

Making a Report: What to Expect

There are often misconceptions around what it means to make a Title IX report, and this can create barriers for survivors to access resources and support. Below is a breakdown of exactly what happens once a report is made, but here is the most vital takeaway: *filing a report does not automatically lead to any sort of formal process or disciplinary action.*

Even though this document is organized into steps, this is rarely a linear process. If you have any questions at all about the Title IX process, please know that you are always welcome to reach out to our Title IX Coordinator, Bindu Jayne, as well as our Title IX Project Manager, Chelsey Eiel.

Step 1: How do I even make a report?

There are four typical ways our office receives reports (in order of frequency):

1. OSE Concern Report: These are usually submitted by RCCs or RPLs.
2. Public Safety reports submitted by PubSafe officers.
3. Faculty or staff send us an email or give us a phone call regarding a student disclosure.
4. Students self-disclose either using [the anonymous reporting tool on our website](#) or by sending us an email.

Step 2: Okay I sent the report. Now what?

Once a report is received by the Title IX Office, Bindu will typically reach out to the student (called the **reporting party** in our policy) via email with the subject line "Offer of Assistance." We say typically because depending on the severity of the incident, it might make more sense to call the student directly or work with residence life staff to be in touch.

The student is under *no obligation* to respond to this email. Bindu offers to meet with the student to check-in about their well-being, which they may or may not accept. She also includes a link to additional resources to help the student navigate their options.

If the student decides not to respond, they will receive *one more email* from Bindu about two weeks later that fleshes out the resources available to them, and reminds the student that the offer of assistance does not expire - students can (and often do) decide to see us months (sometimes years) after the incident occurred.

Step 3: I think I'd like to meet with Bindu - what does that meeting look like?

Like we mentioned above, this initial meeting is *just about the reporting student's well-being*. Being a Swarthmore student is stressful – being a Swarthmore student who is also dealing with potential trauma is beyond overwhelming. We're here to alleviate that stress in whatever ways

best suit each individual student, meaning there's never an exhaustive list of what we can provide for support. Some of the most common support options include:

- Contact restrictions from the College
- Counseling options, both on and off campus
- Academic accommodations – this can include extensions on assignments/tests, getting absences excused, or requesting not to be paired or grouped with the accused student (referred to as the **responding party** in our policy). All of these accommodations are requested through the Dean's office, so *your faculty will not know this request is TIX related.*
- Changes in housing
- Transportation options
- Adjusted work schedules
- Adaptable remedies, such as educational training or mediated dialogue (when appropriate)

Bindu will go through all of the options available to the reporting student, including their right to pursue a formal complaint process. *No decisions need to be made during this initial meeting. Additionally, no information about the underlying incident needs to be shared.* The philosophy of this Office is to center the wishes of the reporting student in every possible way we can, while also assessing the safety of both the student and the campus community.

Step 4: Okay, I went to the first meeting and I know my options. Now what?

Honestly? It's up to you. Students may continue to meet with Bindu as often as they'd like. Together you can determine how often you'd like her to be in contact with you (if at all) and you can continue to navigate resources as you move through your healing process. It's a journey, and you may change your mind several times about what you need and want from this process. We're here to have those conversations, provide the information, and make sure you feel seen and heard.

Step 5: I think I want to move forward with a formal complaint.

A formal complaint means that the reporting student wishes to engage in an investigative process that will find the responding student either responsible or not responsible for a policy violation (prohibited conduct is outlined in the ["Title IX and College-Defined Sexual Misconduct Policy" on our website](#)). This process intentionally looks much more linear than the reporting process:

1. The College will hire an external investigator to conduct interviews with the reporting party (in the formal complaint process, this individual is referred to as the **complainant**), the responding party (referred to as the **respondent**), and witnesses identified by either party. Each may choose an advisor of choice to be

present during that interview, as well as a College-appointed case manager; witnesses may choose to have the Witness Coordinator, Chelsey Eiel, present during their interviews.

- a. Unfortunately, this step tends to take the longest due to the availability and responsiveness of witnesses, as well as the College's academic calendar, which can conflict with scheduling.
2. Once all of the interviews are complete, the external investigator will provide summaries for all of the parties to review and provide any clarifications. The external investigator then prepares a summary report, which will be made available to both the complainant and respondent to review and respond to in a written statement, should they choose. Bindu will then provide the complainant and respondent options for resolution (either an informal resolution or adjudication process) and both parties will have *two days* to determine how they'd like to proceed.
 - a. In TIX procedures, if an adjudication is determined as the resolution, the parties will receive the Notice of Adjudication from Student Conduct Administrator Nathan Miller, and have another ten days to review the final case packet with their advisor and prepare for cross-examination.
 - b. In College-defined sexual misconduct procedures, if an adjudication is determined as the resolution, the parties will receive the Notice of Adjudication from Student Conduct Administrator Nathan Miller.
 3. An external adjudicator will review the final case packet and on the day of the hearing, they will ask clarifying questions of the parties and/or witnesses, if necessary. *At no time will the complainant and respondent be in the same room or asked to respond to one another directly.* Hearings usually last about half a day, and parties can take breaks as necessary.
 4. If the adjudicator finds the respondent responsible for a policy violation, they will work with the Student Conduct Administrator to determine the sanction.
 5. Appeals may be filed by either party within five days of receiving the outcome letter, to be determined by the Vice President for Student Affairs Jim Terhune.
 6. Please reach out to your case manager to review the relevant [procedures](#) in their entirety, and contact Chelsey Eiel at ceiel1@swarthmore.edu with any specific questions regarding the formal complaint process.

Step 6: The formal complaint process is over, but I am still struggling. What can I do?

While there are aspects of the formal complaint process that can provide agency and accountability, we recognize that it very seldom provides closure or healing. Our office remains available to support you in accessing resources and accommodations after the formal complaint process has concluded, and to provide a space in which to process your experience. Please stay in contact with us and do not hesitate to let us know what you need. We care about your well-

being.