

Updates to the 2018-2019 Swarthmore College Sexual Assault and Harassment Policy and Procedures



The Sexual Assault and Harassment Policy and both of the corresponding procedures have been revised to reflect feedback from Swarthmore community members, Title IX team members, parties involved in the formal complaint process, and other key stakeholders. This document is intended to be a companion when reviewing the 2018-2019 policy and procedures and highlights the more significant revisions in the current versions.

SEXUAL ASSAULT AND HARASSMENT POLICY

- **Section IX.G.3.** Clarified that the complainant, respondent, and witnesses could be subject to retaliation and all forms of retaliation are prohibited pursuant to this policy. This provision was also revised to inform parties that should they suspect retaliation, they are encouraged to report this behavior to the Title IX Coordinator.
- **Section IX.K.** Specifically references that deputy Title IX coordinators and case managers, as well as investigators and adjudicators, will receive annual inclusive training.

PROCEDURES FOR RESOLUTION OF COMPLAINTS AGAINST STUDENTS

- **Section III.** Separated the section into two subsections, Title IX outreach and Title IX assessment, to clarify what students should expect to receive during the preliminary meeting (Title IX outreach) and what factors were reviewed before a matter was referred to investigation (Title IX assessment). This section itemizes the rights and options that will be offered during the preliminary meeting to a potential complainant.
- **Section IV.** Expanded the section that describes the process for requesting and receiving interim measures from the College.

- **Section VI.** Clarified that any person serving in the advisor role can not have a conflicting role in the Title IX process (such as, a witness), and that all communication about a Title IX complaint will be made directly to the parties and not their advisor(s).
- **Section VI.** Introduces the creation of a new role within the Title IX complaint process -- the witness coordinator. Witnesses are provided access to a witness coordinator, typically the Title IX project manager, who will meet with witnesses to discuss their role within the investigation process and answer any questions they may have about their participation.
- **Section VII.** Provides that written notification will be provided to the complainant, respondent, and investigator from the TIX Coordinator marking the formal initiation of the investigative process. Also allows for the case managers or witness coordinator to call for a short break if they determine that the investigator has deviated from policy or procedures.
- **Section VII.** Interviews will typically be limited to two hours per day for a given party, unless an extension is mutually agreed to by the affected party and the investigator.
- **Section VIII.A.** Allows for the student conduct administrator to call for a short break if they suspect that the external adjudicator has deviated from policy or procedures.
- **Section VIII.E** Extends the time period for the parties to appeal to 5 days. The Dean of Students will have 3 days to issue an appellate decision.

PROCEDURES FOR RESOLUTION OF COMPLAINTS AGAINST
STAFF AND INSTRUCTIONAL STAFF (INCLUDING FACULTY)

- **Section II.** Reiterated the standard of evidence as the preponderance of the evidence (as stated in the policy).
- **Section V.A.** Allows for further investigation if a respondent or complainant provides material or impactful information after reviewing the investigator's report.
- **Section VII.** Clarifies the role of the advisor. If the advisor is an attorney, the College's attorney may also attend the meeting. Stipulates that the advisor can not have a conflicting role in the proceedings (i.e., a witness) and that all communication will be provided to the parties and not the advisor.