

GRINNELL COLLEGE POLICY, PROCEDURES AND GUIDE TO PREVENTING, REPORTING, AND RESPONDING TO SEXUAL MISCONDUCT AND OTHER FORMS OF INTERPERSONAL VIOLENCE

Applies to sexual and gender-based harassment, sexual assault, sexual exploitation, dating violence, domestic violence, stalking and retaliation.

- [I. Purpose and Intent](#)
- [II. Scope](#)
- [III. Intersection and Coordination with Other Policies and Procedures](#)
- [IV. Related Policies](#)
- [V. Title IX](#)
- [VI. Privacy and Confidentiality](#)
- [VII. Prohibited Behavior](#)
- [VIII. Consent and Related Concepts](#)
- [IX. Prohibited Relationships by Persons in Authority](#)
- [X. Resources and Support](#)
- [XI. Reporting and Community Responsibility](#)
- [XII. Responding to a Report: Initial Assessment and Supportive Measures](#)
- [XIII. Formal Complaint](#)
- [XIV. Resolution Options and Appeals](#)
- [XV. Prevention and Education Programs](#)

I. Purpose and Intent

Grinnell College is committed to providing a learning, living, and working environment that is free from discrimination and harassment, including discrimination on the basis of sex or gender. The College prohibits Sexual Harassment as defined by Title IX of the Education Amendments of 1972 (Title IX), which includes Sexual Assault, Dating Violence, Domestic Violence, and Stalking. The College also prohibits other forms of Sexual or Gender-Based Harassment, including as prohibited by Title VII, Sexual Exploitation, and Retaliation, all of which are referred to collectively in this guide as Prohibited Behavior. Grinnell College provides ongoing education and prevention programming and education to students, staff, and faculty in an effort to promote an environment of respect free of sexual and other unlawful harassment and discrimination. The College strives to make reporting concerns and incidents of Prohibited Behavior a shared responsibility of the community so that community members impacted by sexual misconduct or interpersonal violence can be offered supportive measures and a range of resources and appropriate steps can be taken to respond to the reported behavior in a prompt and equitable manner, and take steps, as appropriate, to eliminate the Prohibited Behavior, prevent its recurrence, and remedy its effects.

This document, referred to interchangeably as a policy or guide, includes the College's policies and procedures for preventing, reporting, and responding to sexual misconduct and other forms of interpersonal violence (referred to in this guide interchangeably as Prohibited Behavior). Sexual misconduct and interpersonal violence, as used in this guide, are broad terms meant to capture the many varied forms of behavior that may limit access to the College's educational program or activities. The guide also contains information about reporting options, resources, and supportive measures for students, staff, faculty, and third parties who have experienced or been affected by Prohibited Behavior, as well as those who have been accused of committing Prohibited Behavior.

All Grinnell College community members have a responsibility to adhere to College policies and local, state, and federal law. Behavior prohibited under this guide poses a threat both to individual members of the Grinnell College community and collectively to the living, learning, and working environment we create together. These forms of behavior represent a fundamental failure to recognize and respect the intrinsic worth and dignity of other members of the community. Acts of Prohibited Behavior are contrary to the values and standards of the Grinnell College community and against Grinnell College policy.

The College will take all appropriate and necessary steps to prevent and correct Prohibited Behavior and will treat Complainants and Respondents equitably by offering supportive measures to a Complainant and following a resolution (grievance) process that complies with the final Title IX regulations before imposing any disciplinary sanctions. Recognizing that each report has a unique context, the College will respond promptly and equitably while tailoring the resolution to best fit the facts and circumstances and the goals of this Policy. Individuals who are found responsible for Prohibited Behavior may receive educational outcomes (sanctions) or face corrective action up to and including dismissal for students and termination for staff and faculty from the College.

This guide is intended to:

- Provide the Grinnell College community with a clear set of behavioral standards and clear definitions of Prohibited Behavior;
- Identify the Title IX Coordinator, Senior Officials, and Title IX Deputies and Advisers
- Outline the College's response to Prohibited Behavior under Title IX and the Jeanne Clery Disclosure of Campus Security Act (Clery), as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA);

- Outline where a College community member can seek support and/ or access [resources](#) confidentially, both on campus and in the local community;
- Explain how a College community member can make a [report/referral](#) to the College and/or to law enforcement;
- Outline the reporting responsibilities of College staff, faculty, and designated student leaders so that College community members understand how and with whom their information will be shared;
- Identify the range of [supportive measures](#) and other resources available following a report of Prohibited Behavior to the College; and,
- Provide information about the [resolution options](#) for a report of Prohibited Behavior, including how to file a [formal complaint](#), how a report against a student, staff member, faculty member, or third party will be investigated, evaluated, and adjudicated by the College, or how to seek informal/ voluntary resolution.

This guide uses the term Complainant to refer to the individual who is reported to have experienced Prohibited Behavior, regardless of whether that individual makes a report or seeks a form of Resolution under this policy. The term Respondent refers to the individual(s) accused of engaging in Prohibited Behavior.

II. Scope

This policy addresses Prohibited Behavior by or against all members of the Grinnell College community. It applies to all students (domestic and international), staff, faculty, volunteers, independent contractors, and visitors, including any individuals regularly or temporarily employed, studying, living, visiting, conducting business, or having any official capacity at Grinnell College. This policy also applies to community members of any gender, gender identity, gender expression, or sexual orientation.

This policy applies to acts of Prohibited Behavior committed by students, faculty, staff and third parties that occur within the College's education program or activity, regardless of where the behavior occurs. The term "education program or activity" includes all of the College's operations, including locations, events, or circumstances over which the College exercised substantial control over both the Respondent and the context in which the conduct occurs; and any building owned or controlled by a student organization that is officially recognized by the College. Examples include College-sponsored, College-funded, or otherwise College-supported study off campus, study abroad, research, internship, mentorship, summer session, conferences, meetings, social events, or other affiliated programs or premises.

Under limited circumstances, the policy may also apply to instances in which the behavior occurred outside of the education program or activity, but where the College otherwise regulates the behavior, the behavior has or could have a continuing impact within the College's education program or activity, or the behavior may have the effect of posing a serious threat to the College community. Examples include Prohibited Behavior occurring off campus, during semester breaks, or between semesters, if the Complainant(s) and/or Respondent(s) are Grinnell College students, and the off-campus conduct is likely to have continuing adverse effects on campus.

A. Special Jurisdictional Requirements under Title IX

The final Title IX regulations, which direct the College's response to some, but not all, of the forms of Prohibited Behavior in this policy, only apply to behavior that occurs in the College's education program or activity in the United States. Where behavior occurs outside of the education program or activity, outside of the United States, or would not meet the definition of Title IX Sexual Harassment (defined below), the College is required to dismiss any allegations in a formal complaint under Title IX. As detailed below, both the Complainant and Respondent may appeal the dismissal of any allegations under Title IX, following the appeal process in section.

However, in keeping with the College's educational mission and commitment to foster a learning, living, and working environment free from discrimination, harassment, and retaliation, the College will move forward with an investigation or formal resolution under the same resolution process for all forms of Prohibited Behavior under this policy, including Sexual and Gender-based Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, that occur outside of Title IX jurisdiction (*e.g.*, not in the United States, or as noted above, outside of the education program or activity). In this instance, the College is proceeding under this policy, serving as a code of conduct as it relates to sexual misconduct and interpersonal violence.

B. Applicability to Third Parties

Any individual, including a third party, may make a report to the College of Prohibited Behavior and receive access to reasonably available supportive measures. A third party who is participating in, or attempting to participate in, the College's education program or activity may also file a formal complaint requesting an investigation under this policy. In addition, the Title IX Coordinator may file a formal complaint on behalf of a third party where the reported conduct occurred in the College's education program or activity. As detailed below, a formal complaint is the mechanism used to initiate either an informal/voluntary or formal resolution process.

The College's ability to take disciplinary action against a third-party Respondent is limited and is determined by the context of the Prohibited Behavior and the nature of the relationship of the third-party Respondent to the College, including whether the College has disciplinary authority over the Respondent. The College will determine the appropriate manner of resolution, which may include referral to local law enforcement or to the school or employer of the third-party Respondent, and/or restriction from access to campus or College activities.

III. Intersection and Coordination with Other Policies and Procedures

In addition, student, staff, and faculty conduct is governed by applicable college policies and by the following:

- [Student Handbook](#)
- [Staff Handbook](#)
- [Faculty Handbook](#)

Where conduct involves the potential violation of both this policy and another College policy, the College may choose to investigate other potential misconduct under the procedures set forth in this policy, provided that it does not unduly delay a prompt or equitable resolution of the report.

IV. Related Policies

A. Non-Discrimination Policy

The College does not discriminate on the basis of race, color, ethnicity, national origin, age, sex, gender, sexual orientation, pregnancy, childbirth, gender identity, gender expression, marital status, veteran status, religion, disability, creed or any other protected class under federal or state law. Grinnell College is committed to a policy of nondiscrimination in matters of admission, employment, and housing, and in access to and participation in its education programs, services, and activities. Discrimination or harassment on any of the bases covered by state or federal antidiscrimination statutes is unlawful and a violation of the Grinnell College Non-Discrimination Policy.

Grinnell College recognizes that harassment can relate to an individual's membership in more than one protected class. Targeting individuals on the basis of their membership in any protected class is also a violation of Grinnell's [Community Standards](#) and may violate the College's [Hate Crime and Bias-Motivated Incidents Policy](#). Under these circumstances, the College will

coordinate the investigation and resolution, provided that doing so does not unduly delay prompt and equitable resolution under this policy.

This policy prohibits Sexual Harassment as defined by Title IX, other forms of Sexual and Gender-Based Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, Sexual Exploitation, and Retaliation against Grinnell College community members of any gender, gender identity, gender expression, or sexual orientation.

Retaliation against any individual who makes a good faith report of Prohibited Behavior, files a formal complaint, testifies, assists, participates, or refuses to participate in any manner in an investigation, proceeding, or hearing related to a report or formal complaint of Prohibited Behavior under this policy is prohibited. Retaliation should be reported promptly to the Title IX Coordinator for responsive action and investigation, which may result in corrective action independent of any sanction(s) imposed in response to the underlying allegations of Prohibited Behavior. The College will promptly respond to any act of Retaliation.

B. Academic Freedom and Integrity

The application of the College's nondiscrimination policies will often involve conflicting interests. This may especially be the case when it is applied to questions of freedom of speech and freedom of association. Because of these inherent difficulties, the evaluation of verbal or written conduct may not be simple or straightforward. The primary mission of the College is liberal education. Liberal education cannot take place without the free, open, and civil exchange of ideas. As such, the application of this policy will strive to consider how best to preserve that free, open, and civil exchange of ideas. The College believes that ideas, creativity, and free expression thrive and, indeed, can only exist for the entire community in an atmosphere free of discrimination and harassment. The essential importance of academic freedom is recognized, and a standard of reasonableness will guide the College. Only when academic freedom is used to disguise, or is the vehicle for Prohibited Behavior, will it be questioned.

C. Pregnant and Parenting Students, Faculty, and Staff

Grinnell College does not discriminate against a student, staff, or faculty member because of their pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom.

Pregnancy, childbirth and recovery from childbirth or other related medical condition are protected by Title VII, ADA, FMLA, PWFA, and PUMP Act.

The College will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child, in accordance with and to the extent required by applicable law. The break time, if possible, should run concurrently with rest and meal periods already provided to the employee. If the break time cannot run concurrently with rest and meal periods already provided to the employee, the break time may be unpaid, subject to applicable law. The College will make reasonable efforts to provide employees with the use of a room or location for the employee to express milk in private. This location may be the employee's private office, if applicable. Under the Fair Labor Standards Act (FLSA), the PUMP Act (Providing Urgent Maternal Protections for Nursing Mothers) protects nursing employees and provides them the right to reasonable break time and a private location, other than a bathroom, to express breast milk while in the workplace.

A pregnant student has the option to continue their education (including athletic participation, if applicable). A pregnant student also has the option to request a leave of absence or withdraw from the institution. For students who disclose their pregnancy and wish to continue their education, the College will develop individualized educational programs working closely with faculty members on course- and activity-specific reasonable accommodations. The Title IX Coordinator, Office of Disability Resources, and Office of Academic Advising will collaborate to support the pregnant or parenting student. Students will be provided equal access to curricular and extra-curricular activities and will be excused from activities and classes as is deemed necessary by the student or their healthcare provider. Students will be given a reasonable amount of time to make up any course work. If a student requests a leave of absence because of pregnancy or related medical condition, the College will assist the student in their reinstatement at the conclusion of the leave so that the student's academic and athletic status can be restored.

Pregnant Student Athletes: Grinnell College adheres to the NCAA bylaws and guidance related to [pregnant and parenting student-athletes](#).

NCAA bylaws offer student-athletes extensions that may apply during a student's athletic career, typically referred to as a "red-shirted" year. Under these rules, student-athletes may be granted an additional year of competition due to hardship. These rules allow student-athletes to complete four seasons of participation during the first 10 semesters or 15 quarters in which the student is enrolled in a collegiate institution in at least a minimum full-time program of studies for Divisions II and III.

In addition, NCAA bylaws specifically permit member institutions to approve an extra one-year extension of the five-year period or 10-semester/15-quarter period of eligibility for a female student-athlete due to

pregnancy. The bylaw allows pregnant student-athletes to complete four years of competition within six years or 12 semesters/18 quarters. A pregnant student-athlete who competed during, but did not complete the season, may be granted a hardship waiver and be awarded an additional season of competition, provided there is contemporaneous medical documentation that indicates the student-athlete was unable to compete for the remainder of the season.

D. Child Abuse Reporting Policy

In compliance with [Iowa Code 261.9 \(1\)\(h\): Child Abuse Reporting Law](#), the College will report all suspected child abuse and neglect involving minors under the age of 18, including physical and sexual abuse, to the Iowa Department of Human Services, [law enforcement](#) and [Campus Safety](#).

Under Iowa state law, designated professionals, including educators, health care professionals, mental health professionals, law enforcement professionals, childcare workers, and social workers, who have frequent contact with minors must make a report of child abuse within 24 hours when they reasonably believe a child has suffered abuse. Many College employees are considered mandatory reporters under state law.

State-mandated reporters must report abuse as follows:

1. Within 24 hours, orally report suspected abuse to the Iowa Department of Human Services at 1-800-362-2178.
2. Within 48 hours, make a written report of suspected abuse to the Department of Human Services.
3. Immediately, make an oral report to law enforcement if there is reason to believe that immediate protection of the child is necessary.

The College must act immediately in response to suspected sexual or physical abuse of a minor. The law requires the reporting of suspected child abuse when the person reporting “reasonably believes a child has suffered abuse.” It is not the reporter’s role to evaluate, validate or investigate the suspected abuse. This is the role of child protective services and law enforcement authorities. The source of abuse does not need to be known to file a report.

Mandated reporters who make a good faith report of suspected child abuse will be protected from civil and criminal liability. A mandated reporter who knowingly and willfully fails to report suspected abuse may face criminal prosecution for a simple misdemeanor.

Any other person who believes that a child has suffered abuse may make a report of the suspected abuse to the DHS as a permissive reporter.

In addition to those individuals who are legally required to report suspected abuse to the state, under this Policy, College staff and faculty who, in the scope of their employment responsibilities, examine, attend, counsel, or treat a child must report physical or sexual child abuse to law enforcement and Campus Safety when they see, know about, or reasonably suspect the physical or sexual abuse of a child. Any staff or faculty member who suspects child abuse or neglect involving a minor has the responsibility to report. This includes but is not limited to, faculty, staff, coaches, student staff, and administrators.

In addition to the responsibilities designated above, a report must be made as follows:

- In the event of an emergency, first call the police at **911**.
- Suspected abuse must be reported within twenty-four (24) hours to both:
 - **Grinnell Police Department Dispatch Center:** 641-236-2670 and
 - **Grinnell College Campus Safety:** 641-269-4600
- Additionally, College employees who are not mandated reporters under state law may choose to report to:
 - **Iowa Department of Human Services:** 800-362-217

When reporting suspected child abuse, oral and written reports should contain the following information, if it is known:

- The names and home address of the child and the child's parents or other persons believed to be responsible for the child's care;
- The child's present whereabouts;
- The child's age;
- The allegation of child abuse, including the nature and extent of the child's injuries and any evidence of previous injuries;

- The name, age, and condition of other children in the same household.
- Any other information that may be helpful in establishing the cause of the abuse or neglect to the child.
- The identity of the person or persons responsible for the abuse or neglect to the child.
- The name and address of the person making the report.

If a staff or faculty member believes that they are being retaliated against for making a good faith report of suspected physical or sexual abuse of a minor or because they have aided and assisted in the assessment of a child abuse report, they must report this immediately to the Assistant Vice President of Human Resources or Title IX Coordinator.

E. Protection of Minors

Grinnell College strives to protect the welfare of children who are on campus or who are participating in an off-campus program sponsored by the College. The [Policy for the Protection of Minors](#) provides guidelines for maintaining a safe environment for minors at the College. Areas addressed by the policy include screening and training of Authorized Staff, establishment of communication and transportation plans for programs covered under this policy, child-to-staff ratios, and expectations of appropriate conduct by those who interact with minors. The policy applies to all students, faculty, staff, and volunteers who supervise programs that include minors and are organized by Grinnell College or use College facilities. Other individuals or organizations doing business at or with the College may be required to acknowledge and comply with the provisions of this policy. The policy applies to the Grinnell campus, all properties owned or leased by the College, and all off-campus sites at which students, faculty, staff, and volunteers participate in college-sponsored activities. This policy does not supersede state or federal laws that apply or pertain to minors. Grinnell's Child Abuse Reporting (above) is a related policy applicable to all persons under the age of 18. It is the responsibility of all staff and faculty and any students working with minors to comply with the policy.

F. Conflict of Interest Policy

Grinnell College has an obligation to demonstrate and document good governance to protect the integrity and credibility of the College and to maintain the trust and confidence of our constituents. All College staff and faculty involved in responding to, investigating, or resolving a report of Prohibited Behavior will receive appropriate training and education in support of their role, and will be

impartial and free from actual conflict of interest or bias. The College maintains a comprehensive [Conflict of Interest Policy](#). The Policy is also intended to address conflicts that arise when a College staff or faculty member's personal interests or relationships conflict with their ability to act in a neutral manner with regard to a complaint against a faculty member, staff member, or student.

V. Title IX

A. Notice of Non-Discrimination under Title IX

Grinnell College does not discriminate on the basis of sex in its education programs or activities, including in the context of employment or admissions, and it does not tolerate discrimination or harassment on the basis of sex or gender. The College complies with [Title IX](#) of the Education Amendments of 1972, a federal law that provides that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Under Title IX, sexual discrimination includes Sexual Harassment (referred to in this policy as Title IX Sexual Harassment), Sexual Assault, Dating Violence, Domestic Violence, and Stalking. Sexual harassment is also prohibited under [Title VII](#) of the Civil Rights Act of 1964, Iowa Code Section 216.9, Iowa Code Section 216.6, and other applicable statutes. In addition, the College's response to Sexual Assault, Dating Violence, Domestic Violence and Stalking is governed by the Clery Act, as amended by VAWA.

The College, as an educational community, will promptly and equitably respond to reports of Prohibited Behavior by treating Complainants and Respondents equitably, offering supportive measures to the parties, and following a resolution (grievance) process that complies with Title IX regulations, before imposing any disciplinary sanctions. Upon receipt of a report of Prohibited Behavior, the College will provide reasonably available supportive measures that do not unreasonably burden the other party. Upon receipt of a formal complaint, the College will resolve the formal complaint through Voluntary Resolution or Formal Resolution.

Conduct that violates Title IX may also constitute a crime under local, state, or federal laws. While the College will address Prohibited Behavior as part of its obligations under Title IX, Complainants always have the option to report or decline to report Prohibited Behavior to the appropriate law enforcement agencies and will be fully supported by the College in doing so.

B. Role of the Title IX Coordinator

The College has designated a Title IX Coordinator to implement this policy and to ensure compliance with Title IX, Title VII, and, in conjunction with the Coordinator of Clery Compliance, the Clery Act and other applicable laws.

The Title IX Coordinator can be contacted by telephone, e-mail, or in person during regular office hours (8 a.m. - 5 p.m., Monday-Friday; 7:30 a.m. - 4:30 p.m., Monday-Friday during summer hours). The College's Title IX Coordinator is

Bailey Asberry, Title IX Coordinator

Mears Cottage

1213 6th Ave.

Grinnell, IA 50112

641-269-4999

titleix@grinnell.edu

The Title IX Coordinator is responsible for the College's centralized review, investigation, and resolution of reports of Prohibited Behavior. The Title IX Coordinator is:

- Responsible for oversight of the College's response to reports of Prohibited Behavior, including coordinating the effective implementation of supportive measures following a report of Prohibited Behavior and remedies following a finding of responsibility for engaging in Prohibited Behavior;
- Knowledgeable and trained in relevant state and federal laws and College policy and procedure, including on the definition of Prohibited Behavior, the scope of the College's education program or activity, how to conduct a formal resolution process including hearings, appeals, and voluntary resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.;
- Available to discuss with any individual, including a Complainant or Respondent, the courses of action available at the College;
- Available to provide assistance to any College community member regarding how to respond appropriately to reports of Prohibited Behavior;
- Responsible for monitoring full compliance with all requirements specified in this policy; and
- Responsible for compiling Annual Reports.

C. Role of the Title IX Deputies, Senior Officials, and Advisers

The College has identified Deputy Title IX Coordinators, Senior Officials, and Advisers who are available to offer assistance and answer questions about the policy, conduct process, prevention and education, athletics, and confidential and non-confidential resources. This team includes:

Jana Grimes, Vice President for Human Resources
Senior Official for Staff Conduct
Mears Cottage, 1213 6th Ave.

Matthew Kriegel, Assistant Director of Campus Safety
Deputy Title IX Coordinator for Safety
Mears Cottage, 1213 6th Ave.

Ben Newhouse, Associate Vice President for Student Affairs and Dean of Students
Senior Official for Student Conduct
Joe Rosenfield Center, 1115 8th Avenue

Post-Bac for Prevention and Outreach
Deputy Title IX Coordinator for Sexual Respect
Mears Cottage, 1213 6th Avenue

Jani Springer and Carissa Tigges
Co-Deputy Title IX Coordinators for Athletics
Bear Center, 1201 10th Avenue

Sarah Brammer-Shlay, Chaplain and Rabbi
Adviser to Title IX
CRSSJ 913 8th Avenue

Vrinda Varia, Associate Chief Diversity Officer for Intercultural Student Life
Adviser to Title IX
Joe Rosenfield Center, 1115 8th Avenue

D. The Title IX Response Team

The Title IX Coordinator is supported by a multidisciplinary Title IX team that includes the College's Deputy Title IX Coordinators and Advisors, the Dean of Students, Dean of the College, Vice President of Human Resources, the Director and Assistant Director of Campus Safety, the Coordinator of Clery Compliance, and others as necessary. The members of the multidisciplinary team may vary

depending on the roles of the Complainant and Respondent and will be narrowly comprised to best safeguard the privacy of the individuals involved.

To foster a productive and supportive learning, living, and working environment, the College encourages all community members to report Prohibited Behavior. Although a report may come in through many sources, the College is committed to ensuring that all reports are referred promptly to the Title IX Coordinator. This centralized reporting structure ensures that impacted parties receive timely information about available resources and reporting options. It also allows the College to take immediate and appropriate steps to address reports in a prompt and equitable manner and ensure that all individuals have equal and consistent access to the policy.

Inquiries or complaints concerning the application of Title IX may be referred to the College's Title IX Coordinator and/or to the United States Department of Education's Office for Civil Rights, Region Five, 500 West Madison St., Suite 1475, Chicago, IL, 60661, Tel: 312-730-1560 ([U.S. Office for Civil Rights](https://www.ed.gov/office-for-civil-rights)) (or OCR@ed.gov or 800-421-3481). Concerns about the College's application the Clery Act may be addressed to the United States Department of Education, Clery Act Compliance Division (at clery@ed.gov). Concerns about the College's application of Title VII or Title IX in the employment context may be referred to the Equal Employment Opportunity Commission (at info@eeoc.gov or 800-669-4000). Questions about violations of Iowa statutes can be directed to [The Iowa Civil Rights Commission](https://www.ircr.state.gov/).

VI. Privacy and Confidentiality

The College is committed to protecting the privacy of all individuals involved in a report of Prohibited Behavior. In any report, investigation, or resolution of a report under this policy, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the reported conduct.

A. The Distinction Between Privacy and Confidentiality

Privacy: Privacy means that information related to a report under this policy will only be shared with those who "need to know" to assist in the review, investigation, or resolution of the report. Moreover, anyone who is involved in the College's Title IX response, including outside adjudicators, receives specific training and guidance about safeguarding private information.

The privacy of student education records will be protected in accordance with the College's policy for compliance with the Family Educational Rights and Privacy Act (FERPA). The privacy of an individual's medical and related records generally is governed in the United States by the Health Insurance Portability and

Accountability Act (HIPAA), excepting health records protected by FERPA. Access to personnel records is restricted in accordance with Grinnell College policy.

Confidentiality: Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other person without express permission of the individual, or as otherwise permitted or required by law. Community members wishing to seek confidential assistance may do so by speaking with professionals who have a statutorily protected or designated confidentiality. For students, these professionals include the counseling and medical staff at Student Health and Wellness (SHAW), the Chaplain, Rabbi, Imam, and Grinnell Advocates (student advocates) on campus. Students, staff, and faculty may also speak with the on-campus Ombuds, who is a college-designated confidential resource. Staff and faculty may also access confidential assistance through the [Employee and Family Resources Program](#). Confidential resources are prohibited from breaking confidentiality unless (i) given permission to do so by the person who disclosed the information; (ii) there is an imminent threat of harm to self or others; (iii) the conduct involves suspected abuse of a minor under the age of 18; or (iv) as otherwise required or permitted by law or court order. Medical and counseling records cannot be released without the individual's written permission or unless permitted or required consistent with ethical or legal obligations. A Complainant and Respondent are not required to disclose medical and counseling records as part of any resolution process. Any disclosure of the records by a Complainant and Respondent must include a written waiver and consent to share the information with the College and the other party.

B. Staff/Faculty/Student Leader Reporting and Referral Responsibilities

Grinnell seeks to remove barriers and foster increased reporting in order to ensure equitable access to supportive measures, policies, and procedures for all College community members. Centralized reporting and recordkeeping also enhance Grinnell's ability to identify and track patterns, trends and impacts on campus climate. Grinnell is deeply committed to responding promptly, compassionately, and equitably to reports of Prohibited Behavior. To meet these goals, with the exception of designated confidential resources, staff and faculty members and designated student leaders are **required** to share disclosures of Prohibited Behavior with the Title IX Coordinator. Examples of student leaders who have a duty to share information with the Title IX Coordinator include but are not limited to: Community Advisers (CAs), Student Government Association (SGA) executives, Peer Educators, Mentors, and Tutors, Student Health and Information Center (SHIC), Multicultural Leadership Council (MLC) leadership, Student Athlete Mentors (SAMs), House Coordinators, and Language Assistants.

The College will balance a Complainant's request for a particular course of action with its obligation to provide a safe and non-discriminatory environment for all Grinnell College community members.

1. Research Exemption to Employee Reporting Responsibilities

A narrowly defined exception to the above reporting responsibilities exists for specific types of research regarding Prohibited Behavior. Prohibited Behavior includes but is not limited to sexual and gender-based harassment, sexual assault, intimate partner violence, sexual exploitation, and stalking.

The College recognizes that reporting obligations could negatively impact the ability of researchers to gather information about and effectively study sexual misconduct and other forms of interpersonal violence. There are systems in place to protect participants of studies. For example, all researchers must conduct their research in accordance with the requirement of Grinnell's [Institutional Review Board](#) (IRB), and, where applicable, any sponsor requirements. These requirements, based in federal and state human subjects regulations and laws, in addition to ethical and professional codes of conduct, work to ensure the protection of human research subjects.

Reporting Exception

Staff/faculty/student researchers engaged in IRB-approved research and staff/faculty/students who administer IRB-approved research about campus-based sexual misconduct (and other forms of interpersonal violence) will be exempt from Title IX reporting responsibilities within a narrow scope and with the following provisos:

- Research must be IRB approved.
- The exemption only applies when the staff/faculty/student is acting in their role as researcher and when the information is formally gathered as part of the research protocol/participation, not in any other instances of disclosure.
- The researcher must have IRB-approved, trauma-informed training to support those who have been impacted by sexual misconduct or other interpersonal violence.

- Consent to participate in the study must explicitly outline the difference in reporting responsibilities for a researcher vs. staff/faculty/student leader reporting responsibilities.
- Participants must be given information about confidential resources and reporting options, both on and off-campus, as well as information about the Title IX office and the College's Title IX policy.

This research exemption does not apply to the following:

- Does not apply to student participants under the age of 18.
- Does not apply to student participants over 18 who disclose suspected child abuse involving a minor.
- Does not apply to instances of suspected child abuse or neglect as defined in Iowa Code. (Iowa Code sections 232.67-232.75).
- Does not apply to disclosures that reference risk or threat of imminent harm to self or others.

C. Release of Information

Grinnell College complies with the [Clery Act](#), which requires the College to inform community members about certain crimes that occur on or near campus and are reported to designated employees (Campus Security Authorities) of the College. Consistent with the Clery Act, if a report of sexual assault, dating violence, domestic violence, stalking or another Clery crime indicates a serious or continuing threat to the College campus community, the College may issue a timely warning to protect the health or safety of its members. The timely warning will not include the name or identifying information about the Complainant. The College will also share non-identifying information about reports in the College's daily crime log, the Annual Security Report or in aggregate form, including data about educational outcomes (sanctions) in College publications. In addition, the College will provide annual crime statistics to the U.S. Department of Education.

The College releases an annual Title IX report, which includes aggregated information about referrals and outcomes. There are important distinctions about the way Clery data and Title IX data are collected which account for differences in publicly available data. Title IX reports data on the college fiscal/academic year (July 1 to June 30) and includes all referrals and reports, regardless of geography, jurisdiction, time, or location, while Clery reports on a calendar year (January 1 to December 31) and includes only crimes that occur on or near the College's designated Clery geography. The scope of conduct is typically broader

under Title IX, as it is not limited to Clery geography and includes other forms of conduct prohibited by Title IX. The Title IX office works closely with the College's Clery Compliance Coordinator to ensure that all incidents are appropriately classified and documented.

In some instances, the College is required to notify the National Science Foundation (NSF) and other grant or fund awarding institutions, as appropriate, of any active investigation or findings of responsibility involving a Principal or Co-Principal Investigator employed by the College.

All College proceedings are conducted in compliance with the requirements of FERPA, the Clery Act, Title IX, VAWA, Iowa law, and College policy. No information will be released from such proceedings except as required or permitted by law and College policy.

VII. Prohibited Behavior

The College prohibits all forms of Sexual Harassment, Gender-Based Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, Sexual Exploitation, and Retaliation. Grinnell College community members are fully supported in using the words that they feel express and represent their experience—including words like rape, abuse, attack, or fondling—even when the College policy uses specifically defined terms for the purposes of establishing whether a policy violation has been committed.

Examples of behavior that may constitute Prohibited Behavior can be found on the College's [Sexual Respect](#) website. An individual who is uncertain about whether their experience may be in violation of one of the definitions below should consult with the Title IX Coordinator or a confidential resource. In all instances, the College encourages reporting of conduct that is unwelcome or harassing, regardless of whether it appears to meet one of the stated definitions below. The Title IX Coordinator can assist an individual in identifying available courses of action based on the behavior reported.

A. Title IX Sexual Harassment

- 1. Title IX Sexual Harassment:** The Title IX regulations define Sexual Harassment as conduct on the basis of sex that satisfies one or more of the following:
 - a. A College employee conditions the provision of an aid, benefit, or service of the College on an individual's participating in unwelcome sexual conduct; or
 - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively

denies a person equal access to the College's education program or activity within the United States;

- c. Sexual Assault, Dating Violence, Domestic Violence, and Stalking, as defined below.

2. 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*).¹ Sexual contact includes:

- a. 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; or
- b. sexual contact with or 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.

3. Dating Violence: includes any act of violence committed by a person:

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

4. Domestic Violence: includes any act of violence 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

¹ 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.

spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under California state law, or by any other person against an adult or minor Complainant who is protected from that person's acts under California state law;

5. **Stalking:** occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress.

Course of conduct means two or more instances including but not limited to unwelcome acts in which an individual 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. Substantial emotional distress means significant mental suffering or anguish.

Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used.

B. Other Forms of Sexual Misconduct

1. **Sexual Harassment:** Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted verbal or physical conduct of a sexual nature when one of the following conditions is present:

- Submission to or rejection of such conduct is an explicit or implicit condition of an individual's employment, evaluation of academic work, or participation in social, co- or extra-curricular activities (*quid pro quo*); or
- Submission to or rejection of such conduct is used as the basis for decisions affecting that individual (*quid pro quo*); or
- Such conduct is sufficiently severe, persistent or pervasive that it unreasonably interferes with an individual's work or academic performance by creating an intimidating, hostile, or offensive working, academic, or social environment under both an objective and subjective standard (*hostile environment*).

2. Gender-Based Harassment: Gender-based harassment includes harassment based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when one of the following conditions is present:

- Submission to or rejection of such conduct is an explicit or implicit condition of an individual's employment, evaluation of academic work, or participation in social, co- or extra-curricular activities (*quid pro quo*); or
- Submission to or rejection of such conduct is used as the basis for decisions affecting that individual (*quid pro quo*); or
- Such conduct is sufficiently severe, persistent or pervasive that it unreasonably interferes with an individual's work or academic performance by creating an intimidating, hostile, or offensive working, academic, or social environment under both an objective and subjective standard (*hostile environment*).

3. Evaluating a Hostile Environment

In evaluating whether a hostile environment exists under either sexual or gender-based harassment, the College will consider the totality of known circumstances, including, but not limited to:

- The frequency, nature and severity of the conduct;
- Whether the conduct was physically threatening;
- The effect of the conduct on the Complainant's mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the Complainant's educational or work performance and/or College programs or activities; and

- Whether the conduct implicates concerns related to academic freedom or protected speech.

A hostile environment can be created by persistent and/or pervasive conduct or by a single or isolated incident, if sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of sexual assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

4. Additional Guidance about Sexual or Gender-Based Harassment

Sexual or gender-based harassment:

- May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.
- Does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.
- May be committed by anyone, regardless of gender, age, position, or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational, or employment relationships, harassment can occur in any context.
- May be committed by a stranger, an acquaintance, or someone with whom the Complainant has an intimate or sexual relationship.
- May be committed by or against an individual or group.
- May occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation.
- May occur in the classroom, in the workplace, in residential settings, or in any other setting.
- May be a one-time event or may be part of a pattern of behavior.

- May be committed in the presence of others or when the parties are alone.
- May affect the Complainant and/or third parties who witness or observe harassment.

5. Sexual Exploitation

Sexual exploitation is knowingly committing non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. Examples include, but are not limited to:

- Observing, recording, or photographing another individual's nudity or sexual activity without that individual's consent or allowing another to observe, record, or photograph consensual sexual activity without the knowledge and consent of all parties involved under circumstances where the individual would have a reasonable expectation of privacy;
- Streaming or distribution of private images, photography, video or audio recording of sexual activity or nudity without the knowledge and consent of all parties involved;
- Prostituting another individual;
- Exposing one's genitals in non-consensual circumstances;
- Knowingly exposing another individual to a sexually transmitted infection or virus without their knowledge; and
- Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

C. Retaliation

Retaliation means any adverse action, intimidation, threat, coercion, or discrimination against an individual for the purpose of interfering with any right or privilege secured by Title IX, its regulations or this Policy, or because the individual has made a report or formal complaint of Prohibited Behavior, testified, assisted, or participated or refused to participate in any manner in any investigation, proceeding or hearing under this policy.

Retaliation may be present even where there is a finding of “no responsibility” on the allegations of Prohibited Behavior. Retaliation can be committed by any individual or group of individuals, not just by a Respondent or Complainant. Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Behavior.

VIII. Consent and Related Concepts

A. Consent

This policy is based on affirmative consent. In the spring of 2012, the Grinnell College student body voted overwhelmingly to revise the then-existing Sexual Harassment and Misconduct policy to incorporate affirmative consent. Consent to engage in sexual activity must be given knowingly, voluntarily, and affirmatively. Consent to engage in sexual activity must exist from the beginning to end of each instance of sexual activity and for each form of sexual contact. Consent is demonstrated through mutually understandable words and/or clear, unambiguous actions that indicate a willingness to engage freely in sexual activity. Consent is active, not passive.

- Each participant in a sexual encounter is expected to obtain and give consent to each act of sexual activity. Consent to one form of sexual contact does not automatically constitute consent to engage in other forms of sexual contact.
- Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings and may result in a finding that consent was not present. Consent may not be inferred from silence, passivity, lack of resistance, or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity cannot be assumed to be giving consent.
- If at any time it is reasonably apparent that either party is hesitant, confused, or unsure, both parties should stop, decide whether to continue, and obtain mutual verbal consent before continuing such activity.
- Consent may be withdrawn by either party at any time. Withdrawal of consent must also be outwardly demonstrated by mutually understandable words or clear, unambiguous actions that indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.

- Individuals with a previous or current intimate relationship do not automatically give initial or continued consent to sexual activity. Even in the context of a relationship, there must be mutually understandable communication that clearly and unambiguously indicates a willingness to engage in sexual activity.
- Consent is not valid if it results from the use or threat of force, intimidation, or coercion, or any other factor that would overcome or remove an individual's ability to exercise their own free will to choose whether to have sexual contact.
- An individual who is incapacitated from alcohol and/or other drug consumption (voluntarily or involuntarily), or is unconscious, asleep, unaware that sexual activity is occurring, or otherwise mentally or physically helpless is considered unable to give consent.
- In the state of Iowa, consent can never be given by minors under the age of 16.

When evaluating consent, the College will consider the objectively apparent indications of consent (or lack of consent) from a reasonableness perspective.

B. Coercion

Coercion is direct or implied threat of force, violence, danger, hardship, or retribution sufficient to persuade a reasonable person of ordinary susceptibility to perform an act which otherwise would not have been performed or acquiesce in an act to which one would not have submitted. Coercion can include unreasonable and sustained pressure for sexual activity. However, a person's words or conduct cannot amount to coercion unless they wrongfully impair the other's freedom of will and ability to choose whether to engage in sexual activity. When someone makes it clear that they do not want to engage in sexual activity, 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.

C. Force

Force is the use or threat of physical violence or intimidation to overcome an individual's freedom to choose whether to participate in sexual activity.

D. Incapacitation

Consent cannot be obtained by taking advantage of another individual's incapacitation. Incapacitation is the inability, temporarily or permanently, to give

consent because the individual is mentally and/or physically helpless, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. An individual who is incapacitated is not capable of giving valid, affirmative consent.

Incapacitation means an individual cannot understand the fact, nature, or extent of the sexual activity. An incapacitated individual lacks the physical and mental capacity to make informed, reasonable judgments about whether to engage in sexual activity. An individual who is incapacitated may not be able to understand where they are, whom they are with, how they got there, or what is happening.

Further, an individual may be incapacitated as a result of consumption of alcohol or drugs. When alcohol or other drugs are involved, incapacitation is a state of intoxication or impairment that is so severe that it interferes with an individual's capacity to make informed and knowing decisions. Impairment must be significant enough to render an individual unable to understand the fact, nature, or extent of the sexual activity.

Alcohol and other drugs impact everyone differently and determining whether an individual is incapacitated requires an individualized determination. The College does not expect students, faculty, or staff to be medical experts in assessing incapacitation. Individuals should look for the common and obvious warning signs that show that an individual may be incapacitated or approaching incapacitation. An individual's level of intoxication is not always demonstrated by objective signs; however, some signs that an individual may be incapacitated include clumsiness, difficulty walking, poor judgment, difficulty concentrating, slurred speech, vomiting, combativeness, or emotional volatility.

Another effect of excessive alcohol consumption can be memory impairment or an inability to recall entire or partial events (sometimes referred to as "black-out" or "brown-out"). An individual may experience this symptom while appearing to be functioning "normally," including communicating through actions or words that can reasonably and objectively be interpreted as communicating consent to engage in sexual activity. Total or partial loss of memory alone, may not be sufficient, without additional evidence, to prove that an individual was incapacitated under this Policy. Whether sexual activity under these circumstances constitutes Prohibited Behavior depends on the presence or absence of the outwardly observable factors indicating that an individual is incapacitated, as described above.

An individual's level of intoxication may change over a period based on a variety of individual factors, including the amount of substance intake, speed of intake, body mass, height, weight, tolerance, quantity and pattern of food and sleep, and drinking pattern, and metabolism. It is critical, therefore, that any individual

engaging in sexual activity is aware of both their own and the other individual's level of intoxication and capacity to give consent.

In evaluating affirmative consent in cases involving incapacitation, the College considers the totality of available information in determining two issues:

- i. Did the Respondent know the Complainant was incapacitated?; and if not,
- ii. Would a sober, reasonable individual in a similar set of circumstances as the Respondent have known that the Complainant was incapacitated?

If either question is answered positively, affirmative consent was absent, and the conduct is likely a violation of this Policy.

The perspective of a reasonable person will be the basis for determining whether a Respondent knew or should have been aware of the extent and amount of the ingestion of alcohol and/or other drugs by the Complainant or of the extent to which the use of alcohol and/or other drugs impacted a Complainant's ability to give consent.

E. Alcohol and/or Other Drugs

In general, the College considers sexual contact and/or intercourse while under the influence of alcohol and/or other drugs to be risky behavior. Alcohol and other drugs impair a person's decision-making ability, awareness of the consequences, and capacity to make informed judgments. From the perspective of the Complainant, the use of alcohol and/or other drugs can limit a person's ability to give consent knowingly, voluntarily, and affirmatively. Regardless of their level of intoxication or impairment, however, a Complainant is never responsible for the intentional actions of another individual. From the perspective of a Respondent, the use of alcohol and/or other drugs can create an atmosphere of confusion over whether consent has been given knowingly, voluntarily, and affirmatively.

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.

A Respondent's voluntary intoxication is never an excuse for, or a defense to, Prohibited Behavior, and it does not diminish one's responsibility to determine that the other person has given consent.

IX. Prohibited Relationships by Persons in Authority

The College prohibits sexual or other intimate relationships between students and their employers, supervisors, professors, coaches, advisors, or other non-student College employees. Faculty, administrators, and others who educate, supervise, evaluate, employ, counsel, coach, or otherwise guide students or who have actual or apparent authority over students should understand the fundamentally asymmetrical nature of the relationship they have with students or subordinates.

Intimate or sexual relationships where there is a differential in power or authority produce risks for every member of our community and they can compromise the integrity of the educational process. The unequal position of the parties presents an inherent element of risk and may raise sexual harassment concerns if one person in the relationship has the actual or apparent authority to supervise, evaluate, counsel, coach or otherwise make decisions or recommendations as to the other person in connection with his/her employment or education at the college. Sexual harassment occurs when an individual exploits the authority given to them by the College or otherwise compromises the boundary between personal and professional roles. Although a relationship between individuals of unequal position may not necessarily constitute sexual harassment, this policy seeks to minimize the risk of such.

Sexual relations between persons occupying asymmetrical positions of power, even when both consent, may raise suspicions that the person in authority has violated standards of professional conduct and potentially subject the person in authority to charges of sexual harassment. Because of the differential in power and authority, the freedom of subordinate students and employees to reject romantic sexual advances may be restricted. Even if a student or subordinate does not appear to object to participation in the relationship, this does not mean that the individual welcomes, or will continue to welcome, the relationship. When a relationship of this nature ends, an individual's frame of reference for whether the relationship was originally welcomed may change. Moreover, even when such relationships do not lead to harassment, they can have the appearance of impropriety and undermine the teaching and learning environment for all students and campus community members. For example, the objectivity of evaluations which occur in making recommendations or assigning grades, honors, and fellowships may be called into question when a faculty member involved in those functions has or has had a sexual relationship with a student. Similarly, these relationships may impact third parties based on perceived or actual favoritism or preferential treatment based on the relationship.

Any individual may report harassment and/or discrimination, including an aggrieved party outside the relationship affected by the perceived harassment or discrimination. Retaliation against any person(s) who report concerns about potentially non-consensual relationships is prohibited and constitutes a violation of this policy.

Any individual with questions about or exceptions to this policy is encouraged to talk with the Title IX Coordinator.

X. Resources and Support

A. Overview

The College is committed to treating all members of the community with dignity, empathy, and respect. Any individual affected by Prohibited Behavior, whether as a Complainant, a Respondent, or other individual, will have equal access to supportive measures and counseling services through the College. The College recognizes that deciding whether to make a report and choosing how to proceed can be difficult decisions. We encourage any individual who has questions or concerns to seek the support of campus and community resources. These resources can provide guidance in making decisions, information about available resources and procedural options, and assistance to either party in the event that a report and/or resolution under this policy is pursued. Individuals are encouraged to use all available resources, regardless of when or where the incident occurred.

B. Confidential Resources

Grinnell College encourages all community members to make a prompt report of Prohibited Behavior to both local law enforcement and the College. For individuals who are not prepared to self-report but are still seeking information and support, there are several statutorily protected confidential resources available, as designated below. In addition, the Ombuds office is a designated confidential resource at Grinnell who will not disclose shared information with the College but may be required to share information pursuant to court order or subpoena as there is no statutory privilege protecting communications made to the Ombuds. As set forth in the Confidentiality section, these confidential resources will not share information with the College unless (i) given permission to do so by the person who disclosed the information; (ii) there is an imminent threat of harm to self or others; (iii) the conduct involves suspected abuse of a minor under the age of 18; or (iv) as otherwise required or permitted by law or court order.

On-Campus Confidential Resources

Chaplain and Rabbi

641-269-4981
CRSSJ
913 8th Ave, Grinnell, IA 50112

Student Health and Wellness (SHAW)

641-269-3230
Lower Level, Forum, Grinnell, IA 50112

All SHAW staff are confidential resources, including receptionists, nursing staff, psychologists, psychiatrists, and physicians.

Grinnell College Ombuds, Chinyere Ukabiala

ukabiala@grinnell.edu
641-269-9399
Joe Rosenfield '25 Center 311, Grinnell, IA 50112

As noted above, the Ombuds will maintain confidentiality within the context of the College; however, communications to the Ombuds may be required to be released by court order or subpoena.

Grinnell Advocates

641-260-1615 (24 hrs text/call/chat)

Grinnell Advocates are students trained and certified in advocacy for victim/survivors of sexual assault and intimate partner violence. To contact a Grinnell Advocate, call or text the number above or call Campus Safety (641-269-4600) and ask for a Grinnell Advocate to contact you at your preferred phone number. Individuals are not required to disclose a name or any identifying information to Campus Safety to speak with a Grinnell Advocate.

Off-Campus Confidential Resources

UnityPoint Health - Grinnell Regional Medical Center

641-236-2380 Emergency Room

- HIV/AIDS and Sexually Transmitted Infections (STI) testing
- Medical exam
- Sexual assault exam (SANE Nurses are available on call)
- Morning after pregnancy prevention

These exams do not obligate the complainant to file criminal charges; evidence is stored by the [police](#) to preserve the chain of evidence. There is **no charge** or fee for medical services provided for victims of sexual assault.

[Amani Community Services - African American Victim Support](#)

319-804-0741 (confidential)

Amani Community Services is a culturally specific domestic violence agency serving African Americans.

Crisis Center for Domestic Violence and Stalking

1-800-464-8340 or 641-683-1750 (confidential, 24 hrs)

Outreach Services: Appanoose, Davis, Jasper, Jefferson, Lucas, Mahaska, Marion, Monroe, Poweshiek, Wapello, and Wayne counties, providing support groups, individual counseling, and court advocacy.

[Crisis Intervention Services](#)

1-800-270-1620 (24 hrs)

CIS is a **local** organization which provides support, information, and advocacy to survivors of sexual assault and domestic violence.

[Iowa Affirmation and Resources Chat \(ARCh\)](#)

Hours are varied – see website for details

ARCh offers real-time, online, text-based support and referrals in multiple languages and is available for the use of all Iowans who have experienced abuse, stalking, or sexual violence, as well as their loved ones.

L.U.N.A. Latino/a Resources Victim Support

515-271-5060

866-256-7668 – Crisis Line

Sexual assault and domestic violence services for Latino population in Iowa

Monsoon United Asian Women of Iowa - Asian and Pacific Islander Victim Support

866-881-4641 (24 hrs)

Monsoon United Asian Women of Iowa serves victims / survivors of domestic violence and sexual assault in Asian and Pacific Islander (API) communities in Iowa.

Nisaa - African Immigrant Victim Support

1-866-881-4641 (24hrs)

Domestic violence and sexual assault services for African refugee populations in Iowa.

C. Campus Resources

In addition to the confidential resources listed above, Grinnell College community members have access to a variety of resources provided by the College. The staff members listed below are trained as resources to individuals affected by Prohibited Behavior and will collaborate with the Title IX Coordinator consistent with the College's commitment to a safe and healthy educational environment. While not bound by confidentiality, these resources will maintain the privacy of an individual's information within the limited circle of those involved in the process. Each of the campus resources below are required to refer disclosures about Prohibited Behavior to the Title IX Coordinator.

Campus Resources: Regular Business Hours (8 a.m.-5 p.m., Monday-Friday)

Title IX Coordinator, Bailey Asberry
titleix@grinnell.edu

<p>641-269-4999 Mears Cottage, 1213 6th Ave, Grinnell, IA 50112</p>
<p>Vice President for Academic Affairs, Dean of the College, and Senior Official for Faculty Conduct, Beronda Montgomery montgomb@grinnell.edu 641-269-3100 Nollen House, 1121 Park Street, Grinnell, IA 50112</p>
<p>Vice President for Human Resources, Jana Grimes grimesjana@grinnell.edu 641-269-4818 Mears Cottage, 1213 6th Ave, Grinnell, IA 50112</p>
<p>Associate Vice President for Student Affairs, Dean of Students and Senior Official for Student Conduct, Ben Newhouse newhouse@grinnell.edu 641-269-3702 Joe Rosenfield '25 Center, Grinnell, IA 50112</p>
<p>Campus Resources: 24 Hours a day/7 days a week</p>
<p>Campus Safety 641-269-4600 (24 hours) Campus Safety Office, Mears Cottage, 1213 6th Avenue, Grinnell, IA 50112</p>
<p>On-Call Student Affairs Residence Life Coordinator (via Campus Safety) 641-269-4600</p>
<p>Grinnell-in-London Campus Resources</p>
<p>Susie Duke Director of Grinnell-in-London 1226 Park Street HSSC, North Wing, 1st Floor Office: +1-641-269-4738 Cell: +1-515-494-9177 dukesus@grinnell.edu Pronouns: she/her</p>

Grinnell-in-London Emergency Response

City of London Police (24hrs)
Emergency Response **999**
Non-Emergency Response **101**

IES London (24 hrs)
5 Bloomsbury Place
London WC1A 2QP
Emergency number: 07801 514 547
Back-up emergency number: 07595 482 973

D. Community Resources

Students, faculty, and staff may also access resources located in the local community. These organizations can provide crisis services, counseling, medical attention, and assistance in interfacing with the criminal justice system. All individuals are encouraged to use the resources that are best suited to their needs, whether on or off campus.

Other Community Resources

Grinnell Police Department Dispatch Center
641-236-2670 or 911

National Domestic Violence Hotline
1-800-799-SAFE (7233)

Polk County Crisis and Advocacy Services
515-286-3600
Crisis Line
515-286-3535

RELAY IOWA (Language Line Translation)
1-800-735-2942 (TTY) *deaf or hard of hearing
or 1-800-735-2943 (VOICE)

[Crime Victim Compensation Program](#)
515-281-5044 or 1-800-373-5044

Other Community Resources
<p>Iowa Attorney General’s Office, Crime Victim Assistance Division 321 East 12th Street, Des Moines, IA 50319</p> <p>The program helps victims with certain out-of-pocket expenses related to injuries from violent crime. It is funded entirely by fines and penalties paid by criminals (not by taxpayers).</p>
<p><u>Iowa Coalition Against Sexual Assault (ICASA)</u> 515-244-7424</p>
<p><u>Iowa Coalition Against Domestic Violence (ICADV)</u> 1-800-770-1650 or text “iowahelp” to 20121</p>

XI. Reporting and Community Responsibility

The College is committed to providing a variety of accessible ways for community members to voice concerns about and report instances of Prohibited Behavior.

The College recognizes that the decision whether to report is personal and that there are many barriers, both individual and societal, to reporting. Not every individual will be prepared to make a report to the College or to law enforcement, and individuals are not expected or required to pursue any specific course of action whether they make the decision to make a report. The College will approach the assessment of each report with an earnest intent to understand the perspective and experiences of each individual involved in order to respect a Complainant’s autonomy and to ensure a fair and impartial evaluation and resolution. As outlined in the Resources section of this policy and at grinnell.edu/sexualrespect, there are confidential resources on campus and in the community available to individuals who choose not to make a report to the College.

Reporting is the best way for the community to ensure that impacted individuals receive reasonably available supportive measures and understand the available resolution options under this policy. Not only does reporting help the individual, but increased communication about issues related to sexual misconduct and interpersonal violence can help prevent future acts of Prohibited Behavior. The information community members report can illuminate patterns of behavior, immediate threats to the safety of the community, and systemic issues.

At the time a report is made, a Complainant does not have to decide whether to request any course of action, including disciplinary action. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over

time. College officials will do everything possible to respect an individual's agency and autonomy in making these important decisions and to provide support that will assist each individual in making that determination. Unless there is an immediate threat to the community or a minor is involved, the Complainant can help set the pace and participate in decisions about how best to proceed (including whether to file a formal complaint and choosing to not name the other party/ies at the time of the report).

A. Emergency/Immediate Reporting Options

The College encourages all individuals to seek immediate assistance from a medical provider and/or law enforcement. This is the best option to ensure preservation of evidence and to begin a timely investigative and supportive response. The College will assist any Grinnell College community member to get to a safe place and will provide transportation to the hospital, coordination with law enforcement, and information about the College's resources and resolution options. An individual also has the right to decline to notify law enforcement.

Assistance is available from the College 24 hours a day year-round by calling the Campus Safety Department (641-269-4600) and/or the Grinnell Police Department (911 for emergencies or (641-236-2670) for all other calls). Any individual may request that a member of the Campus Safety Department and/or the Grinnell Police Department respond and take a report. An individual may also request to speak with a Student Affairs Dean on call (641-269-4600) or a member of the Student Health and Wellness (SHAW) staff (641-269-3230 during academic year business hours). There is no requirement that an individual file an incident report with the Campus Safety Department and/or the Grinnell Police Department to speak with a Student Affairs Dean or a member of the Student Health and Wellness staff. SHAW staff are a confidential resource.

An individual can also contact a Student Health and Wellness nurse (during business hours) and/or the UnityPoint Grinnell Regional Medical Center (24 hours/day). A medical provider at UnityPoint Grinnell Regional Medical Center can provide emergency and/or follow-up medical services and provide a forum to discuss any health care concerns related to the incident in a confidential medical setting. The medical exam has two goals: first, to diagnose and treat the full extent of any injury or physical effect (sexually transmitted infections and/or pregnancy) and second, to properly collect and preserve evidence.

An individual may request a support person of their choice to accompany them during the exam. There is a limited window of time (typically 72 to 96 hours) following an incident of sexual assault to preserve physical and other forms of evidence. Taking the step to gather evidence does not commit an individual to any course of action. The decision to seek medical attention and gather any

evidence will remain confidential and preserve the full range of options to seek resolution through the College and/or criminal action.

Emergency Response
<p style="text-align: center;">911</p> <p style="text-align: center;">Grinnell Police Department 641-236-2670</p>
Health and Safety
<p style="text-align: center;">Student Health and Wellness (SHAW) 641-269-3230 Available during regular office hours during academic year Monday-Friday 8am to 5pm</p> <p style="text-align: center;">Need to Talk? 641-269-4404 (24hr counseling hotline)</p> <p style="text-align: center;">UnityPoint Grinnell Regional Medical Center 641-236-7511 Main Reception 641-236-2380 Emergency Room (ER) (24hrs)</p>

B. Campus Reporting Options

The College recognizes that an individual who has experienced a form of Prohibited Behavior may choose to report to any trusted staff member, faculty member, or student leader of the College. Under this policy, with the exception of Confidential Resources, any staff, faculty, or student leader who receives a report of Prohibited Behavior must promptly share the report with the Title IX Coordinator. For example, a student may choose to disclose to a Residence Life Coordinator, a faculty member, a mentor, or a coach, all of whom are required to refer the information regarding Prohibited Behavior to the Title IX Coordinator under this policy. Similarly, a staff or faculty member may choose to disclose to a supervisor, who has the same requirement to refer the information to the Title IX Coordinator. The Title IX Coordinator is specifically charged with coordinating outreach to the Complainant, providing supportive measures, conducting an initial assessment, and responding to formal complaint through a variety of potential resolution options, including voluntary and disciplinary resolution.

To enable the College to respond to all reports in a prompt and equitable manner, the College encourages all individuals to directly report any incident to a college official including the Title IX Coordinator, Director of Campus Safety, Associate Dean of the College, Assistant Vice President of Human Resources, or Dean of Students.

C. Anonymous Reporting

Any individual may make an anonymous report in EthicsPoint concerning Prohibited Behavior or may report the incident without disclosing their name or identifying the Respondent (if known) or requesting any action. Depending on the level of information available about the incident or the individuals involved, anonymous reporting may impact or limit the College's ability to respond or pursue appropriate action.

Anonymous reports can be made by telephone at 855-667-1753 or online at <http://grinnell.ethicspoint.com>. All Title IX related reports will go to the Title IX Coordinator or designee for review. EthicsPoint is a platform that allows anyone to report suspected misconduct or other concerns with complete anonymity or confidentiality. This service allows the person making the report and College administrators to confer about additional details while the Complainant's identity remains anonymous and unknown to the college.

EthicsPoint utilizes its own secure servers, outside of the College network, as well as their own call center. While the reports will be forwarded to College administrators for appropriate review and action, the source of all reports submitted to EthicsPoint will remain confidential and will not be shared with College administrators without permission.

D. Reporting Considerations: Timeliness of Report

Complainants and witnesses are encouraged to report Prohibited Behavior as soon as possible to maximize the College's ability to respond promptly and effectively. The College does not limit the timeframe for reporting. If the Respondent is not or is no longer a student or staff or faculty member, the College will still seek to meet its Title IX obligations by providing reasonably appropriate supportive measures, assisting the Complainant in identifying external reporting options, and taking reasonably available steps to end the conduct, prevent its recurrence, and address its effects.

The College recognizes that some forms of Prohibited Behavior involve interactions between persons that are not witnessed by others, and therefore, a person's account of what occurred cannot always be substantiated by additional evidence. A Complainant's belief that there may be a lack of corroborating

evidence or “proof” should not discourage them from reporting Prohibited Behavior under this policy. College investigators receive specific training in the dynamics of sexual misconduct and the investigation of Prohibited Behavior and understand that an individual’s account, standing alone, may be sufficient to establish a policy violation by a preponderance of the evidence.

Any individual may make a report, including Grinnell College students, faculty and staff members, and members of the bargaining unit against a student, faculty member, staff member, or member of the bargaining unit.

E. Coordination with Law Enforcement

The College fully supports Complainants’ rights to pursue criminal action for incidents of Prohibited Behavior that may also be considered crimes under Iowa criminal statutes. Under federal law, a Complainant has the right to notify or decline to notify law enforcement. If a Complainant chooses to make a report to external law enforcement, the College will assist them in making such a report and will cooperate with law enforcement agencies to the extent permitted by law. Except where the Complainant is younger than eighteen (18) years old or the matter involves a threat to health or safety, the College will respect the Complainant’s choice whether to report an incident to local law enforcement. In a case of suspected child abuse, the College and its members have a responsibility and duty to report the concern under the [Child Abuse Reporting Policy](#).

The College’s policy, definitions, and burden of proof may differ from Iowa criminal law. A Complainant may seek resolution through the College’s conduct process, may pursue criminal action, may choose one but not the other, or may choose both. Neither law enforcement’s determination whether to prosecute a Respondent, nor the outcome of any criminal prosecution, are determinative of whether Prohibited Behavior under this policy has occurred. Proceedings under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

F. Amnesty for Alcohol and Other Drug Use

The welfare of students, staff, and faculty is of paramount importance. The Grinnell College community encourages the reporting of Prohibited Behavior. Sometimes, students are hesitant to report to college officials or assist other students because they fear that they themselves may be charged with policy violations, such as underage drinking or use of other drugs at the time of the incident. For example, an underage student who has been drinking might hesitate to bring a Complainant to Campus Safety for reporting and/or

assistance. It is in the best interest of the Grinnell College community for individuals to report allegations of Prohibited Behavior to College officials.

Fear of punitive response from the college should not impede a student's willingness to call for help in such situations. In cases of physical assault or sexual misconduct, the student coming forward with a complaint shall not face campus conduct charges related to alcohol or other drugs. When a student experiences a physical or psychological crisis while under the influence of alcohol or other drugs, neither the student in crisis nor the student(s) calling for help will be subject to punitive disciplinary action. Educational measures to prevent future incidents may still apply. Please be advised that criminal/civil processes function separately from campus procedures and may or may not affect each other. This amnesty policy applies only to campus conduct procedures.

G. Active Bystander

The College recognizes that, at times, Grinnell community members, on and off campus, may need assistance. The College urges all community members to offer help and assistance to others in need and take reasonable and prudent actions (without putting themselves in harm's way) to prevent or stop an act of Prohibited Behavior. Acting may include indirect or direct intervention when safe to do so, enlisting the assistance of friends, contacting law enforcement or campus safety, and/or seeking assistance from a person in authority, such as an administrator, faculty member, coach, residence life coordinator or dean. Active Bystander education is available to all community members and required for those with referral responsibilities.

H. Obligation to Provide Truthful Information

All College community members are expected to provide truthful information in any report or proceeding under this policy. Knowingly 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 Prohibited Behavior is prohibited and subject to disciplinary action. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

I. Group Infractions

When members of a student group, individuals acting collusively, or members of a club, or team act in concert in violation of this policy, they may be charged as a group and conduct action may proceed against the group as joint Respondents.

J. Reports Involving Minors

In compliance with Iowa Code 261.9 (1)(h): Child Abuse Reporting Law, the College will report all suspected child abuse and neglect involving minors, including sexual assault, to law enforcement and Campus Safety. Grinnell's [Child Abuse Reporting Policy and Policy for the Protection of Minors](#) are described in section III.

XII. Responding to a Report: Initial Assessment and Supportive Measures

Any person may report Prohibited Behavior to the Title IX Coordinator. The Title IX Coordinator, working with the Title IX team, as appropriate, will ensure that the College responds to all reports in a timely, effective, and consistent manner that treats all parties with dignity and respect. When the Title IX Coordinator receives a report alleging Prohibited Behavior, a member of the Title IX team will conduct an Initial Assessment of the reported information. A member of the Title IX team will promptly contact the Complainant to discuss the availability of supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, explain to the Complainant the process for filing a formal complaint, and consider the Complainant's wishes with respect to supportive measures.

The Title IX team may include the Title IX Coordinator, Director of Campus Safety, and, depending on who is involved in the issue, one or more of the following: Dean of Students, Assistant Vice President of Human Resources, Associate Dean, and other designees as appropriate. Not every member of the Title IX team is involved in every issue; only those who "need to know" attend to the issue at hand. The College is committed to creating a culture of respect and accountability and will provide reasonably available supportive measures to support the individuals involved and protect the College community.

During the Initial Assessment, a Complainant may request supportive measures only, or may file a formal complaint. Alternatively, as described below, the Title IX team may determine that it is appropriate to file a formal complaint on behalf of a Complainant. After the filing of a formal complaint, the Complainant may decide to seek an informal (voluntary) resolution in lieu of a formal resolution process (investigation and hearing). A Complainant is always entitled to reasonably available supportive measures, regardless of whether a Voluntary or Formal Resolution process is initiated.

Typically, the initial assessment and subsequent [resolution process](#) are overseen by the Title IX Coordinator and an administrator designated as the Senior Official.

- For reports and complaints against a **student**², the Senior Official is the **Associate Vice President and Dean of Students**.
- For reports and complaints against a **staff member**, the Senior Official is the **Vice President of Human Resources**.
- For reports and complaints against a **faculty member**, the Senior Official is the **Dean of the College**.

The first step in response to a report is an initial assessment. Through the initial assessment, the College will consider the nature of the report; the Complainant's request for supportive measures, any expressed preference for resolution, and the appropriateness of various resolution options under the policy. While the College will seek to understand and respect the Complainant's preferred resolution, there is no burden on the Complainant to affirmatively seek one form of resolution over another. To the contrary, under Title IX, it is always the College's responsibility to determine the appropriate course of action to foster a community free from discrimination and harassment.

A. Initial Assessment

In response to a report of Prohibited Behavior, the College will make an immediate assessment of the reported information and respond to any immediate health or safety concerns raised by the report. Appropriate steps may include the imposition of reasonably available supportive measures to provide for the safety of the individual and the campus community.

The Initial Assessment typically includes an initial intake meeting with the Complainant or person making the report to understand the nature and circumstances of the report and to provide the Complainant with information about resources, including local law enforcement resources as applicable, procedural options, supportive measures, and an opportunity to discuss the policy.

In addition to the intake meeting (in person or via live technology), the College will provide the Complainant with written information about resources, procedural options for voluntary and formal resolution, reasonably available supportive measures, and the process for requesting and obtaining them, the range of disciplinary sanctions available upon a finding of responsibility for violating the policy, the prohibition against retaliation, and how to report concerns of retaliation. The written information will also include information about campus and community

² Language Assistants are considered students by Grinnell College when participating as Respondents in a conduct process under this policy.

resources and services, including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other available services. This written information will also include a notification about the process for seeking disability-based accommodations, academic adjustments, and/or auxiliary aids under Section 504 of the Rehabilitation Act.

As part of the initial assessment of the facts, the Title IX Coordinator, and members of the response team, as appropriate, will:

- Promptly contact the Complainant to discuss the availability of 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 about the incident;
- Address immediate physical safety and emotional well-being of the Complainant and other impacted individuals;
- Notify the Complainant of their 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 Clery Compliance Coordinator and/or Campus Safety to enter the report into the College's daily crime log if required by the Clery Act;
- With the Clery Compliance Coordinator and/or Campus Safety, assess the reported conduct and discern the need for a timely warning under the Clery Act;
- Provide the Complainant with written information about on- and off-campus resources;
- Notify the Complainant of the range of supportive measures available regardless of whether or not they choose to participate in a College or law enforcement investigation;

- Inform the Complainant that they may seek an advisor or support person of their choice to assist them through investigation and resolution of the report, that the advisor may accompany them to any meeting or proceeding under the policy and Complainant, and that if the matter proceeds under the formal resolution process and either party does not have an advisor, the College will provide a hearing advisor, without fee or charge, to conduct questioning on behalf of the party at the hearing;
- Provide the Complainant with a copy of this policy and an explanation of the range of resolution options, including seeking supportive measures, the process for filing a [formal complaint](#), the formal resolution process, and voluntary resolution;
- Explain the role of and offer an advisor, advocate, or support person;
- Assess for any pattern of behavior by Respondent;
- Conduct an individualized analysis of safety and risk for the campus community to determine whether a Student Respondent's presence in the program or activity poses an immediate threat to the physical health or safety of any student or other individual such that it justifies removal;
- Evaluate the need for administrative leave for an employee Respondent;
- Discuss the Complainant's expressed preference for manner of resolution, level of participation, and any barriers to proceeding (e.g. concerns about retaliation or privacy);
- Explain the College's policy prohibiting Retaliation and that the College will take prompt action in response to any act of Retaliation; and
- Determine age of Complainant and if the Complainant is a minor, make the appropriate notifications under the Child Abuse Reporting Policy.

The initial review will proceed to the point at which a reasonable assessment of the safety of the individual and of the campus community can be made, and the Title IX Coordinator, in consultation with the Senior Official, has sufficient

information to determine the appropriate manner of resolution. The assessment includes explicit consideration of a Complainant's requested course of action.

The Senior Official or Title IX Coordinator will communicate the manner of resolution to the Complainant in writing. Depending on the circumstances and requested resolution, the Respondent may also be notified of the report or resolution. A Respondent will be notified when the action would impact a Respondent, such as the imposition of supportive measures that restrict the Respondent's movement on campus, and the filing of a formal complaint, which may involve the initiation of an investigation, or the decision to involve the Respondent in Voluntary Resolution.

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 and 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.

B. Supportive Measures

Supportive measures are non-disciplinary, non-punitive, individualized support services that are offered as appropriate, as reasonably available, and without fee or charge to the Complainant when a report is received, and to a Respondent after the filing of a formal complaint. Such measures are designed to restore or preserve equal access to the College's education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment or deter Prohibited Behavior.

Supportive measures are available regardless of whether the Complainant chooses to pursue any action under this policy, including before and after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures are available to the Complainant, Respondent, and as appropriate, witnesses or other impacted individuals. The Title IX Coordinator will maintain consistent contact with the parties to ensure that safety and emotional and physical well-being concerns are being addressed. Generally, Supportive measures are meant to be short-term in nature and will be re-evaluated on a periodic basis. To the extent there is a continuing need for supportive measures after the conclusion of the resolution process, the Title IX

Coordinator will work with appropriate College resources, including the Disability Resources Office, to provide continued assistance to impacted parties.

Supportive measures may include:

- Facilitating access to medical and counseling services and assistance in setting up initial appointment, either on or off-campus.
- Guidance in obtaining a sexual assault forensic examination.
- Facilitating a meeting with law enforcement to discuss safety planning and law enforcement options.
- Assistance in arranging rescheduling of exams and assignments and extensions of deadlines or other course related adjustments.
- Academic support services.
- Assistance in requesting long-term academic accommodations through Disability Resources if the individual qualifies as an individual with a disability.
- Coordinating a change in class schedule or transferring sections, including the ability to drop a course without penalty.
- Coordinating alternative course completion options.
- Allow either a Complainant or a Respondent to drop a class in which both parties are enrolled in the same section.
- Modifications of the Complainant's or Respondent's College work schedule or job assignment.
- Change in work or campus housing locations.
- Assistance navigating off campus housing concerns.
- Assistance in completing residence relocation.
- Campus escort services and other safety planning steps.
- Increased security and monitoring of certain areas of the campus.
- Leaves of absence.
- Mutual "no contact order," an administrative remedy designed to curtail contact and communications between two or more people.³
- Referral to resources to assist in obtaining a civil protective order.

³ One way no contact orders are permitted in limited circumstances, including to help enforce a restraining order, preliminary injunction, or other order of protection issued by a court, or if a one-way no-contact order does not unreasonably burden the other party.

- Referral to resources to assist with financial aid, visa or immigration concerns.
- Any other reasonably supportive measure that does not unreasonably burden the other party's access to education and that serves the goals of this policy.

The College will provide reasonable supportive measures to third parties as appropriate and available, considering the role of the third party and the nature of their relationship, contractual or otherwise, with the College.

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. The Title IX Coordinator has the discretion to impose and/or modify any Supportive Measure based on all available information and is available to meet with a Complainant or Respondent to address any concerns about the provision of supportive measures. The College will maintain the privacy of any supportive measures provided under this policy to the extent practicable and will promptly address any violation of a Supportive Measure.

All individuals are encouraged to report to the Title IX Coordinator any concerns about the failure of another to abide by any restrictions imposed through a Supportive Measure. In the event of an immediate health or safety concern, individuals should contact 911 or Campus Safety immediately. The College will take action to enforce a previously implemented measure, which may include additional interim restrictions and/or disciplinary penalties for failing to abide by a College-imposed Supportive Measure.

C. Emergency Removal

Certain circumstances may warrant removing a student Respondent from a College education program or activity. The College may remove a student Respondent on an emergency basis from College property or employment, education, or research programs or activities. 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 immediate threat to the physical health or safety of any student or other individual arising from the allegations of Prohibited Behavior and justifies removal of the Respondent from the College program or activity. There is no limit on the length of the removal.

The Title IX Coordinator will promptly provide the student Respondent with a written Emergency Removal Notice describing any removal and an opportunity to

challenge the removal. During any challenge, the Respondent will remain off-campus and must comply with the notice of removal. The notice will include a statement that any information the Respondent chooses to provide may subsequently be used in implementing any aspect of this policy, including the investigation and adjudication.

The Respondent will have 72 hours (3 business days) to submit a written challenge to the safety and risk analysis to the Title IX Coordinator. The Title IX Coordinator will assign the matter to be reviewed by the Dean of Students, or designee, who will evaluate the information in support of the individualized safety and risk analysis and any information provided by the Respondent. The Dean of Students, or designee, will submit a final decision in writing to the Respondent within 72 hours (3 business days). The Title IX Coordinator will notify the Complainant and Respondent in writing of the outcome of the challenge.

D. Administrative Leave

Similarly, the College may impose a leave for an employee Respondent. Such leaves will be structured (paid vs. unpaid) at the College's discretion and in accordance with relevant employee handbook processes.

XIII. Formal Complaint

The formal resolution process (investigation, hearing and appeal process) is initiated by the filing of a formal complaint. A formal complaint is a written document submitted to the Title IX Coordinator by the Complainant alleging that a Respondent engaged in Prohibited Behavior and requesting an investigation. The formal complaint may be submitted to the Title IX Coordinator in person, by mail, electronic mail, or by using the formal complaint form. The Complainant may also contact the Title IX Coordinator directly for assistance in making a formal complaint. At the time of filing the formal complaint, the Complainant must be participating in or attempting to participate in the College's education program or activity. Where a Complainant files a formal complaint and requests an investigation, and the reported conduct falls within the scope and jurisdiction of the policy, the Title IX Coordinator must pursue an investigation.

A. Dismissal of Formal Complaint

The Title IX Coordinator will determine whether the conduct alleged in the formal complaint falls within the scope of the policy and the definitions of Prohibited Behavior. The Title IX regulations require the College to dismiss some or all of the allegations in the formal complaint related to Title IX Sexual Harassment if: 1) the conduct alleged, even if substantiated, would not constitute Title IX Sexual Harassment as defined in the Title IX regulations; 2) the conduct did not occur within the College's education program or activity; or, 3) the conduct did not occur

against a person in the United States. This means that the College may be required by law to dismiss some or all allegations in the formal complaint under Title IX and provide the parties notice of the dismissal and the opportunity to appeal that dismissal.

Where the allegations in the formal complaint include other forms of Prohibited Behavior, including Sexual Assault, Dating Violence, Domestic Violence and Stalking when the conduct occurred outside of the United States, or the conduct is not within the education program or activity (but still within the scope of conduct regulated by the College), the formal resolution process will still apply and the remaining allegations will proceed to the formal resolution process set forth below.

In addition, the Title IX Coordinator may dismiss a formal complaint, at any stage of the process, in any of the following three circumstances: (1) the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; (2) the Respondent is no longer enrolled or employed by the College; (3) or specific circumstances, including a Complainant's decision not to respond to outreach by the Title IX Coordinator, prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. When an investigation has concluded through the formal resolution process, the Title IX Coordinator will review the final report and determine, with consideration of the investigator's recommendations in the Policy Analysis section, whether some or all allegations will move forward for consideration by the adjudicator in the hearing.

The decision about whether to dismiss a formal complaint, in whole or in part, may be made at any time in the process and will be communicated to the parties in writing. Either party may appeal the dismissal of a formal complaint or allegations by notifying the Title IX Coordinator in writing of the appeal within five (5) business days of the dismissal. The other party will be notified of the appeal. Appeals to dismissals will be reviewed within five (5) business days.

B. Title IX Coordinator Discretion to File Formal Complaint

In all cases, Complainants who come forward will be afforded support, resources, and remedies, including supportive measures, whether they choose to pursue a formal complaint. The College understands that some Complainants may choose to seek support resources without pursuing an investigation or conduct (corrective) action.

During the Title IX assessment, College officials, to the best of their ability, will consider the stated interests of the Complainant and their expressed preference for manner of resolution. Where possible, and as appropriate based on an

assessment of the facts and circumstances, the College will seek action consistent with the Complainant's request. Where a Complainant requests that their name or other identifiable information not be shared with the Respondent, or that no formal complaint be filed, the College will balance this request with its obligation to provide a safe and non-discriminatory environment for all College community members and ensure procedural protections by providing notice and an opportunity to respond before conduct (corrective) action is taken against a Respondent.

The Title IX Coordinator also has the discretion to file a formal complaint. In assessing the appropriate resolution, including whether the Title IX Coordinator will file a formal complaint in the absence of a formal complaint by the Complainant, the College will consider the Complainant's express preference for manner of resolution in light of the following factors:

- The seriousness, persistence, or pervasiveness of the conduct;
- The respective ages and roles of the Complainant and the Respondent;
- Whether there have been other reports of Prohibited Behavior against the Respondent;
- Whether the circumstances suggest there is a risk of the Respondent committing additional acts of Prohibited Behavior;
- Whether the Respondent has a history of arrests or prior conduct violations (at the College or elsewhere, if such information is available) indicating a history of violence;
- Whether the Respondent threatened further acts of Prohibited Behavior or other violence against the Complainant or others;
- Whether the Prohibited Behavior was committed by multiple individuals;
- Whether the Prohibited Behavior was perpetrated with a weapon, by force, or through the use of predatory behavior, including the use of incapacitating substances;
- Whether the College possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence);

- The College's obligation to provide a safe and non-discriminatory environment; and
- Any other available and relevant information.

After considering the available information and risk factors outlined above, the Title IX Coordinator will determine the appropriate manner of resolution under the policy.

Where the Title IX Coordinator determines that a Complainant's request(s) can be honored, the College will determine what other steps may be reasonable and appropriate to prevent its recurrence and limit or remedy the effects of the reported conduct on the Complainant and the College community. Those steps may include offering appropriate Supportive Measures to the Complainant, providing targeted training and prevention programs, and/or providing or imposing other remedies. This is typically referred to as Supportive Measures/Remedial Resolution.

Where the Title IX Coordinator determines that the Title IX Coordinator will file a formal complaint, the Title IX Coordinator will notify the Complainant in writing. The Complainant will be encouraged, but not required, to participate in the investigation. Without the participation of the Complainant, however, the College's ability to investigate and respond fully to a report may be limited. The College will, however, pursue other steps to limit the effects of the reported conduct and prevent its recurrence.

Where a decision has been made not to pursue an investigation, the Title IX Coordinator may subsequently re-open a report if new or additional information becomes available, and/or if the Complainant later decides that they would like to pursue Formal Resolution.

C. Consolidation of Formal Complaints

The College may consolidate formal 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 Prohibited Behavior arise out of the same facts or circumstances.

XIV. Resolution Options and Appeals

In general, there are three categories of resolution under this policy:

Supportive Measures/Remedial Resolution

In some instances, as outlined above, a Complainant may seek supportive measures only. This form of resolution will typically occur when the Complainant requests anonymity or that no investigation be pursued and the College determines it can assent to this request; when the College does not have disciplinary authority over the Respondent; or when the identity of the Respondent, after reasonable inquiry or investigation, is unknown. This form of resolution is not designed to be a final resolution, but rather, to meet the needs of the Complainant at the time of the initial report. The Complainant may later request or the College may file a formal complaint, initiating Voluntary Resolution or Formal Resolution. In other instances, no further action on the report will occur and the Remedial Resolution will serve as the final resolution.

Voluntary Resolution

As described in greater detail below, Voluntary Resolution is an alternative form of resolution that does not involve an investigation and hearing. Voluntary Resolution may involve educational interventions, facilitated interactions between the parties, or resolutions by agreement between the parties. Voluntary Resolution can encompass a variety of actions and may result in agreed upon disciplinary action against a Respondent. In some instances, Voluntary Resolution may constitute a final resolution; in other instances, the College may subsequently pursue Formal Resolution.

Formal Resolution

Formal Resolution involves a prompt and equitable investigation; a hearing to determine if there has been a policy violation and, if so, the imposition of sanctions through conduct (corrective) action. Formal Resolution also includes a process for appealing the allegations moving forward to the hearing and the outcome of the process.

The determination as to which form of resolution is most appropriate will be made by the Title IX Coordinator, in consultation with the Senior Official (and others, as needed); however, the parties and the College must voluntarily consent in writing to participate in Voluntary Resolution.

A. Time Frame for Resolution

The College will make a good faith effort to resolve all reports of Prohibited Behavior in a reasonable and timely manner. The policy designates reasonably prompt timeframes for the major stages of the investigation and resolution process consistent with the intent to conduct sensitive and informed fact-gathering to ensure an equitable resolution. The College may extend any timeframe in this policy for good cause. The length of any resolution will vary

depending on factors such as the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the volume of the investigative record, the effect of a concurrent criminal investigation, any intervening school break or vacation, or other unforeseen circumstances.

While requests for delays by the parties may be considered, the College cannot unduly or unreasonably delay the prompt resolution of a report under this policy. Reasonable requests for delays by the parties will serve to extend the time period for resolution of the report. The Title IX Coordinator, in consultation with the investigator, 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 any timeframe for good cause, the reason for the extension, and the length of the extension. In addition, Complainant(s) and Respondent(s) can expect to receive timely updates as to the status of the review or investigation.

B. Support Person (Advisor)

Regardless of the manner of resolution, both parties are allowed to have a support person (advisor) present at any and all meetings and proceedings.

Complainants and Respondents are permitted to consult with and be accompanied by the support person (advisor) of their choice to any meeting related to these procedures. The support person (advisor) may be any individual, including an attorney. The support person (advisor) is a nonparticipating supporter at any meeting or proceeding under this policy, except that the support person (advisor) may conduct questioning of the other party and any witnesses during the hearing. The support person (advisor) may advise the Complainant or Respondent on the procedural or any other aspects of the process or assist with the party's review of documents and appeal process in a manner consistent with this policy. The advisor is entitled to review all information gathered in the investigation that is directly related to the allegations (as part of evidence review), to access to the investigation report, and to question the other party and all witnesses during the hearing.

A party may decline to use an advisor for all stages of the resolution process, apart from the hearing, where any questioning of the other party must be conducted by the party's advisor. If a party does not have an advisor for the hearing, the College will provide an advisor, free of charge, who may be, but is not required to be, an attorney, to attend the hearing and conduct questioning on behalf of that party. This College-appointed advisor will be selected from a pool of diverse individuals.

A party may change their support person (advisor) at any point during the process. A support person (advisor) may be required to meet with the Title IX Coordinator and/or Senior Official in advance to understand the parameters of their role, privacy restrictions under FERPA, and the provisions of this policy. The College reserves the right to dismiss a support person (advisor) who is disruptive to College proceedings or does not abide by the restrictions set forth in this policy.

C. Voluntary Resolution

Voluntary Resolution is available only after a formal complaint has been filed, prior to a determination of responsibility, and if the Complainant and the Respondent voluntarily consent to the process in writing. Voluntary Resolution is not available in cases in which an employee is alleged to have sexually harassed a student. In all cases, the Title IX Coordinator and the Senior Official will have discretion to determine whether Voluntary Resolution, or any particular form of Voluntary Resolution, is appropriate to the circumstances.

Voluntary Resolution may involve agreement to pursue individual or community remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction with the Respondent; mediation; indirect action by the Title IX Coordinator; and other forms of resolution that can be tailored to the needs of the parties. With the voluntary consent of the parties, Voluntary Resolution may be used for agreed-upon disciplinary sanctions. Disciplinary action will only be imposed against a Respondent where there is a sufficient factual foundation and both the Complainant and the Respondent have agreed to forego the additional procedures set forth in this Policy and accept an agreed upon sanction.

Any person who facilitates voluntary resolution will be trained and free from conflicts of interest or bias for or against either party.

The form of Voluntary Resolution may vary from case to case. Although the form of Voluntary Resolution will be tailored to meet the needs of the parties and is not limited to the approaches discussed below, there are three forms of Voluntary Resolution that have been commonly requested and implemented in response to reports under this policy:

- 1. Direct Approach by Complainant:** After a discussion with the Title IX Coordinator, Senior Official, or other official designated by the College, a Complainant may choose to contact a Respondent directly. If a Complainant does not wish to engage in direct dialogue, the Complainant may choose to write a letter or create a video to be provided to the Respondent. A Complainant may

choose to use a direct approach to inform the Respondent that the conduct is unwelcome, to request that the Respondent change their behavior, or to share the impact of the Respondent's behavior on the Complainant or others so that the Respondent may better understand the harms caused by their actions.

2. **Third Party Facilitation:** The Senior Official, Title IX Coordinator, or another trained and experienced individual designated by the College may facilitate a conversation or conduct shuttle mediation between the Complainant and the Respondent. This type of intervention may result in an agreement between the parties, no contact between the parties, referral for either or both parties to counseling programs, an agreement for corrective action, targeted training or educational interventions, or the implementation of supportive measures for the Complainant. Where the matter is resolved through third party facilitation, the Senior Official, Title IX Coordinator, or their designees will conduct a periodic review and individually follow-up with the parties to assure that the resolution has been implemented effectively.
3. **Indirect Action by the Senior Official:** The Complainant may choose an indirect approach which is intended to alter and stop the Respondent's behavior without requiring the Complainant to participate in the resolution. The Complainant may request Indirect Action through the appropriate Senior Official. Indirect Action may include intervention with the Respondent without identifying the Complainant; implementing targeted or broad-based training or educational programs/conversations designed to address the behavior at issue; revising or publicizing College policies or procedures; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; conducting climate assessments or surveys to evaluate similar concerns; and similar measures meant to eliminate the behavior, prevent its recurrence and address its effects.

If the parties are interested in pursuing Voluntary Resolution, the Title IX Coordinator will send written notices/agreements to the parties describing:

1. The allegations at issue;
2. The requirements and terms of the voluntary resolution;
3. The circumstances under which the parties are precluded from resuming a formal complaint arising from the same allegations;

4. The right to end the Voluntary Resolution process at any time prior to resolution and resume the formal complaint process;
5. The consequences resulting from participating in the Voluntary Resolution, including that the records and communications created or maintained as part of the voluntary resolution process may be viewed by parties, or later used or considered in the formal complaint process, including during the investigation and hearing if the information is determined to be relevant to resolution of the allegations.

All parties will be required to return signed copies of the written notices/agreement agreeing to the Voluntary Resolution process.

If a resolution is reached between the parties, depending on the terms of the Voluntary Resolution, the matter may be considered closed, and the parties will be precluded from filing another formal complaint arising from the same set of facts or circumstances. Any final preclusion of this nature will be documented in the written notice. Prior to reaching a resolution, any party can withdraw from the Voluntary Resolution process and resume the formal complaint process. The College strives to complete a Voluntary Resolution within thirty (30) days of the parties' written agreement to participate in the process.

The Title IX Coordinator will maintain records of all reports and conduct referred for Voluntary Resolution.

D. Formal Resolution: Investigation

1. Decision to Initiate Investigation

If a Formal Complaint is not dismissed pursuant to Section XIII.A., the College will pursue an investigation and hearing in response to a formal complaint by the Complainant or Title IX Coordinator.

2. Notice of Investigation

When the College initiates an investigation, the Senior Official will issue a written Notice of Investigation to the Complainant and Respondent. The Notice will include: (1) the process for formal and voluntary resolution; (2) the names of the Complainant and the Respondent; (3) the date, time (if known), location, and precise nature of the reported conduct; (4) the specific policy violation(s) at issue; (5) the name and contact information of the Investigator; (6) how to challenge participation by the Investigator on the basis of a conflict of interest or bias; (7) information about the parties' participation in the process; (8) the prohibition

against retaliation; (9) the importance of preserving any potentially relevant evidence in any format; (10) information about how a party may request reasonable accommodations for a disability or language diversity during the process; (11) a presumption of non-responsibility; (12) that the parties are entitled to an advisor of their choice, who is permitted to review the evidence gathered in the investigation that is relevant or directly related to the investigation; (13) that if parties at a hearing do not have an advisor, the College will provide one to them at no cost or charge; (14) that the College prohibits providing false or misleading information; and (15), a copy of this policy.

If the investigation reveals the existence of additional or different potential violations of this policy, the Investigator will notify the Senior Official who will issue a supplemental notice of investigation to the parties.

Any party may raise a challenge to the designated investigator(s) on the basis of actual bias or conflict of interest. This challenge must be raised, in writing, to the Title IX Coordinator within 2 business days of receipt of the Notice of Investigation.

3. Presumption of Non-Responsibility

The Respondent is presumed to be not responsible throughout the process until, and if, a preponderance of the evidence supports a finding that the Respondent violated the Policy.

4. Overview of Investigation

Where the College initiates Formal Resolution, the Title IX Coordinator (or designee) will appoint a trained investigator or investigators to conduct a prompt, equitable, thorough, and impartial investigation of reports of Prohibited Behavior. The investigator may be a College employee or an external investigator engaged to assist the College in conducting an investigation. The investigator(s) will treat all parties with the appropriate sensitivity and respect. As described in the [Statement of Privacy](#), the investigation will be conducted in a manner that is respectful of individual privacy concerns.

The role of the investigator will be to gather information through interviews of the Complainant, Respondent, and witnesses and synthesize the information in a report that will be provided to the Complainant, Respondent, and Adjudicator. The investigation report will include all relevant information provided by all parties and witnesses, including inculpatory and exculpatory information that will be used in the determination of responsibility or sanction.

The investigation is designed to provide a fair and reliable gathering of the facts. Information gathered during the review or investigation will be used to ensure the safety of the Complainant, Respondent, and the College campus community, ensure accountability for any violations of College policy, and impose remedies as necessary to address the effects of the reported conduct.

The burden is on the College, not the parties, to gather relevant evidence sufficient to reach a determination regarding responsibility. The investigator(s) will conduct a fair and reliable fact gathering process. The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The investigator(s) will be responsible for interviewing the Complainant and Respondent (separately); interviewing potential witnesses; collecting relevant documentation and physical evidence (inculpatory and exculpatory), including documents, communications between the parties, and other electronic records as appropriate; and preparing a written report documenting the information gathered in the investigation. The Title IX Coordinator, or designee, will send written notice of the interview date, time, and location, name of participant(s) and purpose of any interview or meeting to the parties and witnesses, in sufficient time for the party to prepare and participate.

The Complainant and Respondent will have an equal opportunity to prepare, be heard, to submit information, and to ask and respond to questions of the other party through the investigator as part of the investigation. The parties are encouraged to provide all relevant information as promptly as possible to facilitate prompt resolution. Both parties will also have equal and timely access to information and evidence that will be used in the adjudication of the report, through the evidence review process described below and the written investigation report.

Witnesses will be interviewed by the investigator(s) as part of the College's investigation, and witness statements, including the names of the witnesses, will be summarized, or integrated in the investigative report that is provided to the Complainant, Respondent, and Adjudicator at the conclusion of the fact gathering process.

The College expects all members of the Grinnell community to cooperate fully with the investigation and adjudication procedures. It is understood that there may be circumstances in which a Complainant, Respondent or witness wish to limit their participation, and the College will not compel a Complainant, Respondent, or witness to engage in proceedings under this policy. The College may, however, move forward with an investigation and hearing without the participation of a party or parties. If a party declines to voluntarily provide material information or participate in the investigation or adjudication, the

College's ability to conduct a prompt, thorough, and equitable investigation may be impacted.

If a Complainant, Respondent, or witness chooses not to answer any or all questions in an investigation for any reason, the College will continue its process; and the College will reach a determination as to responsibility and issue any discipline or sanctions, as appropriate. The College will not draw any adverse inference from a Complainant's or Respondent's decision not to participate in the investigation or any form of resolution under this policy; however, declining to participate in the investigation may impact the timing and outcome of the case.

The investigator cannot access, consider, disclose, or otherwise use a party's records that are protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege. If a party voluntarily chooses to share medical or counseling records with the investigator, they must sign a written consent that acknowledges that relevant information from the medical or counseling records must be shared with the other party to ensure the other party has notice of that information and an opportunity to respond.

The prior sexual history of the Complainant is not relevant, except under two circumstances. First, where there is a current or ongoing relationship between the Complainant and the Respondent, and the Respondent asserts that the conduct was consensual, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties, which may inform the determination of whether consent was sought and reasonably appeared to have been given during the incident in question. As outlined in the consent definition, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent and evidence of prior sexual history may not be used to presume consent. Second, a Complainant's prior sexual history may be relevant if offered to prove that someone other than the Respondent committed the conduct alleged.

Prior findings of fact or undisputed facts underlying a finding of Prohibited Behavior (Prior Findings) may be determined relevant to prove knowledge, motive, intent, state of mind, preparation, absence of mistake, identity, pattern, or another material fact. The Title IX Coordinator will assess the relevance of this information by evaluating whether a Prior Finding makes a material fact in the investigation more or less likely. With respect to potential pattern evidence, the determination of relevance will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar Prohibited Behavior.

Where a sufficient informational foundation exists for the inclusion of prior sexual history or Prior Finding, the Title IX Coordinator will provide notice to both parties

of the scope of any inclusion of prior sexual history or Prior Finding in the investigative report. The parties will have a full and fair opportunity to respond to the information included in the investigative report.

5. Draft Investigation Report and Evidence Review

At the conclusion of the fact-gathering phase, the investigator will make information gathered in the investigation available for review by the parties and their advisors in a draft investigation report. The parties will have an equal opportunity to inspect and review information and evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

The investigation report will detail the information gathered, identify the potential policy violations and synthesize the areas of agreement and disagreement between the parties and any supporting information or accounts.

The Title IX Coordinator, Senior Official, or designee will facilitate access for each party and the party's advisor, if any, to the draft investigation report which includes 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 may be in the form of comments or clarifications, proposed questions for the investigator(s) to ask the other party, or identification of additional witnesses or sources of evidence, which the investigator will consider prior to completion of the final investigative report. Complainant(s) and Respondent(s) can also review the materials in hard copy at a private office designated by the Title IX Coordinator or Senior Official.

6. Review of Final Investigation Report

Complainant(s) and Respondent(s) will both have an opportunity to review the final investigation report. The Title IX Coordinator or Senior Official will send a secure, electronic link to the Complainant and Respondent to access the report and supporting materials in the same manner as the draft investigation report. Complainant(s) and Respondent(s) can also review the materials in hard copy at a private office designated by the Senior Official. The parties will have at least ten (10) days to review the report prior to the scheduled hearing.

The final investigation report will include a recommendation, in the Policy Analysis, by the investigator(s) whether the conduct alleged in the formal

complaint and notice of investigation falls within the scope of the Policy and the definitions of Prohibited Behavior. In particular, the investigator(s) will determine whether the reported behavior, if substantiated, would constitute Title IX Sexual Harassment. This assessment is not a determination of responsibility, nor does it involve a determination about the credibility of the information gathered; those decisions are reserved for the Adjudicator. Rather, this evaluation accepts all information as presented by the Complainant as true to determine the potential Policy violations that will move forward to a hearing. The Title IX Coordinator will review the final report and Policy Analysis to make the determination in accordance with Assessment for Mandatory Dismissal (see below).

The Complainant and Respondent may submit a written response to the final investigation report that will be considered by the Adjudicator in the hearing. The written response will be considered by the Adjudicator and Title IX Coordinator and can address any issue from the evidence review or investigative report, including the investigator's assessment of relevance or recommendation as to jurisdiction.

The investigation is a party's opportunity to present testimonial and other evidence that the party believes is relevant to resolution of the allegations in the Formal Complaint. A party who is aware of and has a reasonable opportunity to present evidence and/or identify witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

7. Assessment for Mandatory Dismissal

At the conclusion of the investigation, the Title IX Coordinator will review the final investigation report prepared by the investigators to determine whether any allegations or the formal complaint must be dismissed pursuant to Section XIII (A). The investigator(s) will include a Policy Analysis in the final report analyzing the allegations and recommending which allegations, if any, should move forward to the hearing and which allegations, if any, should be dismissed. If some or all of the allegations are dismissed, the Title IX Coordinator will provide the parties notice of the dismissal and the opportunity to appeal that dismissal.

In some instances, the investigator, in consultation with the Title IX Coordinator will determine that the allegations, even if accepted as true, would not rise to the level of Title IX Sexual Harassment, but nonetheless require remediation. The Title IX Coordinator, in partnership and consultation with relevant stakeholders, may address unprofessional, disrespectful, and/or offensive conduct that: 1) does not rise to the level of creating a hostile environment (or a violation of this Policy, or 2) is of a generic nature not clearly based on a protected characteristic; and/or 3) runs counter to the College's mission and values. Addressing such behaviors will not typically result in the imposition of disciplinary sanctions under the Policy,

but may be addressed through restorative remedial actions, such as coaching, education, and/or effective conflict resolution or other alternative resolution.

8. Acceptance of Responsibility

A Respondent may choose to accept responsibility for their behavior at any point during the investigation or thereafter. In the event that the Respondent admits responsibility for committing an act or acts of Prohibited Behavior, the Senior Official will determine whether further investigation is warranted. The Senior Official will issue a finding of responsibility and determine an appropriate sanction(s) pursuant to the sanctioning process below.

9. Formal Resolution: Hearing

Hearings will be conducted either in-person or virtually with technology that enables the adjudicator and parties to simultaneously see and hear the party and witnesses speaking. The College will provide for the live hearing to occur with the parties located in separate rooms or spaces with technology enabling the adjudicator and parties to simultaneously see and hear the party or the witness answering questions. There is no requirement that both parties be present in the same physical space. Any in-person hearing format will generally provide each party a separate room with their support person.

10. Notice of Hearing

The Title IX Coordinator will provide the Complainant and Respondent with a written notice of hearing. The notice of hearing will include: the specific policy violations that will be the subject of the hearing; the date time, and location of the hearing; the name of the adjudicator; how to challenge participation of the adjudicator on the basis of conflict of interest or bias; the right to have an advisor present at the hearing and conduct questioning on the party's behalf; that the College will provide an advisor, without fee or charge, to conduct questioning on behalf of the party at the hearing if the party does not have an advisor present for the hearing; how to request that witnesses be present at the hearing; and, information about the hearing format.

11. Adjudicator

The College may engage an outside individual or firm (typically experienced, retired judges or legal professionals, trained in the intricacies of Title IX) to adjudicate cases of sexual assault or other forms of Prohibited Behavior as needed. The Adjudicator will possess the requisite training and experience needed to competently and fairly adjudicate the matter and will be free from actual bias or conflict of interest.

The role of the Adjudicator is to provide all parties with an equitable opportunity to be heard and to reach a full and fair determination as to responsibility and imposition of any sanction, should there be a finding of responsibility. The Adjudicator will review the investigative report and any written statements provided by the parties in response to the investigative report, all exhibits and any additional relevant evidence introduced at the hearing. The Adjudicator will determine whether there is sufficient evidence, by a preponderance of the evidence, to support a finding of responsibility as to each element of each Policy violation at issue. The Adjudicator may reach credibility determinations but may not base credibility determinations on a person's status as a Complainant, Respondent or witness. Where a Complainant or Respondent declines to participate in a hearing, the Adjudicator may not make an adverse inference against that party. The Adjudicator may consult with or be advised by the Title IX Coordinator as to process and compliance with the policy, although the Adjudicator retains full discretion and decision-making authority.

The Complainant and Respondent will be provided the name of the Adjudicator in advance and can raise a challenge for bias or conflict of interest to the Title IX Coordinator prior to the hearing. The Title IX Coordinator shall render a determination in writing on any such challenge, which determination shall be final.

12. Request to Reschedule Hearing

Either party can request to have the hearing rescheduled. Absent extenuating circumstances, requests to reschedule must be submitted to the Senior Official or Title IX Coordinator at least five (5) business days prior to the hearing.

13. Attendance at the Hearing

Parties and witnesses are not required to attend the hearing. The Adjudicator may not draw an adverse inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing. A Complainant or Respondent may request alternative options that do not require physical proximity to the other party, including appearing via a remote electronic method that enables the participants to simultaneously see and hear each other. This request should be made no less than five (5) business days prior to the hearing.

Hearings are closed and not open to the public. The individuals from the Grinnell College community who may appear before the adjudicator are the Complainant, the Respondent, support persons (advisors), witnesses, the Dean of Students and the investigator(s). The Title IX Coordinator, designee, or College counsel may also be present.

14. Hearing Procedures

The hearing is an opportunity for the parties to address the Adjudicator. During the hearing, the Complainant and Respondent may address any relevant information in Evidence Review, investigative report and supplemental statements submitted in response to the investigative report. The College will make all evidence directly related to the allegations, as shared in evidence review, available to the Complainant and Respondent at the hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination. Each party has the opportunity to be heard and to respond to any questions of the Adjudicator and the other parties' advisor. Each party may question the other party, investigator, or witnesses, through their advisor.

The hearing is not intended to be adversarial; rather, it is intended to provide fair and ample opportunity for each party to present information and ask questions through their advisor; to enable the Adjudicator to determine the facts of the case; to make a determination regarding the alleged violations of this policy, other College policies and Community Standards; and to recommend appropriate educational outcomes (sanctions), if necessary.

The Adjudicator is required to objectively evaluate and review all relevant information/evidence, including inculpatory and exculpatory information, regarding the incident, including written statements, the investigation report, documents, items, and/or information provided by the Complainant(s), Respondent(s), and witnesses prior to the hearing.

Generally, the hearing will begin with an explanation of the process. The adjudicator will then provide an opportunity to ask procedural questions prior to initial statements and the presentation of information. The Adjudicator will confirm with each party that they have been given the opportunity to review and inspect all evidence presented thus far in the process. The Adjudicator will also read the charge(s) against the Respondent and ask them to respond "responsible" or "not responsible" for each of the charges.

A typical hearing may include brief opening remarks by the Complainant and Respondent, with follow-up questions posed by the adjudicator, narrative information presented by the parties or investigator deemed relevant by the adjudicator, with follow-up questions of the parties or witnesses by the advisor and the adjudicator, and brief concluding remarks by the Complainant and Respondent. The Title IX Coordinator has the discretion to determine the specific hearing format.

The Complainant and Respondent will not be permitted to directly question one another. Each party will have the opportunity to question the other party, the witnesses, and the investigator through their advisor of choice or hearing advisor provided by the College directly, orally, and in real time. Only relevant questions may be asked of a party or witness. Before a Complainant, Respondent, or witness responds to a question, the adjudicator will first determine whether the question is relevant and briefly explain any decision to exclude a question as not relevant. The Adjudicator may ask the party's advisor to articulate the relevance of the question, but objections and argument by the advisors are not permitted.

The adjudicator may consider any statements of a party or witness made outside the hearing in reaching a determination regarding responsibility. However, the adjudicator may not draw any inference from the decision of a party or witness to not participate at the hearing.

The Complainant may bring an Impact Statement that addresses the impact of this event and their suggestions for educational outcomes (sanctions), to be considered if the Respondent is found responsible for any of the charges in the case. The Respondent may bring a Mitigation Statement that addresses the considerations relevant to sanctioning and their suggestions for educational outcomes (sanctions), to be considered if the Respondent is found responsible for any of the charges in the case. The Impact and Mitigation Statements will not be considered or viewed by the Adjudicator prior to the reaching a determination as to whether there is sufficient information to support a finding of a policy violation.

The Adjudicator has the discretion to request additional meetings with the parties, as appropriate, or require further investigation.

15. Recording of Proceedings

Adjudication proceedings are digitally recorded. The digital recording is created for three limited purposes only: for review by the Complainant and Respondent, for reference by the adjudicator during deliberations, and for review by the appeals officer during an appeal. No other recordings of the proceedings are allowed, and no other access to the recordings is permitted. The College may delete the recording at any point following seven (7) years after the date the proceeding concludes.

16. Deliberation and Preponderance of the Evidence

After all the information has been presented at the hearing, the adjudicator will deliberate in private. The Adjudicator will reach a decision on responsibility by using the preponderance of evidence standard. This means that the Adjudicator

will decide whether it is “more likely than not,” based upon the information provided through the investigation and at the hearing that the Respondent is responsible for the alleged violation(s).

A Respondent is presumed to be not responsible for the alleged conduct unless and until a determination regarding responsibility is made at the conclusion of the resolution process.

If the adjudicator finds a Respondent responsible for a violation of this policy, the adjudicator will recommend appropriate educational outcomes (sanctions) to the Senior Official or designee.

As mentioned above, the Complainant and Respondent will each have the opportunity to present a written Impact or Mitigation Statement about the impact this incident has had on them, other considerations relevant to sanctioning, and/or requested educational outcomes (sanctions). These statements will be reviewed by the adjudicator only if the Respondent is found responsible for one or more of the charges against them.

The findings of the Adjudicator will be documented in a written case opinion within five (5) business days of completion of the hearing and any subsequent meetings. The case opinion will include findings of fact supporting the determination; conclusions regarding the application of the policy to the facts; a statement of, and rationale for, the result as to each alleged policy violation, including a determination regarding responsibility; and, the Adjudicator’s recommended sanction and rationale for the sanction if the Respondent is found responsible. The case opinion will be provided to the Title IX Coordinator and Senior Official.

17. Remedies

The Title IX Coordinator and Senior Official will review the case opinion to determine whether additional remedies for the Complainant are necessary to restore and preserve equal access to the College’s education program and activity. Examples of such remedies may include the provision of counseling, academic services, escort services, and/or training for members of the College community, as well as making modifications to class scheduling and/or housing assignments.

18. Review of Sanction Recommendation

The Senior Official will review the recommendation of the Adjudicator and determine the appropriate sanction(s). The Senior Official reserves the right to broaden or lessen any range of recommended educational outcomes (sanctions) due to mitigating or aggravating circumstances. Neither the Adjudicator, Senior

Official, nor any appeals officer will deviate from the range of recommended outcomes unless compelling justification exists to do so.

In determining the appropriate sanction(s) and/or remedies, the Adjudicator and the Senior Official will consider several 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 a Respondent;
- maintenance of a safe and respectful environment conducive to learning;
- protection of the College community;
- the necessity of any specific action in order to eliminate the Prohibited Behavior, prevent its recurrence and remedy its effects on the Complainant or other College community members; and,
- any mitigating, aggravating or compelling circumstances in order to reach a just and appropriate resolution in each case.

The Senior Official may also consider restorative outcomes that, considering the safety of the College community as a whole, allow a Respondent to develop insight about their responsibility for the behavior, learn about the impact of the behavior on the Complainant and the community, and identify how to prevent or change the behavior. Sanctions may be issued individually, or a combination of sanctions may be imposed.

19. Educational Outcomes (Sanctions)

a. Students

The educational outcomes (sanctions) for students are set forth in the [Conduct Processes](#) of the Student Handbook. Educational outcomes (sanctions) may range from written warning to permanent separation (i.e., dismissal) from the College. They may also include educational, supportive, and/or corrective actions (in combination or singularly) as warranted such as: conduct warning, conduct probation, behavioral expectations (including a campus no-contact order), parental and guardian notification, College-owned residence suspension, College-owned residence dismissal, suspension, campus ban, dismissal from the College, withdrawal from courses, withholding of registration, withholding of degree, or rehabilitative measures.

In general:

- A Respondent who is found responsible for non-consensual sexual intercourse will typically receive educational outcomes (sanctions) of suspension or dismissal, including a ban from campus.
- A Respondent who is found responsible for non-consensual touching or contact (where no intercourse has occurred) will typically receive educational outcomes (sanctions) ranging from conduct warning to dismissal.
- A Respondent who is found responsible for any other prohibited form of conduct will typically receive educational outcomes (sanctions) ranging from conduct warning to dismissal.'

b. Faculty or Staff

Potential sanctions for faculty or staff members include verbal or written warning, additional education and training, formal notation to personnel file, suspension with or without pay, and termination/dismissal for cause.

Any action taken against a faculty or staff member will be consistent with applicable employment contracts and faculty/staff handbook. (See section E., below, for appeal process.)

20. Notice of Outcome

The Senior Official will provide simultaneous written notification of the Adjudicator's findings and the educational outcomes (sanctions) imposed to the Respondent(s) and the Complainant(s) in writing. The written notification of outcome will include:

- a. Identification of the allegations potentially constituting Prohibited Behavior;

- b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- c. Findings of fact supporting the determination;
- d. Conclusions regarding the application of the policy to the facts; and
- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary outcomes (sanctions), and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided to the Complainant;
- f. The procedures and permissible bases for the Complainant and Respondent to appeal.

Generally, the notice of outcome will be final and communicated to the parties within five (5) business days from the date the Adjudicator submits the case opinion to the Senior Official.

The imposition of educational outcomes (sanctions) will take effect immediately and will not be postponed pending resolution of an 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 the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

E. Appeal Processes

Either party may appeal the dismissal of a formal complaint or allegations by notifying the Title IX Coordinator in writing of the appeal within five (5) business days of the dismissal. The other party will be notified of the challenge. Appeals to dismissals will be reviewed within five (5) business days.

At the conclusion of the formal resolution process, Complainant and Respondent, within five (5) business days of the date of notice of outcome, may submit a written request to the Appeals Officer.

Appeals will be evaluated by an impartial decision-maker, referred to as the Appeals Officer. The Appeals Officer will be determined by the role of the Respondent:

- For **student respondents**, the Appeals Officer is the **Vice President of Student Affairs or designee**
- For **staff respondents**, the Appeals Officer is the **Vice President of Finance or designee**
- For **faculty respondents**, the Appeals Officer is the **President or designee**

Either party may raise a challenge to the Appeals Officer on the basis of actual bias or conflict of interest. This challenge must be raised, in writing, to the Title IX Coordinator within two (2) business days of receipt of notice of acceptance of the appeal.

In an appeal of the outcome in a formal resolution process, the Complainant and/or Respondent may appeal only the parts of the determination of responsibility and/or educational outcome(s), if applicable, directly relating to them. Dissatisfaction with the outcome of the case is not grounds for appeal. The limited grounds for appeal are as follows:

1. Procedural irregularity that affected the outcome of the matter and/or sanction;
2. New evidence, not reasonably available at the time of the hearing regarding responsibility or dismissal of the formal complaint, that could affect the outcome of the matter;⁴
3. The Title IX Coordinator, investigator(s), adjudicator, or Senior Official had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

If either party has questions about how to file an appeal, they may contact the Title IX Coordinator.

The appeal shall consist of a plain, concise, and complete written statement expounding on the grounds for the appeal. When an appeal has been submitted, the Appeal Officer will notify both parties with a decision to accept or deny the appeal within five (5) business days. If accepted, each party will be given the opportunity to respond in writing to the other party's appeal. Any response by the

⁴ The time frame for filing an appeal based on newly discovered information may be extended at the discretion of the Title IX Coordinator where the evidence could not reasonably have been discovered within the time frame and a compelling justification exists for its consideration.

opposing party must be submitted within five (5) business days from acceptance of the appeal.

In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and educational outcomes (sanctions) are presumed to have been decided reasonably and appropriately. The appeal is not a *de novo* review. The Appeals Officer shall consider the merits of an appeal only on the basis of the grounds for appeal and the supporting information provided in the written request for appeal along with the record of the original hearing.

The Appeals Officer can affirm the original findings, alter the findings, and/or alter the educational outcomes (sanctions), depending on the basis of the requested appeal. If the Appeals Officer deems that procedures were not followed in a material manner, the Appeals Officer can ask that a new hearing occur before a different adjudicator. In the case of new and relevant information, the Appeals Officer can recommend that the case be returned to the original adjudicator to assess the weight and effect of the new information and render a determination after considering the new facts.

The Appeals Officer will communicate the result of the appeal in writing to the Complainant and Respondent within ten (10) business days from the date of the submission of all appeal documents by both parties. Appeal decisions are final.

F. Finality of Formal Resolution

The College's resolution of the violation through Formal Resolution will be considered final and binding upon the expiration of the appeal deadline or exhaustion of the appeal process. A Complainant may not elect to pursue Voluntary Resolution of a policy violation after the Formal Resolution becomes final.

G. Other Remedies

Use of Grinnell College's internal complaint procedures is not a prerequisite to the pursuit of other remedies. At any time, an individual may pursue other remedies available to them under applicable state or federal law. Students and employees may also raise complaints with the [Office for Civil Rights](#).

H. Effective of Withdrawal

If a Respondent chooses to withdraw or take a leave from the College prior to the conclusion of an investigation and/or disciplinary resolution under this policy, the College may move forward with the adjudication and imposition of educational

outcomes (sanctions). During an ongoing investigation and resolution process, a withdrawn Respondent's academic transcript will be marked with a "Withdrawal Pending Student Conduct Action".

I. Records

The Office of the Title IX Coordinator 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 formal complaint; records of investigations, including any determination regarding responsibility and any audio or audiovisual recording or transcript created, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant; any appeal and the result therefrom; any voluntary resolution and the result therefrom. These records will be maintained in accordance with the privacy protections set forth in Title IX, the Clery Act, FERPA, and state law regarding the privacy of personnel records.

Complaints resolved by means of Supportive Measures/Remedial Resolution, Voluntary Resolution are not part of a Respondent's conduct file and/or academic record.

Affirmative findings of responsibility in matters resolved by means of Formal Resolution are part of a student's conduct record or an employee's personnel file. Such records shall be used in reviewing any further misbehavior or developing educational outcomes (sanctions) and shall remain a part of a conduct record or personnel file.

Generally, conduct dismissals are permanently noted on a student's transcript. Conduct suspensions are removed from a student's transcript upon their return to the College. The conduct files of students who have been suspended or dismissed from the College are permanently maintained in the Dean of Students Office. Conduct files of students who have not been suspended or dismissed are maintained for a period of seven years after the end of the academic year of said violation(s).

Student conduct records may be released to College officials on a "need-to-know" basis. Records may be released to persons and agencies external to the College with the student's permission, and in compliance with the law (FERPA). Records that are lawfully subpoenaed or ordered by a judge may be released without the student's permission. A student's conduct record may also be released if it is in connection with a health and/or safety emergency. Further questions about student conduct record retention should be directed to the Dean of Students.

J. Safeguarding of Privacy

Individuals involved in investigations or disciplinary proceedings under this policy are encouraged to exercise discretion in sharing information in order 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 information with others who may support or assist them during the process or from discussing the allegations to gather evidence and witnesses. College community members should understand that how information is discussed or shared may constitute a form of harassment or Retaliation under College policy. All parties are encouraged to maintain the privacy of FERPA-protected and/or sensitive information gathered or learned in the process. A breach of this duty is subject to further student conduct action by the College. The College does not prohibit the parties from making disclosures about the incident, their participation in the proceedings, or the outcome.

XV. Prevention and Education Programs

Grinnell College is committed to the prevention of Prohibited Behavior through education and awareness programs. Incoming students and new faculty and staff receive prevention and awareness programming as part of their orientation, and all students and employees receive ongoing training and related programs on an annual basis.

URLS:

[Grinnell College Sexual Respect](#)

[Grinnell College Policies](#)

[Student Handbook](#)

[Staff Handbook](#)

[Faculty Handbook](#)