

Molloy College Sexual Misconduct Policy

I. Introduction

Molloy is committed to a learning, working and living environment where all members of the community feel safe and respected. Acts of sexual harassment are serious violations of our policies and our values. This policy aims to ensure that all members of the Molloy community can study and work together without being subjected to sexually inappropriate behavior.

In this policy, the term “Molloy community” is used to refer to faculty, staff, students and others affiliated with the College by reason of employment or education. Despite the gendered nature of its language, this policy is inclusive of all students of the Molloy community.

The purpose of this policy is twofold: first, to establish clear procedures for the handling of sexual misconduct and sexual harassment allegations, and second, to educate the College community with respect to the limits of acceptable conduct. By educating students about Molloy’s expectations, this policy aims to prevent sexual misconduct and sexual harassment from occurring.

An underlying premise of this distinction between acceptable and unacceptable conduct is the notion of mutual respect and clear consent. It is important to realize that the use of alcohol or drugs can blur the distinction between consent and coercion. However, being under the influence of alcohol or drugs is not a defense to an allegation of sexual misconduct or sexual harassment.

Any community member who believes that he or she has been the victim of sexual misconduct or has experienced sexual harassment is encouraged to report it immediately. The College has designated the following individuals to receive complaints of sexual harassment and sexual misconduct:

- The College Title IX Coordinator, Lisa Miller , x6312
- Deputy Title IX Coordinators: Brendan Caputo 323-4021, Michael Grasso, x6644, Janine McElroy, x6915, Mary Jane Reilly, x6384,
- Public Safety x 6276

This policy explains Molloy’s approach to investigating, adjudicating and disciplining acts of sexual misconduct and sexual harassment. Many acts of sexual misconduct or sexual harassment are also crimes. Molloy strongly encourages the reporting of such incidents to the local police by dialing 11. Public Safety will assist a student in reporting an incident to the police if the student so requests. The criminal process is separate and distinct from this policy. The fact that a criminal complaint has been filed, prosecuted or dismissed will not prevent Molloy from pursuing disciplinary action.

The College has appointed several faculty, staff and administrators to serve on the College Harassment Advocacy Panel who are available to consult with any community members regarding the definition of sexual misconduct or sexual harassment as well as the College’s

procedures and options available for addressing situations of concern. A list of current Harassment Advocacy panel members and contact information can be found on the College website.

II. On Campus and Off-Campus Behavior

This policy applies to conduct that occurs on any part of Molloy's campus or property. It also applies when students travel off-campus as part of a College activity, team, organization or event. Additionally, Molloy has the discretion to discipline student behavior that occurs off-campus, and/or during a time when the College is not in session. In making these determinations, the Vice President for Student Affairs in conjunction with the Title IX Coordinator considers whether the behavior impacts the campus environment (as would be the case, for example, if one student sexually assaults another student in an off-campus apartment or overseas during a semester abroad, or if a student sends another student lewd and threatening sexual emails while at home during the semester break). In understanding this aspect of Molloy's expectations for student behavior, it may be helpful to think of student status as "portable" and therefore operative even when students are not on Molloy's campus or property.

III. Timeframe for Making a Complaint

While there is no time limit for bringing forward a complaint, the passage of time may make an incident difficult or even impossible to investigate fairly or fully and to adjudicate. Therefore, students are encouraged to make a complaint as soon as possible after the incident has occurred. Although not an ideal situation given the passage of time, a former student may make a complaint against a current student. However, the reverse is not true: the complaint of a current student against a former student is not subject to adjudication pursuant to this policy. Nevertheless, Molloy officials will help the complaining student to report the allegations to the appropriate off-campus authorities.

IV. Sexual Misconduct Offenses Include, but are not limited to:

1. Sexual Harassment
2. Non-Consensual Sexual Contact (or attempts to commit same)
3. Non-Consensual Sexual Intercourse (or attempts to commit same)
4. Sexual Exploitation

Sexual Harassment : Federal and state laws prohibit sexual harassment. These laws include Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 and the New York State Human Rights Law. It is defined as unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, denying or limiting someone's ability to participate in or benefit from the College's educational program and/or activities, and is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation. This policy prohibits conduct that would violate the above mentioned laws. However, as a supportive and collegial community, Molloy also prohibits student behavior that sexually demeans or humiliates other community members as described below, even if the conduct does not violate the law.

Types of Sexual Harassment include:

Hostile Environment includes any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive . Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances; sexual violence, intimate partner violence, stalking; gender based bullying.

Quid pro quo sexual harassment exists when there are:

- unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and when
- the submission to or rejection of such conduct could result in adverse educational or employment action(s).

Retaliatory harassment is any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct.

Examples of Harassment:

- A professor insists that a student have sex with him/her in exchange for a good grade. This is harassment regardless of whether or not the student accedes to the request.
- A student repeatedly sends sexually oriented jokes through social media, even when asked to stop, causing one recipient to avoid the sender.
- Explicit sexual pictures are displayed in a professor's office, on the exterior of a residence hall door or on a computer monitor in a public space.
- Two supervisors frequently "rate" several employee's bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor engages students in discussions in class about their past sexual experiences, yet the conversations not in any way germane to the subject matter of the class. She probes for explicit details, and demands that students answer her, though they are clearly uncomfortable and hesitant.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend turning him into a social pariah on campus.

Non-Consensual Sexual Contact is

- any intentional sexual touching,
- however slight,
- with any object,

- by a man or a woman upon a man or a woman,
- that is without consent and/or by force.

Non-Consensual Sexual Intercourse is

- any sexual intercourse
- however slight,
- with any object,
- by a man or woman upon a man or woman
- that is without consent and/or by force.

Sexual Exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples include, but are not limited to.

- Invasion of sexual privacy
- Non-consensual video or audio-taping of sexual activity
- Engaging in voyeurism
- Knowingly transmitting an STI to another individual
- Sexually based stalking and/or bullying may also be forms of sexual exploitation.

VI. Additional Applicable Definitions

Consent is permission, freely given by word or action, by all participants to an activity. Since individuals may experience the same interaction in different ways, it is the responsibility of all parties to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be an expression in words or actions that the other individual consented to that particular sexual conduct.

A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or drugs. A student who engages in sexual activity when the student knows, or should know, that the other person is physically or mentally incapacitated has violated this policy. It is not an excuse that the student accused of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred. Silence or the absence of resistance alone is not consent. A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately.

In New York State, a minor (meaning a person under the age of 17 years) cannot consent to sexual activity. This means that sexual contact with a person less than 17 years old is a crime as well as a violation of this policy even if the minor wanted to engage in the sexual act.

Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes it clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation, and coercion that overcome resistance or produce consent.

Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g. to understand the who, why or how of their sexual encounter).

VII. Other Misconduct Offenses (when gender based)

1. Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
2. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of gender;
3. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
4. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the College community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
5. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally.
6. Violence between those in an intimate relationship to each other;
7. Stalking, defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community; or the safety of any of the immediate family of members of the community.

VIII. Sanctions

A determination as to whether harassment occurred depends on the totality of the circumstances, such as the severity of a particular incident, the context in which it occurred, whether the conduct was repeated, whether the conduct was verbal or physical, and whether it was threatening or merely annoying. For purposes of federal and state law, harassment has occurred if a reasonable person would have found the behavior offensive and his or her living, learning or working environment would be impaired as a result of the conduct. However, Molloy reserves the right

to discipline offensive conduct that is inconsistent with community standards even if it does not rise to the level of harassment as defined by federal or state law.

In assessing a disciplinary penalty, the seriousness of the sexual harassment incident will be evaluated. Although relatively minor incidents usually result in lesser forms of disciplinary action, Molloy reserves the right to impose any level of discipline, up to and including suspension or expulsion, (or termination of employment) for any act of sexual harassment, based on the facts and circumstances of the particular case.

IX. Definition of Retaliation

Victims have the right to report sexual harassment and sexual misconduct without fear of retaliation. Retaliation includes threats, intimidation, or reprisals. For example, it would be retaliatory to intimidate a witness or to shun a person from a student organization in retribution for the person's having made a complaint of sexual harassment or sexual misconduct.

Molloy strictly prohibits retaliation by any student against a person who makes a report or sexual harassment or sexual misconduct, assists someone with a report, or participates in any aspect of the investigation or resolution of a report.

Acts of retaliation by students are subject to the standard disciplinary procedure set forth in the Due Process Procedure for Student Discipline in Non-Academic Areas and in certain cases, may result in suspension. Acts of retaliation by other members of the community, such as faculty or staff, are subject to sanction as set forth in the College's Harassment and Fraternalization Policy Statement.

X. Confidentiality

Molloy understands that a student who has been the victim of sexual misconduct or sexual harassment may wish to talk about the incident with the assurance that the discussion will be confidential. There are several support resources that students may utilize on a confidential basis. These include Personal Counseling Services, the Campus Ministry's Office, and College Health Services. Students are encouraged to consult these sources for confidential emotional support. Because these services are confidential, a discussion with any of these sources does not result in a complaint being filed with the College or result in action being taken by the College to respond to the incident. A student who wants emotional support only should contact the confidential counseling resources listed above. A student wishing to have an incident investigated, mediated or adjudicated must make a complaint in accordance with the procedures described below.

A victim can seek advice from certain resources who are not required to share private, personally identifiable information unless there is cause for fear for the victim's safety, or the safety of others. These are individuals who the College has not specifically designated as "responsible employees" for purposes of putting the institution on notice and for whom mandatory reporting is required, other than in the stated limited circumstances. These

resources include those without supervisory responsibility or remedial authority to address sexual misconduct, such as RAs, faculty, clerical staff, and many others. If you are unsure of someone's duties and ability to maintain an individual's privacy, ask them before you talk to them. They will be able to tell you, and help you make decisions about who can help you best.

These individuals have been instructed to share incident reports with their supervisors, but not to share any personally identifiable information about the report unless authorized by the complainant, except in the rare event that the incident reveals a need to protect the victim or other members of the community. If personally identifiable information is shared, it will only be shared as necessary with as few people as possible, and all efforts will be made to protect the complainants' privacy.

The College endeavors to respect and follow the wishes of an individual who brings forward a sexual misconduct or sexual harassment concern. However, students should understand that Molloy may have ethical and legal obligations to investigate, attempt to resolve or adjudicate incidents of sexual misconduct or sexual harassment that come to its attention. Therefore, depending on the circumstances, it may not be possible for a conversation with Public Safety personnel, the College Title IX Coordinator, or other administrators to be kept in confidence always or, said another way, for these individuals simply to listen without taking action.

XI. Reporting Procedures & The Complaint Process

An individual who feels that he or she has been the victim of sexual harassment or sexual misconduct may consult a member of the Harassment Advocacy Panel or go directly to the Title IX Coordinator, Deputy Coordinator **or other official of the institution to make a report of an incident (deans, vice presidents, or other administrators with supervisory responsibilities, campus security, and human resources). The College considers these people to be "responsible employees."**

. Members of the Advocacy Panel do not make a determination as to the nature of the incident being reported, but can

- clarify the definitions of harassment and discuss how these definitions may or may not pertain in the circumstances described by the complainant;
- discuss with the complainant whether counseling should be considered based upon the circumstances;
- where appropriate, assist the complainant in filing a formal, written complaint regarding the harassment;
- facilitate the filing of the complaint with the appropriate party;

Complainants have the right and can expect to have incidents of sexual misconduct to be taken seriously by the institution when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. Formal reporting means that only people

who need to know will be told, and information will be shared only as necessary with investigators, witnesses, and the accused individual.

The College offers both informal and formal resolution options. Generally, the College seeks to follow the complaining party's wishes as to which procedure to pursue. However, there may be situations in which, due to the nature of the allegations, informal resolution is inappropriate. This decision will be based on factors such as the egregiousness of the allegations, whether the accused student is a repeat offender, or whether there is otherwise reason to believe that the safety or interests of the campus community demand adjudication. In those instances, the College will apply the formal procedure only.

Informal Resolution Procedures

Informal procedures are designed to assist the parties to reach a mutually agreeable resolution. An individual wishing to employ informal procedures in the resolution of a complaint will meet with the Title IX Coordinator or designee, who will explain the process and options available to the student.

(i) Mediation

Mediation sessions will be held only if the complaining party and the accused party both agree to mediate and if the Title IX Coordinator determines that mediation is appropriate under the circumstances. The Vice President for Student Affairs will act as mediator or will designate another person to act as mediator. The goal of mediation is to facilitate the parties' discussions with each other such that a mutually acceptable resolution can be reached. At any point in the process or if no mutual resolution is reached, the complaining party may move the complaint to the formal adjudication process described below.

(ii) Contractual Agreement

In certain situations, a formal understanding is reached between the parties. This agreement is formalized in writing and is subject to approval by the Vice President for Student Affairs or his or her designee. The terms may include a pledge that the parties will have no further contact with each other, known as a "No Contact Agreement." Once a student has signed a contractual agreement, it may not be revoked, and the terms may not be appealed. A student's failure to adhere to any term of the agreement may result in referral to the Due Process Procedure for Student Discipline in Non-Academic Areas.

Formal Adjudication Procedure

Formal procedures are designed to determine the merits of the allegations through adjudication and, where appropriate, to determine a disciplinary consequence for the accused student.

(i) Formal Statement

An individual wishing to have a complaint formally adjudicated will be asked to submit a written statement of complaint to the Title IX Coordinator. The grievance should clearly describe the alleged incident(s), when and where they occurred and the desired remedy sought. Any supporting documentation should be included. The Title IX Coordinator will forward the statement to a trained investigator to meet with the complaining student and explain the process.

(ii) Investigation

The investigator will then take the following steps:

- In coordination with the campus Title IX Coordinator and Deputies, initiate any necessary remedial actions;
- Determine the identity and contact information of the complainant;
- Identify the correct policies allegedly violated;
- Conduct an immediate initial investigation to determine if there is reasonable cause to charge the accused individual, and what policy violations should be alleged as part of the complaint;
 - If there is insufficient evidence to support reasonable cause, the grievance should be closed with no further action;
- Meet with the complainant to finalize the complaint and
- Prepare the notice of charges on the basis of the initial investigation;
- Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the accused individual, who may be given notice prior to or at the time of the interview;
- Complete the investigation promptly, and without unreasonable deviation from the intended timeline;

The Title IX Coordinator will:

- Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
- Prepare a complete report of the investigation and findings for the Vice President for Student Affairs.
- Share the findings and update the complainant on the status of the investigation and the outcome;
- Present the findings to the accused individual, who may accept the findings, accept the findings in part and reject them in part, or may reject all findings

(iii) Possible Outcomes of the Complaint Process

1. If the report finds that further adjudication is not warranted, the Title IX Coordinator will consult with the Vice President for Student Affairs. If the Vice President concurs, the complaint will be dismissed and the investigation will be closed.
2. When the accused individual accepts the findings that he or she violated College policy, the Vice President for Student Affairs will impose appropriate sanctions for the violation in consultation with the Title IX Coordinator. The College will act to end the discrimination, prevent its recurrence and mitigate its effects on the victim and larger College community.

3. In the event that the accused individual rejects the findings in part or entirety, the Vice President for Student Affairs will convene a hearing to determine whether the accused individual is in violation of the contested aspects of the complaint. At the hearing the findings will be admitted and the investigator may give evidence. The hearing will determine whether it is more likely than not that the accused individual violated the policies forming the basis of the charge. The goal of the hearing is to provide an equitable resolution via an equitable process, respecting the civil rights of all participants. The Vice President for Student Affairs has final decision making authority with regard to formal complaints, subject to appeal. Where an accused individual is found in violation, the Vice President will impose appropriate sanctions for the violation in consultation with the Title IX Coordinator. The College will act to end the discrimination, prevent its recurrence and mitigate its effects on the victim and larger College community.

(iv) Time Frame and Grounds for Filing an Appeal Request:

In the event that an accused individual accepts the findings of the investigation, those findings cannot be appealed. Sanctions imposed by the Vice President for Student Affairs can be appealed by any party according to the grounds, below. Post-hearing, any party may appeal the findings and/or sanctions only under the grounds described, below.

All sanctions imposed will be in effect during the appeal. A request may be made to the Title IX Coordinator for special consideration in exigent circumstances, but the presumptive stance of the College is that the sanctions will stand. Graduation, study abroad, internships/externships, etc. do NOT in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during their appeal. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be made to restore the student to their prior status, recognizing that some opportunities lost may be irretrievable in the short term.

The decision of the Vice President for Student Affairs may be appealed in a written petition within 3 business days of receiving the written decision for a review of the decision or the sanctions imposed. Any party who files an appeal must do so in writing to the Title IX Coordinator. The Title IX Coordinator will share the appeal with the other party. All appeals and responses are then reviewed to determine if the appeal meets the grounds for appeal and is timely. The original finding and sanction will stand if the appeal is not timely or substantively eligible, and the decision is final. **If the appeal has standing, the documentation is forwarded to the College President for consideration.** The party requesting appeal must show error as the original finding and sanction are presumed to have been decided reasonably and appropriately. The ONLY grounds for appeal are as follows:

1. A procedural [or substantive error] occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.);

2. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;
3. The sanctions imposed are substantially disproportionate to the severity of the violation.

XII. Statement of Rights

STATEMENT OF THE RIGHTS OF THE ALLEGED VICTIM

- The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to university administrators;
- The right to be treated with respect by college officials;
- The right not to be discouraged by university officials from reporting an assault to both on-campus and off-campus authorities;
- The right to be informed of the outcome and sanction of any disciplinary hearing involving sexual assault, usually within 24 hours of the end of the conduct hearing;
- The right to be informed by college officials of options to notify proper law enforcement authorities, including local police, and the option to be assisted by campus authorities in notifying such authorities, if the student so chooses. This also includes the right not to report, if this is the victim's desire;
- The right to be notified of available counseling, mental health or student services for victims of sexual assault, both on campus and in the community;
- The right to notification of and options for, and available assistance in, changing academic and living situations after an alleged sexual assault incident, if so requested by the victim and if such changes are reasonably available (no formal complaint, or investigation, campus or criminal, need occur before this option is available). Accommodations may include:
 - Arranging to dissolve a housing contract and pro-rating a refund;
 - Exam (paper, assignment) rescheduling;
 - Taking an incomplete in a class;
 - Transferring class sections;
 - Temporary withdrawal;
 - Alternative course completion options.
- The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;
- The right ***not*** to have any complaint of sexual assault mediated (as opposed to adjudicated);

- The right to a campus *no contact order* against another student who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student or others;
- The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus law enforcement.
- The right not to be questioned by the alleged harasser or to be required to question the alleged harasser.
- The right to appeal the [finding and] sanction of the conduct body, in accordance with the standards for appeal established by the institution;
- The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law;
- The right to be informed of the names of all witnesses who will be called to give testimony, except in cases where a witness' identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);
- The right to preservation of privacy, to the extent possible and allowed by law;
- The right to a hearing closed to the public;
- The right to petition that any member of the conduct body be removed on the basis of demonstrated bias;
- The right to bring a victim advocate or advisor to all phases of the investigation and campus conduct proceeding;
- The right to ask the investigators to identify and question relevant witnesses, including expert witnesses;
- The right to be fully informed of campus conduct rules and procedures as well as the nature and extent of all alleged violations contained within the complaint;
- The right to be present for all testimony given and evidence presented before the conduct body;
- The right to have complaints heard by conduct and appeals officers who have received periodic sexual misconduct training;
- The right to have College policies and procedures followed without material deviation;

- The right to be informed in advance of any public release of information regarding the complaint;
- The right not to have released to the public any personally identifiable information about the complainant, without his or her consent.

STATEMENT OF THE ACCUSED STUDENT'S RIGHTS

- The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to College administrators against the accused student;
- The right to be treated with respect by College officials;
- The right to be informed of and have access to campus resources for medical, counseling, and advisory services;
- The right to be fully informed of the nature, rules and procedures of the campus conduct process and to timely written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
- The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;
- The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;
- The right to make an impact statement for the campus conduct proceeding and to have that statement considered by the board in determining its sanction;
- The right to appeal the [finding and] sanction of the conduct body, in accordance with the standards for appeal established by the institution;
- The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law;
- The right to be informed of the names of all witnesses who will be called to give testimony, except in cases where a witness' identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);
- The right to a hearing closed to the public;
- The right to petition that any member of the conduct body be removed on the basis of bias;
- The right to have complaints heard by conduct and appeals officers who have received annual sexual misconduct adjudication training;
- The right to have College policies and procedures followed without material deviation;
- The right to have an advisor or advocate to accompany and assist in the campus investigation and hearing process. This advisor can be anyone, but the advisor may not take part directly in the hearing itself, though they may communicate with the accused student as necessary;

- The right to a fundamentally fair hearing, as defined in these procedures;
- The right to a campus conduct outcome based solely on evidence presented during the conduct process. Such evidence shall be credible, relevant, based in fact, and without prejudice;
- The right to written notice of the outcome and sanction of the hearing;
- The right to be informed in advance, when possible, of any public release of information regarding the complaint.