

## **Rosemont College Sexual Misconduct Policy**

Rosemont College is committed to maintaining an environment conducive to learning for all students and a professional workplace for its employees that are free from offensive and unwelcome conduct, actions and words directed at anyone, but especially because of one's membership in a protected class. Rosemont College prohibits discrimination, discriminatory harassment, and sexual harassment, including sexual violence and any type of sexual misconduct. Rosemont College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act). This policy also prohibits retaliation against a person who reports, complains about, or who otherwise participates in good faith in any matter related to this policy.

Rosemont College does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides:

“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.”

It is the practice of Rosemont College that immediate effective action is taken to eliminate any hostile environment, prevent its recurrence, and remedy the effects on the victim regarding any harassment that interferes with or limits a person's ability to participate in, or benefit from school, including all activities and services.

Rosemont College prohibits discrimination, which can include disparate treatment directed toward individuals or group of individuals based on race, ethnicity, sex, color, religion, national origin, physical or mental disability, age, marital status, sexual orientation, pregnancy, gender identity, status as a veteran, or other protected class, that adversely affects their employment or education.

Rosemont College also prohibits sexual misconduct in any form, including sexual assault or abuse, sexual harassment, sexual violence, stalking, dating violence, domestic violence and any other forms of unwelcome conduct of a sexual nature, all of which can be forms of sexual discrimination. Members of the Rosemont College community should be able to live, study, and work in an environment free from sexual misconduct.

All members of the administration, faculty, staff and students will be subject to Rosemont College's disciplinary process for violation of this policy. Persons engaged in prohibited conduct may also be subject to criminal and civil procedures at state and/or federal levels. Rosemont College is committed to fair and prompt procedures to investigate and adjudicate reports of sexual misconduct.

This policy applies to all Rosemont College officers, administrators, supervisors, faculty, staff, students, volunteers, outside contractors, vendors, visitors, and applicants for employment or admission.

This policy applies to all on-campus and off-campus conduct. The College strongly encourages reports of prohibited conduct regardless of location. Even if the policy does not apply to the conduct because of its location, the College will take prompt action to provide for the safety and well-being of the complainant and the broader campus community.

### **PROHIBITED BEHAVIORS/CONDUCT**

In determining whether alleged conduct violates this policy, the College will consider the totality of the facts and circumstances involved in the incident, including the nature of the alleged conduct and the context in which it occurred. Any of the prohibited conduct defined in this policy can be committed by individuals of any gender, and it can occur between individuals of the same gender or different genders. It can occur between strangers or acquaintances, as well as people involved in intimate or sexual relationships. Unacceptable behaviors/conduct includes but not limited to:

- Sexual Discrimination
- Sexual Misconduct
- Non-consensual Sexual Penetration – commonly known as rape
- Non-consensual Sexual Contact
- Sexual Exploitation
- Sexual Assault and Sexual Battery
- Sexual Harassment
- Intimate Relationship Violence – Domestic and Dating Violence
- Stalking
- Retaliation
- Inappropriate Conduct Related to Sex, Gender Identity, or Gender Expression.**

## **DEFINITIONS**

**Sexual Harassment** is defined as any unwelcome conduct of a sexual nature. Conduct is considered "unwelcome" if the person did not request or invite it and considered the conduct to be undesirable or offensive. Unwelcome conduct can occur in various forms including name calling, graphic/written statements, physically threatening, harmful, and humiliating. The conduct need not include intent to harm, specific target or be repeated. And too, failure to complain does not equal welcomeness and welcoming some conduct does not welcome all conduct.

Sexual harassment can include unwanted or unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, such as sexual assault or sexual violence. Determination as to whether the alleged conduct constitutes sexual harassment should take into consideration the totality of the circumstances, including whether it denies or limits the person's ability to participate in or to receive benefits, services, or opportunities in the College's programs and has the purpose or effect of unreasonably interfering with an individual's personal, educational or work experience or creating an intimidating, hostile or offensive work environment.

Under this policy, sexual harassment can be verbal, visual or physical. It can be overt, as in the suggestion that a person could get a higher grade or a raise in salary by submitting to sexual advances. The suggestion or the advance need not be direct or explicit; it can be implied from the conduct, circumstances and relationships of the persons involved. Sexual harassment can also consist of persistent, unwelcome attempts to change a professional or academic relationship to a personal one. It can range from unwelcome sexual flirtations and inappropriate put-downs of individual persons or classes of people to serious physical abuses such as sexual assault.

Examples could include, but are not limited to, unwelcome sexual advances; repeated and unwelcome sexually-oriented bullying, teasing, joking, or flirting; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, or sexual deficiencies; gender harassment/stereotyping; derogatory or demeaning comments about women or men in general, whether sexual or not; leering, touching, pinching, or brushing against another's body; or displaying objects or pictures, including electronic images, which are sexual in nature and which create a hostile or offensive work, education or living environment.

**Gender-based Harassment** is unwelcome conduct of a nonsexual nature based on a student's actual or perceived sex, including conduct based on gender identity, gender expression, nonconformity with gender stereotypes, sexual orientation, and gender combined with another protected class.

**Discrimination** is any conduct that subjects an individual to disparate treatment on the basis of gender identity, gender expression, pregnancy, marital status, sexual orientation.

**Sexual Misconduct** is a term used to encompass a variety of behaviors described below. Sexual misconduct may be committed by anyone, including but not limited to, an intimate partner, friend, an acquaintance, supervisor, a faculty member, administrator or staff member, or a stranger. Anyone can be a victim or perpetrator of sexual misconduct, regardless of their sex, sexual orientation or gender identity. Sexual misconduct can occur when the perpetrator and victim are different sexes or same sex. Sexual misconduct can involve conduct that occurs on campus, off-campus, or via electronic means, including online, by social media, or by text.

**Sexual Assault** is a severe form of sexual harassment. Sexual assault is actual or attempted sexual contact with another person without that person's consent, including but not limited to, physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to use of drugs and/or alcohol or to an intellectual or other disability.

**Sexual Battery** is any intentional sexual contact, however slight, with any object, without consent. Sexual contact includes contact above or beneath clothing with the breasts, buttocks, genitals, or areas directly adjacent to the genitals (for instance, the inner thigh); touching another with any of these body parts, making another touch someone or themselves with or on any of these body parts; or any other bodily contact in a sexual manner.

**Non-consensual sexual contact** means any sexual touching, with any object, woman upon another person without consent or making any person touch you or them in a sexual manner. It is defined as engaging in any sexual contact other than intercourse with another person without that person's consent and/or cognizance. It includes any non-consensual sexual contact, including any improper touching of intimate body parts. It also includes the non-consensual removal of another's clothing, indecent contact (i.e., the unwanted touching of intimate body parts including, but not limited to, genitals, buttocks, groin, or breasts) or causing another to have indecent contact with them.

**Non-consensual sexual intercourse** means any sexual intercourse (anal, oral or vaginal), with any object, upon another person without consent. It is defined as engaging in sexual intercourse (oral, anal or vaginal) with another person without that person's consent and/or cognizance. Non-consensual intercourse may be accomplished by expressly or implicitly forcing or coercing another person to have intercourse against his/her will, including the use or threat of physical force, or any behavior that is designed to intimidate and induce fear in another person. Non-consensual intercourse can also occur when another person is incapable of denying or giving consent.

**Sexual Exploitation** is taking non-consensual or abusive sexual advantage of another person for the benefit or advantage of anyone other than the exploited party. Examples of sexual exploitation include, but are not limited to, the following:

- Causing or attempting to cause the incapacitation of another person to gain a sexual advantage
- Prostituting another person
- Non-consensual streaming, sharing, or recording of audio, video or photography of any type or distribution of such
- Engaging in sexual activity in the presence of a non-consenting third party
- Exposing genitals to a non-consenting individual (including sending pictures, video, etc.) or in a public area
- Watching others when they are naked or engaged in sexual activity without their consent
- Knowingly transmitting a sexually transmitted infection/disease to another individual without their consent
- Stealing of clothing
- Other behavior that goes beyond the boundaries of consent

**Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Statutory Rape** is defined a sexual intercourse with a person who is under the statutory age of consent.

**Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Coercion** is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to engage in sexual contact. When a person makes clear that they do not want to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the College will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, (iv) the duration of the pressure, and (v) the relative positions within the College community of those involved.

**Dating Violence** is defined as physical, emotional, psychological, or sexual abuse committed against a person a) who is or has been in a social relationship of a romantic or intimate nature with the victim and b) where the existence of such relationship shall be determined based on a consideration of (i) the length of the relationship, (ii) the type of relationship and (iii) the frequency of interaction between the persons involved in the relationship.

**Domestic Violence** is crimes of violence (physical, emotional, psychological, or sexual abuse) committed by an intimate partner on the other intimate partner. Intimate partner means a spouse; a former spouse; persons who have a child in common whether or not they have been married or lived together at any time; and persons who are or were involved in a dating relationship. Dating relationship means frequent, intimate associations primarily characterized by the expectation of affection or sexual involvement, but does not include a causal relationship or an ordinary association between persons in a business or social context.

**Stalking** is defined as engaging in a course of conduct or repeatedly communicating to another person, repeatedly committing acts to another person, or repeatedly following the other person without proper authority, in a manner which exhibit an intent to place that person in reasonable fear of bodily injury or to cause substantial emotional stress to that person.

**Retaliation** means any attempt to seek retribution against an individual or group of individuals involved in filing a complaint or report under this policy, filing an external complaint raising concerns under this policy, participating in an investigation under this policy or opposing in a reasonable manner an action believed to constitute a violation of this policy. Retaliation can take many forms, including violence, threats or intimidation.

**Consent** is an affirmative decision to engage willingly in mutually acceptable sexual activity given by clear words or actions. Consent must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force,

expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious.

Consent **cannot** be any of the following:

- Inferred from silence, the absence of a “no”, or lack of protest or resistance.
- Obtained from a person who is asleep or otherwise mentally or physically incapacitated, and this condition was known or reasonably should have been known by the other individual(s) involved in the incident.
- Obtained from a person who is incapacitated by intoxicants such as alcohol, drugs, or medication, and this condition was known or reasonably should have been known by the other individual(s) involved in the incident. Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how: of the sexual interaction). Note: a person may still be conscious but lack the capacity to consent to a sexual act(s).
- Obtained by threat or force.
- Obtained through coercion.
- Obtained through an unreasonable belief in affirmative consent that arose from an individual’s own intoxication, recklessness, or failure to determine affirmative consent.

**Incapacitation** is the inability to make informed, rational judgments and decisions. If alcohol or drugs are involved, incapacitation may be assessed by evaluating how the substance has affected a person’s decision-making capacity, awareness, and ability to make informed judgments. The impact of alcohol and drugs varies from person to person; however, warning signs of possible incapacitation include slurred speech, unsteady gait, impaired coordination, inability to perform personal tasks such as undressing, inability to maintain eye contact, vomiting, and emotional volatility. The perspective of a reasonable person will be considered in the College’s determination of whether a person knew, or reasonably should have known under the circumstances, whether the other party was incapacitated. Being intoxicated or incapacitated does not diminish one’s responsibility to obtain consent and will not be an excuse for sexual misconduct.

**Complainant** means the person who allegedly has experienced the prohibited conduct, regardless of whether that individual makes a complaint or desires disciplinary action. A complainant may be a student, employee, faculty member, volunteer, vendor, visitor, or guest regardless of their sex, sexual orientation, or gender identity.

**Respondent** is someone alleged to have been involved in an incident of prohibited conduct.

**Preponderance of the evidence standard** means that a decision of responsibility for a policy violation will be made on whether it is more likely than not that the respondent violated the policy on the totality of information gathered during the investigation.

## **REPORTING SEXUAL MISCONDUCT**

Any person who believes they have been a victim of, have witnessed or otherwise wish to report any incident of sexual misconduct including sexual harassment should contact the Title IX Coordinator, Jane Federowicz (office: Main Building, Room 205; jfederowicz@rosemont.edu; phone: 2610-527-0200, x2242) by calling, writing, or coming into the office to report in person.

If you are the victim of a sexual assault, dating violence, domestic violence or stalking get to a safe place and ask for help, tell someone:

Call **911** and/or  
Department of Public Safety by dialing **x2555** from any campus phone or  
**610-527-1038** from any other phone

The initial concern of the College is for the well-being and safety of the victim and the community. If there is reason to believe that an assailant is at large who poses an immediate threat to the community, the Title IX Coordinator and the Director of Public Safety will take action to protect the campus. In doing so, they will reveal no information which might identify the victim. After seeing to the well-being of the student reporting the alleged assault and to the immediate security of the campus, the College will investigate the charge that has been reported.

The College does not have a timeframe for reporting sexual misconduct. Reports can be submitted at any time following an incident, although the College’s ability to take any action may be negatively affected by the length of time between the alleged incident and the report.

All members of the faculty, administration, supervisors, coaches, Public Safety officers, RA’s, and Residence Life staff who have information regarding, are witness to, or become aware by any means of any form of discrimination, sexual harassment, sexual misconduct and/or inappropriate sexual behavior that occurs on campus or at a College related activity, are required to report the incident immediately (see below regarding Responsible Employees). All other employees are strongly encouraged to report such incidents. Reports may be made directly to either the Title IX Coordinator or a Title IX Deputy Coordinator.

**Title IX Coordinator and Deputy Coordinator Information**

<b>TITLE IX COORDINATOR</b>	Jane Federowicz Assistant Vice President for Human Resources	Room 205 Main Building	<a href="mailto:jfederowicz@rosemont.edu">jfederowicz@rosemont.edu</a>	610-527-0200 x2242
<b>TITLE IX DEPUTY COORDINATOR</b>	Matthew Baker Director of Public Safety	Kaul Hall Lower Level	<a href="mailto:matthew.baker@rosemont.edu">matthew.baker@rosemont.edu</a>	610-527-0200 x2556
<b>TITLE IX DEPUTY COORDINATOR</b>	Troy Chiddick Dean of Students	Room 105 Good Counsel Hall	<a href="mailto:tchiddick@rosemont.edu">tchiddick@rosemont.edu</a>	610-527-0200 x2400
<b>TITLE IX DEPUTY COORDINATOR</b>	Joseph Pavlow Athletic Director	Alumnae Hall Upper Level	<a href="mailto:joseph.pavlow@rosemont.edu">joseph.pavlow@rosemont.edu</a>	610-527-0200 X4265

**Responsible Employees**

A “Responsible Employee” is a College employee who has the mandated responsibility of reporting sexual harassment and misconduct to the Title IX Coordinator. All members of the faculty, administration, supervisors, coaches, Public Safety officers, RA’s, and Residence Life staff are Responsible Employees.

When a victim tells a Responsible Employee about an incident of sexual misconduct/violence, the victim has the right to expect Rosemont College to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A Responsible Employee must report to the Title IX Coordinator all relevant details about the alleged sexual misconduct /violence shared by the victim including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling Rosemont College’s response to the report. A Responsible Employee should not share information with law enforcement without the victim’s consent.

Before a victim reveals any information to a Responsible Employee, the Responsible Employee should ensure that the victim understands the employee’s reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the Responsible Employee what happened but also maintain confidentiality, the employee should tell the victim that Rosemont College will consider the request, but cannot guarantee that Rosemont College will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the Responsible Employee will also inform the Title IX Coordinator of the victim’s request for confidentiality.

**Anonymous Reporting**

Any individual may make an anonymous report concerning an act of sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking. An individual may report the incident without disclosing their name, identifying the Responding Person, or requesting any action. Depending on the extent of information available, the College's ability to respond to an anonymous report may be limited. To submit an anonymous report, go to the College’s website [www.rosemont.edu](http://www.rosemont.edu), click on the Public Safety tab and then click on the Online Crime and Sexual Misconduct Report tab.

## **Sexual Assault Amnesty Policy**

The health and safety of every student at Rosemont College is of utmost importance. The College recognizes that students who have been drinking and/or using drugs (whether use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, or sexual assault occurs, may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The College strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to College officials.

A bystander acting in good faith or a reporting individual (complainant) acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to College officials, Public Safety, and/or law enforcement will not be subject to the College's code of conduct action for violations or alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, or sexual assault.

## **Timely Warnings**

When an incident of sexual misconduct that is reported to the College involves an alleged crime that constitutes a possible ongoing or continuing threat to the campus community, the College will evaluate each incident on a case-by-case basis to determine if a timely warning notice will be distributed to the community in a manner consistent with the requirements of the Clery Act. If a timely warning is issued to the campus community due to a report of intimate partner violence and abuse, sexual assault, sexual battery, sexual exploitation or stalking, the College will not release the name of identifying information about the complainant.

## **How Rosemont College Will Weigh the Request for Confidentiality**

If a victim discloses an incident to a Responsible Employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, Rosemont College must weigh that request against Rosemont College's obligation to provide a safe, non-discriminatory environment for all students and staff, including the victim.

If Rosemont College honors the request for confidentiality, a victim must understand that Rosemont College's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.

Although rare, there are times when Rosemont College may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students. Rosemont College has designated the following individual to evaluate requests for confidentiality once a Responsible Employee is on notice of alleged sexual violence:

Jane Federowicz - Assistant Vice President for Human Resources/ Title IX Coordinator

When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence, such as:
- Whether there have been other sexual violence complaints about the same alleged perpetrator;
- Whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
- Whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others;
- Whether the sexual violence was committed by multiple perpetrators;
- Whether the sexual violence was perpetrated with a weapon;
- Whether the victim is a minor;
- Whether Rosemont College possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or physical evidence);
- Whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead Rosemont College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, Rosemont College will likely respect the victim's request for confidentiality.

If Rosemont College determines that it cannot maintain a victim's confidentiality, Rosemont College will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling Rosemont College's response.

If Rosemont College determines that it can respect a victim's request for confidentiality, Rosemont College will also take immediate action as necessary to protect and assist the victim.

## **Local Law Enforcement**

Notwithstanding the victim's ability to file/report a complaint with Rosemont College, the victim may also file a report with local law enforcement. College Title IX Coordinator, Director of Public Safety or Dean of Students will assist the victim in reporting the alleged

offense to the local police if the victim requests such assistance. In addition, the importance of preserving evidence for proof of a criminal offense is conveyed to the victim at the time of first reporting. Although the College strongly encourages all member of its community to report violations of this policy to law enforcement, it is the victim’s choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement.

College action against violators of this policy does not in any way preclude the possibility of criminal action by civil authorities, should the victim wish to pursue this course of action.

**Medical Attention/Preservation of Evidence**

For your safety and well-being, immediate medical attention is encouraged. In the case of rape or sexual assault, getting immediate medical attention is crucial so you can be evaluated for physical damage as well as collect any physical evidence. To keep evidence viable, do not change clothes, bathe, shower, use the restroom or cleanse in any way prior to your examination. If you have physical injuries, have them photographed with a date stamp on the photo. Try to memorize details and record those details. Getting medical attention does not require you to report to anyone. Get medical attention immediately. You should be evaluated for injury and sexually transmitted diseases. You do not have to report the rape; however, the medical staff can collect physical evidence should you choose to press charges later.

**Preserving Information**

Complainants, respondents, and witnesses should consider whether there is information to gather that might be helpful to investigator(s) and should preserve relevant items. For example, receipts, text messages, pictures, videos, emails, Facebook posts or messages, Snapchats, or other social media posts may be helpful during an investigation or hearing. It may be helpful not to delete this information and preserve it for late. Also, complainants, respondents, and witnesses are encouraged to write down a list of possible witnesses to submit to investigator(s).

**Protection from Abuse (PFA) and Sexual Violence Protection (SVPO) Orders**

A Protection from Abuse Order is a civil order that provides protection from harm by family or household members, sexual or intimate partners, or someone with whom you have a child in common. A Sexual Violence Protection Order is similar to a PFA and offers civil protection to any victim of sexual violence who is a risk of harm from their perpetrator. PFA’s and SVPO’s are issued by a judge. The local police or Victim Services Center of Montgomery County can provide further information on these protection orders and assist in obtaining one. Rosemont College will honor any official PFA’s or SVPO’s issued. Copies of such orders should be given to the Director of Public Safety.

**Office for Civil Rights**

An individual to whom this policy applies may also file a complaint with the Office for Civil Rights (OCR); however, Rosemont College encourages you, but does not require you, to first file/report any sexual misconduct complaint with any of the Rosemont College parties named herein. For more information and/or to file a complaint with OCR: Philadelphia Office for Civil Rights, U.S. Department of Education, The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107. Telephone: 215-656-8541 Email: CR.Philadelphia@ed.gov

**On-Campus Counseling Services**

<b>Rosemont Counseling Center</b>	Chapel – Lower Level	610-527-0200, x2416	Employees & Students
<b>Rosemont Wellness Center</b>	Chapel – Lower Level	610-527-0200, x2420	Employees & Students

In the event of an emergency and the Counseling and Wellness Centers are closed, contact Public Safety at x2555 or go to the Bryn Mawr Hospital Emergency Room.

The Counseling Center at Rosemont College is committed to promoting the personal growth and development of our students and to assisting them in overcoming obstacles that may interfere with their academic success. The Center offers a safe atmosphere for students to discuss any personal concerns or difficulties. All services are voluntary, confidential, and free of charge to all students.

Individuals who work or volunteer in the Counseling Department, 610-527-0200, x2417 can generally talk to a victim without revealing any personally identifying information about an incident to Rosemont College. A victim can seek assistance and support from these individuals without triggering a Rosemont College investigation that could reveal the victim’s identity or that the victim has disclosed the incident.

While maintaining a victim’s confidentiality, these individuals or their office should report the nature, date, time, and general location of an incident to the Title IX Coordinator.

This limited report – which includes no information that would directly or indirectly identify the victim – helps keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off-campus so the Coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared with the Title IX Coordinator.

A victim who speaks to a professional or non-professional counselor must understand that, if the victim wants to maintain confidentiality, Rosemont College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

Even so, these counselors’ will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the College or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors will provide the victim with assistance if the victim wishes to do so.

### Confidential Counselors

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the College Community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX Coordinator without a victim’s permission.

Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with Rosemont College unless the victim requests the disclosure and signs a consent or waiver form. All services are voluntary, confidential, and free of charge to all students and staff.

Rosemont College has entered into an agreement with Victim Services Center of Montgomery County to provide confidential counseling and support services for victims of sexual abuse.

### Off-campus Resources and Support

<b>Employee Assistance Program (EAP) through Guardian (WorkLife Matters)</b>		800-386-7055 www.ibhworklife.com	<b>Employees only</b>
<b>Nurse Navigator Program through ConnectCare3</b>		877-223-2350 www.connectcare3.com info@connectcare3.com	<b>Employees only</b>
<b>Bryn Mawr Hospital Behavioral Health</b>	130 South Bryn Mawr Ave. Bryn Mawr, PA 19010	1-888-CARE-898 (1-888-227-3898)	Employees & Students
<b>Bryn Mawr Hospital (for medical treatment)</b>	130 South Bryn Mawr Ave. Bryn Mawr, PA 19010	484-337-3000	Employees & Students
<b>Suicide and Crisis Intervention Hotline</b>		215-686-4420	Employees & Students
<b>WOAR (Women Organized Against Rape)</b>	One Penn Center 1617 John F Kennedy Blvd. Suite 1100 Philadelphia, PA 19103	24 hour Hot Line: 215-985-3333 Website: www.woar.org	Employees & Students
<b>The Women's Center of Montgomery County</b>	14 S. Bryn Mawr Ave Bryn Mawr, PA 19010	24 hour Hot Line: 1-800-773-2424 Bryn Mawr Office: 610-525-1427 Website: www.wcmontco.org	Employees & Students
<b>Victim Services Center of Montgomery County</b>	325 Swede St., 2nd Floor Norristown, PA 19401	24 hour Hot Line: 610-277-5200 610-277-0932 Website: www.victimservicescenter.org	Employees & Students
<b>Mazzoni Center LGBTQ Health &amp; Well-Being</b>	Medical Center: 1348 Bainbridge Street Philadelphia, PA 19147	215-563-0652 Website: www.mazzonicenter.org	Employees & Students



## **VICTIM'S RIGHTS**

Rosemont College is committed to providing options, support, and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking. All victims of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime of violation occurs on or off campus:

- To be informed of the College's sexual misconduct and harassment policy;
- To be treated with respect, dignity, and sensitivity throughout the process;
- To be informed of available resources including counseling both on and off campus and how to access these resources;
- To an advisor or support person of your choosing for guidance through the investigation and/or appeal process;
- To be informed of the options to notify law enforcement and the option to be assisted by campus authorities in notifying such authorities;
- To a campus no-contact order against another student who has engaged in or threatens to engage in behavior that presents a danger to the welfare of the complaining student;
- The right to notification of and options for, and available assistance in, changing academic and living situations, work situations, if so requested by the survivor and if such changes are reasonably available;
- The availability of interim measures;
- The right to a thorough, prompt, and equitable investigation and resolution of a complaint;
- To an outcome based solely on the preponderance of evidence that is credible, relevant, and without prejudice;
- The right to be informed of the outcome and sanction of any disciplinary decision/hearing, without condition;
- The right to appeal the investigation finding and sanction;
- The right to be free from retaliation by the institution, the accused and/or respondent, and/or their friends, family and acquaintances within the jurisdiction of the College, as a result of filing a report and/or your involvement in an investigation;
- To a college response to any retaliation or harassment you experience based on your involvement in an investigation.

Rosemont College will provide written notice of these rights when a student or employee reports their victimization.

## **RESPONDENT RIGHTS**

If you have been named in a complaint of sexual misconduct, discrimination, or harassment, you have the right to expect:

- The right to provide full response to the allegations;
- To be informed of the College's sexual misconduct and harassment policy;
- To be treated with respect, dignity, and sensitivity throughout the process;
- To be informed of available resources including counseling both on and off campus and how to access these resources;
- To an advisor or support person of your choosing for guidance through the investigation and/or appeal process;
- To be provided with a written notice of investigation and the nature of the complaint filed against you;
- The right to a thorough, prompt, and equitable investigation and resolution of a complaint;
- To an outcome based solely on the preponderance of evidence that is credible, relevant, and without prejudice;
- The right to be informed in writing of the outcome and sanction of any disciplinary decision/hearing, without condition;
- The right to appeal the investigation finding and sanction;
- The right to be free from retaliation by the institution, the accused and/or respondent, and/or their friends, family and acquaintances within the jurisdiction of the College, as a result of filing a report and/or your involvement in an investigation;
- To a college response to any retaliation or harassment you experience based on your involvement in an investigation.

## **Role of a Support Person**

A support person is an individual who may accompany a respondent or complainant during the investigation process, such as any meetings with the Title IX Coordinator, investigator(s), or appeals officers, including interviews, hearings, and any meeting related to the appeals process. A student may only have one support person with them during a meeting or other proceeding; however, that person does not need to be the same individual throughout an entire investigation process. Complainants and respondents may have any individual of their choosing serve as a support person. A support person may not speak on behalf of the individual they are supporting in the investigation, appeal hearing or other part of the process, including answering or asking questions for them. A support person's participation in the process must not interfere with the investigation or hearing. The Title IX Coordinator, investigator(s), hearing officers, and appeals officers have the authority to determine what constitutes appropriate behavior of a support person and to take reasonable steps to ensure compliance with this policy, which may include removing a support person from a meeting, hearing, or process.

## **RESOLUTION PROCESS**

Whether through an informal or formal process, which shall be conducted by Rosemont College employees (Title IX Coordinator, Deputy Coordinator and/or Investigators), Rosemont College will provide a prompt, fair and impartial investigation and resolution. If extenuating circumstances will delay the proceedings, the College will inform both the complainant and respondent of the circumstances.

### **Initial Assessment**

When a report is made, the Title IX Coordinator will conduct a preliminary assessment to determine whether the alleged conduct, as presented by the report, would present a potential violation of this policy and whether further action is warranted based on the alleged conduct. After receiving a report of alleged sexual misconduct, the Title IX Coordinator will contact the complainant to explain their opportunities and resources under this policy, reporting options on and off campus, interim and supportive measures as applicable, and appropriate referrals, as well as to invite the complainant to an in-person meeting. The first meeting is called intake. At intake, the Title IX Coordinator and/or investigator(s) will gather information about the incident and assess the need for interim action.

### **Interim Measures and Remedies**

Rosemont College will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or College employees, will not be tolerated. Rosemont College will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services;
- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- Inform the victim of the right to report a crime to campus or local law enforcement – and provide the victim with assistance if the victim wishes to do so.

Upon receipt of a report, the College will provide reasonable and appropriate interim measures designed to eliminate the alleged hostile environment and protect the Parties involved. The College will make reasonable efforts to communicate with the Parties to ensure that all safety, emotional and physical well-being concerns are being addressed. Interim measures may be imposed regardless of whether formal disciplinary action is sought by the Complainant or the College, and regardless of whether the crime is reported to local law enforcement.

The Title IX Coordinator and the Dean of Students are available to coordinate efforts to meet the victim's needs. If requested and appropriate, the Title IX Coordinator, the Director of Public Safety, and the Dean of Students will assist with safety concerns, discussions with significant others, or accommodations such as alternative class assignment or working arrangement, transportation assistance and/or escort, administrative no-contact orders, safety and security services, and other assistance if requested and reasonably available.

A Complainant or Respondent may request a No Contact Order or other protection, or the College may choose to impose interim measures at its discretion to ensure the safety of all Parties, the broader College community, and/or the integrity of the process.

The College will maintain the privacy of any remedial and protective measures provided under this Policy to the extent practicable and will promptly address any violation of the protective measures. All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The College will take immediate and responsive action to enforce a previously implemented restriction if such restriction was violated.

Interim measures including written information will be implemented:

- Rosemont College will assess the immediate safety needs of the complainant;
- Will provide contact information as well as assist with contacting the local police if complainant requests;
- Provide medical services and/or assist with obtaining medical attention;
- Will provide complainant with information and referrals to on and off campus counseling, victim advocacy and legal assistance;
- Will assist with visa/immigration and student financial aid issues;
- Will provide a copy of the Sexual Misconduct policy and will inform the complainant regarding timeframes for inquiry, investigation and resolution;
- Will provide a copy of Survivor Bill of Rights;
- Will inform the complainant of the outcome of the investigation/hearing and whether or not the accused will be administratively charged;
- Will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

Potential remedies, which may be applied include but not limited to:

- Access to counseling services and assistance in setting up initial appointment, both on and off-campus;
- Imposition of campus “No Contact Order”;
- Rescheduling of exams and assignments;
- Providing alternative course completion options;
- Change in class schedule, including the ability to take an “incomplete,” or drop a course without penalty;
- Change in work schedule or job assignment;
- Financial aid related services;
- Change in or suspension of on-campus housing;
- Change of office space;
- Limit an individual’s access to campus, certain College facilities or activities pending resolution of the matter;
- Providing an escort to ensure safe movement between classes and activities;
- Providing academic support services, such as tutoring;
- Voluntary leave of absence;
- Interim suspension or College-imposed leave;
- Any other remedy that can be tailored to the involved individuals to reasonably achieve the goals of this Policy.

These accommodations/protective measures are provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

Interim measures remain in place until the case has been investigated and resolved or until lifted by the appropriate College official or designee.

### **Interim Suspension**

Where the reported conduct poses a substantial and immediate threat of harm to the safety or well-being of an individual, members of the campus community, or the performance of normal College functions, the College may place a student or impose leave for an employee. Pending resolution of the report, the individual may be denied access to the campus, campus facilities, and/or all other College activities or privileges for which the student/employee might otherwise be eligible, as the College determines appropriate. When interim suspension or leave is imposed, the College will make reasonable efforts to complete the investigation and resolution within an expedited timeframe.

### **Informal Process**

Rosemont College has adopted an informal process through which harassment and discrimination complaints may be resolved promptly and discreetly, often through communication, education, and/or mutual agreement. The Reporting party can end the informal process at any time and begin the formal resolution process. The goal of informal resolution is to resolve concerns at the earliest stage possible, with the cooperation of the parties involved.

Efforts for early resolution will be flexible and encompass a full range of possible outcomes, including, but not limited to addressing the Responding party, participating in mediation (which may be ended at any time by either party in favor of the formal process), or arranging a remedy for the Reporting party and/or agreement by the Responding party to accept a disciplinary sanction. The informal resolution process could include by way of example: separating the parties; referring the parties to counseling; conducting targeted educational and training programs; or providing remedies for the individual harmed by the alleged discrimination.

Mediation will not be used to resolve alleged sexual assault complaints.

If the matter is resolved informally to the satisfaction of all parties, the Title IX Coordinator will maintain a record of the complaint and its resolution.

If informal resolution is not possible, the Title IX Coordinator will proceed to formal resolution of the complaint.

### **Investigation**

Reporting a sexual assault may help to prevent another assault. Reporting the incident does not mean the victim must proceed with a prosecution.

The Reporting party (complainant) should submit a signed, written statement, including the Reporting Party's name, signature, contact information; the name of the person directly responsible for the alleged violation; a detailed description of the conduct or event that is the basis of the alleged violation; the date(s) and location(s) of the occurrence(s); the names of any witnesses to the occurrence(s); the resolution sought; and any documents or information that is relevant to the complaint. While an investigation may begin on the basis of an oral complaint, the Reporting party is strongly encouraged to file a written complaint.

When a Responsible Employee has knowledge of or receives a complaint of sexual misconduct, the individual receiving the complaint shall immediately notify the Title IX Coordinator. Once an oral or written complaint is filed with the Title IX Coordinator the complaint will be assessed, and if warranted, will be assigned for investigation to a Title IX Investigator.

In the event the Title IX Coordinator finds an investigation may not be warranted, he/she may also dismiss the complaint if the facts alleged in the complaint, even if taken as true, do not constitute prohibited harassment or discrimination; the complaint fails to allege any facts that suggest prohibited harassment or discrimination occurred; or the appropriate resolution or remedy has already been achieved or has been offered and rejected.

If it is determined that a complaint will not be investigated, the Title IX Coordinator will send the Reporting party a notification letter explaining the reason for the dismissal and informing the Reporting party that, within fifteen (15) business days of the notification, he or she may appeal the decision not to proceed with a complaint investigation to the Title IX Hearing Panel or the Vice President for Finance and Administration. The written appeal must explain why the decision to dismiss the complaint was in error. The Hearing Board or Vice President for Finance and Administration will respond within twenty (20) business days of receipt of the appeal. The Rosemont College Hearing Panel or Vice President for Finance and Administration's decision is final. If the decision to dismiss is overturned, the complaint is sent back to the Title IX Coordinator for investigation in accordance with the procedures outlined herein.

If the Title IX Coordinator finds an investigation is warranted, he/she will provide the Responding party with a copy of the complaint and allegations within ten (10) business days of the Title IX Coordinator's receipt of the oral/written complaint. If the Responding party cannot be located, attempts of notification will be documented. Responding party will have ten (10) business days to respond in writing. Responding party's statement must contain full and specific responses to each claim or complaint, admitting, denying or explaining the Reporting party's allegations. Responding party must sign his or her response, which will then be appended to the original complaint. If the Responding party fails to respond within time noted above, the Title IX Coordinator may proceed with investigation and determination of sanctions.

During the investigation, and depending on the nature of the allegations, the Title IX Investigator, in his or her discretion, may interview Reporting party, Responding party and/or witnesses; review written documentation and relevant policies; and take other necessary steps to thoroughly investigate the allegations. Interviews with the Reporting party and Responding party will occur separately. Rosemont College will ensure that both the Reporting party and Responding party are afforded equal opportunities to present relevant witnesses and other evidence.

Disclosure of facts to witnesses and parties is limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation are advised that maintaining confidentiality is essential to protect the integrity of the investigation.

Both the Reporting party and Responding party have the opportunity to be accompanied by a support person of their choice to any meeting or proceeding related to the incident.

During the investigation, the Title IX Investigator in communication with the Title IX Coordinators may take appropriate interim measures to ensure safety and non-retaliation for all parties.

### **Investigation Findings**

Upon completion of the investigation, the Title IX Investigator will issue a written report to the Title IX Coordinator. The report shall include: a recommendation of whether a violation of the policy occurred, an analysis of the facts discovered during the investigation, and any relevant evidence. Factual conclusions shall be based upon a preponderance of the evidence standard (e.g., more likely than not).

The decision about whether there has been a violation of this Sexual Misconduct Policy will be made by the Title IX Coordinator. Determination and sanctions may be issued by the Title IX Coordinator or referred to a hearing panel.

Both the Reporting party (complainant) and Responding party (accused/respondent) shall be simultaneously informed in writing of:

- The outcome of the investigation and resulting sanctions;
- The procedures for the Responding party and the Reporting party to appeal the result of the proceeding;
- Any change to the results before it becomes final; and
- When such results become final.

The Responding party shall be informed of the findings and of actions taken or recommended to resolve the complaint and shall be notified generally of referrals and/or recommendations for disciplinary action.

### **Possible Disciplinary Sanctions**

The purpose of disciplinary sanctions for violations of this policy is to educate students/employees about responsible behavior as members of the Rosemont College community, to maintain order, and to protect the rights of others. There is no set sanction for any of

the offenses provided in this Policy. Sanctions will be determined individually and will reflect the nature and severity of the offense. Notwithstanding Rosemont College's right to impose a sanction under this Policy, students/employees may also be subject to penalties at the local, state, and federal level.

The College reserves the right to apply any sanction for a violation of this Policy including VAWA offenses of sexual assault, domestic violence, dating violence and stalking in its sole discretion, appropriately addresses the gravity and frequency of the offense. One or more sanctions may be imposed for any offense. Prior offenses are cumulative and any student/employee found in violation of the same offense or a second offense of equal or greater magnitude may be suspended or expelled/terminated from the College. The failure to comply with an imposed sanction, as directed, can lead to the imposition of more severe sanctions, up to and including suspension or expulsion/termination. The identified sanctions represent a full range of sanctions which may be imposed against a student/employee found in violation of this Sexual Misconduct Policy.

- **Disciplinary Warning or Reprimand** - A disciplinary warning or reprimand is an official written statement of censure.
- **Letter of Apology to the Aggrieved Party** - A student/employee may be required to write a letter of apology to the aggrieved party.
- **Requirement to Seek Counseling** - The student/employee shall be required to provide evidence to the Title IX Coordinator of attendance and completion of counseling by a qualified professional.
- **Participation In, or Conducting, Special Workshops, Classes or Seminars** - A student/employee may be required to participate in, or to develop, and present special workshops or seminars related to a Title IX violation.
- **Research Assignments** - A student may be required to complete a research assignment on a topic related to the Title IX violation within a specified deadline.
- **Community Service** - A student/employee may be required to perform work assignments at the College or in the local community.
- **Parent Consultation** - Parent/guardian may be contacted when a student's behavior causes alarm, serious disruption, or is a health or safety concern.
- **Persona Non Gratis** - Prohibiting entry into a specific building on campus for a specific amount of time due to interference with the community.
- **Suspension or Termination of Residency** - Loss of on-campus housing, without refund, and/or dining privileges, permanently or for a specified period of time.
- **Fine** - A monetary sanction issued in the form of a charge.
- **No Contact Order** - Prohibits contact between students/employees when there exists a reasonable concern that physical or psychological harm may result from such contact.
- **Withholding of an Official Transcript** - May be imposed upon a student who fails to fulfill sanction requirements for a violation.
- **Delay in Awarding Degrees** - The College reserves the right to delay the awarding of any degree.
- **Hold on Registration or Re-Enrollment** - May be imposed on a student who has a Title IX case pending.
- **Restitution** - Restitution is reimbursement to compensate for personal injury, property damage, or misappropriation of College or other personal property. It may be in the form of money or services.
- **Disciplinary Probation** - Disciplinary probation may be imposed for a specified period of time.
- **Suspension** – Suspension from the College. Duration of suspension will be determined by the Title IX Coordinator or the Hearing Board.
- **Expulsion/Termination** – Expulsion/termination is the most severe sanction that the College may impose. Expulsion/termination is permanent dismissal from the College. In addition, the student is not eligible for readmission to the College, the employee is not eligible for rehire and students/employees will be permanently barred from Rosemont College property and from all College-sponsored events.
- Other sanctions as deemed appropriate by the Title IX Coordinator or Hearing Board.

## Appeals Process

Either the Responding party or the Reporting party both have the opportunity to request an appeal of the decision and sanctions rendered by the Title IX Coordinator. The three grounds upon which an appeal of the decision or sanctions may be made are:

- **Material procedural error:** The party believes a procedural error occurred, which the party feels may change or affect the outcome of the decision. The appeal must specify the procedural provision that was violated and the impact of this violation; procedural or technical deviations will not be sufficient to sustain an appeal unless found to have denied the appealing party a fair process.
- **New material evidence:** The party has substantive new evidence that was not available to the investigator at the time of the decision and that may change the outcome of the decision. The new evidence must have been previously unknown or unavailable to the party and pertinent to the case. The appealing party must provide an explanation as to why the evidence was unknown or unavailable.

- Inappropriate sanction: The party feels that the severity of the sanction is inappropriate given the details of the case. In reviewing an appeal based on this ground, the Vice President for Finance and Administration does not replace the Title IX Coordinator's judgment with his or her own; he or she reviews the matter to determine whether the sanctions imposed are authorized under applicable policy and sufficient to preventing recurrence of similar conduct by the respondent or others and eliminating a hostile environment for the reporting party and the campus. Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

An appeal is not intended to be a new investigation. In most cases, an appeal is confined to a review of written documentation and pertinent documentation regarding the grounds for appeal. An appeal is not an opportunity to substitute judgement for that of the investigation team merely because of disagreement with the finding and/or recommended sanction. In any request for an appeal, the burden of proof lies with the party requesting the appeal.

The request for an appeal, including the grounds upon which the request is based, must be submitted in writing to the Vice President of Finance and Administration within five (5) business days following the date on the outcome letter. All appeals must be in writing and clearly cite the grounds for the appeal and the evidence supporting it. Each party will be notified if an appeal request will be considered and be provided the opportunity to respond. If an appeal is not filed within the five (5) business days, the decision of the Title IX Coordinator will be final.

The Hearing Board determines whether a change in decision is warranted. Both parties will be notified within twenty (20) business days, the date and time of the scheduled appeal hearing. The trained members of the Hearing Board will conduct the appeal meeting and will be conducted in an impartial manner. The Hearing Board will review the appeal; the investigative report, the Title IX Coordinator's rationale for the decision made and any testimony at the appeal hearing. The Hearing Board will make a final independent decision using the standard of preponderance of the evidence. The Hearing Board's decision is final. Appeals decisions will be rendered within ten (10) business days after the conclusion of the appeal hearing. Both parties will be notified in writing of appeal outcome.

The complainant and the respondent will be provided the same opportunities to have others present during any hearing board meeting, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. Both the complainant and respondent have the right to have an advisor of their choosing to be present with them during the hearing. The advisor can be anyone the complainant and respondent choose, including a lawyer or family member. The complainant and respondent may speak privately with their advisor at any time during the process without disrupting the process. However, the advisor cannot speak on behalf of their advisee, actively participate in the process, or interrupt any proceedings. If the advisor violates any of these rules, they will be immediately removed from the process.

The hearing will be audio-recorded, but not the deliberations of the Hearing Panel. The audio recording is created for reference by the Hearing Panel during deliberations. Consent for recording will be obtained by participants before any recording is made.

#### **FALSE REPORTS**

The College takes the accuracy of information very seriously, as a report of prohibited conduct may have severe consequences. A good-faith complaint that results in a finding of not responsible is not considered a false or fabricated report of prohibited conduct. However, when a Complainant or third party witness is found to have fabricated allegations or given false information with malicious intent or in bad faith, the Complainant may be subject to disciplinary action.

#### **RETALIATION POLICY**

Rosemont College prohibits retaliation against any individual for reporting, providing information, exercising one's rights or responsibilities, or otherwise being involved in the process of responding to, investigating, or addressing allegations of sex discrimination, sexual harassment, and sexual violence. Any person who believes they have been retaliated against for reporting and/or participating in the investigation/hearing process of any incident of sexual misconduct including sexual harassment should contact the Title IX Coordinator, Jane Federowicz.

Revised August 2019