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Policy Against Sexual Misconduct ▼

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Carleton College is committed to:

- Fostering a safe environment, free of sexual misconduct in any form. We expect community members to engage in relationships and sexual interactions that are characterized by consent. Individuals who engage in behaviors that violate Carleton's Policy Against Sexual Misconduct are held responsible for their actions.

Title IX Coordinator

Henry House 206

(507) 222 4028

lriehlem@carleton.edu

Carleton has designated Heidi Jaynes to serve as Title IX Deputy for Faculty and Staff. Their contact information is:

Heidi Jaynes

Title IX Deputy/Faculty and Staff

Recreation Center 229

(507) 222 4447

hjaynes@carleton.edu

Inquiries about the application of Title IX and its implementing regulations may be referred to these individuals. These individuals may also act through a designee. Inquiries about Title IX and its implementing regulations may also be referred to:

U.S. Department of Education

Office for Civil Rights

Lyndon Baines Johnson Department of Education Bldg.

400 Maryland Ave, SW

Washington, DC 20202-1100

(800) 421 3481

OCR@ed.gov

**"Complainant"** means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

**"Confidential Campus Resources"** means all employees of Carleton's Student Health and Counseling Center and clergy who serve as College Chaplains. Individuals involved in sexual misconduct matters may seek confidential support from these resources, who will maintain complete confidentiality of all information shared with them. Confidential Campus Resources have a responsibility to report non-personally identifiable information about sexual misconduct for the purpose of statistical reporting, as required by law.

**"Consent"** means the mutual understanding of words or actions freely and actively given by two informed people that a reasonable person would interpret as a willingness to participate in mutually agreed upon sexual activity.

- Consent is not effective when force, threat, or coercion is used.



4. Dating violence, meaning violence (including but not limited to physical, emotional, or psychological behaviors) committed by 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 a relationship shall be determined based on (i) the length of the relationship; (ii) the type of relationship; (iii) the frequency of interaction between the persons involved in the relationship;
5. Domestic violence, meaning felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the

## Section 1: Scope of Policy

This Policy applies to all Carleton faculty, staff, students, and visitors. Sexual misconduct can be committed by a person of any gender against a person of any gender. Sexual misconduct can be committed by friends, current or former intimate partners, acquaintances, or non-acquaintances. The Policy applies in connection with any Carleton program, whether on or off campus, including academic, educational, extra-curricular, athletic, residential, employment (including work-study), and other College activities and programs.

The Title IX Coordinator is responsible for determining whether matters fall under the jurisdiction of this Policy and may consult with others, as appropriate, in making such a determination. Where misconduct is alleged to have been committed by a staff or faculty member, in particular, the Title IX Coordinator may consult with the Title IX Deputy for Faculty and Staff.

Alleged conduct that does not fall within the scope of this Policy may be addressed under other applicable policies, including but not limited to those set forth in Section IX, below. This may include (but is not limited to) misconduct of a sexual nature that does not meet the definitions of Sexual Harassment set forth in this Policy.

## Section 2: Purpose of Policy

Carleton is committed to creating a community free of sexual misconduct, to providing avenues for those affected by sexual misconduct to obtain assistance, and to providing clear and fair complaint and investigation procedures.

Carleton encourages individuals who have experienced any form of sexual misconduct to make a prompt report to the College. Any person—regardless of whether the person reporting is the person alleged to be the victim—may report such concerns to the Title IX Coordinator or, in cases involving faculty or staff, to the Title IX Deputy for Faculty and Staff. Reports may be made in person, by mail, by telephone, by email, or by Community Concern Form. Reports may be made at any time.

Students who wish to seek support after an incident of sexual misconduct, want to discuss options for addressing an incident of sexual misconduct, are considering filing a Formal Complaint, or have any questions about the Formal Complaint Resolution Process, should contact the Title IX Coordinator or a Confidential Campus Resource who can also provide information regarding available Supportive Measures and other services. More information can be found [here](#).

## Section 3: Standards of Conduct

When sexual misconduct occurs at Carleton, the standards of the community are violated. Depending on the type of misconduct, state and federal law may also be violated by conduct that violates College policy. Carleton also encourages individuals who have experienced criminal sexual misconduct to pursue criminal charges. State law definitions of consent, sexual assault, domestic violence, dating violence, and stalking can be found [here](#).

The College can provide information about available options, including information about Carleton's procedures or pursuing criminal charges. The College will advise individuals that filing a sexual

misconduct report is not a substitute for legal action. An individual may be assisted by College authorities in notifying law enforcement or obtaining a legal no-contact order if the individual chooses. The College also recognizes the right of individuals to decline to notify law enforcement authorities.

Carleton will also provide all parties complete and prompt assistance, at the direction of law enforcement authorities, in obtaining, securing, and maintaining evidence in connection with a sexual misconduct incident. The College will also provide all parties assistance in preserving materials relevant to campus disciplinary proceedings.

Reporting an incident of sexual misconduct under Carleton policy is independent of any criminal investigation or proceeding and, except in cases where the College determines that a delay is necessary, the College may not wait for the conclusion of any criminal proceedings to respond to a report and take needed interim or resolution measures. Making a report to law enforcement is not necessary for the College to proceed with a resolution.

## Faculty and Staff

### **Faculty and Staff**

- All faculty and staff, other than Confidential Campus Resources, who learn of possible violations of this Policy are required to report that information either directly or through a Community Concern Form to the Title IX Coordinator or the Title IX Deputy for Faculty and Staff.
- While reporting is an obligation for all faculty and staff other than Confidential Campus Resources, in responding to a report, the College will be guided by the goal of empowering the self-determination of the individual who may have been subject to the misconduct and allowing that individual to retain as much control over the process as possible. However, no employee (other than Confidential Campus Resources) can or should promise absolute confidentiality.

### **Students**

- Resident assistants are required to report incidents of possible sexual misconduct through a Community Concern Form when relevant information comes to their attention through their work as resident assistants. Resident assistants are required to include the names of involved students.
- Peer leaders other than resident assistants are required to report incidents of possible sexual misconduct through a Community Concern Form but may choose to omit the names of involved students. Peer leaders may choose to share more information, including names, to help affected students receive appropriate support and attention.
- Other students do not have an obligation to report sexual misconduct but are encouraged to consider sharing information about sexual misconduct with the Title IX Coordinator to help affected students receive appropriate support and attention.

The College seeks to remove barriers to reporting incidents of sexual misconduct. An individual who has been drinking or using drugs at the time of an incident of sexual misconduct may be hesitant to make a report or participate in an investigation because of potential consequences for their own conduct. No student who, in good faith, reports an incident of sexual misconduct or participates in an investigation of sexual misconduct will be subject to disciplinary action for their own personal consumption of alcohol or other drugs related to that incident. The College may recommend



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In the event of the dismissal of a Formal Complaint (or a portion thereof) under this section, Carleton will promptly notify the Complainant and Respondent in writing.

#### **Informal Resolution**

A Formal Complaint that does not involve allegations of an employee engaging in Sexual Harassment of a student may be resolved by Informal Resolution. Informal Resolution may occur any time between the filing of a Formal Complaint and a determination of responsibility.

Prior to any Informal Resolution, both the Complainant and Respondent will be given written notice of: (1) the allegations; (2) the circumstances under which Informal Resolution precludes them from resuming the Formal Complaint Resolution Process, such as voluntarily agreeing to resolution of the Formal Complaint through Informal Resolution; (3) their right to withdraw from the Informal Resolution process and resume the Formal Complaint Resolution Process at any time prior to agreeing to a resolution; and (4) that the Informal Resolution process could result in an agreed-upon sanction, including but not limited to those set forth in Section VI.G.3, below, which may appear in certain records pertaining to that individual.

Carleton will facilitate an Informal Resolution only after the Complainant and Respondent have received such written notice and provided voluntary, written consent to participate in Informal Resolution. Carleton will strive to complete any Informal Resolution within 10 days of receiving such consent. Informal Resolution will involve the parties working together with Carleton personnel to

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- The Decision-Makers will issue a written determination regarding responsibility. The written determination will include:
  - A description of the allegations potentially constituting Sexual Harassment
  - A description of the procedural steps taken from the receipt of the Formal Complaint through the written determination
  - Findings of fact supporting the determination
  - Conclusions regarding application of policy to the facts
  - A statement of, and rationale for



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The [Campus Handbook](#) is the one place to find all official Carleton College policies and guidelines. It contains the [Student](#), [Faculty](#), and [Staff](#) handbooks. These policies and guidelines are subject to change.

If you have questions or corrections, please email [campus-handbook.group@carleton.edu](mailto:campus-handbook.group@carleton.edu).

[Campus Handbook Archive](#) • [Tools for Policy/Guideline Maintainers](#)

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