

## **Williamson College of the Trades Title IX Program Guide**

Williamson College of the Trades is committed to providing an educational and working environment conducive to its mission and one that is free from sexual harassment, sexual assault, and sexual discrimination. We are dedicated to ensuring a safe campus climate for all our students and the entire institutional community. Through a comprehensive compliance, investigative, and adjudication program, we promote fundamental rights, individual and institutional integrity, and uphold the aims of Title IX legislation.

This program guide outlines the College's commitment to comply with Title IX regulatory requirements by leveraging a myriad of campus resources dedicated to educational excellence. It must be noted that Title IX legislation is currently undergoing a regulatory review by the US Department of Education. The policy outlined in this document reflects current legislation and best practices. Title IX information is available through our institutional website, which serves as a central resource for students, faculty, and staff who may need assistance.

### **I. PURPOSE AND SCOPE**

It is the policy of Williamson not to discriminate on the basis of sex in its educational programs and activities as required by Title IX of the Education Amendments of 1972. Title IX 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." Gender discrimination includes sexual harassment and sexual assault. This policy shall apply to all students, staff, faculty, contractors, vendors, and/or visitors to Williamson.

As a Williamson student you are protected from discrimination including, but not limited to:

- Admission
- Access to and use of school facilities
- Counseling and guidance materials, tests and practices
- Academic education
- Physical education
- Competitive athletics
- Graduation requirements
- Student rules, regulations and benefits
- Housing
- Financial assistance
- Health services
- School-sponsored extracurricular activities

As an employee you are protected from sex discrimination including, but not limited to: employment, evaluation, wages, advancement, assigned duties and shifts, career advancement, and other terms and conditions of employment.

## II. RIGHTS

### Rights of the Complainant

The Complainant will be entitled to exercise the following procedural rights when pursuing a complaint against another student or employee for an alleged violation:

- The right to choose whether or not to participate in Title IX proceedings;
- The right to notification of Title IX proceedings and of prompt time frames anticipated for major stages of the complaint process;
- The right to notice of the factual allegations based on any response by the Respondent;
- The right to a prompt and impartial response and resolution of the complaint;
- The right to present relevant statements, materials and witnesses during the proceedings;
- The right to review all written statements and materials presented at the proceedings;
- The right to notification of the outcome of the complaint as set forth herein;
- The right to have an Advisor;
- The right to be free from retaliation for filing a complaint or participating in the College's investigation and factfinding process; and
- The right of appeal consistent with the provisions of this policy.

### Rights of the Respondent

The Respondent will be entitled to exercise the following procedural rights when responding to a complaint against them:

- The right to choose whether or not to participate in the proceedings, with the understanding that findings and sanctions may be imposed with or without such participation;
- The right to notice of the allegation that a violation has taken place;
- The right to notification of proceedings related to the complaint and to prompt time frames anticipated for major stages of the complaint process;
- The right to notice of the factual allegations which form the basis for the complaint;
- The right to a prompt and impartial response and resolution of complaints;
- The right to have the College or Complainant bear the burden of proof by a preponderance of the evidence;
- The right to present relevant statements, materials and witnesses during the proceedings;
- The right to review all written statements and materials presented at the proceedings;
- The right to notification of any finding of responsibility;
- The right to have an Advisor;
- The right to be free from retaliation for participating in the College's investigation and fact-finding process; and
- The right of appeal consistent with the provisions of this policy.

### III. DEFINITIONS

There are numerous terms used in the College's Title IX Program Guide. These include:

***Complainant*** - The person who reports that he or she has been the subject of sexual assault, sexual harassment, or other sexual misconduct.

***Consent*** - An explicitly communicated, reversible mutual agreement in which all parties are capable of making a decision. Consent is informed, voluntary, and actively given. Consent exists when all parties exchange mutually understandable affirmative words or actions indicating their agreement to participate voluntarily in sexual activity. The following further clarifies the meaning of consent:

- Each participant in a sexual encounter must obtain consent for all sexual activities. Consent to one form of sexual activity does not constitute consent to engage in all forms of sexual activity.
- Consent consists of an outward demonstration indicating that a person has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. 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 is not necessarily giving consent.
- If at any time it is reasonably apparent that either party is hesitant, confused, or unsure, both parties should stop and obtain mutual verbal consent before continuing such activity.
- Consent may be withdrawn by either party at any time. Once withdrawal of consent has been expressed through words or actions, sexual activity must cease.
- A person who is physically incapacitated from alcohol or another drug consumption (voluntarily or involuntarily), or is unconscious, unaware, or otherwise physically impaired, is considered unable to give consent. For example, a person who is asleep or passed out cannot give consent.
- People with a previous or current intimate relationship do not automatically give either initial or continued consent to sexual activity. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates consent to engage in sexual activity.

***Dating Violence*** - Includes physically, sexually and/or psychologically abusive behavior that arises in the form of a direct violent act, or indirectly as acts that expressly or implicitly threaten violence. Dating Violence also occurs when one partner attempts to maintain power and control over the other through one or more forms of abuse, including sexual, physical, verbal or emotional abuse. Specifically, Dating Violence is violence, or the threat of violence, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant.

The existence of such a relationship is determined based upon the length of the relationship, the type of the relationship and the frequency of interaction between the persons involved in the relationship.

***Domestic Violence*** - Includes physically, sexually and/or psychologically abusive behavior that arises in the form of a direct violent act, or indirectly as acts that expressly or implicitly threaten violence. Domestic violence also occurs when one partner attempts to maintain power and control over the other through one or more forms of abuse, including sexual, physical, verbal or emotional abuse. Specifically, Domestic Violence is a crime of violence committed by a current or former spouse or intimate partner, or by a person with whom the Complainant shares a child in common. Domestic Violence also includes a crime of violence against a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under domestic or family violence laws of the Commonwealth of Pennsylvania, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the Commonwealth of Pennsylvania.

***Fondling*** - Non-Consensual Sexual Contact: The touching of the private body parts of another for the purpose of sexual gratification forcibly and/or against that person's will; or not forcibly or against the person's will where the person is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity. This can include causing the other to touch the harasser's private body parts.

***Gender Discrimination*** - Sex discrimination can occur when conduct is directed at a specific individual or a group of identifiable individuals that adversely affects the education or employment of the individual or group because of sex. Sex-based discrimination or harassment may include acts of verbal, nonverbal, or physical aggression, intimidation or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. Conduct that may be sex-based discrimination includes, but is not limited to:

- Exclusion from educational resources or activities because of one's sex
- Subjection to jokes or derogatory comments about one's sex; or
- Being held to different standards or requirements on the basis of one's sex

***Respondent*** - The person who is reported to have committed acts of sexual assault, sexual harassment, or other sexual misconduct.

***Retaliation*** - Attempts or acts to seek retribution including, but not limited to, any form of intimidation, reprisal, harassment, or intent to prevent participation in college proceedings under this policy. Retaliation may include continued abuse or violence, other harassment, and slander and libel. Retaliation may be committed by any person or group of people, not just a Respondent or Complainant. It may be committed against the Complainant, Respondent, or any person or group of people involved in the investigation and/or resolution of an allegation of sexual assault, sexual harassment, or other sexual misconduct. Retaliation could occur before, during or after an investigation and/or investigative or disciplinary proceeding(s).

***Sexual Exploitation*** - An act or omission to act that involves taking non-consensual, unjust, humiliating, or abusive sexual advantage of another, either for personal advantage or to benefit or advantage anyone other than the Complainant. Examples of sexual exploitation include but are not limited to the following:

- Creating a picture(s), movie(s), webcam, tape recording(s), graphic written narrative(s), or other means of memorializing sexual behavior or a state of undress of another person without the other's knowledge or consent;
- Sharing items described in the paragraph above beyond the boundaries of consent where consent was given. For example, showing a picture to friends where consent to view it was given for oneself only;
- Observing or facilitating observation by others of sexual behavior or a state of undress of another person without the knowledge or consent of that person;
- Voyeuristic behaviors, such as watching another person or persons, without their consent, while they are undressing, undressed or engaged in sexual activity
- Engaging in sexual behavior with knowledge of an illness or disease that could be transmitted by the behavior without full and appropriate disclosure to the partner(s) of all health and safety concerns;
- Engaging in or attempting to engage others in "escort services" or "dating services" which include or encourage in any way sexual behavior in exchange for money;
- Intentionally, knowingly, or surreptitiously providing drugs or alcohol to a person for the purpose of sexual exploitation; or
- Exposing another person to pornographic material without the person's advanced knowledge or consent.

***Sexual Harassment*** - In general terms, unwelcome sex or gender-based verbal or physical conduct that is sufficiently severe, persistent, or pervasive that it interferes with, denies, or limits an individual's ability to participate in or benefit from the institution's educational mission, programs, or activities. In an employment context, sexual harassment is an act or action that is so frequent or severe that it creates a hostile or offensive work environment or results in an adverse employment decision (such as the victim being fired or demoted).

Sexual Harassment can take two forms: **quid pro quo** and **hostile environment**

- **Quid pro quo** sexual harassment exists when:
  - There are unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature; and

- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's academic status or employment; or
- Submission to or rejection of such conduct by an individual is used as the basis for academic decisions, employment conditions or status that adversely affects an individual.

For example: An employee of the institution causes a student to believe that the employee will make an educational decision based on whether or not the student submits to unwelcome sexual conduct.

- **Hostile Environment** sexual harassment exists when:

- Unwelcome conduct of a sexual nature is sufficiently serious that it affects a student's ability to participate in or benefit from an education program or activity, or creates an intimidating, threatening or abusive educational environment. A hostile environment can be created by a school employee, another student, or even someone visiting the school, such as a student or employee from another school.
- In an employment context, a hostile environment includes any situation in which there is harassing conduct that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

The determination of whether an environment is considered hostile is based on a totality of circumstances which may include, but is not limited to, the degree to which the conduct interfered with the Complainant's educational or work performance; the type, severity, frequency, and duration of the conduct; the effect of the conduct on the Complainant's mental or emotional state; and whether the speech or conduct deserves the protection of academic freedom or the first amendment.

A single or isolated incident of sexual harassment may be severe enough to create a hostile environment.

Examples could include references to an individual's body; use of sexually degrading words to describe an individual; offensive comments; off-color language or jokes; innuendoes; and sexually suggestive objects or behavior, books, magazines, photographs, cartoons or pictures

**Sexual Violence** - Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to reasons including, but not limited to, an individual's age, use of drugs or alcohol, or because an intellectual or other disability prevents the individual from having the capacity to give consent. A number of acts fall into the category of sexual violence, including rape, sexual assault, sexual battery and sexual coercion.

Further defined within the Pennsylvania Criminal Code, sexual assault is a non-consensual act involving psychological manipulation, physical force, or coercion by an individual through forcible sodomy, forcible sexual penetration, however slight, of another person's mouth, anal or genital opening with any object. These acts must be committed without the victim's consent either by force, threat of force or violence, intimidation or through the use of the victim's mental or physical helplessness of which the accused was aware or should have been aware

**Stalking** - A pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to fear for their safety, or the safety of others, or suffer substantial emotional distress. The course of conduct means two or more acts in which the stalker follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property. This includes 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 to pursue, harass, or make unwelcome contact with another person.

#### **IV. COLLEGE TITLE IX COORDINATOR/DEPUTY COORDINATORS**

Contact information for all Williamson Title IX Coordinators can be found on the college website.

##### **Title IX Coordinator:**

Dr. Todd Zachary  
Senior Vice President/Chief of Staff  
Phone: (610) 566-1776; ext. 252  
Email: tzachary@williamson.edu

##### **Title IX Deputy Coordinators:**

Dr. Sam Wrightson  
Vice President, Education  
Phone: (610) 566-1776, ext. 428  
Email: swrightson@williamson.edu

Mr. Tom Wisneski  
Vice President, Research & Assessment  
Phone: (610) 566-1776, ext. 231  
Email: twisneski@williamson.edu

The Title IX Coordinators' core responsibilities include coordinating the institution's compliance with Title IX, to include oversight of Title IX reports and complaints, and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. This includes, but is not limited to, the coordination of training, education, and communications, and

the administration of grievance procedures for faculty, staff, students and other members of the campus community.

## **V. REPORTING A TITLE IX COMPLAINT**

Williamson College of the Trades encourages any student, employee or visitor who believes that they have been subjected to or witnessed an act of sex discrimination, sexual harassment, or sexual violence by a student, member of the faculty or staff, campus visitor or contractor, to report that action immediately to the College's Title IX Coordinator or Deputy Coordinators.

Title IX investigations can be conducted for on- and off-campus incidents. Individuals who are survivors of sexual violence or assault are also strongly encouraged to report the incident to local law enforcement. Reporting an incident of sexual violence to law enforcement provides the opportunity for the collection of evidence helpful in the Title IX investigation, in addition to facilitating a myriad of off-campus support services available to the survivor. If both the college Title IX and local police criminal investigations occur simultaneously, the Title IX Coordinator and local police investigators work together throughout the investigation sharing information as allowed by law. Should a student or employee wish to make a criminal complaint for an off-campus incident, the Title IX Coordinator can accompany the Complainant to the police department with jurisdiction and assist a Complainant in filing a criminal report.

Sexual assault, sexual harassment, and other sexual misconduct are never excused because a person is intoxicated or impaired by alcohol or other drugs and does not diminish one's responsibility to obtain consent. Alcohol and other drugs impair a person's decision-making capacity, awareness of the consequences, and ability to make informed judgments. The use of alcohol or other drugs can limit a person's ability to freely, affirmatively, and clearly give consent and can create an atmosphere of confusion over whether or not consent has been freely, affirmatively, and clearly sought or given. The perspective of a reasonable person will be the basis for determining whether a Respondent should have been aware of the extent to which the use of alcohol or other drugs impacted a Complainant's ability to give consent.

Reporting an incident of sex discrimination, sexual harassment, or sexual violence can be made either directly to a Title IX Coordinator or a member of the faculty and staff, or online through the College's website using EthicsPoint, a third-party provider ensuring anonymous reporting. The online reporting option can be accessed through the College's website at <https://www.williamson.edu/about/community-and-public-safety/#top>. Although the College encourages direct in-person reporting to a Title IX Coordinator, the online website reporting tool allows an anonymous reporting option. All incident reports will be investigated regardless if they were reported anonymously. However, it must be noted that the ability of the College to respond effectively to a complaint may be limited by the level of information provided and/or the anonymity of the complaint.

A witness or victim of an incident of sexual harassment or sexual violence who reports an incident in good faith will not be sanctioned by the College for admitting in the report to a violation of the College's policy on the use of illegal drugs or alcohol.

In accordance with Title IX regulatory guidance, a *responsible employee* of the institution must report incidents of sexual discrimination, sexual harassment, or sexual violence to the Title IX Coordinator or Deputy Coordinators. A *responsible employee* is defined as a member of the institution's administration, faculty or staff.

In accordance with Title IX legislation, pastoral counselors and members of student Health Services are not required to report any information regarding an incident of alleged sexual violence to the Title IX coordinator or other appropriate school designee without the Complainant's consent. In these cases, the staff member should inform the Complainant of his/her right to file a Title IX complaint with the College (to include the online anonymous option) and a separate complaint with local law enforcement.

Following a report of sexual assault, sexual harassment or other sexual misconduct, the College will provide interim support and reasonable protection against further acts of misconduct, harassment, or retaliation as needed, as well as provide services and resources to provide a safe educational and employment environment. The College will also provide written notification to involved students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims, both within the institution and in the community. These interim measures are available regardless of whether the Complainant chooses to file a report with the Title IX Coordinator or local law enforcement with jurisdiction. Community members seeking such assistance should speak with the Dean of Students or the Title IX Coordinator. The College will maintain consistent contact with the parties involved to ensure that all safety, emotional, and physical well-being concerns are being addressed.

The College will determine the necessity and scope of any interim measures pending the completion of the complaint process. Even when a Complainant or Respondent does not specifically request that protective action be taken, the College may still choose to impose interim measures at its discretion to ensure the safety of any person, the broader college community, or the integrity of the review process, or for any other lawful reason. The College will maintain private any interim measures taken to the extent maintaining such privacy would not impair the ability to provide the measures. All community members are encouraged to report concerns about failure of another person to abide by any restrictions imposed by an interim measure. The College will take prompt responsive action to enforce a previously implemented interim measure.

The College may impose any interim measures that can be tailored to achieve the goals of this policy, even if not specifically listed here. The range of interim measures includes, but is not limited to:

- *No Contact Order*: The Complainant or Respondent may request, or the College may impose, communication and contact restrictions to prevent further potentially harmful interaction. These communication and contact restrictions generally preclude in-person, telephone, electronic or third-party communications. An individual may also seek a protection/anti-harassment order from the local court of the Commonwealth of Pennsylvania. This is a civil proceeding independent of the College. Once informed of an issued court order, the College will, to the extent possible, assist the protected person in

benefiting from the restrictions imposed by the court and will also facilitate on-campus compliance with the order.

- *Academic, Employment, or Living Arrangements:* After a report of sexual assault, sexual harassment, or other sexual misconduct, Complainants and Respondents may request reasonable changes in their own academic, employment, or living arrangements by speaking with the Dean of Students or Title IX Coordinator. A request for an employment change in the case of sexual harassment where the Respondent is an employee may be directed to the Senior Vice President/Chief of Staff. Upon request, the College will inform the Complainant or Respondent of any pertinent options and will accommodate the request if those changes are reasonably available. In some cases, the College may initiate these changes without a request. These may include a change in class or work schedule, a change in living accommodations, academic accommodations, and/or a voluntary leave of absence.
- *Support Resources:* The College will provide written notification to involved students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims, both within the institution and in the community.
- *Support for the Respondent:* A College will also provide information on resources for students accused of sexual assault, sexual harassment, or other sexual misconduct. The Title IX Coordinator will assist a Respondent with obtaining emotional support through on- or off-campus counseling, navigating the disciplinary process, and assisting with other questions and concerns.
- *Interim Suspension:* The College may suspend, on an interim basis, the Respondent from College housing, classes, and/or other activities or privileges for which having the Respondent on campus would seriously disrupt the College or constitute a danger to the health, safety, or welfare of members of the College community. In all cases in which an interim suspension is imposed, the Respondent will be given the opportunity to meet with the appropriate administrative officer prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented.

Williamson complies with Pennsylvania law in recognizing orders of protection. Any person who obtains an order of protection from Pennsylvania or any reciprocal state should provide a copy to the Dean of Students and the Title IX Coordinator. A Complainant may then meet the Dean of Students to develop a safety action plan that reduces the risk of harm to the victim while on campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom locations, etc. The College cannot apply for a legal order of protection, a no-contact order, or a restraining order for a victim from the applicable jurisdiction(s). All accommodations or protective measures will be maintained as private to the extent that maintaining such privacy would not impair the ability of the College to provide them. The College will complete publicly available record-keeping for the purposes of Clery Act reporting, and

disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).

## **VI. TITLE IX GRIEVANCE PROCESS**

### **Receipt of a Complaint**

Upon receipt of a Title IX complaint, the Title IX Coordinator or Deputy Title IX Coordinator will meet (if possible) with the individual filing the action, identified as the *Complainant*, to review the College's Title IX grievance procedures, discuss the specific incident, and determine the Complainant's desire to proceed with a formal or informal resolution.

Upon gathering initial information, the Title IX Coordinator, in consultation with the Deputy Coordinators, will evaluate the complaint to determine if a potential Title IX violation has occurred. If it is determined that a potential violation has occurred, the Title IX Coordinator will provide both the Complainant and the individual against whom the complaint is filed, identified as the *Respondent*, written notice of the allegation, the requirements of the informal and formal process, and disposition of records associated with a complaint.

If it is determined that the complaint is not a Title IX violation, the Coordinator will provide written notice of that decision to the Complainant. In such cases, the Coordinator is not precluded from recommending disciplinary action in regard to the incident reported under Williamson's Code of Conduct.

While a request for an informal or formal resolution can be initiated by the Complainant, there are specific instances in which the College will conduct a formal investigation regardless of the Complainant's request. These instances include:

- Instances of sexual violence or assault
- When the College has knowledge of reports by multiple Complainants of conduct by the same Respondent, even if a Complainant does not want to pursue a formal resolution
- When either a Complainant or Respondent declines to participate in an informal resolution, or if attempts to resolve the complaint through the informal process are unsuccessful.

### **Informal Resolution Process**

If an informal resolution is elected, the Title IX Coordinator must first receive written consent of both parties to proceed. In an informal resolution, the Title IX Coordinator functions as an advisor, assisting both parties to successfully resolve the complaint, which may include a meeting with all parties. However, either party may request not to meet directly, in which case, the Title IX Coordinator may function as an intermediary between the parties.

Upon reaching an acceptable resolution, the Title IX Coordinator will notify in writing both parties summarizing the allegation and concluding resolution.

Either party has the right to end the informal resolution process at any time and begin a formal resolution.

### **Formal Resolution Process**

The College is committed to investigate complaints promptly and fairly. The term *investigation* is used to describe the College's formal resolution process, including all investigative activities, interim and/or long-term measures undertaken by the administration, disciplinary sanctions, and support options for all parties involved in the complaint resolution.

The Title IX Coordinator's investigation will be comprehensive to include the opportunity for both parties to present witnesses and evidence. Both parties will have the opportunity to fully review all documents and evidence that are relied upon during the investigation and adjudication. It is the intent of the investigation not to withhold exculpatory information from either party.

Once the Title IX Coordinator has gathered all the information, statements, and evidence relevant to the investigation, an investigative report will be completed.

Once the investigative report is compiled, a formal hearing is convened. The hearing consists of a panel of three trained Title IX members of the College faculty/staff. The panel will review the investigation report, listen to the information presented by the Complainant, Respondent and witnesses, and ask questions to determine the responsibility by a preponderance of evidence.

The Complainant and Respondent may ask questions of the other party and/or witnesses during the hearing. However, if either party determines that a cross-examination may result in additional emotional or psychological stress, they may request to the panel in writing to meet separately. In this case, the Complainant and Respondent may ask questions of the other party by submitting questions to the panel, which will function as an intermediary.

Following the review, the panel will present their findings, to include sanctions if warranted. Both the findings and sanctions (if applicable) will be communicated in writing to the Complainant and Respondent. The Complainant and Respondent have the right to appeal for new disciplinary proceedings and/or review of sanctions if assigned. Appeals will be made in writing to the College President. The College President reviews all appeals. All appeals are final.

### **Sanctions**

Not all forms of sexual misconduct are equally serious offenses, and the College reserves the right to impose different sanctions, ranging from verbal warning to expulsion, depending on the severity of the offense. The College will consider the concerns and rights of both the Complainant and Respondent when determining sanctions.

- Any student found responsible for Non-Consensual or Forced Sexual Contact (where no act of Sexual Violence, Dating Violence or Domestic Violence as defined in this policy

has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident

- Any student found responsible for committing the act of Sexual Violence, Dating Violence, or Domestic Violence will likely receive a sanction of expulsion.
- Any student found responsible for Sexual Exploitation, Sexual Harassment (and related violations), Stalking, or other Sexual Misconduct will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident.

Any employee found responsible for Non-Consensual, Forced Sexual Contact, Sexual Violence, Dating Violence, Domestic Violence, Sexual Exploitation, Sexual Harassment (and related violations), Stalking, or other Sexual Misconduct will likely receive a sanction ranging from suspension to employment termination, depending on the severity of the incident.

**Timeline**

Timeline of Title IX Resolution Process			
Investigative Process			Appeal Action (if requested) President (10 Days)
Investigation and Report Complied (40 Days)	Panel Hearing (7 Days)	Panel Review & Findings (3 Days)	

*Figure 1: Title IX Resolution Timeline*

The College is committed to completing Title IX investigations thoroughly and promptly. The Title IX Coordinator will strive to complete the report within 40 calendar days upon initiating the investigation. If unforeseen complications necessitate extending the 40-day investigative period, the Coordinator will notify both the Complainant and Respondent in writing summarizing the reason(s) for the extension.

Once the investigative report has been compiled, the panel hearing will be scheduled to convene within seven business days. However, during periods of extended school breaks (e.g. winter, spring, or summer breaks), the hearing may be delayed given the availability of the Complainant, Respondent, and potential witnesses. If the hearing will be delayed beyond the 7-day period, the panel chairman will provide written notification to both the Complainant and Respondent stating the reason for the delay and the new scheduled hearing date.

Upon completion of the hearing, the panel reserves three business days to thoroughly review all relevant material and testimonies in reaching a finding and, if necessary, assigning sanctions. If unforeseen circumstances necessitate extending the 3-day review period, the panel chairman will notify both the Complainant and Respondent in writing.

Once the Complainant and Respondent have been notified of the hearing findings, either party may appeal to the College President for new disciplinary proceedings and/or review of sanctions. Upon a written request for appeal, the President will strive to reach an appeal decision

within seven business days. If unforeseen circumstances necessitate extending the 7-day period, the President's Office will notify both the Complainant and Respondent in writing.

### **Appeal Procedure**

The Complainant and Respondent have the right to appeal the panel's findings on the following bases: if the Title IX investigation/hearing involved procedural error; if previously unavailable, relevant evidence could significantly impact the panel's findings, or; if a sanction is substantially disproportionate to the findings. All appeals must be submitted in writing to the College President and outline the specific reasons for the appeal. The President will be provided all the investigative materials, to include hearing testimonies and transcript, by the Title IX Coordinator. Upon review, the President will provide a written decision as to the appeal to both the Complainant and Respondent. All appeal decisions are final.

### **Confidentiality and Complainant Requests**

Williamson will, to the extent practicable, limit disclosure of the Title IX incident, investigation, and findings to individuals identified within this program guidance and/or law enforcement. Regardless of any request for confidentiality, the College may take appropriate interim measures, as it deems required, to protect the Complainant before the final outcome of the investigation is completed.

### **Interim Protective Measures**

At times, the Title IX Coordinator/Deputy Coordinator may deem it necessary to implement protective means before or during an investigation to protect the rights and interests of the Complainant and/or the Respondent. Those measures may be designed to reduce or eliminate contact between the Complainant and Respondent so that both parties feel safe in their work or educational environment. Protective measures may also guard against further actual or perceived discrimination or retaliation.

Interim measures may include, but are not limited to, temporary changes in working conditions (e.g. changes in supervisor, shift, job site, or office location), changes to the student's schedule or living arrangements, directives to the Complainant and Respondent to avoid personal contact or refrain from such contact without a neutral third-party present, and in severe cases, interim suspension.

All parties involved in the incident will be offered resources and support from both on- and off-campus resources throughout the process.

### **Effect of Criminal Proceedings**

Because sexual violence may constitute a violation of not only Title IX but also federal and state statutes, the College strongly encourages individuals to report alleged incidents of sexual violence to local law enforcement. Criminal investigations may be useful in the gathering of relevant evidence, particularly forensic evidence. Because judicial standards employed in criminal

law are different from the “preponderance of evidence” standard used in College investigations, the result of a criminal investigation neither constitutes, nor is determinative of a Title IX violation. The College may determine that an incident constitutes a Title IX violation, even if law enforcement lacks sufficient evidence of a crime.

The filing of a complaint of sexual violence under this policy is independent of criminal investigation or proceeding. Except when the College’s investigation may be delayed temporarily while criminal investigators are gathering evidence, the College will not wait for the conclusion of a criminal investigation or proceedings to commence its own investigation.

### **Retaliation or Reprisals Are Prohibited**

Title IX, federal and state civil rights laws, and College policy specifically prohibit retaliation of any kind against any person for asserting his/her civil rights, including filing a claim of discrimination or participating as a witness in an investigation. Retaliation or reprisals against any participant in an investigation will not be tolerated by the College. If a person believes that he/she has been retaliated against as a result of filing a grievance or participating in the investigation of a grievance, he/she may pursue a separate complaint charging retaliation.

### **Filing of False Complaints**

Any employee or student who knowingly and/or intentionally files a false Title IX complaint under this procedure is subject to disciplinary action up to and including dismissal from Williamson or termination of employment.

### **Off Campus Resources**

#### Community Resources

- Delaware County Mobile Crisis Unit- Project REACH: 610-352-4703
- Delaware County Sexual Assault Hotline: 610-566-4342
- Delaware County Domestic Violence Hotline: 610-565-4590
- Riddle Memorial Hospital: 484-580-1000 or 866-CALL-MLH
- Crozer Chester Hospital: 610-447-2000
- Philadelphia Mobile Crisis Unit: 215-685-6440
- Philadelphia Sexual Assault Hotline: 215-985-3333
- Philadelphia Domestic Violence Hotline: 1-866-SAFE-014
- Philadelphia Sexual Assault Response Center: 215-425-1374
- Pennsylvania Child Abuse Reporting Line: 1-800-932-0313

#### National Hotlines (Note: National hotlines will provide local resources for callers.)

- Suicide Prevention Lifeline: 1-800-273-8255
- Sexual Assault Hotline: 1-800-656-4673

- Domestic Violence: 1-800-799-7233

Websites

- RAINN- Rape Abuse Incest National Network [www.rainn.org](http://www.rainn.org)
- PCAR-Pennsylvania Coalition Against Rape [www.pcar.org](http://www.pcar.org)
- The Domestic Abuse Project of Delaware County <http://www.dapdc.org/>
- Suicide and Crisis Prevention <http://suicidepreventionlifeline.org/>
- The Pennsylvania Office of the Attorney General <https://www.attorneygeneral.gov/>