

Whether there have been other Title IX Sexual Harassment about the same alleged Responding Party;

Whether the alleged Respondent has a history of arrests or records from a prior school indicating a history of violence

Whether the alleged Respondent threatened further sexual misconduct or interpersonal violence or other violence against the Reporting

The College may consolidate Formal Complaints as to allegations of Title IX Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of

interview with the investigator, to include the identities of the parties involved in the incident (if known), the conduct allegb

before proceeding and will not pressure the Parties to participate in Informal Resolution.

Other language in this Section notwithstanding, informal resolution will not be permitted if the Respondent is a non-student employee accused of committing Title IX Sexual Harassment against a student.

Before initiation of an Informal Resolution process, the College will provide the Parties with a written notice that explains:

The allegations.

The College offers the following types of Informal Resolution:

The Complainant(s) may request that the Title IX Coordinator or designee address their allegations by meeting (with or without the Reporting Party/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 attend such meetings, nor are they compelled to provide any information if they attend. The conversation will be documented as the Informal Resolution for the matter, if it takes place. In light of this conversation, or the Respondent's decision not to attend, the

reported conduct, and that the matter must instead be resolved through an alternate process.

At any point in the proceedings, if a Respondent elects to admit to the

to the allegations at issue, or if the witnesses are offered to render testimony that is categorically inadmissible, such as testimony

After the period for the parties to provide any written response as specified in the section above, Access to the Evidence, has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a copy to the Title IX Coordinator. The investigator will also transmit the investigation report to each party and

consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history specified in Section IX.B, Sexual History, or for any other reason;

A list of any witnesses that the party contends should be requested to attend the hearing pursuant to an attendance notice issued by the hearing officer;

A list of any witnesses that the party intends to bring to the hearing without an attendance notice issued by the hearing officer;

Any objection that the party has to the College's Hearing Procedures;

Any request that the parties be separated physically during the pre-hearing conference and/or hearing;

Any other accommodations that the party seeks with respect to the pre-hearing conference and/or hearing;

The name and contact information of the advisor who will accompany the party at the pre-hearing conference and hearing;

If the party does not have an advisor who will accompany the party at the hearing, a request that the College provide an advisor for purposes of conducting questioning as specified in Section XII, Advisors of Choice.

A party's written response to the investigation report may also include:

Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence; and

Argument regarding whether any of the allegations in the Formal Complaint constitute Title IX Sexual Harassment.

Prior to the hearing, the hearing officer will conduct a pre-hearing conference with the parties and their advisors. The pre-hearing conference will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the pre-hearing conference will be conducted with the hearing officer, the parties, the advisors, and other necessary College personnel together in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

At the hearing officer's discretion, the pre-hearing conference may be

conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

During the pre-hearing conference, the hearing officer will discuss the hearing procedures with the parties; address matters raised in the parties' written responses to the investigation report, as the hearing officer deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the hearing officer determines, in the hearing officer's discretion, should be resolved before the hearing.

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After the pre-hearing conference, the hearing officer will transmit notices of attendance to any College employee (including administrator, faculty, or staff) or student whose attendance is requested at the hearing as a witness. The notice will advise the subject of the specified date and time of the hearing and advise the subject to contact the hearing officer immediately if there is a material and unavoidable conflict.

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The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default,

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them pursuant to the Access to the Evidence section (VIII.C.1.d).

While a party has the right to attend and participate in the hearing with an advisor, a party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited, as the case may be, in the discretion of the hearing

In applying this section, the hearing officer will not draw an inference about the determination regarding responsibility based solely on a party or a witness's absence from the live hearing and/or refusal to submit to questioning by the parties' advisors.

After the hearing is complete, the hearing officer will objectively evaluate all relevant evidence collected during the

witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing;

Articulate findings of fact, made under a preponderance of the evidence standard, that support the determination;

A statement of, and rationale for, each allegation that constitutes a separate potential incident of Title IX Sexual Harassment, including a determination regarding responsibility for each separate potential incident;

The discipline determined by the appropriate College official;

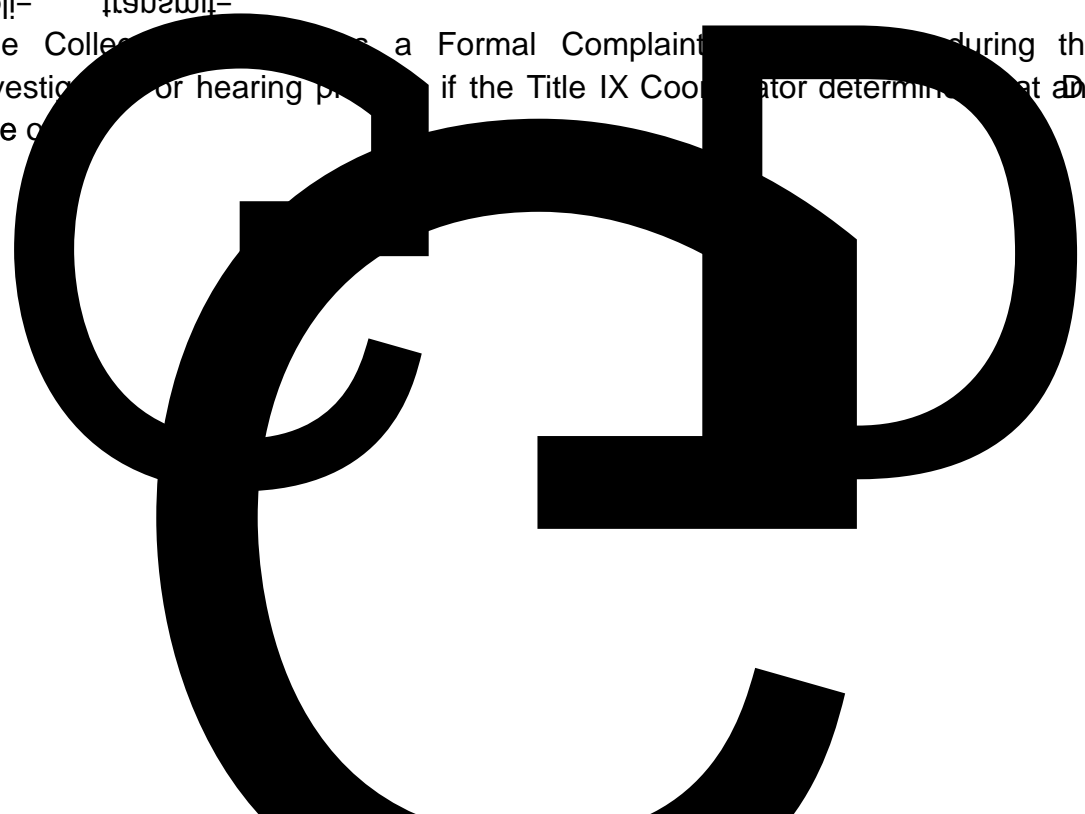
Whether the Complainant will receive any ongoing Supportive Measures or other remedies as determined by the Title IX Coordinator; and

A description of the College's process and grounds for appeal.

The hearing officer's written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal as specified in the Appeal section.

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the College strives to issue the hearing officer's written determination within seven (7) to (10) business days of the hearing.

The College will suspend a Formal Complaint during the investigation or hearing process if the Title IX Coordinator determines that any one of the following conditions exist:



In the event the Title IX Coordinator determines that a Formal Complaint should be dismissed, the

offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to

A party must file an appeal within seven (7) business days of the date they receive notice of dismissal or determination they wish to appeal.. The appeal must be submitted in writing to the Title IX Coordinator, who will appoint an appeal officer. The appeal must specifically identify the determination

From the point a Formal Complaint is made, and until an investigation, hearing, and appeal are complete, both parties are entitled to bring an advisor of their

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Prior to the initiation of Agreement-Based Resolution, the Title IX Coordinator will provide the Parties written notice that includes:

1. The specific allegation and the specific conduct that is alleged to have occurred;
2. The requirements of the Agreement-Based Resolution process;
3. Any consequences resulting from participating in the Agreement-Based Resolution process, including the records that will be maintained or could be shared, and whether the College could disclose such information for use in a future Resolution Process, including an investigation and Resolution Process arising from the same or different allegations, as may be appropriate;
4. Notice that an agreement resulting from the Agreement-Based Resolution process

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The Parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the Resolution Process, if they so choose.

Choosing an Advisor who is also a witness

advisee, with the exception of conducting cross-examination during a hearing, the Advisor may consult with the advisee, either privately or in a meeting, or by conferring or passing notes during a Resolution Process meeting or interview. For longer or more involved discussions, the Parties and their Advisors should ask for breaks to either allow for private consultation or to adjourn the hearing.

Under the Title IX Regulations, a hearing is required during the hearing but must be conducted by the Parties' Advisors. The Parties are not permitted to directly question each other or any witnesses. If a party does not have an Advisor for a hearing, the College will appoint a

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a meeting/interview/hearing by telephone, video conferencing, or other similar technologies as may be convenient and available.

All Advisors are subject to the same College policies and procedures, whether they are attorneys or not, and whether they are selected by a party or provided by the College. Advisors are expected to advise without disrupting proceedings.