

Trinity College Policy on Sex Discrimination

Including Sex Discrimination, Sex-Based Harassment, Quid Pro Quo Harassment, Hostile Environment Harassment, Sexual Assault, Domestic Violence, Dating Violence, Stalking, and Retaliation

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Trinity College Policy on Sex Discrimination

I. Introduction

Trinity College does not discriminate on the basis of sex and prohibits sex discrimination in the College's education programs and activities, including in admissions and employment. This policy has been drafted to comply with Title IX of the Education Amendments of 1972 ("Title IX") and its implementing regulations, including the final Title IX regulations issued by the U.S. Department of Education's Office for Civil Rights in April 2024. This policy also is drafted to comply with relevant portions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act"), as amended by relevant provisions of the Violence Against Women Reauthorization Act of 2013 ("VAWA"). This policy specifically prohibits sex discrimination, including sex-based harassment. Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Sex-based harassment includes hostile environment sex-based harassment, quid pro quo harassment, sexual assault, domestic violence, dating violence, and stalking. These types of prohibited conduct are defined in section IV of this policy.

The College is committed to maintaining an environment free from sex discrimination and sex-based harassment and has established procedures for the reporting and prompt, equitable, and impartial resolution of sex-based harassment reports and complaints, from the initial response to the final result. This policy describes the mechanisms for reporting and formally and informally resolving reports of sex discrimination that occur within the College's education programs or activities in the United States, as described below. This policy is Trinity College's official policy governing sex discrimination. It supersedes any other existing policy, and to the extent there is a conflict with other policies, this policy shall prevail. The College reserves the right to amend this policy, without advance notice, to update important information and to ensure ongoing compliance with applicable laws.

A. Effective Date

This policy, which is effective August 1, 2024, will apply only to reports of sex discrimination brought on or after the effective date of this policy concerning conduct alleged to have occurred on or after the effective date of this policy. Where the date of the reported conduct precedes the effective date of this policy, the definitions of prohibited conduct in existence at the time of the alleged incident(s) will be used. Applicable versions of the policies and procedures can be found online and from the Title IX Coordinator.

II. Scope of the Policy

This policy applies to all students, employees, and other individuals who are participating or attempting to participate in its education program or activity, regardless of the sexual orientation, gender expression, or gender identity of the parties involved, including students, faculty, staff, board members, visitors, and independent contractors, as well as those who participate in the College's domestic education programs and activities, whether on or off campus. Vendors and others who

conduct business with the College or on College property also are expected to comply with this policy; complaints against such College affiliates will be handled in accordance with existing contracts and agreements. Any person found responsible for sex discrimination under this policy is subject to disciplinary action, up to and including dismissal, as well as potential personal legal liability.

This policy applies to sex discrimination that occurs both in the United States and in an education program or activity of the College. The College's education programs and activities include all of the College's operations, including academic, extracurricular, research, and occupational training. This policy applies to all conduct that is subject to the College's disciplinary authority and conduct that occurs in a building owned or controlled by a student organization that is officially recognized by the College. This policy also applies to a sex-based hostile environment that exists within the College's education programs or activities, even when some of the conduct alleged to be contributing to the hostile environment occurred outside of the College's education programs or activities or outside of the United States. This policy does not draw a line between on-campus, off-campus, or online conduct, provided the conduct occurred in an education program or activity of the College in the United States.

Examples include College-sponsored, College-funded, or College-supported study off campus, research, internships, mentorships, summer sessions, conferences, meetings, social events, or other affiliated programs or premises.

Any person, regardless of their affiliation to the College, may make a report of sex discrimination pursuant to this policy. The formal and informal resolution processes described in this policy may only be initiated, however, if the Complainant is participating in or attempting to participate in the College's education program or activity at the time the discrimination occurred.¹ Where a Complainant is not participating in or attempting to participate in the College's education program or activity, the College still will offer reasonably available Supportive Measures and assist in offering additional reporting options.

The College's ability to respond to a report of sex discrimination under this policy is based on its disciplinary authority over the Respondent. If the Respondent is not an employee or student, the College's ability to take disciplinary action will be limited and is determined by the context of the reported conduct and the nature of the relationship of the Respondent to the College. The College will determine the appropriate manner of resolution, which may include referral to local law enforcement or to the home school or employer of the third-party Respondent, and/or restriction from access to campus or College programs or activities.

Additionally, the College does not have jurisdiction to investigate reported incidents involving

¹ In this policy, the individual reported to have experienced sex discrimination is referred to as the Complainant. A Complainant may be a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination, or a person other than a student or employee who is alleged to have been subject to conduct that could constitute sex discrimination and who was participating or attempting to participate in the College's education program or activity at the time of the alleged sex discrimination. The individual who is reported to have committed the sex discrimination is referred to as the Respondent. When the Complainant and the Respondent are discussed collectively, they will be referred to as the Parties and may be referred to individually as a Party. An individual who reports an allegation of sex discrimination but who did not personally experience sex-based harassment is referred to as the Reporter.

Respondents who are members of the College community if the reported conduct occurred prior to the Respondent being enrolled at or employed by the College and the incident did not occur on campus or in connection with the College's domestic program, activity, or employment. As noted above, the College will address a sex-based hostile environment that exists within the College's education programs or activities resulting from conduct that occurred outside of the College's jurisdiction.

The College will respond promptly and equitably to all reports of sex discrimination and will provide reasonably available Supportive Measures to Complainants and Respondents, regardless of whether a complaint is initiated. After making a report, a Complainant may request Supportive Measures only, may request to keep the report confidential, or may choose to initiate a complaint. Alternatively, as described below, the Title IX Coordinator may determine that it is appropriate to initiate a complaint on behalf of the College. After the initiation of a complaint, the Complainant may decide to seek an informal resolution in lieu of a formal resolution process (investigation and meeting).

The College will consider any requests for confidentiality within the context of the College's obligation to provide a safe, nondiscriminatory environment for all community members.

Further details on how requests for confidentiality are handled may be found in the "Reporting Protocols and Confidentiality" section of this policy (Part VII).

In certain cases, the College may exercise its independent authority to investigate (apart from any separate criminal investigation by law enforcement) and address sex-based harassment, even in the absence of a complaint by the Complainant.

Inquiries about Title IX may be referred to the College's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. The College's Title IX Coordinator may be reached by email at titleixcoordinator@trincoll.edu, by phone at 860-297-2688, or at Mather Hall, Room 208.

III. The Title IX Coordinator

The Title IX Coordinator is responsible for providing leadership and centralized support to ensure compliance with Title IX, relevant portions of the Clery Act, and other federal and state laws and regulations pertaining to sex discrimination, harassment, and sexual violence. The Title IX Coordinator serves as the primary College resource on Title IX requirements and compliance and provides consultation as needed. The Title IX Coordinator also is charged with providing education and training, monitoring barriers to reporting sex discrimination and taking steps reasonably calculated to address such barriers, overseeing the reporting and complaint processes, coordinating the College's investigation and resolution of all reports of sex-based harassment, and maintaining centralized records of all reports, complaints, investigations, and resolutions in accordance with Title IX.

The Title IX Coordinator may designate Deputy Title IX Coordinators to assist in Title IX compliance. Deputy Title IX Coordinators have duties and responsibilities similar to the Title IX Coordinator and report to the Title IX Coordinator. Where the Title IX Coordinator is listed as the designated point of contact for any role in this policy, the Title IX Coordinator may designate a Deputy Title IX Coordinator or another qualified member of the College community to assume the

role at issue, as necessary and appropriate.

The Title IX Coordinator also works in partnership with campus administrators referred to as Appropriate College Officials in this policy. For purposes of this policy, the term Appropriate College Official refers to the Title IX Coordinator or a Deputy Title IX Coordinator; the Vice President for Student Success and Enrollment and any Dean, Associate Dean, or Assistant Dean in the Office of Student and Community Life; the Dean of the Faculty and Vice President for Academic Affairs and the Associate Dean for Faculty Development; the Vice President for Finance and Operations, the Assistant Vice President for Human Resources and any Associate Director in the Office of Human Resources; and the Director of Campus Safety.

IV. Definitions of Sex Discrimination, Sex-based Harassment, and Retaliation

This policy prohibits a broad range of behaviors, including sex discrimination, sex-based harassment, quid pro quo harassment, hostile environment harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation.

If you have any questions about the definition or application of any of these terms, the policy in general, or the resources available to you as a member of the College community, please contact the Title IX Coordinator.

A. Sex Discrimination

Discrimination means treating an individual or a group of individuals differently because of their perceived sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, with the purpose or effect of depriving such individuals of equal access to or opportunity in employment or education. Discrimination may occur between parties of equal or unequal authority, whether students, faculty, or staff.

B. Sex-Based Harassment

Sex-based harassment is a form of sex discrimination and means sex-based harassment and other harassment on the basis of sex that meets any of the below definitions. Sex-based harassment can occur between persons of equal power status (e.g., student to student, staff to staff) or between persons of unequal power status (e.g., faculty member to student, coach to student-athlete). Although sex-based harassment often occurs in the context of the misuse of power by the individual with the greater power, a person who may in fact have less or equal power in a relationship also can commit sex-based harassment. Sex-based harassment can be committed by (or against) an individual or by (or against) an organization or group. Sex-based harassment can be committed by an acquaintance, a stranger, or people who have shared an intimate or sexual relationship. Sex-based harassment can occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation.

1. Quid Pro Quo Harassment

Quid pro quo harassment occurs when an employee, agent, or other person authorized by the College to provide an aid, benefit, or service under the College's education program or activity explicitly or

impliedly conditions the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct. Such prohibited conduct could occur in the hiring, compensation, or advancement of an employee or the admission, grading, or research opportunities for a student, for example.

In some cases, quid pro quo harassment is obvious and may involve an overt action, threat, or reprisal. In other instances, it is subtle and indirect, with a coercive aspect that is unstated. Examples of behavior that might be considered quid pro quo harassment include, but are not limited to:

- Physical coercion or pressure of an individual to engage in sexual activity or punishment for a refusal to respond or comply with sexual advances.
- Use of a position of power or authority to: (a) threaten or punish, either directly or by implication, for refusing to tolerate harassment, for refusing to submit to sexual activity, or for reporting harassment; or (b) promise rewards in return for sexual favors.

2. Hostile Environment Harassment

Hostile environment harassment is 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 the College's education program or activity. The College considers a variety of factors related to the offensiveness, pervasiveness, and severity of the unwelcome sex-based conduct, including: (1) the degree to which the conduct affected the complainant's ability to access the College's education program or activity; (2) the type, frequency, and duration of the conduct (e.g., one stray remark will not be considered pervasive, whereas conduct that is widespread, openly practiced, or well-known to students and employees will likely be considered pervasive); (3) the parties' ages, roles within the College's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct; and (4) the location of the conduct and the context in which it occurred.

Examples of behavior that might be considered hostile environment sex-based harassment include, but are not limited to:

- Unwanted sexual innuendo, propositions, sexual attention, or suggestive comments and gestures; inappropriate humor about sex or gender-specific traits; sexual slurs or derogatory language directed at another person's sexuality, gender, gender identity, sexual orientation, or gender expression; insults and threats based on sex, gender, gender identity, sexual orientation, or gender expression; and other oral, written, or electronic communications of a sexual nature that an individual communicates is unwanted and unwelcome.
- Written graffiti or the display or distribution of sexually explicit drawings, pictures, or written materials; sexually charged name-calling; or the circulation, display, or creation of emails, text messages, or websites of a sexual nature.
- Display, presentation, or circulation of materials or pictures degrading to an individual or gender group where such display is not directly related to academic freedom or to an educational/pedagogical, artistic, or work purpose. See *Faculty Manual*, Appendix B1, regarding academic freedom.
- Unwelcome physical contact or suggestive body language, such as touching, patting, pinching,

hugging, kissing, or brushing against an individual's body.

- Use of a position of power or authority to: (1) threaten or punish, either directly or by implication, for refusing to tolerate harassment, for refusing to submit to sexual activity, or for reporting harassment; or (2) promise rewards in return for sexual favors.
- Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping.
- Sexual exploitation—taking sexual advantage of another person for the benefit of anyone other than that person, without that person's consent. Examples of behavior that could rise to the level of sexual exploitation include prostituting another person or viewing, recording, or distributing another person's sexual activity, intimate body parts, or the person in a state of undress, without their knowledge and consent.

3. Sexual Assault

Sexual assault is having or attempting to have sexual contact with another individual without consent or where the individual cannot consent because of age or temporary or permanent mental incapacity (see below for definition of consent and incapacitation).² Sexual contact includes:

- Sexual intercourse (anal, oral, or vaginal), including penetration with a body part (e.g., penis, finger, hand, or tongue) or an object or requiring another to penetrate themselves with a body part or an object, however slight;
- Sexual touching of the private body parts, including, but not limited to, contact with the breasts, buttocks, groin, genitals, or other intimate part of an individual's body for the purpose of sexual gratification; or
- Attempts to commit sexual assault.

4. Dating Violence

Dating violence includes any act of violence committed by a person:

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

² The statutory definition of sexual assault referenced by the Title IX regulations also includes having or attempting to have sexual contact between persons who are related to each other within the degrees where marriage is prohibited by law.

5. Domestic Violence

Domestic violence includes conduct that would constitute a felony or misdemeanor crime committed by a current or former spouse or intimate partner of the Complainant; by a person with whom the Complainant shares a child in common; by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; by a person similarly situated to a spouse of the Complainant under Connecticut state law; or by any other person against an adult or minor Complainant who is protected from that person's acts under Connecticut state law.

6. Stalking

Stalking involves a course of conduct directed at a specific person that would cause a reasonable person to suffer substantial emotional distress or to fear for that person's own safety or that of another. This includes cyberstalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, texts, or other similar forms of contact are used to pursue, harass, or make unwelcome contact with another person. Stalking and cyberstalking may involve individuals who are known to one another or who have an intimate or sexual relationship or may involve individuals not known to one another. For the purposes of this definition:

- "Course of conduct" means two or more acts, including, but not limited to, acts in which the alleged stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.
- "Reasonable person" means a prudent person who normally exercises due care under similar circumstances.
- "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

C. Retaliation

Retaliation means 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 College's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations or because the individual has made a report or complaint of sex discrimination, testified, assisted, or participated or refused to participate in any manner in any investigation, proceeding, or meeting under this policy, including informal resolution.

Retaliation, including peer retaliation, is prohibited under this policy. Retaliation can be committed by any individual or group of individuals, not just a Complainant or Respondent. Retaliation may constitute a violation of this policy even when the underlying complaint is dismissed or did not result in a finding of responsibility.

V. Forms of Sexual Misconduct Prohibited under Other College Policies

Trinity College also prohibits forms of sexual misconduct that, although they do not qualify as sex discrimination under this policy and the Title IX regulations, nonetheless pose similar threats to equal

opportunity to employment and education as sex-based harassment. Accordingly, such misconduct is prohibited and may be subject to investigation and adjudication under duly authorized procedures in the *Student Handbook*, *Employee Handbook*, or *Faculty Manual*. Those provisions are noted below. (See Part XI.5 below for information regarding Coordination with Other Policies.)

A. Inducing Incapacitation

Inducing incapacitation includes the provision of alcohol or drugs to an individual, with or without that individual's knowledge, for the purpose of causing harm, impairment, or intoxication or of taking advantage of that individual's impairment or intoxication.

B. Improper Romantic Relationships

All relationships that occur in a hierarchical relationship present an imbalance of power. By virtue of their position of authority, a supervisor or faculty member has the ability to influence the terms and conditions of a subordinate's employment or a student's academic standing.

Therefore, Trinity College forbids romantic relationships between an employee (faculty or staff) and any student (including undergraduate, graduate, and IDP) for which that employee (faculty or staff) has responsibility by virtue of any professional supervisory obligations, including teaching, advising, departmental, committee, and coaching. Additionally, the College expects all supervisory staff (whether faculty or staff) and all faculty (whether supervisory or not) to avoid engaging in romantic relationships with individuals (whether students or employees) over whom they exercise or have the potential to exercise power. The full policy on Romantic Relationships is available in the College's *Employee Handbook*.

If an employee feels that such a relationship cannot be avoided, counsel should be sought from an Appropriate College Official (see [Appendix A](#)) to ensure that necessary steps are taken to avoid potential conflict.

VI. Related Definitions

A. Affirmative Consent

References to "consent" in this policy should be construed as meaning "affirmative consent."

Affirmative consent means an active, clear, and voluntary agreement by a person to engage in sexual activity with another person. Affirmative consent is informed, freely and actively given, and communicated through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. It is the responsibility of each person to ensure that they have the affirmative consent of all persons engaged in the sexual activity and that such consent is sustained throughout the sexual activity.

Consent may never be given by minors, mentally disabled persons, those who are incapacitated (see below), and those who are by law unable to give consent.

Consent obtained by fraud or force (actual or implied) is not consent, whether that force is physical force, threats, intimidation, or verbal coercion. A lack of verbal or physical resistance alone does not

meet the affirmative-consent standard and does not by itself indicate consent.

Prior consent on its own cannot be construed as current/future consent. Moreover, consent may be withdrawn at any time. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another person. Consent to engage in one form of sexual activity does not imply consent to engage in other forms.

B. Coercion

Coercion is the application of unreasonable pressure to take part in sexual activity or in any of the prohibited conduct listed in this document. Unreasonable pressure can be exerted through physical or emotional force, intimidation, misuse of authority, or outright threats. When someone makes it clear that they do not want to engage in sexual activity or do not want to go beyond a certain point of sexual interaction, continued pressure beyond that point may be considered coercive depending on the circumstances.

C. Incapacitation

Incapacitation is the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically impaired, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if the individual demonstrates that the individual is unaware at the time of the incident of the fact, nature, or extent of the sexual activity or why or how they became engaged in a sexual interaction.

When alcohol or other drugs are involved, incapacitation is a state of impairment that is so severe that it interferes with a person's capacity to make informed and knowing decisions. Alcohol and other drugs impact each individual differently, and determining whether an individual is incapacitated requires an individualized determination. The College does not expect community members to be medical experts in assessing incapacitation. Rather, individuals should look for the common and obvious warning signs that show that a person may be incapacitated or approaching incapacitation. A person's level of intoxication is not always demonstrated by objective signs; however, some signs that a person may be incapacitated include clumsiness, difficulty walking, poor judgment, difficulty concentrating, slurred speech, vomiting, combativeness, or emotional volatility. A person who is incapacitated may not be able to understand some or all of the following questions: "Do you know where you are?" "Do you know how you got here?" "Do you know what is happening?" "Do you know whom you are with?"

An individual's level of intoxication may change over a period of time based on a variety of factors, including the amount of substance intake, speed of intake, body mass, and metabolism. It is especially important, therefore, that anyone engaging in sexual activity is aware of both their own and the other person's level of intoxication and capacity to give consent.

It is important to remember that the use of alcohol or other drugs can lower inhibitions and create an atmosphere of confusion about whether consent is effectively sought and freely given. If there is any doubt as to the level or extent of one's own or the other individual's intoxication or incapacitation,

the safest course of action is to forgo or cease any sexual activity. Even where there is insufficient evidence to establish incapacitation, a complainant's level of impairment may still be a relevant factor in establishing whether consent was sought and freely given.

In evaluating consent in cases of reported incapacitation, the College asks two questions: (1) Did the Respondent know that the Complainant was incapacitated? (2) If not, would a sober, reasonable person in a similar set of circumstances as the Respondent have known that the Complainant was incapacitated? If the answer to either of these questions is "yes," there was no consent, and the conduct likely is a violation of this policy. A Respondent's voluntary intoxication is never an excuse or a defense, and it does not diminish one's responsibility to determine that the other person has given consent.

VII. Reporting Protocols and Confidentiality

A. Understanding the Distinction between Privacy and Confidentiality

Trinity College strongly encourages all individuals who have experienced or witnessed incidents of sex-based harassment to share information with the Title IX Coordinator. The Title IX Coordinator will provide the Complainant with information about resolution options and access to reasonably available Supportive Measures. The Title IX Coordinator also will consider the Complainant's wishes with respect to Supportive Measures and resolution options and will seek to honor specific requests when appropriate.

If a Complainant or witness does not wish to report an incident of sex discrimination to the College but wishes to seek support or information in a confidential setting, such support should be sought from one of the Confidential Resources listed below and also listed in [Appendix A](#).

The following information about privacy and confidentiality is intended to differentiate these two terms as they are used in this policy.

1. Privacy

Privacy refers to the discretion that will be exercised by the College, including the Title IX Office, in the course of any formal or informal resolution process under this policy. Information related to a report of sex discrimination will be handled discreetly and shared with a limited circle of College employees or designees who need to know to assist in the assessment, investigation, and resolution of the report and related issues. Individuals in the Title IX Office, along with Investigator(s), Administrative Panelists, those tasked with facilitating Informal Resolutions, and appellate officials will receive training in how to safeguard private information. The College will make reasonable efforts to investigate and address reports of sex-based harassment under this policy, and information may be disclosed to participants in an investigation as necessary to facilitate the thoroughness and integrity of the investigation. In all such proceedings, the College will maintain the privacy of the parties to the extent reasonably possible. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (FERPA). Access to an employee's personnel records also is governed by College policy and by applicable state laws.

2. Confidentiality

Confidentiality refers to statutory protections provided to individuals who disclose information in legally protected or privileged relationships, including professional mental health counselors, medical professionals, attorneys, and ordained clergy (see [Confidential Resources](#) below and [Appendix A](#)). When an individual shares information with a Confidential Resource as a confidential communication in the course of a protected relationship, the Confidential Resource cannot disclose the information without the individual's written permission or unless required by ethical or legal obligations that compel the professional to reveal such information. For example, information may be disclosed when the individual gives written consent for its disclosure, there is an imminent threat of physical harm to self or others, or the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18. Similarly, medical and counseling records cannot be released without the individual's written permission or unless permitted or required consistent with ethical or legal obligations.

Confidential Resources may share non-personally identifying information about Clery-reportable crimes with the Campus Safety Department for purposes of the anonymous and aggregate statistical reporting under the Clery Act.

3. Release of Information by the College

The College will not disclose personally identifiable information obtained pursuant to this Policy, except when the College has received prior written consent from a person with the legal right to consent to the disclosure, or if otherwise required by federal or state law or regulations, or to the extent such disclosures are not otherwise in conflict with or are permitted under federal or state law.

Pursuant to the Clery Act, the College must disclose statistics about Clery Act crimes in its daily crime log and Annual Security Report and provides those statistics to the U.S. Department of Education. If a report of sexual assault, dating violence, domestic violence, stalking, or another Clery Act crime poses a serious or continuing threat to the campus community, the College will issue a timely notification to the campus community to protect the health and safety of the campus community as required by the Clery Act. In all of these instances, the information is reported in a manner that does not include personally identifying information about persons involved in an incident.

The College will not release to the general public the name of the Complainant, the Respondent, or witnesses except as otherwise permitted or required by law. The College also will not disclose information about any Supportive Measures to individuals other than the individual to whom they apply, including informing one party of Supportive Measures the College provides to another party, unless necessary to provide the Supportive Measures or restore or preserve a party's access to the education program or activity.³

The College may share non-personally identifying information about reports received in aggregate form, including data about outcomes and sanctions. All College proceedings are conducted in compliance with the requirements of FERPA, the Clery Act (as amended by VAWA), Title IX, state

³ If a party is a student with a disability, the Title IX Coordinator may consult with the Student Accessibility Resource Center in order to comply with Section 504 of the Rehabilitation Act of 1973 in the implementation of Supportive Measures.

and local law, and College policy.

4. Mandatory Reporting of Child Abuse and Neglect

In addition to the above reporting responsibilities, all College employees have an obligation to report known or suspected child abuse and neglect consistent with Connecticut state law. Child abuse can be reported to the Connecticut State Department of Children and Families hotline at 1- 800-842-2288. After an external report is made, the employee also must report the information to the Title IX Coordinator.

B. Reporting Responsibilities of College Employees

This section describes the various reporting and disclosure options available and the associated confidentiality implications. Because of their role at Trinity College, some employees are designated as Confidential Resources, meaning they are able to maintain a higher degree of confidentiality, as described above. All other employees are required to promptly share all relevant details of an alleged incident of sex-based harassment with the Title IX Coordinator. The distinctions between these groups are explained below so that individuals can make informed choices about how and where they seek help and guidance.

1. Confidential Resources

Confidential Resources include any College employee whose communications are privileged or confidential under Federal or State law and anyone specifically designated by the College to serve as a Confidential Resource.⁴ Confidential Resources include medical, clinical, and mental health professionals and clergy, as well as any employees providing administrative, operational, and/or related support for such providers in their performance of such services. Information about Confidential Resources is contained in [Appendix A](#).

Information shared with a Confidential Resource when that Confidential Resource is operating within the scope of their role will be maintained as confidential and not shared with the Title IX Coordinator, unless authorized by the Reporter or the Complainant. The Confidential Resource should: (1) inform the reporting individual that a Confidential Resource is not required to share the reported information with the Title IX Coordinator; (2) provide the reporting individual with information on how to contact Title IX Coordinator and how to make a report; and (3) instruct the reporting individual that the Title IX Coordinator may be able to offer and coordinate supportive measures, as well as initiate an informal or formal resolution process.

When individuals who otherwise are Confidential Resources receive information outside of the provision of services, the Confidential Resource is required to share that information with the Title IX Coordinator. For example, a licensed counselor who receives a disclosure in the context of speaking at a prevention program would be required to share the information with the Title IX Coordinator.

⁴ A College employee who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about sex discrimination is also a Confidential Resource when acting in that capacity.

A Complainant may seek assistance, support, and advice from a Confidential Resource without initiating a College investigation that could reveal the identity of the Complainant or the fact that the Complainant has disclosed the incident.

Some Confidential Resources are confidential by state law and have heightened protections recognized by the courts and law enforcement agencies, as defined in the Confidentiality section above. These include the Counseling and Wellness Center, the Health Center, and the College Chaplain (identified in [Appendix A](#) by the initials **PE** - Privileged Employees: Individuals with a duty to keep information privileged under Connecticut law, including counselors, medical, and clergy). Other campus Confidential Resources are confidential under College policy; while not required to share identifying information with the Title IX Coordinator under College policy, these employees will share with the Title IX Coordinator general details, such as the nature, date, time, and general location of the alleged incident, without sharing personally identifying information. Additionally, this category of campus Confidential Resources may be required to provide information in response to a search warrant, subpoena, or court order. Such campus Confidential Resources include nonstudent employees of the Women & Gender Resource Action Center (WGRAC) and the Queer Resource Center (QRC) and the P.R.I.D.E. Program Coordinator and Cultural House Supervisor (identified in [Appendix A](#) by the initials **CE** - Confidential Employees: Individuals who must report to Title IX, but can keep the identity of persons confidential).

An individual who speaks to any of the employees described above must understand that if a Complainant wants to maintain confidentiality, the College may be unable to conduct an investigation of the particular incident or pursue disciplinary action against a Respondent.

However, Confidential Resources can provide information about and assist individuals in requesting other support and services from the Title IX Coordinator, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working, or transportation arrangements (Supportive Measures). A Complainant who at first requests confidentiality may later decide to initiate a complaint with the Title IX Coordinator or to make a report to law enforcement and may be assisted by Confidential Resources in doing so.

2. All Other Employees

Other than those employees who are designated as Confidential Resources, as described above, all College employees, including faculty and staff, Resident Advisors, P.R.I.D.E. Leaders, and Orientation Leaders (while employed during new student orientation week), and all other students employed by the College are Responsible Employees and must report conduct that reasonably may constitute sex discrimination to the Title IX Coordinator or a Deputy Title IX Coordinator. Student employees must report conduct that reasonably can be construed as sex discrimination if they witness or become aware of such conduct while functioning within the scope of their employment with the College. The only exception to the reporting requirement is the circumstance where a Responsible Employee is personally subject to conduct that reasonably can be construed as sex discrimination. In such a case, the Responsible Employee is not required to report their own experience of sex discrimination to the Title IX Coordinator.

All College employees who are not designated as a Confidential Resource are required to report to

the Title IX Coordinator all known information about alleged sex discrimination, such as the identities of the parties, any witnesses, and the date, time, and specific location of the alleged incident. The Title IX Coordinator may share reports with other College employees to ensure a coordinated institutional response; examples include College employees or agents who are responsible for processing, investigating, adjudicating, and responding to sex-based harassment reports: deans, program directors, supervisors, human resources staff, and Campus Safety Department or other campus security personnel who are responsible for reporting campus crime statistics and issuing timely warnings under the Clery Act.

3. Exception for Disclosures during Certain Public Awareness Events

Employees are *not* required to report information disclosed at public awareness events (e.g., “Take Back the Night,” vigils, protests, survivor speak-outs, or other public forums in which students may disclose sex-based harassment. To the extent the College is notified of conduct that reasonably may constitute sex-based harassment from a public awareness event, the College is not obligated to act in response to the information, unless it indicates an imminent and serious threat to the health or safety of a Complainant or other persons. The College may provide information about Title IX and available College and community resources and support at public awareness events. The College shall use information learned from public awareness events to prevent sex-based harassment, including by providing tailored training to address alleged sex-based harassment in a particular part of the College’s education program or activity, or at a specific location when information indicates there may be multiple incidents of sex-based harassment.

4. Requests to a College Employee for Confidentiality

In the event that a Complainant discloses an incident of sex-based harassment to an employee who is not a Confidential Resource and requests confidentiality or requests that the College not take action regarding the report, the employee still is required to report all known information to the Title IX Coordinator; however, the employee also shall include the Complainant and/or Reporter’s request to maintain confidentiality. In such a case, the Title IX Coordinator will weigh the request for confidentiality against the College’s obligation to provide a safe, nondiscriminatory environment for all College community members, including the Complainant.

VIII. Reporting Options

The College encourages all individuals, who are not otherwise required to report sex discrimination, to report sex discrimination or a potential violation of this policy to the Title IX Coordinator, to the Campus Security Department, and/or to local law enforcement. A Complainant has the right to report, or decline to report, potential criminal conduct to law enforcement. Upon request, the College will assist a Complainant in contacting law enforcement at any time. Under limited circumstances (posing a threat to health or safety of any individual or to comply with applicable law), the College may independently notify law enforcement.

An individual may make a report to the College, to law enforcement, to neither, or to both. Campus Title IX processes and law enforcement investigations operate independently of one another, although the Title IX Coordinator may coordinate information with law enforcement as part of the initial assessment. Anyone can make a report as follows:

A. Make a Report to the Title IX Coordinator in Person, by Email, or by Telephone

Mather Hall, Room 208, titleixcoordinator@trincoll.edu, 860-297-2688

B. Make a Report online via <http://www.trincoll.edu/title-ix>

C. Make a Report to Local Law Enforcement

Hartford Police Department 253 High Street
Hartford, Connecticut 06103
Emergency Line: 911
Nonemergency Line: 860-757-4000

See [Appendix A](#) for additional information on how to report to local law enforcement.

D. Community Resources for Emergency Medical Assistance

See [Appendix A](#) for information on emergency resources.

See [Appendix A](#) for information on where to receive medical care and assistance with evidence preservation.

E. Make an Anonymous Report

A report may be made anonymously via the College’s online report accessible from the Title IX webpage: <http://www.trincoll.edu/title-ix> (click on “Sexual Discrimination Reporting Form”). It is important to note that providing anonymous information may limit the ability of the College to investigate or impose discipline. Reporting in any form, including anonymously, can help the College maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location, group or Respondent; and alert the campus community to potential dangers when appropriate.

F. Time Frame for Reporting

Complainants and witnesses are encouraged to report sex-based harassment or potential policy violations as soon as possible to maximize the College’s ability to respond promptly and effectively. The College does not, however, limit the time frame for reporting. Depending on the relationship of the Respondent to the College, the College may not have the authority to impose disciplinary action. Where the College does not have disciplinary authority—i.e., a report is made after a student has left or graduated or an employee no longer works for the College—the College still will seek to meet its Title IX obligations by evaluating the reported conduct, providing reasonably available Supportive Measures to the Complainant, and assisting the Complainant in identifying external reporting options and may take other appropriate action to address the reported conduct.

G. Amnesty

The College encourages reporting and seeks to remove barriers to reporting by providing amnesty for

Complainants and witnesses who report sex-based harassment or potential policy violations occurring at or near the time of the incident. The College recognizes that students who have been drinking and/or using drugs at the time the incident occurs may be hesitant to report such incidents due to fear of potential consequences of their own conduct. In general, the College will offer leniency with respect to other policy violations (e.g., minor drug or alcohol violations) that may be revealed as a result of a good faith report of sex-based harassment. The nature and scope of the leniency will depend on the particular circumstances involved. The Title IX Coordinator and/or other Appropriate College Official will have sole discretion in determining the appropriate course of action. (See Trinity College Medical Amnesty and Good Samaritan Policy.)

H. Coordination with Law Enforcement

All Trinity students, faculty members, staff members, and other individuals who are participating or attempting to participate in its education program or activity, have the right to report, or decline to report, potential criminal conduct outside of Trinity College's disciplinary processes and are encouraged to consult local, state, or federal law enforcement agencies, including the local police or the U.S. Department of Education's Office for Civil Rights, regardless of whether they file a complaint with the College. See Appendix A for information on how to file an external complaint.

Trinity will not, however, wait for the conclusion of a criminal proceeding to begin or conclude its own investigation and resolve complaints under this policy. The College will, however, comply with valid requests by law enforcement for cooperation in a criminal investigation. As such, the College will provide reasonably available and appropriate Supportive Measures to promote the safety and well-being of the Complainant and the school community while law enforcement is gathering evidence.

IX. Supportive Measures

Upon receipt of a report, Trinity College will identify and provide reasonably available and appropriate Supportive Measures. A Supportive Measure is a non-disciplinary, non-punitive individualized service offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent at any time before or after initiating a complaint or where no complaint has been initiated. Supportive Measures are designed to preserve access to the College's education programs and activities and provide support during the resolution process, without unreasonably burdening the other party, including measures designed to protect the safety of the Complainant, the Respondent, or broader College community; maintain the integrity of the investigative and/or resolution process; and deter retaliation. The College will maintain the confidentiality of any Supportive Measures provided to a Complainant and a Respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the Supportive Measures.

Available Supportive Measures may include, but are not limited to, the following:

- No-contact orders issued by the College, which are measures that restrict encounters and communications between the parties. See XV below for more information about no-contact orders.

- Academic accommodations, which are measures that include deadline extensions, incompletes, course changes, late drops, or other arrangements, as appropriate, and regardless of whether there is or is not a comparable alternative.
- Residential accommodations, which are measures that include arranging for new housing or providing temporary housing options, as appropriate and regardless of whether there is or is not a comparable alternative.
- Transportation or working arrangement changes or other employment accommodations, as appropriate.
- Access to support services, provided with assistance from the College, including campus escort services, increased security and monitoring of certain areas on campus, advocacy, academic support, counseling, disability, health or mental health services, visa and immigration assistance, student financial aid services, and legal assistance, both on and off campus, as applicable.
- Training and education programs related to sex-based harassment.
- Assistance with reporting a crime to local law enforcement, which may be requested at any time by an individual involved in an alleged incident of sex-based harassment. Such individuals may request orders of protection, restraining orders, or relief from abuse orders from courts of appropriate jurisdiction. The College will provide reasonable assistance upon request. The College also will work to respect and implement the requirements of such orders on premises that it owns or controls, as necessary and appropriate.

For a list of available resources and services, including information about medical care and evidence preservation, see [Appendix A](#).

The availability of Supportive Measures will be determined by the specific circumstances of each report. The College will consider a number of factors in determining which Supportive Measures to take, including the needs of the student or employee seeking Supportive Measures; the severity or pervasiveness of the alleged conduct; any continuing effects on the parties; whether the Complainant and the Respondent share the same residence hall, academic course(s), or job location(s); and whether court proceedings have been used to protect any parties (e.g., protective orders). The College will work in good faith to implement the requirements of judicially issued protective orders and similar orders, to the extent that doing so is within its authority.

The Title IX Coordinator is responsible for ensuring the implementation of Supportive Measures and coordinating the College's response with the appropriate offices on campus. A party may seek additional modification or termination of a Supportive Measure if there is a material change in circumstance. The Title IX Coordinator has the discretion to continue, modify, or terminate any Supportive Measure at the conclusion of a formal or informal resolution process. In such a case, the impacted party will be permitted to have the decision by the Title IX Coordinator to provide, deny, modify, or terminate a Supportive Measure reviewed on appeal. Appeals on the provision of Supportive Measures will be heard by the Vice President for Academic Affairs for a faculty party; the Vice President for Student Success and Enrollment for a student party; and the Vice President of Finance and Operations for a staff party. The appealing party must submit a request to appeal the decision on Supportive Measures to the Title IX Coordinator within two days of the decision on

Supportive Measures.

The question on appeal is whether the decision was inconsistent with the definition of supportive measures – that is, a challenge to whether a supportive measure is reasonably burdensome, whether a supportive measure is reasonably available, whether the supportive measure is being imposed for punitive or disciplinary reasons, whether the supportive measure is being imposed without fee or charge, and whether the supportive measure is effective in meeting the purposes for which it is intended, including to restore or preserve access to the education program or activity, provide safety, or provide support during the grievance procedures. The provision, denial, modification, or termination of supportive measures is effective immediately and will only be changed at the direction of the applicable appellate authority following an appeal.

As noted above, absent written consent, the College will not disclose information about any Supportive Measures to persons other than the person to whom they apply, including informing one party of Supportive Measures provided to another party, unless necessary to provide the Supportive Measures or restore or preserve a party's access to the education program or activity.⁵

The College will provide reasonable Supportive Measures to other individuals who are participating or attempting to participate in its education program or activity, as appropriate and available, taking into account the role of the other individual and the nature of any contractual relationship with the College.

A. Emergency Removal

Certain circumstances may warrant removing a student Respondent from a College education program or activity before resolution of the complaint. The College may remove a student Respondent on an emergency basis from College property or employment, education or research programs, or activities. The determination of whether to remove a student may be made by the Title IX Coordinator in consultation with other College employees, as necessary. This decision may be made at any point in the process.

Before imposing an emergency removal, the College will undertake an individualized analysis of safety and risk for the campus community to determine whether the Respondent's presence in the program or activity poses an imminent and serious threat to the health or safety of the Complainant, or other individual arising from the allegations of sex discrimination justifies a removal. If the College determines such removal is necessary, the Respondent will promptly be provided written notice and an opportunity to challenge the decision immediately following the removal. During any challenge, the Respondent will remain off campus and must comply with the notice of removal. That notice shall include a statement that the use of any information the Respondent chooses to provide may be used subsequently in implementing any aspect of this policy, including the investigation and adjudication. The Respondent will have 72 hours to submit a written challenge of the safety and risk analysis to the Title IX Coordinator. The Title IX Coordinator will assign the matter to be reviewed by a decision maker to evaluate the information in support of the individualized safety and risk analysis and any information provided by the Respondent and the Complainant, as applicable. The decision maker will

⁵ If a party is a student with a disability, the Title IX Coordinator may consult with the Student Accessibility Resource Center in order to comply with Section 504 of the Rehabilitation Act of 1973 in the implementation of Supportive Measures.

submit a final decision in writing to the Respondent and the Complainant within three (3) business days, with a copy to Title IX Coordinator.

Any individual who hears the challenge to the removal determination will not be involved in any decision regarding responsibility or appeal of that decision regarding responsibility. The decision maker will be selected from a group of trained employees who are not decision makers in the case.

B. Administrative Leave

The College retains the authority to place an employee Respondent on administrative leave during the investigation and adjudication process, consistent with the procedures set forth in the *Employee Handbook* and the *Faculty Manual*.

X. Overview of the College's Resolution Processes

The College is committed to providing a prompt and equitable resolution of all reported violations of this policy. To implement this policy, the College has developed a formal and an informal resolution process to resolve reports of sex discrimination:

Informal Resolution: an informal framework that includes informal or restorative options for resolving reports pursuant to terms (including remedies and sanctions) that are voluntarily and mutually agreed upon by all parties and the College.

Formal Resolution: formal procedures that involve an investigation, adjudication and, if appropriate, the imposition of sanctions.

In all formal and informal resolution processes, the College will treat Complainants and Respondents equitably. Upon receipt of a report, the College will conduct an initial assessment of the available information and consider the Complainant's stated interests, as well as the College's compliance obligations, in determining how to proceed. The Title IX Coordinator will offer and coordinate appropriate Supportive Measures for the parties regardless of whether a formal or informal resolution process is initiated.

A. Advisor and Support Person

Throughout the informal or formal resolution process, each party has the right to be accompanied at any meeting by an advisor of their choice and an additional support person. The advisor and support person may be any person, including an attorney. A party may decline to use an advisor or support person for any or all stages of the formal or informal resolution process.

The advisor and support person may observe, provide support, and provide guidance or advice to the party (in a nondisruptive manner). Neither the advisor nor the support person is permitted to speak on behalf of the parties or otherwise participate in, or in any manner delay, disrupt, or interfere with meetings. The advisor and support person should plan to make themselves reasonably available; the College will not unduly delay the scheduling of meetings based on an advisor's or support person's unavailability. An advisor and support person may be asked to meet with a College administrator in

advance of any proceedings to understand the expectations of the role, privacy considerations, and appropriate decorum. An advisor and support person may be removed for failure to follow these expectations. The advisor and support person are entitled to review all information made available to the party and are precluded from sharing the information from the College related to the resolution with any individual, other than the party. Failure to maintain the privacy of information provided by the College in the resolution process may result in removal of the advisor or support person.

B. Obligation to Provide Truthful Information

All College community members are expected to provide truthful information throughout the resolution process. Intentionally false accusations will not be tolerated. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of sex discrimination is prohibited and subject to disciplinary sanctions, in accordance with the *Student Handbook* and *Employee Handbook*, as applicable. A claim will not be deemed intentionally false merely because there is insufficient evidence to prove a violation of this policy or because it is deemed to be without merit. An intentionally false claim is one made with knowledge beforehand that it is false and with malicious intent toward another person.

XI. Intake and Initial Assessment

A. Response to a Report

Any person may report sex discrimination or retaliation to the Title IX Coordinator or the Campus Safety Department or may utilize the other reporting options cited above. A report may be made verbally or in writing. A complaint is different than a report. A complaint is a request to the Title IX Coordinator that the College investigate and make a determination about the reported sex discrimination. A complaint of sex-based harassment may be made verbally or in writing by the Complainant, the parent or legal guardian of the Complainant if the Complainant is under 18 years, or the Title IX Coordinator. A complaint of sex discrimination, that is not sex-based harassment, may be made verbally or in writing by the any student or employee, any other person who is participating or attempting to participate in College's education program or activity at the time of the alleged sex discrimination, in addition to the Complainant, the parent or legal guardian of the Complainant if the Complainant is under 18 years, or the Title IX Coordinator.

Upon receipt of a report, the Title IX Coordinator will take steps outlined in this policy to promptly and effectively end any sex discrimination in the College's education program or activity, prevent its recurrence, and remedy its effects. More specifically, the Title IX Coordinator will contact the Complainant to discuss the availability of Supportive Measures with or without initiating a complaint, will explain to the Complainant the process of initiating a complaint, and will consider the Complainant's wishes with respect to a resolution process. If the Complainant is unknown, the Title IX Coordinator will contact the Reporter to share this policy.

During the initial assessment, a Complainant may request Supportive Measures only or may initiate a complaint. After the initiation of a complaint, the Complainant may decide to seek informal resolution in lieu of a formal resolution process (i.e., investigation, determination, and appeal). A Complainant always is entitled to reasonably available Supportive Measures, regardless of whether a formal or informal resolution process is initiated.

The Title IX Coordinator also will determine whether the policy applies to the report and whether the reported conduct falls within the jurisdiction and scope of the policy and/or Title IX.

B. Overview of Initial Assessment

As part of the initial assessment, the Title IX Coordinator will:

- Promptly contact the Complainant to discuss the availability of Supportive Measures.
- Consider the Complainant's wishes with respect to Supportive Measures.
- Assess the nature and circumstances of the report, including whether it provides the names and/or any other information that identifies the Complainant, the Respondent, any witness, and/or any other individual with knowledge of the reported incident.
- Address immediate physical safety and emotional well-being needs.
- Conduct an individualized analysis of safety and risk for the campus community to determine whether a Respondent's presence in the College's education programs or activities poses an imminent and serious threat to the health or safety of a Complainant or other individual that justifies removal.
- Notify the Complainant of the right to contact (or decline to contact) law enforcement or seek a civil protection order.
- Notify the Complainant of the right to seek medical treatment.
- Notify the Complainant of the importance of preservation of evidence.
- Refer the report to the Campus Safety Department to assess the reported conduct for any Clery Act obligations, including entry in the daily crime log or issuance of a timely warning.
- Provide the Complainant with written information about on- and off-campus resources.
- Provide the Complainant with a copy of this policy and an explanation of the procedural options, including seeking Supportive Measures, the option of initiating a complaint, and the formal and informal resolution processes.
- Notify the Complainant of the right to be accompanied at any meeting or proceeding by an advisor of their choice, and that the College will provide an advisor, without fee or charge, to conduct questioning on behalf of that party at the meeting if they do not have an advisor.
- Assess the available information for any pattern of conduct by Respondent.
- Discuss the Complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., confidentiality concerns).
- Explain the College's policy prohibiting retaliation and how to report acts of retaliation.
- Determine the age of the Complainant, and if the Complainant is a minor, make the appropriate report of suspected abuse consistent with Connecticut state law.

The initial assessment will be conducted promptly and the time frame for the initial assessment will be tailored to the context and circumstances. The College will seek to complete the initial assessment

within 10 business days but recognizes that there may be circumstances in which the initial assessment takes longer based on the availability of the Complainant or other necessary information, a Complainant's request to maintain privacy or not seek disciplinary action, or other factors outside of the College's control. The College understands that a Complainant may engage in delayed decision-making, which may impact the timing of the conclusion of the initial assessment.

C. Initiating a Complaint

The formal resolution process (investigation, determination, and appeal) and informal resolution process are initiated by initiating a complaint. A complaint is a verbal or written request that objectively can be understood as a request for the College to investigate and make a determination about the reported sex discrimination.

1. Dismissal of a Complaint

The Title IX Coordinator may dismiss a complaint and not proceed with a resolution in any of the following circumstances:

- a. The College is unable to identify the Respondent after taking reasonable steps to do so;
- b. The Respondent is not a student or employee of the College, board member, independent contractor, or otherwise participating in the College's education program or activity;
- c. The Complainant voluntarily withdraws any or all of the allegations in the complaint, and the College determines that, without the Complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination, even if proven. For allegations of sex-based harassment involving a student, the Complainant's voluntary withdraw must be in writing;⁶ or
- d. The College determines, after reasonable efforts are made to clarify the allegations with the Complainant, the conduct alleged in the complaint, even if proven, would not constitute sex discrimination.

2. Notice of Dismissal of a Complaint and How to Appeal the Dismissal

The decision about whether to dismiss a complaint, in whole or in part, may be made at any time in the process. Upon reaching a decision that the complaint will be dismissed, the Title IX Coordinator will promptly notify the Complainant of the dismissal of the complaint or any specific allegation within the complaint and the reason for the dismissal in writing. If the dismissal occurs after the Respondent has been notified of the allegations, then the College must also notify the Respondent in writing that the dismissal may be appealed. If some or all of the allegations in the complaint have been dismissed, the Parties may appeal this dismissal using the procedure outlined in the "Appeals" section below. Parties remain entitled to appropriate Supportive Measures when a complaint is dismissed.

In the event of a dismissal, the Title IX Coordinator is required to take any other appropriate prompt and effective steps to ensure that sex discrimination complained of does not continue or recur within

⁶ If a Complainant withdraws the allegations in the complaint, the Title IX Coordinator may initiate a complaint.

the College's education program or activity.

D. Consolidation of Complaints

The College may consolidate complaints 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 sex discrimination arise out of the same facts or circumstances. All parties will receive simultaneous, timely notification of any such consolidation. During the course of the investigation, the investigation may reveal the existence of additional or different potential policy violations, which also may be consolidated following notification to the parties of the amended notice of investigation. In the event of a consolidation of a report of sex-based harassment involving a student and a report of sex discrimination that is not sex-based harassment involving a student, the resolution procedures applicable to cases of sex-based harassment involving a student will apply to the consolidated matter.

E. Coordination with Other Policies

Where conduct involves the potential violation of both this policy and another College policy arising from the same or similar set of facts and circumstances, the College has the discretion to investigate and resolve the conduct under the resolution procedures set forth in this policy in one procedure, or to conduct a separate resolution process under this Policy and the other College policy. In the event that the conduct that violates both this policy and another College policy is resolved under this Policy only, the Title IX Coordinator should ensure that doing so does not unduly delay a prompt and equitable resolution of the report and that the parties are provided timely notice of a decision to consolidate the cases and an opportunity to respond. In such cases, the decision maker may adjudicate and sanction misconduct that falls outside the purview of this policy, even if the sex discrimination claim is not substantiated.

Complaints that are finally resolved pursuant to the formal or informal resolution processes set forth in this policy may not be pursued under other College policies, if the complaint is based on the same transactions and occurrences addressed under this policy. However, cases that are dismissed pursuant to the dismissal process described above, prior to any formal investigation or final resolution, may be pursued under other applicable College policies.

F. Balancing Complainant Autonomy with the College's Responsibility to Investigate

The College endeavors to respect the wishes of a Complainant to not pursue a complaint. When a Complainant decides to not pursue a complaint, the Title IX Coordinator may initiate a complaint, after considering the following factors:

- a. The Complainant's request not to proceed with initiation of a complaint;
- b. The Complainant's reasonable safety concerns regarding initiation of a complaint;
- c. The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- d. The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;

- e. The age and relationship of the parties, including whether the respondent is an employee of the College;
- f. The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- g. The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- h. Whether the recipient could end the alleged sex discrimination and prevent its recurrence without initiating its resolution process.

If, after considering these factors and other relevant factors, the Title IX Coordinator determines that the reported conduct presents an imminent and serious threat to the health or safety of the Complainant or other person, or that the conduct as alleged prevents the College from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator may initiate the complaint.

When the Title IX Coordinator initiates a complaint, the Title IX Coordinator will notify the Complainant prior to doing so and appropriately address reasonable concerns about the Complainant's safety or the safety of others, including by providing Supportive Measures.

The College will not compel a Complainant to participate in an investigation or disciplinary proceeding.

Because the College is under a continuing obligation to address sex discrimination campuswide, reports of sex discrimination (including anonymous and third-party reports in which names are not mentioned) also will prompt the College to consider broader remedial action such as increased monitoring, supervision, or security at locations where the reported sex discrimination occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

G. Determination after the Initial Assessment: Scope and Manner of Resolution

The Title IX Coordinator will consider the nature of the report, the safety of the individual and the campus community, and the Complainant's expressed preference for the manner of resolution in determining the appropriate course of action to achieve the goals of Title IX and the policy. The range of available resolution options include: (1) the provision of supportive measures regardless of the initiation of a complaint; (2) formal resolution following initiation of a complaint; (3) informal resolution following initiation of a complaint; (4) referral to another College policy or grievance procedure if the reported conduct does not implicate this policy; (5) no further action if the reported conduct, if proven, would not violate any College policy.

At the conclusion of the initial assessment, the Complainant will receive a written notice of the determination about how the College will proceed.

XII. Informal Resolution Process

The College may resolve reports through informal resolution (which may include the possibility of mediation), as appropriate based on the circumstances. Informal resolution is not appropriate for all matters, including in cases in which the reported conduct would present a future risk of harm to others, and the College retains the discretion to determine which cases may be appropriate for informal resolution and the type of informal resolution process that may be appropriate in a specific case.

Informal resolution is available only after the initiation of a complaint, prior to a determination of responsibility, and where the Complainant, Respondent, and the College voluntarily consent to the process in writing.

Before initiating an informal process, the College will provide the parties a written notice of the process and obtain the parties' voluntary, written request for and consent to the informal resolution process. The written notice to the parties will disclose:

- The allegations and potential policy violations at issue;
- The requirements of the informal resolution process (described below);
- The consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared in the event a formal resolution process is initiated or resumed;
- The parties' right to withdraw from the informal resolution process and resume the formal resolution process with respect to the complaint, at any time prior to agreeing to a resolution;
- The parties' agreement to a resolution pursuant to the informal resolution process precludes the parties from initiating or resuming formal grievance procedures based on the same alleged conduct;
- The potential terms that may be requested or offered in an information resolution agreement, including notice that an informal resolution agreement is binding only on the parties and the College.

Upon initiation of the informal resolution process, the Title IX Coordinator will appoint an individual to facilitate an informal resolution. The appointed facilitator may be the Title IX Coordinator, a Deputy, or a trained third party, but it may not be the same person as the Investigator or the decision maker in the formal resolution process. The facilitator must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

The facilitator will meet with both parties to discuss the options for informal resolution. Although face-to-face mediation or a restorative justice process may be suggested, parties will never be required to meet directly with one another as part of the informal resolution process. Terms of an informal resolution can include restrictions or disciplinary sanctions imposed on Respondent as remedies, similar to those available had the matter been resolved through a formal process.

When sex discrimination allegations have been resolved through informal resolution by mutual

consent of the parties and on a basis that is acceptable to the appointed facilitator in consultation with the Title IX Coordinator or a Deputy Title IX Coordinator, the resolution process shall be considered finally decided and there will be no subsequent process or appeal.

The Title IX Coordinator will maintain records of all reports and conduct referred for informal resolution, which typically will be complete within 60 business days of the initial report.

XIII. Formal Resolution Process: Investigation

Upon the initiation of a complaint and election to proceed to a formal resolution, the College will conduct an adequate, reliable, and impartial investigation of the allegations of the complaint. In doing so, the College will conduct an investigation that gathers sufficient information to determine whether sex discrimination occurred. The investigation will be impartial and will be conducted by trained Investigator(s) who have no actual bias or conflict of interest for or against Complainants or Respondents generally or the Complainant or Respondent in the matter being investigated.

During the investigation both the Complainant and Respondent have equal opportunities to receive a written notice of investigation; to participate in the investigation; to review and present inculpatory and exculpatory information and evidence that is not otherwise impermissible; to be accompanied by an advisor of their choice to any meeting; to timely and equal access to information that will be used in disciplinary proceedings; to timely notice of meetings at which their presence will be requested or required; to simultaneous written notice of the outcome, sanction, and rationale; and to appeal the outcome.

The Investigator(s), not the parties, are responsible for gathering relevant evidence. The Complainant and Respondent will be asked to identify witnesses and provide other relevant information, such as documents, communications, and other evidence, if available. The parties are encouraged to provide all relevant information as promptly as possible to facilitate prompt resolution and are encouraged to preserve relevant evidence. In the event that a party declines to voluntarily provide material information, the College's ability to conduct a prompt, thorough, and equitable investigation may be adversely impacted.

A. Initiating an Investigation

If the Title IX Coordinator determines that an investigation and adjudication should proceed under this policy, the Title IX Coordinator will assign one or more Investigators to conduct a prompt, thorough, fair, and impartial investigation. At the discretion of the Title IX Coordinator, the assigned Investigator may be an employee of Trinity College and/or may be an external Investigator hired by the College. The Investigator also may be an attorney or other individual with legal training. This decision will be informed by the complexity of the case, the availability of internal resources at the time of the investigation, and other reasonable considerations.

Students will play no role as Investigators or panelists in the investigation and adjudication process. Any Investigator used by the College will receive annual training on the College's obligation to address sex discrimination in its education program or activity; the scope of conduct that constitutes sex discrimination, including sex-based harassment in the Title IX regulations; the scope of the College's

education program and activity; the resolution process outlined in this policy; how to conduct an investigation that is fair and impartial, including by avoiding prejudice of the facts at issue, conflicts of interest, and bias; and the meaning and application of the term “relevant” in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance pursuant to this policy.

The Investigator(s) will be impartial and free from actual bias or conflict of interest for or against Complainants or Respondents generally, or the Complainant or Respondent in the matter being investigated. If either party believes an assigned Investigator has a conflict of interest or bias, they must notify the Title IX Coordinator as soon as possible, but no later than three (3) calendar days after receiving notice of the identity of the Investigator(s) and/or adjudicator(s). The Title IX Coordinator will consider the nature of the conflict and determine if different individuals should be assigned as Investigator(s) and/or adjudicator(s). The Title IX Coordinator’s decision regarding any conflicts is final.

B. Notice of Allegations

The Title IX Coordinator will provide the Notice of Allegations to the Complainant and Respondent. Such notice will occur as soon as practicable after the College receives a complaint of the allegations, if there are no extenuating circumstances.

The parties typically will be notified by their institutional email accounts if they are a student or employee and by other reasonable means if they are neither. The College will provide sufficient time for the parties to review the Notice of Allegations and to prepare a response before any initial interview.

1. Notice Contents

The Notice of Allegations will include the following:

- i. Notice of the College’s investigation and adjudication process and a hyperlink to a copy of this policy;
- ii. Notice of the allegations potentially constituting sex-based harassment and sufficient details known at the time the notice is issued, such as the identities of the parties involved in the incident, if known, including the Complainant; the conduct allegedly constituting sex-based harassment; and the date and location of the alleged incident, if known;
- iii. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the investigation and adjudication process by trained and neutral decisionmaker(s);
- iv. The name(s) of the Investigator(s), including how to challenge participation by the Investigator(s) on the basis of a conflict of interest or bias;
- v. Information about the parties’ participation options in the process;
- vi. The prohibition against retaliation;
- vii. A list of available Supportive Measures;

- viii. A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney accompany them to all meetings;
- ix. The importance of preserving any potentially relevant evidence in any format; and
- x. A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence obtained as part of the investigation.

To the extent that the College has reasonable concerns for the safety of any person as a result of providing the Notice of Allegations, the College may reasonably delay providing such notice in order to address the safety concerns appropriately. Reasonable concerns must be based on individualized safety and risk analysis and not on mere speculation or stereotypes.

2. The Duty to Provide Ongoing Notice

If the investigation reveals the existence of additional or different potential violations of this policy, the Title IX Coordinator will issue a supplemental written notice of investigation. The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding the additional charges.

C. Acceptance of Responsibility

At any point during the investigation, the Respondent may elect to accept responsibility for some or all of the policy violations at issue. Where there is an acceptance of responsibility as to some but not all of the charges, the investigation will continue to conclusion, and any acceptance of responsibility will be documented in the investigation report. Where there is an acceptance of responsibility as to all of the potential policy violations, the Investigator(s) will complete an investigation report of all information gathered to date and, after consultation with the Title IX Coordinator, will refer the matter for sanctioning, as described below. Where both parties agree, the matter also may be resolved through the Informal Resolution process.

D. Investigative Steps

The College recognizes the interests of all persons involved to have the investigation and adjudication process completed in the most expeditious manner possible; however, the College expressly states that it must balance this interest with the need to ensure that a thorough investigation, full participation, and adequate response time are afforded all parties.

During an investigation, the Investigator(s) will seek to meet separately with the Complainant, Respondent, and relevant witnesses. Although the parties to the investigation may provide information and evidence, it is the Investigator's responsibility to gather any evidence directly related to the allegations in the complaint to the extent reasonably available, such as information in the possession, custody, or control of the College (e.g., College security access records, employee or student information, etc.). The Investigator(s) will send written notice of the interview date, time, and location, name of participants and purpose of the interview to the parties and witnesses, in sufficient time for the party to prepare and participate.

The Investigator(s) will interview the parties and any witnesses likely to have information directly

related to the complaint. The Investigator(s) also will gather other related information or evidence, including documents, photographs, communications between the parties, medical records (subject to the consent of the applicable person), and other electronic records as appropriate.

The Complainant and Respondent will be asked to identify all relevant evidence they would like the Investigator to review, as well as witnesses they would like the Investigator to interview. Both parties may provide, if they wish, a list of questions they would like the Investigator to ask of particular witnesses or of each other. The Investigator will ask all relevant questions.

At the conclusion of the investigation, the Complainant and the Respondent will have the opportunity to review and respond to all relevant and permissible information gathered in the investigation, including information shared by the Complainant or the Respondent during their interviews or through evidence either provides.

E. Witnesses

The Investigator(s) is authorized to contact any and all individuals with potentially relevant information and may interview such individuals on more than one occasion if necessary. The nature and scope of the investigation is within the discretion of the Title IX Coordinator.

Both the Complainant and Respondent have the option to provide names of potential witnesses to the Investigator(s). Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, the parties, or related matters.

In the event that witnesses are interviewed as part of the investigation, the name of the witness and the information gathered in the interviews will be included in the written investigation report, which the parties will have the opportunity to review at the conclusion of the investigation. Witnesses may be asked to participate in a meeting with a decision maker in response to the information gathered by the Investigator(s).

Expert witnesses are not permitted.

F. Additional Evidence

Both the Complainant and the Respondent are permitted to provide other relevant evidence to the Investigator(s). Evidence includes any facts or information presented in support of an assertion and may include text messages, email exchanges, timelines, receipts, photographs, etc. Any documentation shared by the Complainant or the Respondent with the Investigator(s) will be provided to the other party. The Investigator(s) also may consider additional documents, items, or other relevant information.

During the course of the investigation, the parties should bring any new or evolving evidence, such as harassing or retaliatory conduct, to the attention of the Investigator(s). The Investigator(s) may consider such information in the investigation and also will share any information about retaliation

or violation of the terms of a Supportive Measure with the Title IX Coordinator for further action.

G. Permissible and Impermissible Evidence

The College will not restrict the ability of either party to gather and present relevant evidence. Permissible evidence is evidence that is relevant. Evidence is relevant if it is related to the allegations of sex discrimination under investigation. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred. The Investigator(s) and Administrating Panel have the discretion to determine the relevance and probative value of information proffered or received.

Impermissible evidence is evidence that is not relevant. Evidence is not relevant if it is not related to the allegations of sex discrimination under investigation. By law, the following evidence is never relevant:

- ***Complainant's Sexual Interests or Prior Sexual Conduct:*** Questions and evidence about the Complainant's sexual interests or prior sexual conduct are not relevant and therefore impermissible unless such questions and evidence are:
 - Offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or,
 - The questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

However, previous relationships or prior consent cannot imply consent to future sexual acts. The Investigator(s), in consultation with the Title IX Coordinator, will assess whether information related to Complainant's sexual interests or prior sexual conduct is relevant. Where a sufficient informational foundation exists for the inclusion of such evidence, the Investigator(s) will provide notice to both parties of the scope of any inclusion of such information in the investigation report.

- ***Medical and Counseling Records and Other Privileged Information:*** Evidence that is protected under a privilege recognized by federal or state law or evidence provided to a confidential employee is impermissible in the investigation and resolution, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality. A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, is likewise impermissible, unless the College obtains that party's or witness's voluntary, written consent for use in the investigation and resolution.

In gathering information, the Investigator also may consider other reports of, or findings of responsibility for, similar conduct by the Respondent to the extent such information is relevant and available. Such information may be relevant to prove motive, intent, absence of mistake, pattern, or another material fact. For example, where there is evidence of a pattern or conduct similar in nature by the Respondent, either prior to or subsequent to the conduct in question, regardless of whether

there has been a finding of responsibility, this information may be relevant and probative to the determination of responsibility and/or assigning of a sanction. Similarly, prior or subsequent conduct of a Complainant, even when it involves conduct that may violate College policy, may be considered when relevant. The Investigator(s) will determine the relevance of this information, and both parties will be informed if evidence of prior or subsequent conduct is deemed relevant.

H. Social Media and Personal Communications

The Investigator(s) also may consider information publicly available from online sources that comes to the attention of the Investigator(s). The College does not actively monitor online sources, however, and as with all potentially relevant information, the Complainant, Respondent, or witness should bring online information to the attention of the Investigator(s) if they believe it is relevant. The Investigator(s) also may consider communications involving or relating to one or both parties that either party brings to the attention of the Investigator(s) or that is provided by the parties in response to a request by the Investigator(s). The Investigator(s) also may seek a review of information available on College devices or servers, consistent with the College's technology policies.

I. Site Visits

The Investigator(s) may visit relevant sites or locations and record observations through written, photographic, or other means.

J. Expectations of the Parties

The College expects all members of the College community to cooperate fully with the investigation and disciplinary procedures. It is understood that there may be circumstances in which a Complainant or Respondent wishes to limit their participation, and the College will respect the choice of the Complainant or Respondent as to how to engage in proceedings under this policy. The College may, however, move forward with formal resolution without the participation of a party or parties.

The College will not draw any adverse inference solely from a Complainant's or Respondent's decision not to participate in the investigation or any form of resolution under this policy; however, the Complainant or Respondent should be aware that declining to participate in the investigation may impact the timing and outcome of the case.

In the event that a Respondent who has been notified of an investigation or adjudication fails to cooperate with the Investigator(s), the investigation or adjudication may proceed, findings reached, and if appropriate, a sanction imposed based solely on the other information available.

K. Effect of Withdrawal from the College

At any time, the College may place an administrative hold on the Respondent's College transcript or defer or withhold the award of the Respondent's degree. Even if a Respondent withdraws from the College, the Title IX Coordinator may proceed with further action as necessary to eliminate, prevent, or address any impacts of the reported conduct.

L. Safeguarding the Privacy of Complainants and Respondents

The College will take reasonable steps to protect the privacy of the parties and witnesses during the course of its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; to consult with their family members, confidential resources, or advisors; or otherwise to prepare for or participate in the resolution process. The parties must not engage in retaliation, including against witnesses. Individuals involved in investigations or disciplinary proceedings under this policy are encouraged to exercise discretion in sharing information to safeguard the integrity of the process and to avoid the appearance of retaliation.

While discretion regarding the process is important, Complainants and Respondents are not restricted from discussing and sharing their experiences with others who may support or assist them during the process. Parties, advisors, and support persons, however, are precluded from disclosing information and evidence obtained solely through the investigation process.

M. Timing of Investigation

The Investigator(s) will provide periodic updates to the parties about the status of the investigation, with a goal to complete the fact-gathering portion of the investigation within approximately fifty (50) business days.

At the conclusion of the fact-gathering process and prior to the completion of the investigation report, the Investigator will make information gathered in the investigation available for review by the parties, their advisors, and support persons. The parties will have an equal opportunity to inspect and review all relevant evidence obtained as part of the investigation that is related to the allegations raised in the complaint, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The Investigator will send to each party, the party's advisor, and the party's support person, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) business days to submit a written response, which the Investigator will consider prior to completion of the investigative report. In the written submission, the parties may offer additional comment or feedback on the facts as gathered, clarify information previously shared, submit questions to be asked of the other party, suggest additional witnesses, or identify any other relevant information or evidence to assure the thoroughness, sufficiency, and reliability of the investigation. To the extent the requests for additional investigative steps would seek relevant information, the Investigator should take the requested investigative steps.

XIV. Formal Resolution Process: Determination, Sanction, and Appeal

The College has two separate adjudicative procedures for determining whether the reported conduct occurred. When the complaint alleges sex discrimination, that does not include sex-based harassment involving a student, the Investigator decides the outcome. When the Complaint alleges sex-based harassment involving a student, the College assigns a three-person Administrative Panel to decide the outcome. Both resolution processes apply a preponderance of the evidence standard, are guided by the same sanctioning considerations, and provide the same appeal rights and grounds to the Parties.

To determine whether a student employee should be considered a student or an employee for the

resolution process, the College must evaluate whether the Party's primary relationship with the College is to receive an education and whether the alleged sex discrimination occurred while the party was performing employment related work.

A. Formal Resolution Process for Allegations of Sex Discrimination and Sex-based Harassment Not Involving a Student

1. The Investigation Report

When the complaint alleges sex discrimination or sex-based harassment not involving a student, the outcome will be decided by the Investigator. Following the evidence review and the exhaustion of all requested and relevant investigative steps, the Investigator will prepare a written investigation report that fairly summarizes the information gathered in the investigation and reaches a determination on whether sex discrimination or sex-based harassment not involving a student occurred, using a preponderance of the evidence standard. The Investigator will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness. If the Investigator is not persuaded under the applicable standard by the evidence that sex discrimination or sex-based harassment not involving a student occurred, whatever the quantity of the evidence is, the Investigator will not determine that sex discrimination or sex-based harassment not involving a student occurred. The determination will include a rationale. If the Respondent is found responsible for engaging in sex discrimination or sex-based harassment not involving a student, the determination will include a sanction, and the procedures and permissible bases for the Complainant and Respondent to appeal (see Section XIV.E).

2. Submission of Impact and Mitigation Statements

To inform the decision on sanction, following the evidence review, both Parties may submit Impact or Mitigation Statements to the Title IX Coordinator. These statements present the Parties with the opportunity to share any information they would like the Investigator to consider when assigning a sanction. The Title IX Coordinator shall disclose Impact and Mitigation Statements to the Investigator only in cases in which the Respondent is found responsible and only after the Investigator has reached its decision regarding the Respondent's responsibility.

3. Sanction, Remedies, and Appeal

See section XIV.C and XIV.E below for information on sanction, remedies, and appeals following a determination.

B. Formal Resolution Process for Allegations of Sex-based Harassment Involving a Student

1. The Investigation Report

Based on the written responses to the evidence review, the Investigator(s), in coordination with the Title IX Coordinator, will determine whether further investigation is required. In either case, the Investigator will produce an investigation report. The Title IX Coordinator will share the report with

the Complainant and Respondent, simultaneously, in writing.

The investigation report will be sent to each party, their advisors and support persons in an electronic format or a hard copy for their review and written response. Both parties may submit a written response to the investigation report to the Title IX Coordinator within ten (10) calendar days of receiving the investigation report. The Title IX Coordinator may extend this deadline for good cause, in which case, both Complainant and Respondent will be afforded the same duration of time in which to submit a written response.

2. Administrative Panel as Decisionmaker

When the complaint alleges sex discrimination or sex-based harassment involving a student, the outcome will be decided by a three-person Administrative Panel. Following the evidence review and the exhaustion of all requested and relevant investigative steps, the Investigator will prepare a written investigation report that fairly summarizes the information gathered in the investigation.

Upon submission of the investigation report to the parties, the Title IX Coordinator will select an Administrative Panel and charge that panel to (a) review the investigation report and the responses of the parties to that report, (b) convene to conduct individual meetings that provide for the opportunity for live examination of party witnesses, (c) determine whether the information is sufficient, by a preponderance of the evidence standard, to establish that the Respondent violated this policy, and (d) in cases where the Respondent is found responsible, deliberate and impose an appropriate sanction.

The Administrative Panel will have three voting members, all of whom must be College employees, and a non-voting Chair, who may be an external professional who is present to make relevance determinations and ensure compliance with policy. The employee members of the panel will be drawn from a pool of College employees who have received specialized training, as described below. The pool will not include the Vice President for Academic Affairs, the Vice President of Finance and Operations, nor the Vice President for Student Success and Enrollment, who must remain available for appeals, nor will the pool include the General Counsel or the President of the College.

All members of the Administrative Panel will be free from conflicts of interest and bias for or against either party in the matter and Complainants or Respondents generally. Panelists will receive annual training on the College's obligation to address sex discrimination in its education program or activity; the scope of conduct that constitutes sex discrimination, including sex-based harassment in the Title IX regulations; the scope of the College's education program and activity; the resolution process outlined in this policy; how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and the meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance pursuant to this policy. If either party believes a member of the Administrative Panel has a conflict of interest or bias, they may notify the Title IX Coordinator, who will determine whether an actual conflict of interest or bias exist. If such is the case, the Title IX Coordinator will recuse the member and appoint someone else to serve on the Administrative Panel.

3. Scheduling Individual Meetings with Parties and Witnesses

The Title IX Coordinator will schedule individual meetings with each participating party, their advisor and support person, and the Administrative Panel. The Notice of Meeting shall include:

- The names of the panelists;
- The proposed dates, times, and location for individual meetings with each participating party, their advisor and support person, and the Administrative Panel;
- The factual allegations concerning the violation(s);
- The provisions of the policy alleged to have been violated;
- How to challenge participation of any member of the Administrative Panel on the basis of conflict of interest or bias;
- The right to have an advisor and support person present at the meeting, and the restriction that those individuals have no speaking role; and
- The opportunity and due date to submit written relevant questions for the Administrative Panel to consider asking of any Party or witness.

The Respondent and Complainant will be provided the Notice of Meeting at least five (5) calendar days prior to the date of the meeting. The time frame in which the individual meetings are conducted may be extended for good cause at the discretion of the Title IX Coordinator. Meetings may be scheduled whenever the College is officially open (including summer and winter breaks).

The Complainant and Respondent will have three (3) business days to request that a proposed panel member be recused for cause, conflict of interest, or bias. The Title IX Coordinator, after considering the party's stated reasons for recusal, will determine whether the proposed member should be recused and replaced with someone else. Anyone proposed as a replacement panel member will be subject to the same vetting process and time frame set forth above in this paragraph.

Upon expiration of the deadlines for the Complainant and Respondent to respond to make any potential objections to the proposed members of the panel, the Title IX Coordinator will share the investigation report and the written responses of the Complainant and Respondent to that report and any evidence shared with the parties for their review as part of evidence review with the Administrative Panel.

4. Impact and Mitigation Statements

Upon receiving the Notice of Meeting, and until three (3) business days prior to the commencement of the meeting, both Parties may submit Impact and Mitigation Statements to the Title IX Coordinator. These statements present the Parties with the opportunity to share any information they would like the Administrative Panel to consider when assigning a sanction. The Title IX Coordinator shall disclose Impact and Mitigation Statements to the Administrative Panel only in cases in which the Respondent is found responsible and only after the Administrative Panel already has reached its decision regarding the Respondent's responsibility.

5. The Meeting

As promptly as possible, but no earlier than ten (10) calendar days after the Notice of Meeting is issued, the Administrative Panel will hold individual meetings with participating Parties and any identified witnesses for whom either Party submitted written relevant questions or the Administrative Panel has identified relevant questions. The purpose of the meeting will be for the Administrative Panel to ask relevant questions submitted by the Parties or developed by the Administrative Panel. Throughout the meeting process, the Respondent is presumed not responsible.

The meetings will be conducted individually with each Party or witness, and never with the non-participating party present. The meetings will be facilitated in a manner that will allow the Administrative Panel to simultaneously see and hear the participating Party or witness. At its discretion, the College may delay or adjourn a meeting based on technological errors not within the College's or a party's control.

The meeting is an opportunity for each Party to address the Administrative Panel. The Parties may address any information in the investigation report and supplemental statements submitted in response to the investigation report. The College will make all evidence related to the allegations, as shared in the evidence review, available to the parties at the meeting.

The Administrative Panel has the discretion to determine the format for the meeting and its deliberations. Typically, a Party will have an opportunity to provide an opening statement to the Administrative Panel, answer questions identified by the Administrative Panel, answer relevant questions submitted by the other Party, and provide a closing statement. Advisors and support persons present may provide guidance and support to the participating Party, but may not speak on behalf of a Party or otherwise disrupt the Meeting.

The Panel Chair will determine whether a question submitted by a Party is relevant and not otherwise impermissible, prior to the question being asked, and must explain on the record, but outside the presence of the witness, any decision to exclude a question as not relevant or otherwise impermissible. If it is determined that the question is relevant and not otherwise impermissible, then the question must be asked, unless it is harassing of the Party or witness being questioned. In such a case, the Panel Chair shall provide the asking Party the opportunity to clarify or revise the question that the Panel Chair determined was unclear or harassing. If the Party sufficiently clarifies or revises a question, the question must be asked.

A Party or witness is permitted to not answer questions or not participate in the meeting. The Administrative Panel may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The Administrative Panel may not draw any inference about whether sex-based harassment occurred based solely from the decision of a Party or witness to not answer questions or not participate in the meeting.

The meetings will be recorded through audio and a transcript will be shared with the non-present Party. If a Party has additional relevant questions for a Party or witness following review of a recorded meeting, the Party may submit additional written questions to the Title IX Coordinator. If those written questions are relevant, a second meeting will be scheduled and the process will repeat

for that Party or witness.

Following the conclusion of the meetings, the Administrative Panel will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness. In determining the outcome of the case, the Administrative Panel will apply the "preponderance of the evidence" standard, i.e., whether it is more likely than not that the allegations of the complaint are proven, and if so, whether the conduct violated this policy. The burden of proving that this standard was met rests with the College, not the parties to the case. If the Administrative Panel is not persuaded under the applicable standard by the evidence that sex-based harassment occurred, whatever the quantity of the evidence is, the Administrative Panel will not determine that sex-based harassment occurred.

The Administrative Panel will notify the Title IX Coordinator of its decision. After being informed of the decision of the Administrative Panel, and only in cases in which the Respondent is found responsible, the Title IX Coordinator shall disclose the Impact and Mitigation Statements, if any, to the Administrative Panel.

C. Sanction(s)

The College may only institute discipline on a Respondent for sex discrimination following a determination at the conclusion of an investigation that the Respondent engaged in prohibited sex discrimination.

Following receipt of the Parties' impact statements, the Administrative Panel will reconvene to assign a sanction. In addition to the parties' impact statements, the Title IX Coordinator also will provide the Administrative Panel with a summary of the judicial/disciplinary history (date, charge, and disciplinary action) of the respondent, if applicable, along with any available sanctioning precedents in similar cases. The Administrative Panel will consider all of the documents and information provided in determining an appropriate sanction. The Title IX Coordinator will notify the Complainant and the Respondent of the decision of the Administrative Panel and any sanction imposed, simultaneously, in writing, no later than ten (10) business days following the decision.

The policy prohibits a broad range of conduct, all of which is serious in nature. In keeping with the College's commitment to foster an environment that is safe, inclusive, and free from discrimination and harassment, the Administrative Panel has great latitude in the imposition of sanctions tailored to the facts and circumstances of each report, the impact of the conduct on the Complainant and surrounding community, and accountability for the Respondent. Sanctions should support the College's educational mission and federal obligations.

In determining the appropriate sanction(s) and/or remedies, the Administrative Panel will consider a number of factors, including:

- The nature of the conduct at issue;
- The impact of the conduct on the Complainant;
- The impact or implications of the conduct on the College community;

- Prior misconduct by the Respondent, including the Respondent’s relevant prior discipline history, both at the College or elsewhere, and any criminal convictions, if such information is available and known;
- Any expression of remorse or acceptance of responsibility by the Respondent;
- Maintenance of a safe and respectful environment conducive to learning;
- Protection of the College community;
- The necessity of any specific action to eliminate the harassment, prevent its recurrence, and remedy its effects on the Complainant or other College community members; and,
- Any mitigating, aggravating, or compelling circumstances to reach a just and appropriate resolution in each case.

Sanctions may be issued individually, or a combination of sanctions may be imposed. Sanctions typically will be imposed immediately, although the Title IX Coordinator in consultation with the Vice President for Student Success and Enrollment (if a student), the Vice President for Academic Affairs (if a faculty member), or the Vice President of Finance and Operations (if a staff member) has the discretion to stay imposition of some or all sanctions pending an appeal.

1. Range of Sanctions

(a) Students

Disciplinary action for students may include suspension or expulsion from any or all College program(s) and activities in which the student is enrolled or participating (including club or intercollegiate athletics); admonition; confiscation of property; censure; educational sanctions; referral for alcohol/drug education, assessment, or counseling; restitution; fines; restriction; prohibition against participation; or any combination of these sanctions or those listed in the *Student Handbook*. It also may include other action as deemed appropriate under the circumstances to preserve the rights of the Complainant to a safe environment. Although sanctions for violation(s) of this policy can include any form of discipline as stated in this section, students found to have committed sexual assault most likely will receive a sanction of suspension or expulsion.

(b) Staff

Disciplinary action for staff employees is governed by existing policies in the *Employee Handbook* and/or collective bargaining agreements, as applicable, and may include verbal warnings, written warnings, written reprimands, suspension, termination of employment, or other action as deemed appropriate under the circumstances.

(c) Faculty

Pursuant to the guidelines in the *Faculty Manual*, disciplinary action for faculty employees may include the following actions, to the extent such actions are consistent with current state and federal law:

- a. Treatment: Medical or psychological treatment may be indicated. The matter may be considered

closed when the Faculty member is verified by a competent professional to be able to resume the Faculty member's duties, or this action may be coupled with admonition, censure or suspension.

- b. Admonition: This penalty is a letter of admonition that will be sent to the Respondent by the Dean. In addition, a copy of the letter of admonition will be placed in the Respondent's official personnel file.
- c. Censure: This penalty is a letter of admonition that will be sent to the Respondent by the Dean. In addition, the fact of the admonition will be published in the Faculty Minutes and copy of the letter of admonition will be placed in the Respondent's personnel file.
- d. Suspension: This penalty is a temporary separation from the College. The conditions for the return of the Faculty member to the College will be stipulated as part of the penalty. Notice of this penalty will be placed in the Respondent's personnel file. (This penalty must be referred to the Academic Freedom Committee for hearing in accordance with the procedures for dismissal of a tenured Faculty member or a Faculty member before the end of the Faculty member's appointment [Faculty Manual Appendix B.9]. This penalty can be imposed only by the Board of Trustees following the recommendation of the AFC. The AFC does not redetermine the findings of the case, but it does determine whether the suggested penalty should be recommended to the Board.)
- e. Dismissal: This penalty is a permanent separation from the College. Notice of this penalty will be placed in the Respondent's personnel file. (This penalty must be referred to the Academic Freedom Committee for hearing in accordance with the procedures for dismissal of a tenured Faculty member or a Faculty member before the end of the Faculty member's appointment [Faculty Manual Appendix B.9]. This penalty can be imposed only by the Board of Trustees following the recommendation of the AFC. The AFC does not redetermine the findings of the case, but it does determine whether the suggested penalty should be recommended to the Board.)

The Title IX Coordinator will, as appropriate coordinate the imposition of any disciplinary sanctions on a Respondent, including notification to the complainant of any such disciplinary sanctions and take other appropriate prompt and effective steps to ensure that such sex discrimination does not continue or recur within the College's education program or activity.

2. Remedies

After a determination of sex discrimination has been made, the Administrative Panel, the Investigator, or Title IX Coordinator may issue remedies to the Complainant or any other impacted individual whose equal access to the College's education programs or activities were limited or denied by sex discrimination, in order to restore or preserve that person's access to the College's education program or activity.

D. The Written Outcome Letter

The Administrative Panel will prepare a written outcome letter, including the finding of responsibility or non-responsibility, and, if applicable, the sanction and rationale. To the extent permitted by law, the Complainant and Respondent will be informed simultaneously, in writing, no later than ten (10) business days following the conclusion of the disciplinary meeting.

The written outcome letter will include:

- A description of the alleged sex-based harassment;
- Information about the policies and procedures that the College used to evaluate the allegations;
- The Administrative Panel's evaluation of the relevant and not otherwise impermissible evidence and determination whether sex-based harassment occurred;
- Conclusions regarding the application of the policy to the facts;
- Upon a finding that sex-based harassment occurred, the disciplinary sanctions imposed on Respondent and the remedies offered to the Complainant or other impacted students; and
- The procedures and permissible bases for the Complainant and Respondent to appeal.

The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of any appeal, or if no Party appeals, the date on which an appeal would no longer be considered timely.

E. Appeals

The Complainant and Respondent may appeal the outcome, subject to the limitations set forth below. The Title IX Coordinator will provide written notification to the Complainant and the Respondent of any applicable appeal procedures at the time the Complainant and Respondent receive the Administrative Panel's written outcome letter. The purpose of an appeal is to allow the College to review and correct material errors in the adjudication process, if any.

1. Grounds for Appeal

A Complainant or Respondent may appeal the decision of the Administrative Panel or the Investigator on one or more of the following grounds:

- Discovery of new evidence, which was not reasonably available at the time of the determination regarding responsibility or dismissal was made, that would change the original outcome. Omission of factual information that was known and available to the appealing party is not a valid ground for an appeal;
- Procedural irregularity that would change the outcome of the matter;
- Abuse of discretion in the issuance of a sanction, meaning the Administrative Panel or Investigator imposed a sanction that was significantly disproportionate to the offense; or
- The Title IX Coordinator, Investigator(s), and/or any member of the Administrative Panel 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 of the matter.

The right of appeal is available only to a Respondent or Complainant.

2. Appeal Procedures

An appeal must be made in writing and signed by the party filing the appeal. An appeal in which the Respondent is a faculty employee must be directed to the Vice President for Academic Affairs; an

appeal in which the Respondent is a student must be directed to the Vice President for Student Success and Enrollment; and an appeal in which the Respondent is a staff employee must be directed to the Vice President of Finance and Operations. Any of these individuals may assign the appeal to a designee, so long as that person is appropriately trained and does not have a conflict of interest or bias.

Appeals must be made within five (5) business days of receipt of the written outcome letter and must include the grounds for appeal and an outline of any supporting evidence. Appeals transmitted via email will be considered to be “in writing” for the purposes of this section.

When a party appeals either the determination of the Administrative Panel or Investigator, the dismissal of a complaint, or the provision of a Supportive Measures, the Title IX Coordinator will do the following:

- Notify the other party in writing when an appeal is filed;
- Ensure that the appellate official is not the Investigator(s) or a member of the Administrative Panel and ensure that this individual is trained appropriately; and
- Allow both parties reasonable and equal opportunity to make a statement in support of, or challenging, the outcome.

The appellate official may deny the appeal if it does not satisfy at least one of the four grounds for appeal described above. In cases in which one or more of the appeal grounds have been met, the substance of the appeal will be weighed carefully. If the appellate official determines that there are sufficient grounds to alter the prior decision, it is the responsibility of the appellate official to determine the scope of a new review and to award one of the following two forms of relief:

- Return the case to the Title IX Coordinator with instructions for further investigation, if applicable, and consideration by the same or a different Administrative Panel or Investigator; the decision about the composition of the panel remains at the sole discretion of the appellate official; or
- Return the case to the Title IX Coordinator with instructions to appoint a different Administrative Panel or Investigator to review the case.

Absent extenuating circumstances, the appellate official will notify the Complainant and Respondent of the appeal decision (i.e., whether the grounds for appeal have been adequately established) simultaneously and in writing within fifteen (15) business days of receiving the appeal and will notify the Title IX Coordinator in writing of instructions for any further action. All decisions by the appellate official are final.

F. Time Frame for Resolution

The College will seek to complete the appropriate resolution process as promptly as possible, consistent with the need to conduct sensitive and informed fact gathering to ensure an equitable resolution. The policy designates reasonably prompt time frames for the major stages of the investigation and resolution process (typically set forth in business days), but the College may extend any time frame in this policy for good cause and/or due to extenuating circumstances. An extension

may be required for good cause to ensure the integrity and thoroughness of the investigation; to comply with a request by law enforcement; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in the College calendar, exam periods, the complexity of the investigation, the volume of information, number of witnesses, length of the written record, and/or the severity and extent of the alleged misconduct. While requests for delays by the parties may be considered, the College will not unduly or unreasonably delay the prompt resolution of a report under this policy. Reasonable requests for delays by the parties may serve to extend the time period for resolution of the report.

The Title IX Coordinator, in consultation with the Investigator(s), has the authority to determine whether an extension is required or warranted by the circumstances. The College will notify the parties in writing of any extension of the time frames for good cause, the reason for the extension, and the length of the extension. Although cooperation with law enforcement may require the College to delay temporarily an investigation under this policy while law enforcement investigates, the College promptly will resume its Title IX investigation once law enforcement has completed gathering evidence.

Investigations will proceed according to the time frames in this policy to the extent possible during the summer and at other times when classes at the College are not in session. The Title IX Coordinator will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation.

Time frames for all phases of the disciplinary process, including the investigation, any related disciplinary proceedings, and any related review of the finding, apply equally to both the Complainant and the Respondent.

XV. No-Contact Orders

No-contact orders are issued to prohibit individuals from visiting, calling, or sending messages to each other, whether physically, electronically, directly, or through third parties. No-contact orders are not disciplinary actions and do not become part of an individual's conduct record.

However, failure to abide by a no-contact order may result in disciplinary action and could result in disciplinary sanctions and a conduct record. Alleged violations of no-contact orders involving students will be investigated and adjudicated by the Office of Student and Community Life. For employees, Human Resources will investigate and resolve alleged violations.

The Title IX Coordinator has authority to issue no-contact orders in cases involving allegations of sex-based harassment. In so doing, the Title IX Coordinator will consider all known facts and circumstances that may be relevant to whether a no-contact order should be issued, including, but not limited to:

- Whether there are allegations, threats, or evidence of physical violence, emotional abuse, or intimidation that suggest a danger to either party or to the community;
- The respective living arrangements of the parties;
- Whether the parties share classes, work spaces, or offices;

- How to fairly manage any shared extracurricular activities; and
- How to address issues resulting from overlapping social circles or professional obligations.

The Title IX Coordinator may put a no-contact order in place even if students do not request one if circumstances warrant it.

No-contact orders typically remain in place until the Title IX Coordinator deems it no longer necessary. Prior to dismissing a no-contact order, the Title IX Coordinator will consult with all parties involved. No-contact orders that are long-standing will be reviewed at least every four months with each party. The purpose of the review is to assess compliance and effectiveness, and to determine if any changes need to be made.

XVI. Prevention and Education

The College offers prevention and education programs designed to reduce and eliminate sex-based harassment, including sexual violence, in the campus community. These programs are available to faculty, staff, students, and other individuals who are participating or attempting to participate in its education program or activity. Incoming students and new employees receive primary prevention and awareness programming, and returning students and current employees receive ongoing training and related programs. Education programs include, but are not limited to, bystander intervention, social event management, and programs around consent. More information is available on the College website.

XVII. Training, Documentation, and Record Retention Policies

Individuals facilitating informal resolutions, conducting investigations, determining outcomes, implementing the resolution process, and modifying or terminating supportive measures under this policy will receive training annually on the College's obligation to address sex discrimination in its education program or activity; the scope of conduct that constitutes sex discrimination, including sex-based harassment in the Title IX regulations; the scope of the College's education program and activity; the resolution process outlined in this policy; how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and the meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance pursuant to this policy; the College's record keeping system, and any other specific training required by the Clery Act and Title IX.

Further, the Title IX Coordinator, Deputy Title IX Coordinators, and Campus Safety will be educated in awareness and prevention of sexual assault, stalking, and intimate partner violence and will have an understanding of trauma-informed investigation models.

The College will create and maintain the following records for a period of seven years: records of any actions, including any Supportive Measures, taken in response to a report or complaint of sex-based harassment; records of investigations, including any determination regarding responsibility and any audio recording(s) or transcript(s) created, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant; any appeal and the result of that appeal; any Informal Resolution and the result of such resolution processes; all materials used to provide training. These

records will be maintained in accordance with the privacy protections set forth in Title IX, Title VII, the Clery Act, FERPA, and applicable state law regarding the privacy of personnel records.

Appendix A- Resources

Available Assistance for Victims of Alleged Sex-based Harassment

Immediate Assistance

An individual who has been subject to an incident of alleged sex-based harassment, has observed an incident, or is otherwise involved should seek immediate assistance as provided below.

Hartford Police Department: Emergency, call 911 Nonemergency, call 860-757-4000

A victim of an alleged incident of sex-based harassment also may access the following off-campus, confidential advocates, support, and resources at any time (24/7):

- Statewide Sexual Violence Hotline: 888-999-5545
- Statewide Sexual Violence Spanish Hotline: 888-568-8332
- Statewide Domestic Violence Hotline: 888-774-2900
- Statewide Domestic Violence Spanish Hotline: 844-831-9200

Trinity College Campus Safety: 860-297-2222, 76 Vernon Street Campus Safety may, in turn, contact the Administrator-on-Call (AOC).

- The Administrator-on-Call is a College administrator who is available 24 hours a day, every day. Campus Safety personnel and AOCs are considered Responsible Employees as defined in this policy (see the “Reporting Protocols and Confidentiality” section) and are therefore required to report incidents of sex-based harassment to the Title IX Coordinator. The AOC can assist the victim of alleged sex-based harassment with contacting confidential campus resources.
- The College’s immediate response to an incident of alleged sex-based harassment will include consideration of the victim of alleged sex-based harassment’s request for confidentiality in accordance with this policy and also may include the implementation of safety measures as deemed necessary.

Employee Assistance Program for faculty and staff: www.HigherEdEAP.com or 800-225-2527

A. Medical Care and Evidence Preservation

Any individual who may be experiencing or has experienced sex-based harassment, domestic violence, dating violence, stalking, or related retaliation is encouraged to immediately seek any necessary medical care and to seek help from an appropriate College official, law enforcement, and/or medical personnel, even if the individual is uncertain about whether to ultimately pursue a complaint, to file criminal charges, or to seek other legal remedies. *It is important for individuals to preserve all possible evidence in case they decide at some point to engage the legal process or to file a complaint with the College.* Therefore, if at all possible, victims of alleged sex-based harassment should refrain from changing clothes, showering, or otherwise changing their physical state after an incident until after consulting with medical personnel. The individual also should preserve any available physical evidence, documents, or electronic evidence (e.g., text messages, photographs, social media posts, etc.). Such evidence may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order.

A victim of alleged sex-based harassment may seek medical care, including treatment for injuries,

preventive treatment for sexually transmitted diseases, pregnancy tests and contraception, and other health services, plus evidence preservation through a medical exam (i.e., evidence collection kit) at the local facilities listed below. Campus Safety will facilitate transportation as needed and may be reached at 860-297-2222.

- Hartford Hospital: SANE (Sexual Assault Nurse Examiner) available: 80 Seymour Street, Hartford: 860-545-5000
- St. Francis Hospital, Hartford: SANE available: 114 Woodland Street: 860-714- 4000
- Hospital of Central Connecticut: SANE available: 100 Grand Street, New Britain: 860- 224-5011

An individual seeking medical attention as described in this policy may be accompanied by an advocate. YWCA Sexual Assault Crisis Services (SACS) offers 24/7 trained volunteer advocates who will accompany a person to the hospital, explain the process, provide advocacy, and stay with the person, if they wish, for the duration of the exam and time at the hospital. An advocate may be reached by calling 860-225-4681, ext. 211.

Trinity College’s Sexual Assault Resource Team (SART) members (see below) are available during business hours to accompany a person to the Trinity College Health Center or other facility.

Ongoing Assistance

A victim of alleged sex-based harassment may receive ongoing assistance from on-campus resources as needed. The service locations and contact information for these resources are detailed below.

Title IX Coordinator, titleixcoordinator@trincoll.edu 860-297-2688

The Sexual Assault Resource Team (SART)

Trinity College maintains a Sexual Assault Resource Team (SART). SART members offer support, guidance, referrals, and information. They are trained to provide a prompt and thorough response to victims of all forms of alleged sex-based harassment. www.trincoll.edu/Campus-Safety/SART

B. Appropriate College Officials

Title IX Coordinator

Kristen Noone, Assistant Director, Athletics

Joe DiChristina, Vice President for Student Success and Enrollment

Robert Lukaskiewicz, Dean of Community Life and Standards

Donna Tadiello, Director of Campus Safety

Ann Reuman, Senior Associate Dean and Special Assistant to the Vice President for Student Success and Enrollment

Sonia Cardenas, Dean of the Faculty and Vice President for Academic Affairs

Sarah Raskin, Associate Dean for Faculty Development

Dan Hitchell, Vice President of Finance and Operations

Anita Davis, Vice President for Diversity, Equity, and Inclusion

Pamela Whitley, Assistant Vice President for Diversity, Equity and Inclusion and Compliance

Kate Durante, Assistant Vice President for Human Resources

Confidential Resources

Spiritual and Religious Life (PE): Chapel

The Reverend Marcus George Halley: 860-297-2013

Spiritual and Religious Life staff are classified as Confidential Resources.

Counseling and Wellness Center (PE), 135 Allen Place, 860-297-2415

Haben Abraham, Director

(After business hours: An available counselor's phone number may be obtained by calling the office number).

Counseling and Wellness Center staff are classified as Confidential Resources.

The Health Center (CE), Wheaton Hall, 860-297-2018

Kara Anastasiou, MSN, ANP, BC, APRN, Clinical Lead

The Health Center staff are classified as Confidential Resources, with the exception of front desk staff.

Women & Gender Resource Action Center (WGRAC) (CE), Mather Hall, second floor:

Laura Lockwood, Director: 860-297-2408

WGRAC staff are classified as Confidential Resources.

Office of Multicultural Affairs (OMA) (CE), Hamlin Hall, second floor

Jared Delane, Program Coordinator for P.R.I.D.E. and Cultural House Coordinator

Queer Resource Center (QRC) (CE), 114 Crescent Street

Crystal Nieves, Director of LGBTQ+ Life

QRC staff are classified as Confidential Resources.

C. Other Resources

The U.S. Department of Education's Office for Civil Rights (OCR) is responsible for enforcing Title IX and other federal civil rights laws that prohibit discrimination in programs or activities that receive federal financial aid. Inquiries and complaints may be directed to OCR at 800-421-3481 or ocr@ed.gov.