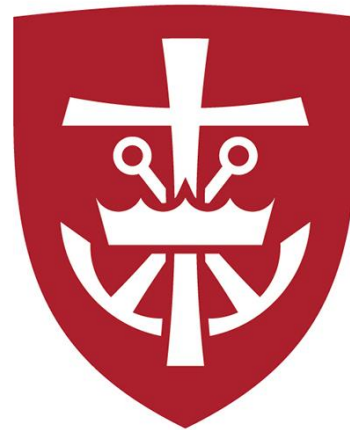


New
Regulations-
Sexual
Harassment
Policy/Title IX

CAMPUS SPECIFICS



**KING'S
COLLEGE**
TRANSFORMATION. COMMUNITY. HOLY CROSS.

Part 1.1.
Glossary:
I,1; page 176

- Complainant- victim
- Respondent- accused
- Recipient- King's College who receives federal financial aid directly or indirectly
- Investigator
- Hearing Officer- sole decision maker
- Pool: II, 7, page 203

Jurisdiction: I,12; page 184

- Educational program or activity
- Geography- property owned, leased or rented by the College
- Located in the City or Township of Wilkes-Barre, Pittston in Luzerne County
- Within the United States

What about?

- Off campus student housing
- Study Abroad or foreign service trips
- Internships, practicum
- Athletic travel

Supportive Measures: I, 8; page 181

- Can be given prior to formal complaint
- Can be issued to one party, no requirement for mutual directives

Reporting: II, 8; page 205

- Formal report must be to the Title IX Coordinator
- Anonymous Reporting- on College web page not Campus Shield
- Confidential Reporters
- Mandated Reporter- definition narrowed
- Must include sufficient information for inclusion in the letter of notification
- Advisor: II, 5, page 201

Bias and Conflict of Interests: I, 5; page 178

- Recipient must avoid all bias
- Knowing a party is not sufficient
- The Title IX team member or the party may raise the issue.
- Title IX Coordinator will make the determination and if necessary, make a replacement.

Accommodations: I, 16; page 186

- Parties may receive accommodation for a disability. Accommodations will be coordinated with the Academic Skills Office.
- Parties may receive accommodation due to English being a second language and may use a translator in addition to an advisor.
- Request for accommodation is initiated with the Title IX Coordinator.

Retaliation: I,18; page 191

- An action that can potentially impact the investigation, finding or outcomes
- Against a party- complainant or respondent
- Witness or Advisor
- Title IX Team member including influence by supervisor, senior administrator, board member

Mandated Reporters: I, 19; page 191, 193

- Faculty
- Professional and administrative staff
- Residence Life staff- resident assistants and resident counselors
- Campus Safety and Security staff
- Excludes hourly paid staff

Confidential Reporters: I, 19; page 192

- Jane and John Doe reporting
- Professional standards
- Counselors (licenses), Campus Minister religious or professional staff, director of the student health center
- Must follow professional standards
- Applies to within their professional scope not ancillary roles- teacher, RC, advisor, etc.

Statement of Rights: I, 26; page 196

- Applies to the complainant and the respondent.
- Detailed- see handout

Reporting/Initial Assessment: II, 3; page 198

- Report must be made to the Title IX Coordinator
- Complaint must include sufficient information to determine if an alleged violation took place, date, time and place, who is the accused.
- Must include a statement that the complainant is requesting the College to investigate.
- Coordinator determines if the report falls under Sexual Harassment, Code of Conduct or does not apply to College policies.

Emergency Removal/Analysis of Risks: I, a and II, 3a; page 182 and 199

- To determine actionability of violence by an individual against another person or group following issuance of a direct or conditional threat.
- Conduct by a subgroup of the Care Team
- Analysis can not be conducted by the Title IX Coordinator.
- Title IX Coordinator notifies the party, meets with the party and their advisor, implements or stays the decision, determines conditions and time length.



Technology

- Onehub: evidence sharing
- Guardian: case management
- Zoom: virtual meeting
- Microsoft Teams: virtual meeting
- Transcription

The Pool and Training: II, 7; page 203

- The pool is the Title IX staff - anyone who is an investigator, hearing officer, and coordinator.
- Advisors may be included in the pool.
- The pool has to be trained in required areas outlined in the policy.
- The pool members must be listed on the web page along with the training they completed with a PowerPoint or handout from the program.

Notice of Investigation and Allegations, Determination: II, 8; page 205

- The notices of investigation and allegations must include the information as described in the policy which is extensive.
- The determination of findings must include specific information as prescribed in the policy.

Required Time Periods- Business Day

- Parties and their advisors must have **adequate time** to prepare for any meeting with the investigator, hearing officer or appeal officer.
- Investigative process **normally takes 30 days**.
- Parties have ten days to review draft investigative report, the evidence and provide feedback to the investigator.
- Investigator will finalize the report and provide to the Hearing Officer.
- Parties will have **ten days** to review the evidence prior to the hearing+
- Parties will have **ten days** notice prior to the hearing taking place+
 - + days can overlap

Cross Examination: II, 29 and 20; page 212

- Parties must have an advisor for the hearing to conduct cross examination.
- The advisor can be anyone they choose as long as that person will conduct the cross examination.
- The parties may not conduct the cross examination.
- The hearing officer will determine relevance of the questions.
- To ask a question, the advisor will pose the question to the hearing officer who will permit or deny the question, if the question is permitted the witness may answer.
- Parties will be asked to submit questions in advance to the hearing officer.

Appeals: II, 36; page 216

- If an appeal is filed, it must be submitted within **five business days** of receipt of the notification of outcomes. Appeal is filed with the Appeal Officer.
- The reason for appeals has narrowed:
 - Procedural irregularity
 - New evidence not reasonable available at the time of the determination
 - Bias or conflict of interest of the Title IX Coordinator, Investigator or Hearing Officer

Prepared by:

- Robert McGonigle, Title IX Coordinator
- Associate Vice President for Student Affairs and Dean of Students
- King's College, Office of Student Affairs
- robertmcgonigle@kings.edu