on and off campus. A Mandated Reporter may report but is not required to report, conduct that they have personally experienced that may constitute Title IX Sex Discrimination.

Confidential Employees

To enable Complainants to access support and resources without filing a Complaint, Dickinson College has designated specific employees as Confidential Resources. Those designated by Dickinson College as Confidential Resources are not required to report actual or suspected sex discrimination, sex-based harassment, or retaliation in a way that identifies the parties when those parties are not minors. They will, however, provide the Complainant with the Title IX Coordinator's contact information and offer information about options and support services without any obligation to inform an outside agency or Dickinson College officials unless a Complainant has requested the information be shared.

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with the following Dickinson College employees:

Confidential Employees

- On-campus licensed professional counselors and staff
- On-campus health service providers and staff
- On-campus members of the clergy/chaplains working within the scope of their licensure or ordination

In addition to the above, Dickinson has extended confidential status to the following designated employees:

Designated Confidential Employees

- Director of Women's Center
- Director of LGBTQ+ Center

There are three categories of Confidential Employees:

- 1) Those with confidentiality bestowed by law or professional ethics, such as lawyers, medical professionals, clergy, and mental health counselors;
- 2) Those whom Dickinson College has specifically designated as Confidential Resources for purposes of providing support and resources to the Complainant; and

3) Those conducting human subjects research as part of a study approved by the Dickinson College's Institutional Review Board (IRB).

For those in category 1), above, to be able to respect confidentiality, they must be in a confidential relationship with the person reporting, such that they are within the scope of their licensure, professional ethics, or confidential role at the time of receiving TIX Sex Discrimination information. These individuals will maintain confidentiality except in extreme cases of immediacy of threat or danger to an individual or campus community.

Confidential Employee Duties

All Confidential Employees who receive information about conduct that reasonably may constitute Title IX Sex Discrimination must promptly inform the person who provides the information:

- (a) the employee's status as a confidential employee and that they are not required to notify the Title IX Coordinator of the information;
- (b) how to contact the Title IX Coordinator;
- (c) how to make a Complaint;
- (d) that the Title IX Coordinator may be able to offer supportive measures, an Informal Resolution, or Formal Resolution under this Policy.

Employees who have confidentiality as described above, and who receive Notice within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act statistical reporting purposes.

Off-Campus Confidential Resources

In addition, Complainants may speak with individuals unaffiliated with Dickinson College without concern that Policy will require them to disclose information to the institution without permission:

- **24-7 Hour Advocacy Hotline (YWCA Advocates/Counselors): 717-831-8850**
- Licensed professional counselors and other medical providers
- Local rape crisis counselors
- Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Employees may seek confidential assistance through the Employee Assistance Program

Advisors

The College provides the Complainant and Respondent with the same opportunities to have an Advisor of choice present during any TIX meeting or process. An Advisor is an individual chosen by the Complainant or Respondent to provide support and guidance during the review of a report of prohibited conduct under this Policy. An Advisor may not be a witness or otherwise have any conflicting role in the process. An Advisor may be an advocate and/or an attorney. If a Complainant or Respondent does not have an Advisor for the hearing, the College will select an Advisor of the College's choice for the purpose of conducting cross-examination during the live hearing process. The College will provide a Complainant

or Respondent an Advisor for the investigation and informal resolution process, if they have not selected one.

Any person who serves as an Advisor should plan to make themselves available for meetings throughout the investigation process, as well as the hearing. The Advisor may assist with all written submissions made by a Complainant or a Respondent, may help prepare questions for the purpose of cross-examination for the Complainant or the Respondent to be used at the hearing, and will conduct cross-examination during the live hearing process.

The College staff (including any official acting on behalf of the College such as the Hearing Chair, Title IX Coordinator or designee, Hearing Panel members or external reviewer) has the right at all times to determine what constitutes appropriate behavior on the part of an Advisor and to take appropriate steps to ensure compliance with the Policy.

Records Shared with Advisors

Advisors are entitled to the same opportunity as their advisee to access relevant evidence, and/or the same written investigation report that accurately summarizes this evidence.

Advisors are expected to maintain the confidentiality of the records Dickinson College shares with them. Advisors may not disclose any Dickinson College work product or evidence Dickinson College obtained solely through the Resolution Process for any purpose not explicitly authorized by Dickinson College.

Accordingly, Advisors will be asked to sign Non-Disclosure Agreements (NDAs). Dickinson College may decline to share materials with any Advisor who has not executed the NDA. Dickinson College may restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by Dickinson College's confidentiality expectations.

Response to a Report

Following receipt of a report alleging violation of this Policy, the Title IX Coordinator will contact the Complainant to meet with them and/or a designee for an initial intake and assessment meeting, and will provide the following:

- (1) an invitation to meet to offer assistance and explain their rights, resources, and options under this Policy;
- (2) access to this Policy;
- (3) information regarding available campus and community resources for health care, mental health/counseling, or victim advocacy;
- (4) information about the availability of Support Services;
- (5) the options for resolution and how to initiate such Resolution Process;
- (6) an explanation of the right to notify law enforcement as well as the right not to notify law enforcement;
- (7) the importance of preserving evidence and, in the case of potential criminal misconduct, how to get assistance from Public Safety or local law enforcement in preserving evidence;
- (8) the right to an advisor of choice during processes under this Policy, including the initial meeting with the Title IX Coordinator;
- (9) a statement that retaliation for filing a complaint, or participating in the complaint process, is prohibited; and,
- (10) that they will be treated equitably, with dignity and respect throughout the process.

TIX Assessment

During the initial assessment, the Title IX Coordinator will review the report and the Complainant's requested resolution process to determine whether the complaint can be addressed accordingly through this policy.

The assessment process seeks to gather information about the nature and circumstances of the report to determine whether this Policy applies to the report and, if so, which Resolution Process may be appropriate, as well as which section of the procedures apply based on the conduct and the status of the parties. The Title IX Coordinator may also determine that the provision of Support Services or measures only is the appropriate response under the Policy. The assessment is not a finding of fact or responsibility.

If it is determined at the time of the assessment that the reported conduct, if proven, would not constitute Title IX Sex Discrimination but could constitute a violation of the College's Community Standards or Employee policies, or any other College policy, then the Title IX Coordinator will refer the Report to the appropriate person or department to be addressed through the applicable policy or policies.

If it is determined at the time of the preliminary assessment that the reported conduct, if proven, would constitute Title IX Sex Discrimination, then the Title IX Coordinator will coordinate the College's response in accordance with the provisions of this Policy.

Support Services

Support Services are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before, during or after the filing of a complaint or where no complaint has been filed. Such measures are designed to restore or preserve equal access to the College's educational program or activity without unreasonably burdening the other party.

The College maintains confidentiality, to the highest extent possible, for the Complainant and the Respondent regarding the requested supportive measures by either party.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. The Title IX Coordinator evaluates requests for support services in light of the information available at the time of the request. In some instances, additional information may be needed to sufficiently evaluate the request and provide reasonably available support services. If the requested support services cannot be granted, the Title IX Coordinator or designee will provide an explanation to the individual and can provide other services if those requested are not reasonably available. The College provides notice about support services only to those who need to know in order to make them effective.

Support Services can include:

- Mutual No Communication/No Contact Directive
- Referral to Counseling services
- Referral to Medical services
- Academic measures: assistance in changing sections of a course, extending deadlines or other adjustments to coursework, requesting alternative means of completing coursework, or

requesting a withdrawal or incomplete in a course; providing notice to faculty of a need for flexibility during a certain time. Academic measures may also include leaves of absence or withdrawals from the College.

- Work or job assignment changes: changes to a Party's work or job assignment (including internships) may be made on a temporary basis.
- Housing measures: relocating a student's College housing assignment pending the outcome of the Resolution Process. Housing measures may also include facilitating changes within on-campus options or exploring alternative housing options.
- Restrictions from College activities and/or facilities. A Party may be restricted, on a temporary basis, from participation in certain College activities or privileges. A Party's access to certain facilities including, but not limited to, academic buildings, athletic facilities and/or practice and competition spaces, and transportation services may be restricted or prohibited.
- Providing an escort to ensure safe movement between classes and activities
- Increased security and monitoring of certain areas of the campus

Support services are initiated based on information gathered during an assessment by the Title IX Coordinator, or as additional information is gathered through the College process. Support services put in place by the College are not intended to be permanent resolutions; hence, they may be amended or withdrawn as additional information is gathered. Support Services may also become permanent when included as a remedy through the informal process or as a sanction through the formal resolution process.

A Party may challenge a decision to provide, deny, modify, or terminate Support Services applicable to that Party. When a Party submits such a challenge to the Title IX Coordinator, the Title IX Coordinator will designate (or have another appropriate administrator designate) an impartial employee to consider the challenge. The impartial employees will have the authority to modify or reverse the decision that is challenged.

A Complainant may opt to receive Support Services and other on-or off-campus supports or services and not proceed with filing a Complaint and/or may ask that the College take no further action with regard to the Report. The Complainant may choose to initiate further action at a later time.

Support Service – No Contact Directive

College administrators will impose a No Contact Directive (NCD) to prohibit contact between parties. A NCD may be imposed by the College without an individual's request, including if there is an ongoing investigation. No Contact Directives will be removed only when both parties request or agree in good faith that it be discontinued and the Title IX Coordinator agrees the NCD may be rescinded. A NCD is not meant to be punitive, and the College will endeavor to prepare terms that are fair and equitable to both parties.

No Contact Directive (NCD) Violations

Any violations of the NCD should be reported immediately to the Department of Public Safety (24/7). DPS officers will follow ordinary protocols for investigating, assessing and responding to campus safety concerns, consulting as necessary with the on-call staff (e.g. dean, mental health counselor). Allegation(s) that the NCD has been violated will be investigated by the Department of Public Safety.

Contact determined to be incidental will be addressed through advisory meetings with the violator and/or modification to the specific terms of the NCD. For example, establishing schedules for the use of shared campus spaces/programs/activities can be developed by the Title IX Coordinator or designee.

Contact determined to be intentional will be addressed in accordance with Community Standards, Academic or Human Resources policies. Contact determined to be intentional and any disciplinary measures/outcomes imposed and determined by Community Standards, the Dean and Provost Office or Human Resources, while a Title IX Investigation is pending, will be included in a pending Title IX determination process. The range of possible sanctions for students includes those found in Community Standards, including but not limited to Warning, Housing Restriction, Housing Relocation, Restriction on Participation or Use, Probation, Stayed Suspension, Suspension and Expulsion.

Coordination with Law Enforcement

The College encourages Complainants to pursue criminal action for behaviors that may also constitute crimes under Pennsylvania law. The College, through the Department of Public Safety can assist a Complainant in making a criminal report and will cooperate with local law enforcement agencies if a Complainant decides to pursue the criminal process to the extent permitted by law.

Because the goals and objectives of this Policy differ from those of the civil and criminal justice systems, under circumstances which give rise both to alleged violations of this policy and to possible violations of local, state or federal law, student conduct proceedings and employee disciplinary proceedings generally move forward without regard to pending civil or criminal proceedings. In addition, because the standards for finding a violation of criminal law are different from the standards for finding a violation of this policy, criminal investigations are not determinative of whether sexual or gender-based misconduct, for purposes of this policy, has occurred.

If there is a concurrent criminal investigation, at the request of law enforcement, the College may agree to defer its Title IX fact-gathering until after the initial stages of a criminal investigation. The College will nevertheless communicate with the Complainant and Respondent regarding Title IX rights, procedural options and offer support services to assure the safety and well-being of all affected individuals.

The College may pursue an investigation and resolution regardless of the existence or outcome of any criminal charges, and conduct may constitute a violation under this policy even if law enforcement agencies decline to prosecute or if a Respondent has been found not guilty in the legal system.

Proceedings under Dickinson College's Title IX Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. On-campus resolution does not preclude or limit a student's or employee's access to the state and federal justice systems.

If an individual shares information or reports to the Title IX and Sexual Respect office alleged sexual or gender-based misconduct by an individual who is not a member of the College community, the Complainant can speak with the Title IX Coordinator and/or the Department of Public Safety to discuss options such as contacting outside law enforcement authorities and/or removing the individual(s) from campus.

Emergency Removals

The College has the authority to remove a Respondent from the College's education program or activity on an emergency basis if it is determined that there is an immediate threat to the physical health or safety of individual(s) or the campus community which might arise out of Title IX Sex Discrimination or allegations.

Prior to implementing an emergency removal, the College will undertake an individualized safety and risk assessment. The College will gather and assess the information available to complete an individualized safety and risk assessment. The assessment will be conducted by an individual(s) who are free from bias or conflict of interest, who has relevant knowledge and experience, and who will not be involved in any later Resolution Process related to the student who is being evaluated for potential removal.

The analysis of whether an immediate threat to physical health and safety exists will focus on the specific Respondent and consider the specific circumstances of the allegations of Title IX Sex Discrimination, that potentially pose an imminent and serious threat to the health or safety of a Complainant or any students, employees, or other persons.

The College also will carefully evaluate the relationship between a threat and the physical health or physical safety of any individual of the campus community. In some but not all cases, threatening speech or virtual interactions without an associated action may rise to the level of a threat to physical health or physical safety. If the threat posed is in the nature of potential emotional impact only, the College will instead focus on identifying appropriate Support Services and resources.

If the College determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Title IX Sex Discrimination or harassment justifies removal, the Respondent will be provided notice and an opportunity to challenge the decision immediately following the removal. Typically, the individualized safety and risk analysis will be conducted by a trained College Official(s).

The Respondent has an opportunity to challenge the Emergency Removal by submitting a request for reconsideration to the Title IX Coordinator in writing, who will forward the request to the appropriate College Official to render a decision. The Respondent will be provided with the opportunity to meet with the person assigned to decide the appeal to present information in support of the appeal.

The Respondent must submit this request for reconsideration within three (3) college business days from the date of the notice of Emergency Removal, explaining why Emergency Removal is not appropriate. In evaluating this request for reconsideration, the College Official may consult with the A.V.P. for Compliance and Chief of Public Safety and other appropriate staff. The College Official may seek additional information from Respondent, or any other individual involved in an incident(s) to gather additional information to evaluate the request for reconsideration. The Emergency Removal will remain in place while the request for reconsideration is pending. The College Official shall issue a decision as soon as possible under the circumstances. The decision is final and not subject to further appeal.

Administrative Leave

The College may place a non-student employee Respondent on administrative leave during the pendency of a process. Such leave will be structured (paid vs. unpaid) at the College's discretion. When administrative Leave is imposed, the College will make reasonable efforts to complete the investigation and resolution within a reasonable time frame.

Grounds for Dismissal of a Formal Complaint

The Title IX Coordinator may dismiss a Complaint if at any time during the report, assessment investigation or Resolution process, one or more of the following elements are met:

- 1) The College is unable to identify the Respondent after taking reasonable steps to do so
- 2) The Respondent is not, or is no longer enrolled or employed at the College and is not or is no longer participating in a Dickinson College program or activity
- 3) The College determines that the conduct alleged in the complaint would not constitute a TIX sex discrimination policy violation, even if proved; or
- 4) If at any time during the resolution process, investigation or hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal grievance complaint or any allegations therein.

The Title IX Coordinator may consult with appropriate College Officials in making this determination.

Upon a dismissal of a complaint, the Title IX Coordinator or designee will send written notice of the dismissal and reason(s) for the dismissal to the Complainant. If the dismissal occurs after the Respondent has been made aware of the allegations, the College will also send written notice of the dismissal to the Respondent.

When the dismissal of a Complaint occurs, the Complainant may still be able to move forward with a formal process under the Community Standards policy, the Employee Policies, or other applicable College policies.

The written notice will include information about the Parties' right to appeal the dismissal of the Complaint. The Title IX Coordinator will designate a College Official to review the appeal request and make a determination.

Appeal of Dismissal

The Complainant may appeal a dismissal of their Complaint. The Respondent may also appeal the dismissal of the Complaint if dismissal occurs after the Respondent has been made aware of the allegations. All dismissal appeal requests must be in writing and directed to the Title IX Coordinator within three (3) college business days of the notification of the dismissal.

The Title IX Coordinator will notify the Parties of any appeal of the dismissal. If, however, the Complainant appeals, but the Respondent was not notified of the Complaint, the Title IX Coordinator must then provide the Respondent with a notice of the allegations and will notify the Respondent of the Complainant's appeal with an opportunity to respond.

Throughout the dismissal appeal process, Dickinson College will:

- Implement dismissal appeal procedures equally for the Parties.
- Assign a trained Dismissal Appeal Officer who did not take part in an investigation of the allegations or dismissal of the Complaint.
- Provide the Parties a reasonable and equal opportunity to make a written statement in support of, or challenging, the dismissal.
- Notify the Parties of the result of the appeal and the rationale for the result.

The grounds for dismissal appeals are limited to:

- 1) Procedural irregularity that would change the outcome.
- 2) New evidence that would change the outcome and that was not reasonably available when the dismissal was decided.
- 3) The Title IX Coordinator, Investigator, or Decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that would change the outcome.

The appeal should specify at least one of the grounds above and provide any reasons or supporting evidence for why the ground is met. Upon receipt of a written dismissal appeal request from one or more Parties, the Title IX Coordinator will share the appeal request with all other Party and provide three (3) business days for other Party to respond to the request. At the conclusion of the response period, the Title IX Coordinator will forward the appeal request, as well as any response provided by the other Parties to the Dismissal Appeal Officer for consideration.

If the Request for Appeal does not provide information that meets the grounds in this Policy, the Dismissal Appeal Officer will deny the request, and the Parties and their Advisors, will be notified in writing of the denial and the rationale.

If any of the asserted grounds in the appeal satisfy the grounds described in this Policy, then the Dismissal Appeal Officer will notify all Parties and their Advisors, of their decision and rationale in writing. The effect will be to reinstate the Complaint. The College may also replace certain personnel if the basis for the appeal included an allegation of bias.

In most circumstances, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Dismissal Appeal Officer typically has seven (7) college business days to review and decide on the appeal, though extensions can be granted at the Title IX Coordinator's discretion, and the Parties will be notified of any extension.

Appeal decisions are deferential to the original determination, making changes only if there is a compelling justification to do so.

The Dismissal Appeal Officer may consult with legal counsel on questions of procedure or rationale for clarification, if needed.

TIX Resolution Process Options Overview

This Resolution Process, consisting of Informal Resolution, Administrative Hearing, or Hearing Resolution is Dickinson College's chosen approach to addressing all forms of TIX Sex Discrimination under the Policy. The process considers the Parties' preferences but is ultimately determined by the Title IX Coordinator.

Resolution proceedings are confidential. All individuals present at any time during the Resolution Process are expected to maintain the confidentiality of the proceedings in accordance with Dickinson College Policy.

If a Complainant or Respondent has a disability and wishes to receive accommodations during any process under this Policy, the Party must notify the Title IX Coordinator. The Title IX Coordinator may consult with the Access and Disability Services regarding any support or accommodations.

Informal Resolution

Information Resolution may be offered by the College or requested by a Party when there is information about conduct that reasonably may constitute Title IX Sex Discrimination. The College has the discretion to determine that Informal Resolution is not suitable based upon the information and/or where the College determines that the alleged conduct would present a future risk of harm to any person. Where suitable, Informal Resolution is available at any time prior to a determination of responsibility. The College may offer parties an informal process that can resolve a formal complaint without completing the investigation and hearing process. The Title IX Coordinator has discretion to decide whether some level of an investigation is necessary prior to allowing an Informal Resolution process to proceed. The Title IX Coordinator may serve as the Facilitator for the Informal Resolution process, as long as the Title IX Coordinator has not served in any other decision making role within this Policy.

To initiate Informal Resolution, a Complainant or Respondent may make such a request to the Title IX Coordinator at any time prior to a final determination, or the Title IX Coordinator may offer the option to the Parties, in writing. The Title IX Coordinator will obtain voluntary, written confirmation that all Parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the Parties to participate in Informal Resolution.

Before initiation of an Informal Resolution process, the Parties will receive written notice that explains:

- The allegations.
- The requirements of the Informal Resolution process.
- That, prior to agreeing to a resolution, any party has the right to withdraw from the Informal Resolution process and to request to initiate or resume the other Resolution Process options.
- That the Parties' agreement to a resolution at the conclusion of the Informal Resolution process will preclude the Parties from initiating or resuming the Resolution Process arising from the same allegations.
- The potential terms that may be requested or offered in an Informal Resolution agreement, including notification that an Informal Resolution agreement is binding only on the Parties.
- What information Dickinson College will maintain, and whether and how it could disclose such information for use in its Resolution Process.

Dickinson College offers four categories of Informal Resolution:

- 1) **Supportive Resolution.** When the matter can be resolved informally by providing supportive measures (only) designed to remedy the situation.
- 2) **Educational Conversation.** When the Title IX Coordinator/Facilitator can resolve the matter informally by having a conversation with the Respondent to discuss the Complainant's concerns and institutional expectations.
- 3) **Accepted Responsibility.** When the Respondent is willing to accept responsibility for violating Policy and is willing to agree to actions that will be enforced similarly to sanctions, and the Complainant(s) are agreeable to the resolution terms and the Title IX Coordinator approves the agreement.
- 4) **Alternative Resolution.** When the Parties agree to resolve the matter through an alternative resolution mechanism (which could include, but is not limited to, mediation, shuttle negotiation, restorative practices, facilitated dialogue, etc.), as described below.

The individual facilitating an Informal Resolution must be trained and cannot be the Investigator, Decision-maker, or Appeal Decision-maker.

It is not necessary to pursue Informal Resolution first in order to pursue an Administrative or Hearing Resolution Process. Any party participating in Informal Resolution can withdraw from the Informal Resolution Process at any time and request to initiate or resume the Administrative or Hearing Resolution Process.

Statements made or evidence shared during the Informal Resolution process will not typically be considered in the Administrative Resolution or Hearing Process, should Informal Resolution not be successful. The only information shared in a later process, or another process is the notice letter that includes the allegation(s), information when a Respondent acknowledges responsibility, whether or not the parties engaged in good faith, whether there was agreement reached, and if so, the agreement, and whether the agreed-upon outcomes were satisfactorily completed or upheld.

If an investigation is already underway, the Title IX Coordinator has discretion to determine if an investigation will be paused, if it will be limited, or if it will continue during the Informal Resolution process.

Categories of Informal Resolution

Supportive Resolution

The Title IX Coordinator will meet with the Complainant to determine reasonable supportive measures that are designed to restore or preserve the Complainant's access to Dickinson

College's education program and activity. Such measures can be modified as the Complainant's needs evolve over time or circumstances change. If the Respondent has received a written notice of allegations, the Title IX Coordinator will also offer reasonable supportive measures for the Respondent as deemed appropriate. This option is available when the Complainant does not want to engage the other resolution options, and the Title IX Coordinator does not initiate a Complaint.

Educational Conversation

The Complainant(s) may request that the Title IX Coordinator, or designee (Facilitator) address their allegations by meeting (with or without the Complainant) with the Respondent(s) to discuss concerning behavior and institutional policies and expectations. Such a conversation is non-disciplinary and non-punitive. Respondent(s) are not required to provide any information if they attend. The conversation will be documented as the Informal Resolution for the matter, if it takes place.

Accepted Responsibility

The Respondent may accept responsibility for any or all of the alleged Policy violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for all alleged Policy violations, the ongoing process will be paused, and the Title IX Coordinator will determine whether Informal Resolution is an option.

If Informal Resolution is available, the Facilitator will determine, in consultation with the Title IX Coordinator, whether all Parties are able to agree on responsibility, restrictions, sanctions, restorative measures, and/or remedies. If so, the Facilitator implements the accepted finding that the Respondent is in violation of Dickinson College Policy, implements agreed-upon sanctions, restrictions and remedies. The Title IX Coordinator must agree that this process and agreed-upon outcomes are appropriate for the type of allegation(s). The Title IX Coordinator may consult with and partner with other appropriate offices/departments in making a determination.

This resolution is not subject to appeal once all Parties indicate their written agreement to all resolution terms. When the Parties cannot agree on all terms of resolution, the Resolution Process will resume.

When a resolution is reached, the appropriate sanction(s) or responsive actions are promptly implemented to effectively stop the discrimination or harassment, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

The outcome does become part of the Respondent's formal student or employee record.

Alternative Resolution

Dickinson College offers a variety of alternative resolution mechanisms to best meet the specific needs of the Parties and the nature of the allegations. Alternative resolution may involve agreement to pursue individual or community remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction with the Respondent(s); indirect action by the Facilitator or other appropriate Dickinson College officials; and other forms of resolution that can be tailored to the needs of the Parties. Some alternative resolution mechanisms will result in an agreed-upon outcome, while others are resolved through dialogue. All Parties must consent to the use of an alternative resolution approach, and the Parties may, but are not required to, have direct or indirect contact during an alternative resolution process.

Parties do not have the authority to stipulate restrictions or obligations for individuals or groups that are not involved in the alternative resolution process. The Facilitator, in consultation with the Title IX Coordinator, will determine whether additional individual or community remedies are necessary to meet the institution's compliance obligations in addition to the alternative resolution.

The Facilitator maintains records of any resolution that is reached and will provide notification to the Parties of what information is maintained. Failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., dissolution of the agreement and resumption of the Resolution Process, referral to the conduct process for failure to comply, application of the enforcement terms of the agreement). The results of Complaints resolved by alternative resolution are not appealable.

If an Informal Resolution option is not available or selected, Dickinson College may initiate or continue an investigation and subsequent Resolution Process to determine whether the Policy has been violated.

Notice of Investigation and Allegations (NOIA)

Prior to an investigation, the Title IX Coordinator will provide the Parties with a written NOIA. Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations. For climate/culture investigations that do not have an identifiable Respondent, the NOIA will be sent to the department/office/program head for the area/program being investigated.

Investigation of a Complaint

The investigation is designed to provide a reliable gathering of the facts. The investigation will be thorough, fair, and objective and all individuals will be treated with appropriate sensitivity. The investigation will be conducted in a manner that is respectful of individual privacy concerns. However, confidentiality cannot be promised during an investigation because the Investigator(s) may need to speak with witnesses and others to gather information. The parties must respect the privacy of the process, but they are not restricted from speaking to witnessing to obtain information, consult with family members, advisors or confidential resources, or taking steps to prepare for or participate in the resolution process.

The Investigation will typically be conducted by the Investigation & Research Specialist, however the Title IX Coordinator may designate another investigator at their discretion. The Title IX Coordinator may designate additional Investigator(s) to assist the Investigation & Research Specialist and who have

specific training investigating allegations of Title IX Sex Discrimination and sex-based harassment. The Investigator(s) may be comprised of employees of the College, external investigators engaged to assist the College in its fact gathering, or both. Investigations involving an employee may include a member of human resource services on the assigned investigation team.

The Investigator(s) will conduct the investigation in an appropriate manner in light of the circumstances of the case. The Investigator(s) will coordinate the gathering of information from the Complainant, the Respondent and any other individuals who may have information relevant to the determination. The Investigator(s) may consider prior or subsequent conduct that is relevant to evaluating the current allegation(s).

The Investigator(s) provide written notice to the Complainant and Respondent of the date, time, location, and purpose of all meetings or proceedings. To allow the Party to prepare to participate, the written notice will be provided at least three (3) business days in advance of the meeting or proceeding.

The Investigator(s) will also gather any available physical evidence, including documents, communications between the parties, and other electronic records as appropriate. The Complainant and Respondent will have an equal opportunity to be heard, to submit information, to submit questions to be asked of the other party to the Investigator(s), and to identify witnesses who may have relevant information and who the Investigator(s) may decide to interview for the purpose of the investigation.

In general, a person's medical and counseling records are confidential and not accessible to the Investigator(s) unless the person voluntarily chooses to share those records with the Investigator(s). In those instances, the information, if relevant, will be included in the Investigation Packet for both parties' review.

Each may have their Advisor attend any interview, meeting or proceeding that occurs as part of the Resolution Process.

Witness Interviews

The Investigator(s) can decide to contact and interview any witnesses identified by the parties or in the documentation, including those no longer at the College. Witnesses should have either observed the acts in question or have other potentially relevant information regarding the allegation(s) of the complaint. The Investigator(s) may also interview any other individual they find may have potentially relevant information regarding the allegation(s) of the complaint. The Investigator(s) will inform each witness or other individual interviewed that they are prohibited from retaliating against the Complainant and Respondent or other witnesses, and request that the witnesses respect the privacy of the parties and the integrity of the process.

Employees (not including Complainant and Respondent) are required to cooperate with and participate in Dickinson College's investigation and Resolution Process. Student witnesses and witnesses from outside the Dickinson College community cannot be required to participate but are encouraged to cooperate with Dickinson College investigations and to share what they know about a Complaint.

Experts

The Investigator(s) may contact any expert they determine is necessary to ascertain the facts related to the complaint. An expert witness may be contacted for an informal consultation or for a professional opinion regarding information learned from the investigation.

Document/Records Review

In addition to reviewing any documents submitted by the Complainant and Respondent, the Investigator(s) may determine, in their judgment, that it is necessary to obtain other physical or medical information, including but not limited to documents, police records, electronic or other records of communications between the parties or witnesses, records or other relevant information. In obtaining such information, the Investigator(s) will comply with applicable laws and Dickinson College policies. A party's medical or mental health records are confidential under law. If a party voluntarily decides to share such records with the Investigator(s), the relevant portions of the records will be shared with the opposing party and included in the Investigation Packet.

Site Visits

The Investigator(s) may visit relevant sites or locations and record observations through written or electronic documentation, such as videos or photographs.

Evidentiary Considerations

The Investigator(s) and the Decision-maker(s) will only consider evidence that is deemed relevant and not otherwise impermissible.

Relevant Evidence is that which may aid in determining whether the allegation occurred, or whether the behavior constitutes a violation of Policy.

The sexual history of a Complainant or Respondent will never be used to prove character or reputation. An investigation under this policy may consider prior or subsequent sexual history between the parties if the Investigator(s) determines that there was a prior or ongoing relationship between the Complainant and the Respondent and the Investigator(s) is asked to determine whether consent was sought and given. As noted in other sections of the policy, whether someone consented on a prior or subsequent occasion is not evidence that the person consented on this occasion, and consent must be sought and given each time. Any prior or subsequent sexual history between the parties will only be used to help understand the manner and nature of communications between the parties and the context of the relationship.

Consolidation of Investigation and Consideration of Other Conduct by a Respondent

If the College receives formal grievance complaints against more than one Respondent, or by one Party against the other Party, where the allegations of sexual or gender-based harassment arise out of the same facts or circumstances and are so intertwined that the allegations directly relate to all of the Parties, the Investigator(s) in consultation with the Title IX Coordinator has the discretion to consolidate the formal grievance complaints. In addition, in gathering the facts, the Investigator(s) may consider prior or subsequent allegations of, or findings of responsibility for, misconduct by the Respondent to the extent such information is relevant.

Evidence of an occurrence or occurrences of sexual or other relevant behavior so distinctive and so closely resembling either party's version of the alleged encounter as to tend to prove a material fact, including whether consent was sought or given, may be admissible. Where there is evidence of a pattern of similar conduct, either before or after the conduct in question, regardless of whether there has been a prior finding of a policy violation, this information may be deemed relevant to the determination of policy violation or assigning of a sanction(s). The determination of relevance will be based on an assessment of whether the previous or subsequent incident was substantially similar to the conduct

cited in the report or indicates a pattern of behavior and substantial conformity with that pattern. Where there is a prior finding of a policy violation by the Respondent for a similar act of prohibited conduct, there is a presumption of relevance, and the finding may be considered in making a determination as to responsibility and assigning of a sanction.

In a grievance process that involves multiple Complainants, multiple Respondents, or both, the College may issue a single Investigation packet or separate Investigation packets as deemed appropriate by the Title IX Coordinator.

Investigation Packet

The Investigator(s) will draft an Investigation Packet summarizing all of the relevant, admissible information obtained during the investigation, including exculpatory and inculpatory evidence. The Investigation Packet may include but is not limited to summaries of interviews with the Complainant, Respondent, witnesses, experts, and any other individuals with information, photographs of sites or physical evidence, electronic records and forensic evidence.

The Investigation Packet will not include a recommendation as to whether there is a violation of policy, if any, because the Investigator(s) is not a decision-maker and does not decide any formal resolution of the allegation(s).

Consistent with FERPA or safety concerns, identifying information about the Complainant or witnesses may be redacted.

The Investigator may share the investigation report with the Title IX Coordinator and/or legal counsel for their review and feedback.

Review of Draft Investigation Packet

The Title IX Coordinator will send the Complainant, Respondent and their Advisors, the draft Investigation Packet typically in an electronic format. The parties and their Advisors will have ten (10) College business days to inspect and review the evidence, and submit a written response to the Investigator(s), which the Investigator(s) will include in the final Investigation Packet and consider prior to completion of the Investigation Packet.

The parties, in their written response, can submit any additional comment or information to the Investigator(s), request changes to the report, request further investigation and submit any additional question(s) they believe should be asked of the other parties or witnesses. The written responses will be added to the Investigation Packet in order for the Decision Maker(s) (Hearing Panel) to objectively evaluate.

The Investigator(s) will evaluate the Parties' responses and may make revisions or adjustments to the Investigation Packet and may conduct further investigation, as deemed appropriate. The Investigator(s) will conduct any further investigation and incorporate any revisions or new information into a final Investigation Packet typically within ten (10) business days after receiving the parties' written responses, if any.

Final Investigation Packet

Once the final Investigation Packet is completed, the Complainant, Respondent and their Advisors will be provided an opportunity to review any new information that is added to the Investigation Packet and that will be used in reaching a final determination by the Hearing Panel. No further requests for revisions of the Investigation Packet will be accepted at this point.

The Investigator(s) will issue a Final Investigation report to the Parties and their Advisors. The final investigation report will summarize all the relevant, admissible information obtained during the investigation.

The Final Investigation Packet will be available at any Administrative Hearing or Hearing Panel. Any Administrative Hearing or hearing Panel on the allegations investigated will not be held sooner than ten (10) business days after the Final Investigation Packet is provided. Parties will be notified of the date, time and location of their Hearing or Administrative Hearing.

Pre-Hearing Opportunity with TIX Coordinator

Prior to a Hearing or Administrative Hearing, Parties and their Advisors will have the opportunity to attend a pre-hearing meeting with the Title IX Coordinator where they will be provided with information about the process, a review of their rights, and they may ask questions concerning the process.

The Parties will have the opportunity to propose questions in-writing that the Party wants to be asked of any Party or Witness during an Administrative hearing. The Title IX Coordinator will forward the written questions to the Decision-Maker(s).

The next step in the Resolution Process consists of a referral of the investigation report and all relevant evidence to the Decision-maker(s) to make a finding and determine sanctions (if applicable).

Formal Resolution - Administrative Resolution Process

An Administrative Resolution process will be provided where the allegations would not result in suspension, expulsion, withholding or revoking a degree, or termination.

The Administrative Resolution Process consists of a referral of the investigation report and all relevant evidence to the Decision-maker to make a finding and determine sanctions (if applicable).

At the discretion of the Title IX Coordinator, the assigned Decision-maker will be a trained individual either internal or external to Dickinson College. Once the Decision-maker receives and reviews the file, they can recommend dismissal to the Title IX Coordinator, if they believe the grounds for dismissal are met.

The Administrative Resolution Process typically takes approximately thirty (30) business days to complete, beginning with the Decision-maker's receipt of the Investigation Report.

Investigator-led Questioning Meetings

- The Investigator(s) provides the Investigation Report and relevant evidence to the Decision-maker and the Parties simultaneously for review.
- The Decision-maker can then provide the Investigator(s) with a list of relevant questions to ask the Parties or any witnesses.

- To the extent credibility is in dispute and relevant to one or more of the allegations, the questions provided by the Decision-maker may also explore credibility.
- The Investigator(s) will also ask each of the Parties to provide a proposed list of questions to ask the other Parties and any witnesses.
 - All party questions must be posed during this phase of the process and cannot be posed later unless authorized by the Decision-maker.
 - The Investigator(s) will share all party-proposed questions with the Decision-maker, who will finalize the list with the Investigator(s) to ensure all questions are both relevant and permissible.
- The Investigator(s) will then hold individual meetings with the Parties and witnesses to ask the questions posed by the Decision-maker, as well as the questions proposed by the Parties that have been deemed relevant and not duplicative, including questions intended to assess credibility. These meetings will be recorded.
 - For any question deemed not relevant or duplicative, the Investigator(s) will provide a rationale for not asking the question, either during the recorded meeting, or in writing.
- Typically, within five (5) business days of the last of these meetings, the recordings will be provided by the Investigator(s) to the Parties for their review. The Parties will then have five (5) business days to review these recordings or transcripts and propose any follow-up questions for the Investigator to ask.
- The Investigator(s) will review the proposed questions with the Decision-maker to determine relevance and permissibility. If deemed necessary, the Investigator(s) will then meet individually with the Parties or witnesses for whom there are relevant, and not duplicative, follow-up questions. These follow-up meetings will also be recorded, and the Parties will receive the recordings or transcripts of these meetings. This final round of questioning is the last round permitted unless permission is granted to extend by the Decision-maker.
- The Investigator will then provide the Decision-maker with the Final investigation file.

The Decision-maker's Determination

Upon reviewing the relevant evidence, the Decision-maker may also choose to pose additional questions:

- At their discretion, the Decision-maker may also meet with any party or witness to ask additional relevant questions that will aid the Decision-maker in making their findings. These meetings will be recorded, and the recording or transcript will be shared with the Parties.
- The Decision-maker will then apply the preponderance of the evidence standard to make a determination on each of the allegations and, if applicable, any associated sanctions.

Formal Resolution - Hearing Resolution Process

A live hearing will be provided in any Resolution Process that involves an allegation of sexual assault, dating violence, domestic violence, stalking, and in any case where because of the circumstances, severity, or number of allegations of sex-based discrimination or harassment, the allegations, if proven, may result in a suspension, expulsion, or termination from Dickinson College.

Prior to the live hearing with the Decisionmakers, the Parties will have an opportunity to attend a pre-hearing meeting with the Title IX Coordinator, where they will be provided with information about the live hearing, their rights, and they may ask any questions concerning the process. This pre-hearing meeting will take place at least five (5) business days before the live hearing. Parties may submit type

written questions during this phase of the process for the Hearing. The Title IX Coordinator will share the type-written questions with the Chair of the Hearing Panel. Questions should be submitted at least three (3) business days in advance prior to the live hearing.

The College's Hearing Resolution process provides for a live hearing. Live hearings are conducted with all parties physically present in the same hearing room, or at either the College's discretion or the request of Complainant or Respondent, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

At the conclusion of the investigation, the Title IX Coordinator or designee will refer the Investigation Packet to the Chair of the Hearing Panel. The Hearing Panel consists of three (3) decision-makers, which includes the Chair of the Hearing Panel. The Chair of the Hearing Panel is designated by the Title IX Coordinator and can be an employee of the College, or external professional engaged by the College.

The Chair of the Hearing Panel has absolute discretion to decide upon the format for the Hearing and to determine which witnesses are relevant to the outcome determination. The Chair of the Hearing Panel may decline to hear from a witness where they conclude that the information is not necessary for the outcome determination. The Chair also presides over the resolution of any disputes on questions of relevance and participant decorum and is empowered to consult with the General Counsel, for advice in the promulgation of the Chair's responsibilities.

The Chair of the Hearing Panel is responsible for making all determinations of relevance as to witnesses, questions and documentary evidence presented at the hearing. For purposes of the Policy, "relevant" means that the evidence is probative of any material fact. All documentary evidence provided to the parties will be made available at the hearing, as well as all evidence produced by the Parties in their response. The availability of such evidence does not suggest a determination on relevance, which shall be made by the Chair of the Hearing Panel.

Evidence that is not relevant will be excluded at the hearing and may not form the basis for any decision by the Hearing Panel members. Evidence that is duplicative of evidence already in the hearing record may be deemed not relevant. Questions and evidence about the Complainant's prior sexual behavior are not relevant, unless such questions about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the alleged conduct or if the question and evidence concern a specific incident of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

If the matter involves more than one Respondent, the Chair of the Hearing Panel, in consultation with the General Counsel, may permit the hearing concerning each Respondent to be conducted either jointly or separately.

The Chair of the Hearing Panel will refer the Investigation Packet to the Hearing Panel members who have ten (10) College business days prior to the hearing to independently review the Investigation Packet.

The Complainant, Respondent and their Advisors will be notified of the allegations of prohibited conduct, date, time and location of the hearing, including the parties who will be participating in the hearing. Typically, the parties in attendance will include but are not limited to the Complainant, the

Respondent, their Advisors, Witnesses, the Chair of the Hearing Panel, the Hearing Panel members, Investigators, and the Title IX Coordinator and Assistant Title IX Coordinators or designee(s). The hearings process is not to exceed one business day. The Panel shall endeavor to complete the hearing within one day. Notwithstanding, the Chair is empowered to determine if a hearing should be continued beyond this time limit, for good cause shown.

The Respondent, Complainant and their Advisors are permitted to attend and participate fully in the hearing procedures. The Title IX Coordinator and Assistant Title IX Coordinator may be present for the Hearing Panel deliberations to answer policy or procedural questions, but not to give an opinion or otherwise participate in the decision-making process.

The hearing is not intended to be a repeat of the investigation. The Hearing Panel will be well-versed in the facts of the case based upon the Investigation packet and relevant materials.

The Complainant and Respondent are required to inform the Title IX Coordinator or designee five (5) days in advance of their Advisor of choice who will attend the hearing. If a Complainant or Respondent does not have an Advisor for the hearing, the College may reschedule the hearing and will provide an Advisor of the College's choice to conduct cross-examination on behalf of that party. The College-appointed Advisor is an internally trained College faculty or staff member who receives training and has an understanding of the purpose of cross-examination. A College-appointed Advisor will not be an attorney or have training commensurate to attorneys with respect to conducting cross-examination.

The Hearing Panel Chair has authority over the conduct of the hearing and may set time limits for witness testimony, cross-examinations, breaks if any, and limit the length of statements if determined irrelevant. The Chair may approve recesses, including for the Chair to consult with the Title IX Coordinator, Investigator or any other Dickinson College representative. Such recesses will not be recorded.

The typical course of procedure for the Hearing:

- Introductions of attendees by Hearing Panel Chair, including allegation(s), and summary of procedures
- The Complainant has an opportunity to share their complaint
- Questions posed by Hearing Panel to Complainant
- Questions posed by Respondent's Advisor to Complainant
- The Respondent has an opportunity to share their response
- Questions posed by Hearing Panel to Respondent
- Questions posed by Complainant's Advisor to Respondent
- Questions posed by Hearing Panel to Witnesses
- Questions posed by Advisor's to Witnesses
- Parties or their Advisor may provide a closing statement, not to exceed 20 minutes
- Hearing Panel Chair excuses all parties from Hearing

During the hearing, the Hearing Panel Chair will permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions.

Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's Advisor and never by a party personally. A Complainant or Respondent may not question each

other or other witnesses' directly but may raise questions to be asked of that party through their Advisors.

Before a Complainant, Respondent, or Witness answers a cross-examination or other question, the Hearing Panel Chair must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Advisors may discuss the relevance determination with the Chair during the hearing, but ultimately the Chair's decision is final.

Examples of irrelevant information that a Hearing Panel Chair may exclude includes but is not limited to, information protected by a legally recognized privilege; evidence about a Complainant's prior sexual history; any party's medical, psychological, and similar records unless the party has given voluntary, written consent to provide the information for the College process; and party or witness statements that have not been subjected to cross-examination at the hearing.

The Hearing Panel must not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

The Hearing Panel has the right and responsibility to ask questions and elicit information from parties and witnesses on the Hearing Panel's own initiative to aid the Hearing Panel members in obtaining relevant evidence, and the parties also have equal rights to present evidence in front of the Hearing Panel so the Hearing Panel has the benefit of perceiving each party's unique perspectives about the evidence.

A Respondent, Complainant, Advisor, and/or Witnesses may not record the hearing through any means, nor may they bring electronic devices that capture or facilitate communication (e.g. computer, cell phone, audio/video recorder, etc.) into a hearing room, in-person or virtually, unless authorized by the Hearing Panel Chair and Title IX Coordinator. The hearing is closed to the public.

The College will create a recording of the hearing to be kept on file for seven (7) years of the date of the report to the College. The recording shall be the property of the College. Reasonable care will be taken to create a quality recording and minimize technical problems; however, technical problems that result in no recording or an inaudible one will not be a valid argument for appeal. The College will make the recording available to the Complainant and Respondent for inspection and review. Parties may request to review the recording through the Title IX Coordinator or designee who will schedule a date, time and location for the party and their Advisor to review the recording. Because there is no adequate way to redact elements from a hearing recording in order to protect the privacy or confidentiality needs of hearing participants, copies of these recordings are not provided to parties or their Advisors. After the seven-year period of record-keeping, the College will destroy the recording.

The College expects that all parties engaging in a hearing will act in a respectful manner towards all participants. The Chair of the Hearing Panel, Title IX Coordinator or designee may at any time stop a hearing process if participants are disrupting the process by doing any of the following (this is a non-exhaustive list):

- Party participant and advisor loudly conferring with each other
- Yelling, pointing, staring menacingly or for an elongated period of time, badgering a party, or repeating the same question which may be deemed irrelevant
- Using disparaging terms about or language towards a hearing participant

- Banging on the table, slamming items, or other outward expressions of anger
- Repeatedly interrupting the hearing flow in an effort to frustrate the process
- Engaging in any behavior that can reasonably be interpreted as an intent to intimidate or harass a hearing participant

If a party's Advisor of choice refuses to comply with the College's behavioral expectations so as not to unduly disrupt the proceedings, the Chair of the Hearing Panel and/or Title IX Coordinator or designee may stop the hearing process and require the party to use a different Advisor. The College may reschedule the hearing in such circumstances.

After conclusion of the hearing, the Hearing Panel members will deliberate. Parties and their Advisors are not permitted to attend deliberations.

The Hearing Panel shall find either that the Respondent(s)/Organization(s):

1. Not Responsible for Policy Violation: If the Hearing Panel determines that there is insufficient information to find, by a preponderance of the evidence, that a policy violation occurred, the Hearing Panel will render this decision, and both parties will receive notice of the decision in writing.

Or

2. Responsible for Policy Violation(s) and Imposition of Sanction(s): If the Hearing Panel determines that there is sufficient information to find, by a preponderance of the evidence, that the Respondent/Organization committed a policy violation(s), the Hearing Panel will render this decision, and both parties will receive notice of the decision in writing.

For cases involving an employee Respondent, the Hearing Chair will refer the matter to Human Resources for sanctioning.

For cases involving a faculty employee, the Hearing Chair will refer the matter to Human Resources and the Provost and Dean of the College for further steps in the College procedures (see Employee and Academic Handbooks).

Determination Regarding Responsibility

After the conclusion of the Resolution Process, the Decisionmaker(s) will objectively consider all relevant and not impermissible evidence and will issue a written determination of whether a violation of this Policy occurred based upon that objective consideration of evidence. This written determination will be provided to both Parties simultaneously via email, and the determination becomes final either (i) at the time the Parties are provided with a written determination of any appeal, if an Appeal is filed, or (ii) the date that time for the filing of the appeal passes without the filing of an Appeal.

The written determination will include:

- A description of the alleged sex-based harassment or sex discrimination;
- Information about the policies and procedures that the College used to evaluate the allegations;
- The Decisionmaker's evaluation of the relevant and not otherwise impermissible evidence and determination of whether sex-based harassment or sex discrimination occurred;

- If there is a finding that a violation of Prohibited Conduct occurred, the Decisionmaker will include any sanctions that the College will impose, whether remedies other than the imposition of disciplinary sanctions will be provided to the Complainant by the College, and to the extent appropriate, other students identified by the College to be experiencing the effects of the sex-based harassment or sex discrimination; and the College's procedures for the Complainant and the Respondent to appeal.

Disciplinary Sanctions

If the Hearing Panel finds the Respondent responsible, the matter will proceed to the sanctioning stage (except for employee cases). The Hearing Panel is responsible for determining the appropriate sanction(s) designed to eliminate the misconduct, prevent its recurrence, and remedy its effects, while supporting the College's educational mission and Title IX obligations. Sanctions, remedies or interventions may also serve to promote safety or deter individuals from similar future behavior. The Hearing Panel may consult with the Title IX Coordinator and General Counsel with respect to the College's sanctioning guidelines and remedies.

For students, the sanctions may include disciplinary action up to and including expulsion. A full list of the range of sanctions for students is contained later in this policy

Sanctions may be issued individually, or a combination of sanctions may be imposed. The determination of sanctions is based upon a number of factors, including the harm suffered by the Complainant; any ongoing risk to either the Complainant or the community posed by Respondent; the impact of the violation on the community, its members, or its property; any previous conduct violations; and any mitigating or aggravating circumstances.

In situations where it is determined that the conduct was motivated by bias, insofar as a Complainant was selected on the basis of his or her race, color, ethnicity, national origin, religion, age, disability or other protected class, the sanction imposed may be enhanced to account for the bias motivation.

For a student employee, the sanction may include any permissible sanction from the Title IX Policy, up to and including termination from their employment.

Possible Student Sanctions

Following any determination of responsibility, possible disciplinary sanctions for student violations of this policy include, but are not limited to, warning, probation, stayed suspension, suspension, and permanent expulsion. The College reserves the right to impose other sanctions in addition to those listed below in response to the specific circumstances of a case.

Warning: Notice to a student or organization that continuation or repetition of conduct found to be in violation of the Title IX Policy and/or Community Standards may result in further disciplinary action.

No Contact Directive: Notice requiring the Respondent to have no contact with the Complainant.

Restitution/Restoration: Restitution includes the reimbursement for damages to or the misappropriation of property. Restoration includes the performance of appropriate services to repair or otherwise compensate for damages.

Housing Restriction(s): Housing restrictions include, but are not limited to, restricted access to any or all parts of residence halls, the loss of room selection/lottery privileges, the loss of off-campus lottery participation, requirement to move on-campus at your own expense, removal of guest privileges, and/or restriction from autonomous housing options.

Housing Relocation: Housing relocation includes the involuntary relocation of a student from one residence hall to another residence hall on campus. If a student is relocated, they may be restricted from the prior residence.

Restrictions on Participation or Use: Restrictions on participation include the revocation, or the loss for a stated period of time or under a stated set of conditions, of a student's ability to participate in certain College-approved activities, including, but not limited to, sports, clubs, organizations (including but not limited to Greek organizations), or leadership positions with such sports, clubs, and organizations. Restrictions on use include the denial of access to or use of certain College facilities, programs, or equipment for a stated period of time or under a stated set of conditions.

Probation: A specified period of time requiring maintenance of exemplary conduct. Further violations during this time may result in more serious sanctions than are imposed in the absence of probationary status. During a probationary period, the terms imposed on an organization will also be binding on its members.

Stayed Suspension: A student or organization on stayed suspension has been found responsible for conduct that warrants suspension from the College. In the exercise of its discretion, the College has determined to withhold immediate imposition of suspension and to allow the individual or organization to remain on campus, usually with additional terms of compliance. If a student or organization is found in violation of any aspect of the Title IX Policy and/or the Community's Standards or of terms of compliance during the period of the stay, the stay on this suspension may be lifted and the suspension will become effective immediately, resulting in separation from the College for the remainder of the suspension period. In addition, any other sanctions for the new violation(s) will be imposed. During a period of stayed suspension, the terms imposed on an organization will also be binding on the members of the organization.

Stayed Suspension: A student or organization on stayed suspension has been found responsible for conduct that is severe enough to justify suspension as a sanction. As stayed suspension is permitted where the College in its discretion has determined that mitigating circumstances exist such that the withholding of the immediate imposition of suspension should be stayed to allow the student or organization an opportunity to correct behavior while they or it remain on campus. Stayed suspension can be imposed for a specified period of time and may be contingent upon complying with specific rules and all Community Standards during the period of the stayed suspension. If at any point the Community Standards or specified rules are found to have been violated, the suspension will become effective immediately, resulting in separation from the College for the remainder of the suspension period. During a period of stayed suspension, the terms imposed on an organization will also be binding on the members of the organization.

Revocation or Withholding of Diploma and Degree: If a student has graduated from the College, or has otherwise satisfied the requirements for earning a degree before violations of the Title IX Policy are discovered or before a determination of violations is complete, the College reserves the right to revoke

the diploma and/or degree conferred, or to withhold the conferring of a degree or diploma otherwise earned, or the release of academic transcripts, for a specified period of time or indefinitely.

Expulsion: For an individual, permanent termination of student status, which includes exclusion from any College property, College sponsored, or College affiliated events. A person expelled from the College is denied the rights and privileges of inclusion in the Dickinson College community both as a student and as an alumnus/alumna. Expulsion will go into effect within 24 hours of receipt of the outcome letter unless otherwise noted in the outcome letter and shall remain in effect throughout any appeal process. For an organization, permanent termination of the organization’s relationship and status with the College, which includes termination of access to facilities, funding, and/or right to assemble as an organization on College property and at College-sponsored or affiliated events. An organization expelled from the College is denied the rights and privileges of inclusion in the Dickinson College community as an organization.

Other: Such other sanctions as may be appropriate in the judgment of the College.

Allegations of unauthorized disclosure and failure to comply are typically referred to Community Standards or employee policies for review and resolution.

Standard Range of Sanctions for Students

Violation	Standard Sanctions
Sexual Assault (Rape, Sexual Assault with an Object, Incest, Statutory Rape)	One-Year Suspension to Expulsion*
Sexual Assault - Fondling	Probation to Expulsion*
Dating Violence/Domestic Violence	Warning to Expulsion
Stalking	Warning to Expulsion
Sex-Based Harassment	Warning to Suspension
TIX Sex Discrimination	Warning to Expulsion
Retaliation	Probation to Expulsion
Prohibited Relationships by Persons in Authority	Warning to Suspension/Dismissal
No Contact Directive	Warning to Suspension

The above chart showcases the sanction range for specific types of violations, under this policy. However, the College reserves the right to impose other sanctions, and sanctions outside of this range in response to specific circumstances of a case. The College may also apply any remedies, including but not limited to those listed under Support Services in this policy. *Expulsion is the sanction for any individual found responsible for one incident of sexual assault that would meet the PA State definition of rape, incest or statutory rape and more than one case of sexual assault or fondling. One incident of sexual assault or fondling may also result in expulsion.

The Title IX Coordinator, in consultation with the General Counsel, may review, modify, and/or reverse any College resolution completed prior to the resolution of criminal proceedings. The Title IX Coordinator reserves the right to request an investigation and/or hearing, prior to enrollment/re-enrollment, for a student facing pending allegations under this policy. This will typically take place after criminal proceedings. The College has the authority to delay a student’s graduation and/or hold or recommend revocation of degrees until, or after, a pending prohibited conduct matter has been resolved.

Notice of Outcome

Typically, within five (5) business days of the hearing, the Chair of the Hearing Panel will issue the written decision letter; the opinion will be simultaneously sent to the Complainant and Respondent. The decision letter will include a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the Complainant.

The Respondent will be informed of the date by which the requirements must be satisfied (if applicable), and the consequences of failure to satisfy the requirements.

The Complainant will be fully informed of any sanctions and any resulting remedies put in place that directly relate to Complainant. The notice of outcome will also provide each party with their appeal options.

The College may also notify appropriate College officials, such as the Chief of the Department of Public Safety, faculty members, residence life staff, coaches, as necessary, to implement the outcome and/or sanctions and any remedies.

Decisions made by the Hearing Panel are final pending any appeal process.

Appeal

Either party may appeal the outcome and/or sanction(s). The appeal letter must be submitted within five (5) business days of the date of the outcome letter. The appeal should consist of a plain, concise, and complete written statement outlining the specific ground(s) for the appeal. The appeal letter must be submitted to the Title IX Coordinator at matick@dickinson.edu.

Once the Title IX Coordinator receives the appeal letter, the Title IX Coordinator or designee will provide the other party notice and a copy of the appeal letter, and the opportunity to respond in writing to the appeal. That response to the appeal letter must be submitted within five (5) business days from notice of the appeal. In the event that both parties initially appeal the findings, each party will be provided notice and a copy of the other party's appeal and both parties will have up to five (5) business days to respond. These responses will be shared with the other party, but no further responses will be permitted. Upon receipt of the appeal letter and any response(s), the Title IX Coordinator will forward all relevant materials to the Appeal Official.

The appeal will be conducted in an impartial manner by the Appeal Official or their designee.

A review of the matter will be prompt and narrowly tailored to the stated appeal grounds.

Dissatisfaction with the outcome of the investigation is not grounds for appeal. For cases resolved through the Review Panel, the limited grounds for appeal are as follows:

- New information that could affect the finding of the Investigator(s) or Review Panel and was not reasonably available through the exercise of due diligence at the time of the investigation;
- A deviation from College policy or procedures that materially affected the outcome;

- Conflict of interest or bias exhibited by the Title IX or Assistant Title IX Coordinator, or one or more of the investigators or Hearing panel members; and
- Sanction is too harsh or too lenient.

In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately. The appeal is not a new review of the underlying matter. The Appeal Official shall consider the merits of an appeal only on the basis of the grounds for appeal. The Appeal Official will review the Investigation Packet and all relevant documents and may consult with both parties, Investigator(s), Hearing Panel members and the Title IX Coordinator or Assistant Title IX Coordinator.

Appeals are not intended to be a full rehearing of the complaint (de novo). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the grounds for appeal. Appeals decisions are to be deferential to the original hearing body, making changes to the finding only where there is clear error based on the stated appeal grounds.

The Appeal Official can affirm the original findings, alter the findings, and/or alter the sanctions, depending on the basis of the requested appeal. If the appeal is based on procedures not having been followed in a material manner, the Appeal Official can ask that a new investigation and/or imposition of sanctions occur. In the case of new and relevant information, the Appeal Official can recommend that the case be returned to the Hearing Panel to assess the weight and effect of the new information and render a determination after considering the new facts.

The Appeal Official will communicate the result of the appeal to the Complainant, Respondent and their Advisors within ten (10) College business days from the date of the submission of all appeal documents by both parties. The written Appeal determination becomes final only after the time period to file an appeal has expired, or if a party does file an appeal, after the appeal decision has been sent to the parties.

Appeals Process for Faculty

For complaints against a faculty employees, the College will follow procedures set forth in the Academic Handbook, found here:

[https://www.dickinson.edu/info/20195/provost and dean of the college/1641/academic handbook](https://www.dickinson.edu/info/20195/provost%20and%20dean%20of%20the%20college/1641/academic%20handbook).

Time Frame for Resolution

Best efforts will be made to complete the process in a timely manner while balancing principles of thoroughness and fundamental fairness with promptness.

Dickinson College will endeavor to the best of its ability to complete all Title IX investigations within 60 calendar days. For a Title IX case to last longer than 60 days, extenuating circumstances beyond the control of Dickinson College should exist that support a decision to delay. If due to these extenuating circumstances completion within the 60 day timeframe is not possible, Dickinson College agrees it will inform the Complainant(s) and Respondent(s) in writing. Dickinson College agrees that no Title IX investigation should last longer than 100 calendar days and will make all best efforts to complete each case within that extended time period.

Circumstances may arise that require the expedition or extension of time frames. Such circumstances may include, but are not limited to, the severity or complexity of the allegations, the absence of a party, a party's advisor, or a witness, the number of witnesses involved, the effect of a concurrent criminal investigation that may constitute good cause for short-term delays, the need for language assistance or accommodation of disabilities, the need to troubleshoot technology to facilitate a virtual hearing, and any intervening College breaks, or other circumstances.

Additional Information

Hold on Record

Where the Respondent is a second semester senior, the College may withhold that student's Dickinson College degree pending conclusion of the grievance proceedings.

Group Infractions

When members of a student group, organization, team or individuals acting collusively act in concert in violation of the Title IX Policy, their conduct may be reviewed as a group or as individuals, and an investigation may proceed against the group as joint Respondents or against one or more involved individuals as appropriate given available information and the circumstances.

A student group, organization, or team's officers and membership may be held collectively and individually responsible when violations of this code by the organization or its members take place at organization sponsored events, have received the consent or encouragement of the organization or of the organization's leaders or officers, or was known or reasonably should have been known to the membership or its officers.

In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and/or individually. The range of sanctions in this policy will be considered, as will be the proportionality of the involvement of each individual.

Recordkeeping

Dickinson College will maintain the records identified in this section of this policy for a period of seven (7) years. The records maintained shall be kept confidential and not disclosed, except as permitted or required by law. The records may be maintained in paper or digital files.

In connection with each Report and each Formal Complaint, the College will maintain the following records, to the extent they exist:

- documentation of any Report of alleged Sexual Harassment;
- documentation of any Supportive Measures or if no Supportive Measures are provided, the reasons why and an explanation of how the College's response was not clearly unreasonable;
- the Formal Complaint;
- documentary evidence gathered in the course of an investigation and photographs or descriptions of nondocumentary evidence gathered in the course of an investigation;
- written responses of the parties provided prior the finalization of the investigative report;
- the Investigation Packet;
- the audio recording, audiovisual recording, or transcript of any Live Hearing;
- the Written Determination;
- any Appeal and Written Appeal Decision;

- records of the sanctions and/or remedies;
- records of any other steps taken to restore or preserve equal access to the College's education program or activity,
- any written agreement of an informal resolution; and
- a statement documenting the basis for the College's conclusion that its response to a report or Formal Complaint was not deliberately indifferent.

The College shall also maintain all materials used to train its Title IX Coordinators, Investigators, Decision-makers, and Facilitators and a copy of each version of its policy on Title IX Sexual Harassment.

Complainants and Respondents can request and receive a copy of materials that the requesting Party provided that is related to their Title IX investigation and determination, including, but not limited to a copy of the Investigation Packet and evidence and any appeal materials. Complainants and Respondents may request to inspect and review the Hearing recording. Complainants and Respondents may make the request by contacting the Title IX Coordinator.

Complainants and Respondents will be permitted to request and receive a copy of materials that the requesting Party provided and interview transcripts from interviews with which the requesting Party participated – subject to the College records retention policy. Note, however, that Parties and witnesses will be given an opportunity to object to disclosure of any material, and may be required to sign a document authorizing release of their information.

Complainants and Respondents may request a copy of these materials by contacting the Title IX Coordinator and by signing a release form for the Title IX Investigation and outcomes in the Title IX Coordinator's Office. The College maintains the right to redact personally identifiable information from any document or record, and to refrain from disclosing drafts and work product that are not the final investigative report, and any other document or record in order to maintain compliance with applicable laws.

Study Abroad and Student Conduct Records

Students who declare an interest in studying abroad are subject to conduct record checks. Information that will be shared with the Center for Global Study and Engagement includes, but is not limited to, notice of a pending formal grievance complaint and process and determination of a violation(s) of the Title IX Policy. It is within the sole discretion of the College to determine whether a student who has violated College policy is eligible to study abroad. Consideration and qualification for study abroad are not disciplinary determinations but may be affected by a student's conduct record.

Athletics

In choosing to recruit a prospective student-athlete or accept a transfer student- athlete, Dickinson College's Athletics Director or designee will gather information that reasonably yields information from the former institution(s) to put the Title IX Coordinator and College leadership on notice that the prospect has been under investigation, disciplined through a Title IX proceeding or a criminal conviction for sexual, interpersonal or other acts of violence. Further, athletes are required to annually disclose acts of violence that resulted in an investigation, discipline through a Title IX proceeding or criminal conviction. This includes sex offenses, dating and domestic violence, murder, manslaughter, aggravated assault and assaults that cause serious bodily injury or involve deadly weapons.

Employee Personnel Files

Findings of responsibility in matters resolved through Formal Resolution are part of an employee's personnel file. Such records shall be used in reviewing any further conduct or in developing sanctions and shall remain a part of an employee's personnel file.

Complaints resolved by the Title IX Coordinator through initial assessment or Adaptable Resolutions are noted in an employee's personnel file and are used to assure that no retaliation occurs and in cases where there are similar further incidents involving either the Complainant or Respondent.

Records will be maintained for the duration of the Respondent's employment at the College and will be retained in accordance with the [College's Records Retention Policy](#).

Training

Any individual serving as Dickinson College's Title IX Coordinator, Assistant Title IX Coordinator, Investigator, Conciliator, Hearing Panel Chair, Hearing Panel member, College-appointed Advisor or Appeal Official will receive training on this Policy, the scope of Dickinson College's education programs or activities, how to conduct an investigation and formal grievance process (including hearings, appeals and informal resolutions, as applicable), and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias. Further, they will receive training on questions of relevance, Hearing Panel Decision Letter and Appeal decision, as appropriate.

Terminology

Advisor: Any person, including an attorney engaged at the party's expense, who is not otherwise a party or witness in the investigation. The Advisor may accompany the Complainant or Respondent to any meeting or related proceeding with an investigator. The Advisor conducts cross-examination of the other party during the live hearing process. The Advisor is expected to participate in a respectful manner towards all participants. College Officials have the right at all times to determine what constitutes appropriate behavior on the part of an Advisor. A College Official may at any time with good cause, stop the proceeding and designate an alternate Advisor, selected by the College to cross-examine the other party during the hearing. Any person who serves as an Advisor should plan to make themselves available for meetings throughout the process in accordance with the College's objective of completing the resolution process in a prompt manner.

Complainant(s): An individual(s) who makes a formal grievance complaint alleging sexual or gender-based misconduct against a Respondent.

Employee: An individual who provides services or labor for the College for wages or other remuneration. This includes faculty, administrative, professional, authorized volunteers, and other staff. For the purposes of this policy, employee status begins when an employee has accepted an offer of employment at the College and ends when the employee has been terminated or otherwise separated permanently, whether voluntarily or involuntarily, from the College.

Mutual No-Contact Agreement: A mutual agreement between a Complainant and Respondent in which parties agree from having direct contact and/or direct communication with each other.

No-Contact Directive: An order issued by the College mandating two or more individuals to refrain from having contact with one another. Restricted forms of contact include but are not limited to in person, by telephone, email, text message or other electronic means of communication, or through a third party.

Preponderance of the Evidence: Preponderance of the evidence means that the evidence on one side outweighs the evidence on the other side or is more likely than not. Preponderance of the evidence is the applicable standard for demonstrating facts and reaching conclusions in the resolution process conducted by Dickinson College.

Reporting Party: Any person who reports alleged prohibited conduct but who is not the individual who is alleged to have experienced the prohibited conduct. A reporting party can be a student, faculty, staff member, or any other person. The reporting party can also be a non-campus community member, such as a parent or guardian of a student, spouse/partner of an employee, or a witness.

Respondent(s): The individual(s) or organization(s) who is alleged to have violated the Title IX Policy.

Parties: A term referring collectively to the Complainant and Respondent.

Pregnancy or related condition:

- (a) Pregnancy, childbirth, termination of pregnancy, or lactation;
- (b) Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
- (c) Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

Employee Resources: https://www.dickinson.edu/homepage/1602/parental_leave_resources.

Lactation Policy: https://www.dickinson.edu/download/downloads/id/8455/lactation_policy.pdf

Student: Any student enrolled at the College at the time of the alleged prohibited misconduct. For the purposes of this policy, student status begins when a student has accepted an offer for admission to the College and ends when the student has graduated, withdrawn, been expelled, or otherwise separated permanently from the College.

Third-party: is any individual who is not a College student or employee or a participant in any College-related program or activity. Third parties may include, but are not limited to, independent contractors, vendors, visitors and guests.

Title IX Coordinator: A senior administrator at the College appointed by the President to oversee the College's compliance with Title IX. The Title IX Coordinator can be contacted by any member of the Dickinson community with questions. The Title IX Coordinator has the authority to designate other college officials to effectuate the TIX policy and procedures. The Title IX Coordinator is Kat Matic. She can be contacted with questions regarding this policy or Title IX via email at matick@dickinson.edu or by phone at 717-254-8316.

Title IX: Title IX refers to the Educational Amendments of 1972 (Title IX), 20 U.S.C. §§1681 et seq., and its implementing regulations, 32 C.F.R. Part 106, which prohibit discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. The College is required to comply with Title IX.

Witness: Any individual who has seen, heard, or otherwise knows or has information about a violation or attempted violation of the Title IX Policy.

Authority and Amendments

The College may amend the policy or procedures periodically. Nothing in the policy or procedures shall affect the inherent authority of the College to take actions such as it deems appropriate to further the educational mission or to protect the safety or well-being of the campus community. The Title IX Coordinator and their designees are specifically authorized by the President of the College to have the responsibility and authority to carry out, interpret, and direct the Title IX procedures. The Title IX Coordinator in consultation with the General Counsel shall develop policies for the administration of resolving sexual discrimination and sex-based harassment allegations.

The College’s Title IX and Sexual Respect Office (“the Office”) serves as the central point of contact for all students and employees affected by TIX Sex Discrimination.

It is the College’s intention that through these procedures, any complaints will be resolved internally. However, a complaint can also be filed with the following agencies:

U.S. Department of Education

Washington DC (Metro)
Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1475
Telephone: 202-453-6020
FAX: 202-453-6021; TDD: 800-877-8339
Email: OCR.DC@ed.gov

U.S. Equal Employment Opportunity Commission

801 Market Street, Suite 1300
Philadelphia, PA 19107-3127
(800) 669-4000
(800) 669-6820 (TTY)
(215) 440-2606 (fax)

Pennsylvania Human Relations Commission

Harrisburg Regional Office
333 Market Street,
8th Floor Harrisburg, PA 17101-2210
(717) 787-9780
(717) 787-7279 (TTY)

History/Revision Information

Responsible Office/Division: Title IX and Sexual Respect Office/President’s Office

Effective Date: 8/1/2024

Last Amended Date: 11/29/22