

ADRIAN COLLEGE SEXUAL MISCONDUCT & SEXUAL HARASSMENT POLICY

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ADRIAN COLLEGE

SEXUAL MISCONDUCT & SEXUAL HARASSMENT POLICY

STATEMENT OF NON-DISCRIMINATION

When Adrian College was established in 1859, its founders declared that it should be open to people of both sexes and all races and nationalities. Because of this mission, the College has always opened its campus to a wide variety of students. It attempts, through orientation, academic and social programming, affirmative action and the training of professional and student staff, to create an environment where difference is not only tolerated but celebrated.

In order to maintain this openness and variety, it is the policy of Adrian College that all students, faculty, staff, officials and guests be free from discrimination and discriminatory harassment based on race, religion, creed, ethnicity, national origin, sex, sexual orientation, age, handicap or physical characteristics. Discrimination is wrong and will not be tolerated.

Adrian College adheres to all federal and state civil rights laws banning discrimination in institutions of higher education, including Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972 ("Title IX"), The Age Discrimination in Employment Act, The Americans with Disabilities Act and ADA Amendments Act, The Equal Pay Act, and the [Elliot-Larsen Civil Rights Act](#). Adrian College does not discriminate against an employee, applicant for employment, student or applicant for admission on the basis of race, religion, color, sex, pregnancy, ethnicity, national identity, citizenship status, disability, age, sexual orientation, gender, gender identity, veteran or military status, predisposing genetic characteristics or any other protected category under applicable local, state, or federal law. To view Adrian College's full statement on non-discrimination, see the [Adrian College Student Handbook](#).

Adrian College also complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act, as amended by the Violence Against Women Act (VAWA). Title IX prohibits retaliation for asserting or otherwise participating in claims of sex discrimination. VAWA imposes additional duties on universities and colleges to investigate and respond to reports of sexual assault, stalking, and dating or domestic violence, and to publish policies and procedures related to the way these reports are handled. Adrian college has designated the Title IX Co- Coordinators to coordinate Adrian College's compliance with Title IX and VAWA, respond to reports of violations, and coordinate Adrian College's compliance with the Clery reporting related VAWA requirements.

Adrian College is committed to the principles of equal opportunity and seeks to establish and maintain an environment which ensures equal access to education for all Adrian College community members including students, applicants for admission, employees, applicants for employment, guests, and visitors. Adrian College does not discriminate on the basis of sex in any education program or activity operated by the College including, but not limited to, admissions,

employment, recruitment, compensation, and athletics as well as access to housing and facilities, classes and schools, counseling, employment assistance to students, health and insurance benefits and services, and fringe benefits. Adrian College is required by Title IX and the regulations thereunder not to discriminate in such a manner.

For additional information or inquiries about the application of Title IX and the regulations thereunder, contact Adrian College's Title IX Coordinator and/or the Assistant Secretary of the United States Department of Education.

The Title IX Co-Coordinators' contact information is as follows:

For incidents involving students:

Thomas Doney
Student Life Coordinator & Title IX Co-Coordinator
1325 Williams St. Adrian, MI 49221
Phone: (517) 264-3142
Email: tdoney@adrian.edu

For incidents involving employees:

Christina Corson
Director of Human Resources & Title IX Co-Coordinator
Office of Business Affairs
110 S. Madison Street, Adrian, MI 49221
Phone: (517) 264-3999
Email: ccorson@adrian.edu

SCOPE OF POLICY & GENERAL REPORTING INFORMATION

Adrian College provides the following information on how to report sex discrimination, sexual misconduct, and sexual harassment to Adrian College and outlines the College's response to such reports.

Any person may experience sex discrimination, sexual misconduct, or sexual harassment, irrespective of the identity of the complainant or respondent, and is encouraged to report such incidents to Adrian College. Any person, regardless of whether or not the person reporting the alleged incident is the person alleged to be victimized by the incident, may report sex discrimination, sexual misconduct, or sexual harassment to the Title IX Coordinator. Reports may be made at any time, including during non-business hours, in person, by mail to the office address listed for the Title IX Coordinator, by telephone, by email, or any other means that result in the Title IX Coordinator receiving a person's written or verbal report.

Individuals may submit an [Incident Report](#) by email, mail, or in person directly to the Title IX Coordinator.

Adrian College Title IX Co-Coordinators are:

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When the Title IX Coordinator receives a report (either written or oral) of sexual misconduct or sexual harassment, they will contact the complainant to provide supportive measures. For more information about Supportive Measures, see pages 19-20 of this policy.

Upon receipt of a report, complaint or formal complaint, the Title IX Coordinator will review the details of the alleged incident and conduct a preliminary assessment to determine which of the Adrian College's grievance procedures will be applied to address the report. Regardless of the type of incident, Adrian College applies prompt and equitable grievance procedures to resolve complaints of sex discrimination, sexual misconduct, and sexual harassment. Adrian College grievance procedures apply equally to all persons regardless of sex, gender, sexual orientation or gender identity.

Formal complaints of incidents of sexual harassment as defined under Title IX involving Adrian College students or employees will be addressed using the formal complaint and grievance process as described in pages 29-38 of this policy.

Complaints regarding incidents of sexual misconduct which fall outside of the Title IX definition of sexual harassment (see pages 7-10 of this policy for Title IX definitions) or which occurred outside of Adrian College's own education programs or activities or outside of the United States will be addressed using the procedures outlined the Adrian College Student Code of Conduct. Employee to employee complaints are subject to conduct processes found in the Employee

Handbooks.

Incidents of sex discrimination which do not involve sexual harassment as defined under Title IX or sexual misconduct will be addressed using the procedures outlined in the [Discrimination and Discriminatory Harassment Policy](#), Adrian College Student Code of Conduct, or Employee Handbooks.

When possible, the Title IX Coordinator will notify the reporting party of Adrian College's procedures which correspond to the alleged incident.

All victims are encouraged to report sexual assaults. As a service to victims, the Department of Campus Safety may be contacted for information and assistance in contacting the proper law enforcement agency.

A person may also file a complaint with the U.S. Department of Education's Office for Civil Rights regarding an alleged violation of Title IX online at <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html> or by phone at 1-800-421-3481.

The regional Office for Civil Rights information is as follows:

OFFICE FOR CIVIL RIGHTS,
CLEVELAND OFFICE
U.S. Department of Education
1350 Euclid Avenue
Suite 325
Cleveland, OH 44115
Telephone: (216) 522-4970
Facsimile: (216) 522-2573
[Email: OCR.Cleveland@ed.gov](mailto:OCR.Cleveland@ed.gov)

TITLE IX COORDINATOR RESPONSIBILITIES

All educational institutions receiving federal financial assistance must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under Title IX of the Education Amendment of 1972, which prohibits sex discrimination in education programs and activities. These designated employees are generally referred to as Title IX Coordinators.

The following people have been designated as the Title IX Co-Coordinators at Adrian College:

For incidents involving students:

Thomas Doney
Student Life Coordinator & Title IX Co-Coordinator
1325 Williams St. Adrian, MI 49221
Phone: (517) 264-3142
Email: tdoney@adrian.edu

For incidents involving employees:

Christina Corson
Director of Human Resources & Title IX Co-Coordinator
Office of Business Affairs
110 S. Madison Street, Adrian, MI 49221
Phone: (517) 264-3999
Email: ccorson@adrian.edu

The Title IX Coordinator is responsible for responding to reports and complaints of sex discrimination, sexual misconduct, and sexual harassment on behalf of Adrian College. The Title IX Coordinator's responsibilities include, but are not limited to:

- Receiving the required training in relevant state and federal laws and Adrian College policies and procedures;
- Advising an individual, including a complainant, third-party reporter, or respondent, about Adrian College's policies and procedures related to sex discrimination, sexual misconduct, and sexual harassment as well as explaining courses of action available at Adrian College and the courses of action available externally regarding any such incidents, including reporting to law enforcement;
- Receiving incident reports of sex discrimination, sexual misconduct, and sexual harassment;
- Informing complainants of the availability of supportive measures;
- Informing complainants of the process for filing a formal complaint under Title IX;
- Offering supportive measures to complainants designed to restore or preserve equal access to Adrian College's education program or activity;
- Conducting Title IX investigations;
- Working with respondents to provide supportive measures, as appropriate;
- Coordinating the effective implementation of both supportive measures (to one or both parties) and remedies to a complainant as well as disciplinary sanctions which may be imposed upon a respondent after the formal complaint process;
- Handling other tasks and responsibilities as determined by the Title IX Coordinator.

PROHIBITED CONDUCT

The following conduct is prohibited under this policy. Prohibited conduct is defined below and includes sex discrimination, sexual misconduct, and sexual harassment under Title IX.

I. SEX DISCRIMINATION

Discrimination against an individual based on that person's sex, gender, gender identity or sexual orientation.

II. SEXUAL MISCONDUCT

Adrian College prohibits conduct which has the purpose or effect of unreasonably interfering with a person's employment or academic performance or creating an intimidating, hostile, or offensive working or educational environment. Such behavior constitutes sexual misconduct.

The following behaviors are also considered sexual misconduct and prohibited:

- Persistent, unwelcome flirtation, advances and/or propositions of sexual nature;
- Repeated insults, "wolf-whistling," humor, jokes and/or anecdotes that belittle or demean an individual's or a group's sexuality or sex;
- Repeated, unwelcome comments of sexual nature about an individual's body or clothing;
- Unwarranted displays of sexually suggestive objects or pictures;
- Inappropriate touching, such as patting, pinching, hugging, or repeated brushing against an individual's body.
- Pressure for sexual favors
- Obscene communications, or bullying based on gender or sexual orientation
- Administration of date rape drug(s)
- Touching of a non-private body part with the person's own private body part
- Committing, attempting, or inciting another to commit sexual contact with another member of the College community without that person's consent, including but not limited to, rape and other forms of sexual assault.
- Other behaviors defined as sexual harassment under Item III of this policy which occur outside of Adrian College's education program or activity and/or the United States

III. SEXUAL HARASSMENT UNDER TITLE IX

Sexual Harassment is a form of sex discrimination. Title IX defines sexual harassment as conduct on the basis of sex that satisfies **one or more of the following three types of behavior:**

1. Quid pro quo harassment

An Adrian College employee conditioning provision of an aid, benefit or service of Adrian College on an individual's participation in unwelcome sexual conduct. For example, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature by a person having power or authority over another constitutes sexual harassment when submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational or employment progress, development or performance. This includes when submission to such conduct would be a condition for access to receiving the benefits of or opportunities in any educational or employment program.

Quid pro quo harassment does not need to be severe and pervasive as required under Item III.2 below, because the abuse of authority in the form of even a single instance is inherently offensive and serious enough to jeopardize equal educational access.

2. Denial of Equal Educational Access due to Severe, Pervasive, and Objectively Offensive Conduct (Davis Standard)

Unwelcome conduct determined by a reasonable person to be so **severe, pervasive and objectively offensive** that it effectively denies a person equal access to Adrian College's education program or activity.

Signs of enduring *unequal* educational access due to severe, pervasive, and objectively offensive sexual harassment may include withdrawing from a class to avoid a harasser, a decline in a student's grade point average, or having difficulty concentrating in class. However, no concrete injury is required to conclude that serious harassment would deprive a reasonable person in the complainant's position of the ability to access Adrian College's education program or activity on an equal basis with persons who are not suffering such harassment.

3. Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Sexual Assault: Forcible or non-forcible sex offenses under the FBI's Uniform Crime Reporting program (U.C.R.). Various forms of sexual assault include:

Sex Offenses, Forcible: Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

Forcible Rape: (Except Statutory Rape) The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the

person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sex Offenses, Nonforcible: (Except Prostitution Offenses) Unlawful, nonforcible sexual intercourse.

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

Statutory Rape: Nonforcible sexual intercourse with a person who is under the statutory age of consent. In Michigan, the age of consent is 16.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship
2. The type of relationship
3. The frequency of interaction between the persons involved in the relationship

Domestic Violence: 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 victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from

that person's acts under the domestic or family violence laws of the jurisdiction. 34 U.S.C. 12291 (a)(8)

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

Sexual assault, which includes rape, is referenced in the third prong of the definitions of sexual harassment. Note that any report of sexual assault, dating violence, domestic violence, or stalking is not subject to the Davis elements referenced in the second prong of definitions of sexual harassment, which consider whether the incident was "severe, pervasive, and objectively offensive." A single act of sexual assault, dating violence, domestic violence, and stalking does not need to demonstrate severity, pervasiveness, objective offensiveness, or denial of equal access to education because denial of equal access is assumed. Therefore, complainants can feel confident reporting such incidents to Adrian College and receive supportive measures without wondering whether sexual assault is 'bad enough' to report.

Adrian College is required under Federal Title IX regulations to respond to incidents of sexual harassment as stated above. Additionally, conduct outlined in the above definitions of sexual harassment and sexual misconduct may be considered a violation of Michigan law and subject to mandatory reporting and/or criminal investigation.

RELEVANT TERMS

The following terms are related to the grievance process required under Title IX to address incidents of sexual harassment. The grievance process is described on pages 29-38 of this policy.

Actual Knowledge: Notice of sexual harassment or allegations of sexual harassment delivered to Adrian College Title IX Coordinator. Such notice includes reports sent to the Title IX Coordinator in person, by mail, by telephone, by email, telephone call, in-person, or by any other means that result in the Title IX Coordinator receiving a person's written or verbal report.

Advisor: An individual who provides support, guidance, and/or assistance to the complainant or responding party throughout the investigation, hearing, appeals, and/or informal resolution process. Complainants and respondents have the right to select an advisor of their choice. Advisors may be a friend, mentor, family member, attorney, or any other supporter a party chooses to advise them who is both eligible and available. Advisors are required during the hearing process. If a party does not have an advisor present at the hearing process, Adrian College will provide the party with an advisor. Additional information about the role of advisors can be found on pages 17-18 of this policy.

Complaint: A document that initiates the complaint procedures referenced in the Adrian College Student Code of Conduct or Employee Handbook against a respondent alleging sexual misconduct. For more information about how to file a complaint, see Adrian College’s Student or Employee Handbooks.

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment. A complainant may, but is not required to be, a student, employee, or other Adrian College community member.

Consent: Verbal or non-verbal agreement to participate without the use of force, threat of force, or coercion to accomplish the sexual act. Consent has not been given if inflicted through force, threat of force, or coercion; or if inflicted upon a person who is unconscious or who otherwise reasonably appears to be without mental or physical capacity to consent. For example, sexual contact with a person whose judgment appears to be impaired by alcohol or other drugs may be considered “without consent”.

Education Program or Activity: All of the operations of Adrian College, which may be on or off campus, as well as locations, events, or circumstances over which Adrian College exercises substantial control over both the respondent and the context in which an incident of sexual harassment occurs. Additionally, any building owned or controlled by student organizations which are officially recognized by Adrian College are also considered to be part of the College’s education program or activity, irrespective of whether the building is on or off campus and irrespective of whether Adrian College exercises substantial control over the respondent and the context of the harassment other than the fact that the College officially recognizes the fraternity or sorority that owns or controls the building. Therefore, Title IX requires Adrian College to investigate formal complaints alleging sexual harassment that occurred in a fraternity or sorority building (located on or off campus) owned by a fraternity or sorority that is officially recognized by Adrian College as a Greek life organization.

Adrian College’s education program or activity also extends to operations which include computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of the College.

Formal Complaint: A document that initiates the grievance process outlined in pages 29-38 of this policy against a respondent alleging Title IX sexual harassment. A formal complaint must be filed by the complainant or signed by the Title IX coordinator alleging sexual harassment against a respondent and requesting that Adrian College investigate the allegation of sexual harassment. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in an education program or activity at Adrian College. A formal complaint may be a document delivered to the Title IX Coordinator’s office or electronic submission sent via email which contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the complaint. Individuals may download and submit the [Formal Complaint](#) form and submit it via email, mail, or in-person to the Title IX Coordinator.

Submission of a formal complaint to Adrian College is not equivalent to filing charges with local law enforcement and does not require a complainant to file charges with local law enforcement. For more information about reporting incidents of sexual misconduct or sexual harassment to local law enforcement, contact the Title IX Coordinator, Department of Campus Safety, the Office of Student Life, or the local prosecuting attorney's office.

Report: Notice, either written or oral, provided to the Title IX Coordinator of an alleged incident of sex discrimination, sexual harassment, or sexual misconduct. Any person, regardless of whether or not the person reporting the alleged incident is the person alleged to be the victim the incident may report sex discrimination, sexual misconduct or sexual harassment. Reports may be made at any time, including during non-business hours, in person, by mail to the office address listed for the Title IX Coordinator, by telephone, by email, or by any other means that result in the Title IX Coordinator receiving a person's written or verbal report. Individuals may also download and submit an [Incident Report](#) by email, mail, or in person directly to one of the Title IX Co-Coordinators. A report is distinguished from a formal complaint or complaint as defined above.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Standard of Evidence (Clear and Convincing): The standard used to determine if a Title IX policy violation occurred. Adrian College uses a "clear and convincing" standard, which means that the evidence is highly and substantially more likely to be true than untrue. The decision-maker (and/or the appeal decision-maker) must be convinced that the contention is highly probable.

Supportive Measures: Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to Adrian College's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Adrian College's educational environment, or deter sexual harassment. Supportive measures are described in further detail on pages 19-20 of this policy.

ADDITIONAL INFORMATION

AMNESTY PROVISION

Sometimes students are reluctant to seek help after experiencing sex discrimination, sexual misconduct, or sexual harassment, or may be reluctant to help others who may have experienced sex discrimination, sexual misconduct, or sexual harassment, because they fear being held responsible by Adrian College or law enforcement for drug use or underage alcohol consumption. To better ensure that individuals who may be at medical risk as a result of alcohol intoxication or drug consumption will receive prompt and appropriate medical attention, the State of Michigan has adopted a medical amnesty law to remove perceived barriers to seeking help.

Michigan law includes exemption from prosecution for the following:

- A minor who voluntarily accesses a health facility or agency for treatment or observation after consuming alcohol or other drugs;
- Any minor who accompanies an individual who voluntarily accesses a health facility or agency for treatment or observation after consuming alcohol or other drugs; or consumption by others.

Similarly, Adrian College will not pursue misconduct charges (as listed under the Adrian College Student Code of Conduct) against any participant in an investigation under this Policy for potential violations of other Adrian College policy for personal consumption of alcohol or other drugs identified during an investigation, as long as any such violations did not and do not place the health or safety of any other person at risk. Adrian College may, however, initiate an assessment, education discussion or pursue other non-disciplinary options to address the alcohol or other drug use.

CONFIDENTIALITY

Adrian College will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute or regulations, 20 U.S.C. 1232g and 34 CFR part 99, or required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

DISCIPLINARY SANCTIONS

Respondents found responsible for sexual harassment as defined in this policy may be subject to disciplinary sanctions at the conclusion of the grievance process. Disciplinary sanctions range from warning to expulsion (student) or termination (employee) from the University, depending on the severity of the incident and taking into account any previous disciplinary violations. For more information about disciplinary sanctions, see the Adrian College Code of Conduct. The range of possible sanctions includes, but is not limited to:

- a. Admonition
- b. Official Warning
- c. Educational Sanctions
- d. Loss of Campus Privileges
- e. Disciplinary Probation
- f. Mandated Counseling
- g. Campus Housing Dismissal
- h. Deferred Suspension
- i. College Suspension
- j. Expulsion (students) or termination (employees)

FALSE ACCUSATIONS

Adrian College prohibits parties, including complainants, respondents, and witnesses, from knowingly making false statements or knowingly submitting false information during the grievance process. (Adrian College Code of Conduct – Article III.B.1.b)

Adrian College reserves the right to charge an individual with a Code of Conduct violation for making a materially false statement in bad faith during the course of the grievance process. Such charges do not constitute retaliation on behalf of Adrian College against the individual as the individual has violated Adrian College's own policy.

JURISDICTION

Any person may experience sex discrimination, sexual misconduct, or sexual harassment anywhere. Therefore, any individual may report any incident to the Title IX Coordinator. However, Adrian College's response to such incidents is dependent upon the location of the alleged incident.

The Title IX grievance procedures described in this policy must be applied when alleged incidents of sexual harassment (as defined on pages 7-10 of this policy) occur in Adrian College's own education program or activity (as defined on page 11 of this policy) and in the United States.

Alleged incidents of sexual harassment or sexual misconduct which occur outside of Adrian College's own education program or activity or outside of the United States, for example on a study abroad program, will be addressed using the procedures outlined in Adrian College's Student Code of Conduct or Employee Handbook.

Adrian College jurisdiction extends to electronic, digital, and online sexual harassment. Factual circumstances of electronic, digital, and online sexual harassment will be analyzed on a case by case basis to determine the context in which the harassment occurred. Such sexual harassment which occurs in an education program or activity as defined on page 11 of this policy (in which Adrian College exercises substantial control over the respondent and the context in which the harassment occurs) will be addressed using the Title IX grievance process outlined in this policy. Incidents of electronic, digital, and online sexual harassment or misconduct which occur outside of Adrian College's own education program or activity are subject to the procedures described in the Adrian College's Student Code of Conduct or Employee Handbooks.

For clarification regarding incidents which occur on-campus versus off-campus, see the definition of Education Program or Activity on page 11 of this policy.

REMEDIES

Remedies are provided to the complainant and designed to restore or preserve their equal access to Adrian College's education program or activity. Remedies may be the same individualized services as described on pages 19-20 of this policy as Supportive Measures. However, remedies do not need to be non-disciplinary or non-punitive and do not need to avoid burdening the respondent.

The Title IX Coordinator is responsible for implementation of any remedies.

RETALIATION

Adrian College prohibits any person from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations, or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX and its implementing regulations.

This retaliation provision may apply to any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, any witness, or any other individuals who participate (or refuse to participate) in any manner in an investigation, proceeding, or hearing of Adrian College's Title IX grievance process. This policy includes protecting the complainant, respondent,

and witnesses from being coerced, intimidated, threatened, or otherwise discriminated against based on their participation or refusal to participate in the Title IX grievance process.

Retaliation includes Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations.

Charging an individual with a Code of Conduct violation for making a materially false statement in bad faith in the course of the grievance process does not constitute retaliation. However, a determination regarding responsibility alone is not sufficient to conclude that an individual made a materially false statement in bad faith. A complainant's allegations may not have been false even where the ultimate determination is that the respondent is not responsible and/or that the complainant may not have acted subjectively in bad faith (and conversely, that a respondent may not have made false, or subjectively bad faith, denials even where the respondent is found responsible).

Exercising rights protected under the First Amendment does not constitute retaliation.

The parties have the right to discuss the allegations under investigation, but this right does not preclude Adrian College from warning the parties not to discuss or disseminate the allegations in a manner that constitutes retaliation or unlawful tortious conduct. It is unacceptable for any person to leak or disseminate information to retaliate against another person.

Complaints alleging retaliation may be filed with Adrian College Title IX Coordinator, which will be handled using the prompt and equitable grievance procedures available for non-sexual harassment sex discrimination complaints by students and employees, as referenced in Adrian College's Code of Conduct. Also, the perpetrator or others may be subject to the laws of Michigan if they try to coerce or intimidate the victim into not reporting the crime.

RIGHT TO AN ADVISOR

All parties are entitled to an advisor of their choosing to assist them throughout the Title IX grievance process. The advisor may be a friend, counselor, faculty member, family member, attorney or any other individual a party chooses to advise them who is eligible and available to serve during the grievance process. Any person who may be called as a witness may not serve as an advisor.

Parties are entitled to be accompanied by their advisor in all meetings, interviews, hearings, and appeals at which the party is entitled to be present during the grievance process. Parties are required to have an advisor present at the live hearing. If a party does not have an advisor available to be present at the live hearing, Adrian College will provide the party with an advisor of the College's choice in the College's sole discretion, who may or may not be an attorney.

Adrian College cannot guarantee equal advisory rights. Consequently, if one party selects an advisor who is an attorney but the other party does not or cannot afford an attorney, Adrian College is not obligated to provide an attorney or other advisor, except at the hearing. Adrian College is not required to provide an attorney as an advisor at the hearing.

To locate an advisor, parties may wish to contact the Office of Student Life for a current list of Campus Advocates.

All advisors are subject to the same Adrian College rules whether they are attorneys or not. Advisors may not present on behalf of their advisee in a meeting or interview. Advisors must conduct all cross-examination of the other party and all witnesses in a live hearing even in the event that the advisee is not present at the live hearing.

Advisors should request or wait for a break in the interview, hearing, or meeting if they wish to interact with Adrian College Title IX personnel. Advisors may confer quietly with their advisees as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for breaks or step out of meetings to allow for private conversation.

Any advisor who fails to follow the guidelines established by Adrian College in the grievance process will be provided an oral warning. If the advisor continues to disrupt or otherwise fails to follow those guidelines, the advisor will be asked to leave the proceeding. If an advisor is asked to leave, the meeting, interview, hearing or other proceeding will be suspended until the party advisor is reinstated; the party secures another advisor to accompany them at that meeting, interview, hearing or proceeding; or Adrian College provides the party with another advisor for the hearing.

If an advisor is asked to leave a proceeding, the Title IX Coordinator will determine whether the advisor may be reinstated or must be replaced by a different advisor for the remainder of the grievance process.

The parties must advise the Title IX Coordinator of the identity of their advisor at least two (2) business days before the date of their first meeting with Title IX Coordinator and scheduled hearing. The parties must provide subsequent timely notice to the Title IX Coordinator if they change advisors at any time. No audio or video recording of any kind other than as required by institutional procedure is permitted during meetings with University officials.

SUPPORTIVE MEASURES

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant and respondent without unreasonably burdening the other party.

Supportive measures are designed to:

- Restore or preserve equal access to the party's education at Adrian College;
- Protect the safety of all parties or the Adrian College educational environment; or
- Deter sexual harassment.

Adrian College Supportive measures include, but are not limited to:

- Counseling services
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services
- Mutual restrictions on contact between the parties
- Changes in work or housing locations
- Leaves of absence
- Increased security and monitoring of certain areas of the campus
- College or residence-hall suspension
- Other similar measures as necessary

Adrian College will offer supportive measures to every complainant when the Title IX Coordinator receives a report of an incident of sexual misconduct or sexual harassment. Examples of a report may include written or oral reports submitted by a complainant, anonymous reporting party, third-party reporter, or other Adrian College community member.

Upon receiving a report of an alleged incident of sexual harassment or sexual misconduct, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures and explain the option for filing a formal complaint as well as the formal complaint process under Title IX and/or the process described in Adrian College Student Code of Conduct. The complainant will have the opportunity to express what they would like in the form of supportive measures, and the Title IX Coordinator will take into account the complainant's wishes in determining which supportive measures to offer. Supportive measures will be available to complainants regardless of whether or not they wish to file a formal complaint to initiate a grievance process.

Supportive measures remain available to the complainant before and after filing a formal complaint of sexual harassment or a complaint of sexual misconduct as well as when no formal complaint or complaint has been filed. Additionally, Adrian College will provide supportive measures to complainants even when the alleged incident does not constitute sexual harassment under Title IX, fall within the jurisdictional conditions under Title IX, or constitute sexual

misconduct under the Adrian College Student Code of Conduct. For example, a complainant may still seek supportive measures when an incident of sexual harassment occurs outside of Adrian College's education program or activity or outside of the United States. A complainant may request supportive measures when the alleged conduct is considered to be sexual misconduct under this policy but does not qualify as sexual harassment under Title IX.

Supportive measures may remain in place throughout an appeal process.

Regardless of the result of the Title IX grievance process, Adrian College reserves the right to continue supportive measures. Therefore, if Adrian College determines that a respondent is not responsible for violating Title IX or the Code of Conduct, Adrian College may continue providing supportive measures to a complainant or respondent to restore or preserve equal access to their education.

Adrian College adheres to Federal Title IX regulations, which require the equitable treatment of complainants and respondents. Equitable treatment under Title IX includes providing supportive measures and remedies for complainants and avoiding disciplinary action against respondents until the formal grievance process as outlined in this policy is completed. While respondents will be offered supportive measures, Title IX does not require equality or parity with respect to the supportive measures provided to complainants and respondents.

Confidentiality & Supportive Measures: Adrian College will keep confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. For example, where a no-contact order is appropriate, the respondent would need to know the identity of the complainant in order to comply with the no-contact order, or campus security is informed about the no-contact order in order to help enforce its terms. For more information about Confidentiality during the Title IX grievance process, see page 14 of this policy.

In order for Adrian College to provide supportive measures to the complainant, the College must know the identity of the complainant. Therefore, it is not possible for the complainant to remain anonymous and receive supportive measures because at least one school official (such as the Title IX Coordinator) must know the complainant's identity in order to offer and implement any supportive measures. A complainant or third party may desire to report sexual harassment without disclosing the complainant's identity—and may do so using the reporting options detailed on pages 22-23 of this policy—but Adrian College will be unable to provide supportive measures in response to the report without knowing the complainant's identity.

Implementation of Supportive Measures: The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Although supportive measures may require collaboration with various Departments on campus, the Title IX Coordinator will serve as the point of contact for complainants and respondents.

EMERGENCY REMOVAL

Adrian College reserves the right to remove a respondent from an Adrian College education program or activity without undergoing a grievance process on an emergency basis in the event that the College undertakes an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

In the event of emergency removal, Adrian College will provide the respondent with post-removal notice and the opportunity to challenge the decision immediately following the removal.

ADMINISTRATIVE LEAVE

Adrian College reserves the right to place a non-student employee respondent on administrative leave during the pendency of a grievance process outlined in this policy.

REPORTING SEX DISCRIMINATION, SEXUAL MISCONDUCT & SEXUAL HARASSMENT

Any person may report an incident(s) of sex discrimination, sexual misconduct, or sexual harassment to the Title IX Coordinator. The reporting party may be the person directly affected by the alleged incident (referred to as “complainant”) or a third party. Reports of sex discrimination, sexual misconduct, and sexual harassment may be written or verbal and may be made at any time (including non-business hours) in person, by using the telephone number or email address, or by mail to the office address, of the Title IX Coordinator. Individuals may also submit an [Incident Report](#) by email, mail, or in person directly to the Title IX Coordinator.

Adrian College’s Title IX Co-Coordinators’ contact information is as follows:

For incidents involving students:

Thomas Doney, Student Life Coordinator & Title IX Co-Coordinator
1325 Williams St. Adrian, MI 49221
(517) 264-3142
tdoney@adrian.edu

For incidents involving employees:

Christina Corson, Director of Human Resources & Title IX Co-Coordinator
Office of Business Affairs
110 S. Madison Street
Adrian, MI 49221
(517) 264-3999
ccorson@adrian.edu

When the Title IX Coordinator receives notice through a report (either written or oral), complaint, or [Formal Complaint](#) of an alleged incident of sex discrimination, sexual misconduct, or sexual harassment, the Title IX Coordinator will promptly contact the complainant to:

- A. Discuss the availability of supportive measures, as defined on pages 19-20 of this policy;
- B. Consider the complainant’s wishes with respect to supportive measures;
- C. Inform the complainant of the availability of supportive measures with or without filing a complaint or formal complaint;
- D. Explain to the complainant:
 - i. Adrian College’s procedures for handling non-sexual harassment sex discrimination;
 - ii. Process for filing a complaint under Adrian College’s Student Code of Conduct or Employee Handbook; and/or
 - iii. Process for filing a formal complaint under Title IX, as outlined on pages 26-28 of this policy.

Adrian College's Title IX Coordinator will conduct a preliminary assessment of the report, complaint, or formal complaint to assist the complainant in determining which grievance process or procedures the complainant may initiate. For more information about the Preliminary Assessment, see page 24.

If a report submitted anonymously contains the identity of the complainant, upon receipt of the report, the Title IX Coordinator will contact the complainant to offer supportive measures and explain the process for filing a formal complaint. However, if the anonymous report does not contain the identity of the complainant, Adrian College will be unable to contact the complainant to offer supportive measures. While the Title IX Coordinator will keep confidential complainant's identity (unless disclosing the complainant's identity is necessary to provide supportive measures for the complainant, such as issuing no-contact orders), the Title IX Coordinator must know the identity of the complainant to offer such supportive measures.

In addition to reporting an incident of sex discrimination, sexual misconduct, or sexual harassment to the Title IX Coordinator, individuals may also report to local law enforcement.

Reporting to Local Law Enforcement

Adrian College encourages anyone who has experienced sexual misconduct or sexual harassment to pursue criminal action for incidents that may also be crimes under applicable criminal statutes. Law enforcement officers are trained in handling sexual assault and other cases involving sexual misconduct and harassment. Reporting to law enforcement does not require prosecution of the offense and the reporting party's wishes will be taken into account by law enforcement. The police report and any supporting evidence may be turned over to the State's Attorney's Office, which decides whether there is sufficient evidence to prosecute. Information about the law enforcement process of reporting, the investigation, arrests, filing of charges, hearings, the trial and sentencing will be explained at the time of the report. Adrian College employees will assist the reporting party in contacting local law enforcement, if explicitly requested by the reporting party. However, reporting an incident of sexual misconduct or sexual harassment to Adrian College does not in any way equate to reporting the incident to local law enforcement. An individual may decide to report an incident exclusively to Adrian College, exclusively to local law enforcement, or to both Adrian College and local law enforcement.

Should an individual report an incident of sexual misconduct or sexual harassment to both Adrian College and local law enforcement, Adrian College will comply with law enforcement requests for cooperation. Such cooperation may require Adrian College to temporarily suspend its own investigation into the alleged incident while local law enforcement gathers evidence. During this time, Adrian College will continue to offer supportive measures to the complainant. As soon as local law enforcement or Adrian College determines that a delay is no longer necessary, Adrian College will promptly resume its Title IX or Code of Conduct investigation.

Adrian College policy, definitions, and standard of proof differ from Michigan criminal law. Neither law enforcement's determination whether to prosecute a respondent nor the outcome

of any criminal prosecution will determine whether sexual misconduct or sexual harassment has occurred under Adrian College's policy. Proceedings under this policy may be carried out prior to, simultaneously with or following civil or criminal proceedings off campus.

WHAT HAPPENS AFTER A REPORT IS SUBMITTED TO THE TITLE IX COORDINATOR?

PRELIMINARY ASSESSMENT

Upon receiving a report, complaint or [Formal Complaint](#) of an alleged incident of sex discrimination, sexual misconduct, or sexual harassment, the Title IX Coordinator will conduct a preliminary assessment to determine Adrian College's response using the following threshold criteria:

1. Would the incident be considered "sexual harassment" under Title IX, as defined on pages 7-10 of this policy?
 - a. In assessing the type of incident, the Title IX Coordinator will determine if the alleged conduct was either:
 - i. Quid pro quo harassment (involving a Adrian College employee);
 - ii. Sexual Assault, Dating Violence, Domestic Violence, or Stalking; or
 - iii. Unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Adrian College program or activity
2. Did the incident occur in Adrian College's education program or activity, as defined on page 11 of this policy?
3. Did the incident occur in the United States?

If the answer is "no" to any of these questions, the alleged incident may be considered one or more of the following forms of conduct and addressed accordingly:

1. Non-sexual harassment sex discrimination: Adrian College grievance procedures for handling incidents of sex discrimination can be found in Adrian College's Student Code of Conduct or Employee Handbook.
2. Sexual Misconduct: Incidents of sexual misconduct will be addressed using the grievance procedures outlined in Adrian College's Student Code of Conduct or Employee Handbook.
3. Non-actionable: Complainant may request and Adrian College may provide supportive measures as appropriate

If the answer is “yes” to the three threshold criteria, the incident may constitute sexual harassment under Title IX, and the complainant may file a formal complaint under Title IX to initiate an investigation and grievance process.

After conducting the assessment, the Title IX Coordinator will send a written notification of their preliminary assessment to the complainant.

The complainant may appeal the Title IX Coordinator’s preliminary assessment of the alleged incident to the Adrian College Dean of Student Affairs or other appropriate Adrian College authority within 10 days of receiving written notice from the Title IX Coordinator. If a formal complaint or complaint is filed, the respondent may appeal the Title IX Coordinator’s preliminary assessment to the Adrian College President within 10 days of receiving the notice of the complaint.

Complainants may request supportive measures or an investigation into allegations of conduct that do not meet Title IX jurisdictional conditions, under Adrian College’s Student Code of Conduct.

Regardless of whether an alleged incident is determined to constitute sexual harassment, sexual misconduct, or sex discrimination, and regardless of whether or not the complainant files a formal complaint under Title IX or a complaint under Adrian College’s Student Code of Conduct, Adrian College will provide supportive measures to the complainant. For more information about Supportive Measures, see pages 19-20 of this policy.

FILING A FORMAL COMPLAINT

Filing of a formal complaint of an alleged incident of sexual harassment under Title IX initiates the investigation and grievance process outlined on pages 29-39 of this policy.

WHO CAN FILE A FORMAL COMPLAINT?

The complainant or Title IX Coordinator must file the formal complaint.

Third parties cannot file formal complaints. Additionally, fundamental fairness and due process principles require that a respondent be informed of the details of the allegations made against them, to the extent that the details are known, to provide an adequate opportunity for the respondent to respond. Therefore, a complainant cannot remain anonymous and file a formal complaint. However, the Title IX Coordinator will keep confidential the identities of the complainant and respondent (and witnesses) from anyone not involved in the grievance process, except as permitted by FERPA, required by law, or as necessary to conduct the grievance process. For more information about confidentiality, see page 14 of this policy.

While a formal complaint requires the complainant's identity, Title IX does not require a complainant to identify the respondent in a formal complaint. If a complainant does not know the respondent's identity and files a formal complaint, Adrian College is still required to investigate the formal complaint because an investigation may reveal the respondent's identity. If the respondent's identity becomes known, Adrian College will send both parties the written notice of allegations (see page 30 of this policy) follow the grievance process outlined in this policy, and may impose disciplinary sanctions against the respondent at the conclusion of the grievance process. However, if a respondent's identity remains unknown, Adrian College will be unable to comply with the required grievance process outlined in this policy and therefore unable to impose disciplinary sanctions against the respondent.

Under certain circumstances, the Title IX Coordinator may determine that an investigation is necessary, even when the identity of the complainant is unknown or the complainant does not want an investigation. In this case, the Title IX Coordinator may choose to sign a formal complaint and initiate the grievance process. When this occurs, the Title IX Coordinator is not a complainant or otherwise considered a party included in the grievance process. The alleged victim will remain the complainant and be treated as a party in the grievance process. However, the complainant is not required to participate in the grievance process.

HOW TO FILE A FORMAL COMPLAINT:

Individuals may download and complete Adrian College's [Formal Complaint](#) form, which may be submitted in person, by mail, or by email to the Title IX Coordinator, whose contact information is listed on page 4 of this policy. Formal complaints cannot be filed by telephone.

WHAT IS A FORMAL COMPLAINT?

A formal complaint is a document or electronic submission (such as an email) that contains the complainant's physical or digital signature or otherwise indicates that the complainant is the person filing the complaint.

A formal complaint alleges sexual harassment against a respondent and requests that Adrian College investigate the allegation of sexual harassment. Therefore, submitting a formal complaint indicates an intentional decision on behalf of the complainant to initiate the Title IX grievance process.

WHEN CAN A FORMAL COMPLAINT BE FILED?

There is no time limit on a complainant's decision to file a formal complaint, so the decision to sign and file a formal complaint does not need to occur in the immediate aftermath of an alleged incident or reporting an incident.

However, at the time of filing a formal complaint, the complainant must be participating in or attempting to participate in an Adrian College education program or activity.

This requirement does not exclude a complainant who has graduated or is on a leave of absence if the complainant intends to apply to a different Adrian College program, intends to remain involved in the College alumni programs and activities, or may intend to re-apply after a leave of absence.

DISMISSAL OF A FORMAL COMPLAINT

The investigation of the conduct alleged in the formal complaint may uncover new information about the incident. In accordance with Title IX, Adrian College must dismiss the formal complaint of sexual harassment under Title IX if at any point during the investigation or hearing process it is determined that the conduct alleged in the formal complaint:

1. Would not constitute sexual harassment as defined under Title IX (defined on pages 7-10 of this policy), even if proven;
2. Did not occur in Adrian College's education program or activity; or
3. Did not occur against a person in the United States.

Such dismissal does not indicate that an Adrian College policy violation did not occur. Therefore, Adrian College may choose to address such incidents using Adrian College's Student Code of Conduct grievance procedures.

Adrian College reserves the right to dismiss a formal complaint or allegations therein, if at any time during the investigation or hearing:

1. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
2. The respondent is no longer enrolled or employed by Adrian College
3. Specific circumstances prevent Adrian College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal of a formal complaint (either as required or not), Adrian College will promptly send a written notice of dismissal and reason(s) therefor simultaneously to both parties.

The complainant and respondent have the right to appeal the Adrian College’s dismissal of the formal complaint or any allegations therein on several bases. For more information about the bases of appeal, see page 36 of this policy.

CONSOLIDATION OF FORMAL COMPLAINTS

Adrian College may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular “party,” “complainant,” or “respondent” include the plural, as applicable.

GRIEVANCE PROCESS FOR FORMAL COMPLAINTS OF SEXUAL HARASSMENT

GENERAL INFORMATION

The following grievance process complies with 34 CFR § 106.45 of Title IX. All processes, provisions, and rules stated in this policy apply equally to both parties—complainants and respondents.

Adrian College will treat complainants equitably by providing the complainant and respondent with supportive measures throughout the grievance process, following the grievance process before imposing any disciplinary sanctions (or other actions that are not supportive measures) against a respondent, and providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against a respondent.

Adrian College grievance process relies upon an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Adrian College applies the clear and convincing standard of evidence, which means that the evidence is highly and substantially more likely to be true than untrue. Adrian College applies the same standard of evidence for formal complaints against students and employees, including faculty, and applies the same standard of evidence to all formal complaints of sexual harassment.

Determination of a party's credibility will not be based on a person's status as a complainant, respondent, or witness. Adrian College presumes that the respondent is not responsible for the alleged conduct until a determination regarding responsibility at the conclusion of the grievance process.

All Adrian College employees involved in the Title IX investigation and grievance process have received the appropriate training to participate in the Title IX grievance process, and training materials have been made publicly available on Adrian College's website. Training topics include, but are not limited to, the definition of sexual harassment under Title IX, steps to conducting a Title IX investigation and grievance process, and how to serve impartially, including by avoiding prejudgment of facts, conflicts of interest, and bias.

If a complainant or respondent considers Adrian College's treatment of a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX, they may file a report of sex discrimination with the Title IX Coordinator.

CONFLICTS OF INTEREST

Adrian College employees participating in the Title IX grievance process including the Title IX Coordinator, investigators, decision-makers, and informal resolution facilitators as well as external parties employed by Adrian College to complete Title IX investigation and adjudication functions (hearings, appeals, and informal resolution options) are prohibited from having a conflict of interest or bias for or against complainants or respondents generally or as an individual complainant or respondent.

In an effort to avoid potential conflicts of interest, Adrian College may provide the names and titles of internal and external Title IX investigators and adjudicators to the parties at the initiation of the investigation, informal resolution process, or hearing. Such information will be provided no less than five (5) days before any meeting or hearing between the party and the investigator or adjudicator. The complainant or respondent may request the removal of an investigator or adjudicator on the grounds of personal bias or other conflicts of interest by submitting a written statement to the Title IX Coordinator setting forth the basis for the request no more than three (3) days after receiving notice of the identity of the individual involved in the Title IX grievance process. The Title IX Coordinator will review the written statement and make a determination if there is a conflict of interest. Appropriate steps will be taken to ensure that no conflict of interest exists on the part of anyone involved in the Title IX investigation, hearing, appeals, or informal resolution processes. If a conflict of interest exists, another individual will be assigned to the appropriate role. If a conflict of interest exists between the complainant or respondent and the Title IX Coordinator, reports should be directed to the Adrian College president.

TIMELINES FOR THE GRIEVANCE PROCESS

Adrian College aims to complete the Title IX grievance process, including appeals and informal resolution processes, in a reasonably prompt time frame. Generally, Adrian College will conclude the grievance process within ninety (90) days.

Adrian College reserves the right to allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of the party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

I. WRITTEN NOTICE

Upon receipt of a formal complaint, Adrian College will provide a written notice of allegations to both parties, if known, simultaneously. The notice includes the following information:

- A. Notice of the allegation of sexual harassment, as defined on pages 7-10 of this policy, containing sufficient details known at the time, including:
 - a. Identities of the parties involved in the incident (if known);
 - b. Conduct allegedly constituting a policy violation;
 - c. Date and location of the alleged incident (if known).
- B. Sufficient time for each party to prepare a response before any initial interview.
- C. Explanation of each party's right to an advisor of their choice, who may be, but is not required to be, an attorney. The advisor may participate during the grievance process, subject to limitations established by Adrian College. For more information about the Rights to an Advisor, see pages 17-18 of this policy.
- D. Explanation of each party's right to inspect and review all evidence gathered during the investigation.
- E. Reference to the sections of this policy and the Adrian College Student Code of Conduct which prohibit knowingly making false statements or knowingly submitting false information during the grievance process.
- F. Statement that the respondent is presumed not to be responsible for the alleged conduct unless and until a determination of responsibility is final.
- G. Statement that a determination of responsibility will be made at the conclusion of the grievance process.
- H. Provide a copy of Adrian College's Policy on Sexual Misconduct & Sexual Harassment, which outlines the grievance process utilized to address alleged incidents of sexual harassment under Title IX.
- I. List of on-campus and off-campus support resources for complainants.

If, during the course of the investigation, Adrian College decides to investigate allegations about the complainant or respondent that are not included in the initial notice provided to the parties,

the College will provide written notice of the additional allegations to the parties whose identities are known.

II. INVESTIGATION OF FORMAL COMPLAINTS

Adrian College is obligated to investigate formal complaints of sexual harassment. Generally, Adrian College will complete the Title IX investigation within thirty (30) days. Adrian College will inform the parties of the name and title of the assigned investigator in the written notices of investigative interview issued to the parties.

ROLE OF ADRIAN COLLEGE & THE PARTIES

During the investigation, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on Adrian College and not on the parties.

Both parties are provided with an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence during the grievance process. Adrian College will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

Adrian College is prohibited from accessing, considering, disclosing, or otherwise using a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the College obtains the party's voluntary, written consent to do so for the grievance process outlined in this policy.

PARTICIPATION OF THE PARTIES IN THE INVESTIGATION PROCESS

Adrian College will provide written notice to a party who is invited and expected to participate in any investigative interviews, hearings, or other meetings. This written notice will include the date, time, location, names of participants, and purpose of the meeting and be provided not less than five (5) days prior to the meeting, providing the party with sufficient time to prepare.

Parties may not attend interviews of any other party or witness or any meeting or hearing related to the investigation, unless invited and expected to participate by Adrian College.

Prior to completion of the investigative report at the conclusion of the investigation, all parties have the opportunity to have not more than one other person present during any grievance proceeding, including the opportunity to be accompanied to any grievance-related meeting or proceeding by an advisor of their choice, who may be an attorney. A party may only be accompanied by their advisor during the live hearing. Adrian College does not limit the choice or

presence of advisor for either the complainant or respondent in any meeting or grievance proceeding, including investigative interviews. However, Adrian College reserves the right to establish restrictions regarding the extent to which the advisor may participate in the proceedings, which will apply equally to both parties. For more information about Rights to an Advisor, see pages 17-18 of this policy.

All parties and their advisors will be given an equal opportunity to inspect and review all evidence gathered during the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which Adrian College does not intend to rely in reaching a determination regarding responsibility as well as inculpatory and exculpatory evidence, regardless of the source. The evidence subject to inspection and review will be provided either in electronic format or hard copy to the parties and their advisors, if any. The parties will have ten (10) days to submit a written response regarding the investigation evidence. The investigator will consider the parties' responses prior to completion of the investigative report.

Adrian College may redact confidential portions of the investigation file or require the parties and their advisors to execute nondisclosure agreements to preserve the confidentiality of confidential information prior to release of the investigation file to the parties and their advisors.

All of the evidence which was provided to the parties for inspection and review will be made available at any hearing related to the formal complaint to provide each party the equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

The parties may submit any additional evidence prior to the investigator finalizing the investigative report with a copy provided to the other party and their advisor.

INVESTIGATIVE REPORT

The Title IX investigator will create an investigative report that fairly summarizes relevant evidence.

Upon completion, investigator will send the investigative report to each party and the party's advisor, if any, at least ten (10) days prior to a scheduled hearing, in electronic format or hard copy. Upon review, the parties may submit a written response to the decision-maker not less than five (5) days prior to the scheduled hearing, with a copy to the other party and their advisor. The other party may submit a written reply to the written response at least two (2) days prior to the scheduled hearing, with a copy to the other party and their advisor.

The investigator may include recommended findings or conclusions in the investigative report, but the decision-maker is under an independent obligation to objectively evaluate relevant evidence in making a determination.

III. HEARING PROCESS

Live hearings are a mandatory part of the Title IX grievance process. While a single hearing officer or panel of hearing officers will act as the decision-maker(s) at Adrian College Title IX hearings, generally the decision-maker will be the Dean of Students. The decision-maker must not be the same person as the Title IX Coordinator or investigator. Adrian College will provide specific procedural rules for the live hearing to the parties and their advisors at least 10 (ten) days prior to the scheduled hearing.

Live hearings may be conducted with all parties physically present in the same geographic location. In this instance, at the request of either party, Adrian College will arrange for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and the parties to simultaneously see and hear the party or witness answering the questions.

Adrian College also reserves the right to require or permit any or all parties, witnesses and other participants to appear at the live hearing virtually, with technology enabling participants to simultaneously see and hear each other.

Adrian College will create an audio recording, audiovisual recording, or transcript of any live hearing and make it available to the parties for inspection and review.

Both parties have the right to present relevant fact and expert witnesses as well as inculpatory and exculpatory evidence at the hearing. A written summary of any evidence not included in the investigation file should be provided to the decision-maker and the other party and their advisor no less than five (5) days prior to the hearing.

CROSS-EXAMINATION

During the live hearing, the decision-maker will permit each party's advisor to ask the other party and any witnesses any relevant questions and follow-up questions, including questions which challenge credibility.

Cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor, and cross-examination may never be conducted by a party personally.

Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless: 1.) such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct

alleged by the complainant; or 2.) if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) may not rely on any statement of that party or witness in reaching a determination regarding responsibility. However, the decision-maker(s) may not draw an inference about the determination regarding responsibility based solely on a party's or witnesses' absence from a live hearing or refusal to answer cross-examination or other questions.

HEARINGS & ADVISORS

Apart from the advisor's role in cross-examination, Adrian College reserves the right to restrict the extent to which advisors may participate in the proceedings.

If a party does not have an advisor present at the live hearing, Adrian College will provide, without fee or charge to that party, an advisor of the College's choice to conduct cross-examination on behalf of that party. The advisor may be, but is not required to be, an attorney.

Adrian College will include details regarding the role of the advisors in the hearing procedural rules provided to the parties at least five (5) days prior to the scheduled hearing.

IV. DETERMINATION REGARDING RESPONSIBILITY

Following the live hearing, the decision-maker(s) will issue a written determination. To reach the determination, the decision-maker(s) will apply the clear and convincing standard of evidence, as defined on page 12 of this policy.

The decision-maker(s) will issue the written determination to the parties simultaneously generally no more than ten (10) days after the conclusion of the live hearing. Copies will be sent to the parties and their advisors by email, certified mail, or overnight delivery service such as Federal Express, with receipt of acknowledgement.

The written determination will include the following information:

- A. Identification of the allegations potentially constituting sexual harassment, as defined on pages 7-10 of this policy;
- B. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
- C. Findings of fact supporting the determination;

- D. Conclusions regarding the application of Adrian College’s Code of Conduct and/or this policy to the facts;
- E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions to be imposed on the respondent, and whether remedies designed to restore or preserve equal access to Adrian College education program or activity will be provided by the College to the complainant; and
- F. Adrian College’s procedures and permissible bases for the complainant and respondent to appeal.

The determination is final either:

- 1. On the date Adrian College provides the parties with the written determination of an appeal, if an appeal was filed; or
- 2. The date for filing an appeal expires without an appeal having been filed.

V. APPEALS

Either complainant or respondent may file a written notice of appeal of a determination of dismissal of a formal complaint within five (5) days after receiving the written determination or notice of dismissal. The notice of appeal must be delivered to the Title IX Coordinator within such 5-day period by email, personal delivery, certified mail or overnight delivery service.

A party may appeal from a) determination regarding responsibility, and b) Adrian College’s dismissal of a formal complaint or any allegations therein, on the following bases:

- A. Procedural irregularity that affected the outcome of the process;
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the process; and
- C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the process.

In the event that a party files an appeal, the appeal decision-maker will generally be the Vice President of Student Affairs (for incidents involving students) or the Vice President of Business Affairs (for incidents involving employees). The appeal decision-maker will be free of bias as well as conflict of interest and will not be the Title IX Coordinator, investigator involved in the investigation, or decision-maker who reached the determination regarding responsibility or dismissal. The appeal decision-maker will have received required training under Title IX.

Adrian College will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties, including a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The appealing party must submit a statement to the appeal decision-maker in support of the appeal within five (5) days of filing the notice of appeal with a copy to the other party and their advisor. Although the other party is not obligated to respond to the appealing party, should the other party wish to respond, the other party must submit a written response to the statement filed by the appealing party to the appeal decision-maker within 5 days of receipt of the appealing party's statement with a copy to the other party and their advisor.

No oral arguments will be held on the appeal unless so directed by the appeal decision-maker, in which case both parties' advisors will be given an equal opportunity to present oral arguments.

The appeal decision-maker will issue a written decision simultaneously to both parties, describing the result and the rationale of the decision generally within ten (10) days of receiving the final written statements from the parties.

VI. INFORMAL RESOLUTIONS

At any time following the filing of a formal complaint or prior to reaching a determination regarding responsibility, Adrian College offers complainants and respondents informal resolution options such as mediation, restorative justice, or other forms of alternative dispute resolution, which do not involve or require a full investigator and adjudication (hearing process).

In order for Adrian College to proceed with informal resolution options, the College will:

- A. Provide the parties with a written notice disclosing the following:
 - i. The allegations;
 - ii. The requirements of the informal resolution process, including the circumstances under which the informal resolution process would preclude the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
 - iii. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- B. Obtain voluntary, written consent from the parties to the informal resolution process

Adrian College will provide the parties with the specific guidelines corresponding to the various informal resolution options prior to the parties signing a written consent to the informal resolution process.

Adrian College is prohibited from offering informal resolution options in cases which involve the College's employee's sexual harassment of a student.

Adrian College is prohibited from requiring as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment as outlined in this policy. Additionally, Adrian College cannot require the parties to participate in an informal resolution process and cannot offer an informal resolution process unless a formal complaint has been filed.

RECORDKEEPING

Adrian College will maintain for a period of seven years the records of the following:

- A. Each sexual harassment investigation, including any determination regarding responsibility, the audio recording, audiovisual recording, or transcript of the hearing, any disciplinary sanctions imposed on the respondent, as well as any remedies provided to the complainant designed to restore or preserve equal access to Adrian College's education program or activity;
- B. Any appeal and the result therefrom;
- C. Any informal resolution and the result therefrom; and
- D. All materials used to train Title IX Coordinators, investigators, decision-makers, and informal resolution facilitators. Adrian College will make these training materials publicly available on its website.

For each response to a report or formal complaint of sexual harassment, Adrian College will create and maintain for a period of seven years, records of any actions, including any supportive measures taken. In each instance, Adrian College will document the basis for its conclusion that its response was not deliberately indifferent and document that it has taken measures designed to restore or preserve equal access to Adrian College's education program or activity. If Adrian College does not provide a complainant with supportive measures, then Adrian College will document the reasons why such a response was not clearly unreasonable in light of the circumstances.

CONFIDENTIAL RESOURCES, MEDICAL SERVICES, COUNSELING SERVICES

All Adrian College Campus Safety Officers have received Sexual Assault Training and have signed a confidentiality agreement prior to beginning their employment. Other campus services are available at the Student Health Center. Staff are trained Sexual Assault Advocates that can help with a variety of needs, including support and assistance with health and counseling issues. For more information and assistance, please call:

517-265-5161

- Health Center, extension 4214
- Counseling Center, extension 4214
- Student Life, extension 3142
- Residence Life, extension 3836
- Director of Student Health Center & Nurse Practitioner: Dr. Emily Kist, Ekistnp@adrian.edu
- Director of Counseling Services: Kellie Berger, kberger@adrian.edu

FOR OFF-CAMPUS SERVICES, CALL:

- Catherine Cobb Program, 517-264-5733
- 24 Hour Crisis Line, 517-265-6776
- Crime Victim Assistance – Legal Aid, 888-251-1598
- Lenawee Community Mental Health, 517-263-8905
- Self Esteem and Domestic Violence Support Group, 517-264-5733
- Promedica Hospital (5740 N. Adrian Highway; 517-577-0000)
- RAINN National Sexual Assault Hotline, 1-800-656-HOPE (4673)
 - Online chat option: <https://rainn.org/about-national-sexual-assault-online-hotline>

ADRIAN COLLEGE

SEX DISCRIMINATION, SEXUAL MISCONDUCT & SEXUAL HARASSMENT INCIDENT REPORT

If this is an emergency, call 911.

Adrian College encourages individuals with knowledge or concerns of an incident of sex discrimination, sexual misconduct, or sexual harassment to report the incident to our Title IX Coordinator.

In accordance with the [Adrian College Sexual Misconduct & Sexual Harassment Policy](#), any person may report an incident(s) of sex discrimination, sexual misconduct, or sexual harassment to the Title IX Coordinator. The reporting party may be the person directly affected by the alleged incident or a third party. Detailed information about filing this report can be found in the section titled "[What Do I Need to Know About Filing an Incident Report](#)" in this document.

The following people have been designated as the Title IX Co-Coordinators at Adrian College:

For incidents involving students:

Thomas Doney
Student Life Coordinator & Title IX Co-Coordinator
1325 Williams St. Adrian, MI 49221
Phone: (517) 264-3142
Email: tdoney@adrian.edu

For incidents involving employees:

Christina Corson
Director of Human Resources & Title IX Co-Coordinator
Office of Business Affairs
110 S. Madison Street, Adrian, MI 49221
Phone: (517) 264-3999
Email: ccorson@adrian.edu

In this form you will see the following terms:

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment or sexual misconduct.

Once you have completed this report, please submit via email, mail, or deliver (or have a friend deliver if you wish to remain anonymous) to the office of the Title IX Coordinator.

Thank you for reaching out with this important information. You can find additional resources about Adrian College’s policies and protocols regarding incidents of sex discrimination, sexual misconduct, and sexual harassment on our [website](#).

REPORTING PARTY & INCIDENT INFORMATION

Please provide your contact information and general information about the incident(s).

Your Name:

Adrian College ID #:

Email Address:

Phone Number:

Nature of Report:

- Report against Adrian College employee
- Report against Adrian College Student
- Report against Adrian College Community Member
- Report against Non-Adrian College Community Member Unknown

Date of Incident:

Time of Incident:

Location of
Incident:

To your knowledge has this incident
been reported to the local Police
Department?

- Yes No Do Not Know

INVOLVED PARTIES

Please complete the following information to the best of your knowledge.

Upon receipt of this incident report, the Title IX Coordinator will contact the complainant (if identified) to offer supportive measures, provide information about additional resources, and explain how to file a formal complaint.

If you are the reporting party and complainant, you do not need to complete the fields already completed in the “Reporting Party & Incident Information” Section.

COMPLAINANT INFORMATION

Name:

Adrian College ID #:

Email Address:

Phone Number:

Status at Adrian
College:

- Student Faculty Member Staff Member
 Non-Community Member Other (please specify) _____

Gender:

- Male Female Gender Non-Conforming
 Organization Other (specify if desired) _____

RESPONDENT INFORMATION

Name:

Adrian College ID #:

Email Address:

WITNESS INFORMATION

If known, please provide the name and contact information of potential witnesses. Additional space for witness information is provided on the last page of this document.

Name:

Adrian College ID #:

Email Address:

Phone Number:

Status at Adrian
College:

Student Faculty Member Staff Member

Non-Community Member Other (please specify) _____

Gender:

Male Female Gender Non-Conforming

Organization Other (specify if desired) _____

ADDITIONAL INFORMATION

Please provide any additional information that you would like the Title IX Coordinator to know such as your reason for reporting this incident, immediate security concerns, or questions about next steps.

RELEVANT DOCUMENTS OR PHOTOS

Please attach to this report any documents or photos that may help the Title IX Coordinator better understand the incident.

WHAT DO I NEED TO KNOW ABOUT FILING AN INCIDENT REPORT?

Adrian College is committed to the principles of equal opportunity and seeks to establish and maintain an environment which ensures equal access to education for all Adrian College community members including students, applicants for admission, employees, applicants for employment, guests, and visitors. To foster this environment, Adrian College encourages individuals with knowledge or concerns of an incident of sex discrimination, sexual misconduct, or sexual harassment to report the incident to our Title IX Coordinator.

In accordance with the [Adrian College Sexual Misconduct & Sexual Harassment Policy](#), any person may report an incident(s) of sex discrimination, sexual misconduct, or sexual harassment to the Title IX Coordinator. Forms of sexual harassment include sexual assault, dating violence, domestic violence, and stalking. The reporting party may be the person directly affected by the alleged incident (referred to as “complainant”) or a third party.

For more information about prohibited forms of conduct at Adrian College, supportive measures, and Adrian College’s response to incidents, refer to the [Sexual Misconduct & Sexual Harassment Policy](#). You may find additional resources on Adrian College’s [website](#).

Reports of sex discrimination, sexual misconduct, and sexual harassment may be written or verbal and may be made at any time (including non-business hours) in person, or by using the telephone number or email address, or by mail to the office address of the Title IX Coordinator. Individuals may also submit this Incident Report by email, mail, or in person directly to the Title IX Coordinator.

The following people have been designated as the Title IX Co-Coordinators at Adrian College:

For incidents involving students:

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Student Life Coordinator & Title IX Co-Coordinator
1325 Williams St. Adrian, MI 49221
Phone: (517) 264-3142
Email: tdoney@adrian.edu

For incidents involving employees:

Christina Corson
Director of Human Resources & Title IX Co-Coordinator
Office of Business Affairs
110 S. Madison Street, Adrian, MI 49221
Phone: (517) 264-3999
Email: ccorson@adrian.edu

WHAT HAPPENS AFTER I COMPLETE THE INCIDENT REPORT?

Once you have completed this report, please email, mail, or deliver to the Title IX Coordinator.

After submitting this incident report form, the Title IX Coordinator will contact the complainant to discuss supportive measures and explain how to file a formal complaint and/or initiate the complaint procedures, if applicable and desired by the complainant. Supportive measures will be available to complainants regardless of whether or not they wish to file a formal complaint to initiate a grievance process or a complaint to initiate other procedures at Adrian College.

See the [Sexual Misconduct & Sexual Harassment Policy](#) for more information about Adrian College's complaint procedures as well as the Title IX formal complaint and grievance process.

You or the complainant may also contact [Counseling Services](#), if desired.

Reports submitted anonymously will be reviewed by the Title IX Coordinator and included in campus safety assessments. If a report is submitted by an unnamed third-party and contains the identity of the complainant, the Title IX Coordinator will contact the complainant to inquire about the incident, offer supportive measures, and explain the process for filing a formal complaint. If a report does not contain the identity of the complainant, Adrian College will be unable to contact the complainant and offer supportive measures. While the Title IX Coordinator will keep confidential the identity of the complainant (unless disclosing the complainant's identity is necessary to provide supportive measures such as no-contact orders), the Title IX Coordinator must know the identity of the complainant to offer supportive measures.

INCIDENT REPORT VERSUS FORMAL COMPLAINT

This Incident Report provides community members with the opportunity to notify the Title IX Coordinator of prohibited conduct. However, this report form is not a formal complaint and does not initiate the formal grievance process outlined in the [Sexual Misconduct & Sexual Harassment Policy](#) or the complaint procedures outlined in Adrian College's Student Code of Conduct and Employee Handbook. Individuals who wish to file a formal complaint under Title IX may complete a [Formal Complaint](#) or discuss this option when contacted by the Title IX Coordinator.

As this is not a formal complaint, generally the respondent will not be contacted without the consent of the complainant. However, should Adrian College undertake an individualized safety and risk analysis and determine that the respondent poses an immediate threat to the physical health or safety of any student or other individual based on the allegations contained in this report, Adrian College may remove the party from campus.

The respondent may be contacted in the event that the complainant requests specific supportive measures (i.e. no-contact orders) and will be contacted if a formal grievance or complaint resolution process is initiated.

Confidentiality: Adrian College will keep confidential the identity of any individual who reports sex discrimination, sexual misconduct, and/or sexual harassment. Adrian College will also keep

confidential the identity of any complainant (if not the reporting party), any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute or regulations, 20 U.S.C. 1232g and 34 CFR part 99, or required by law, or to carry out the purposes of 34 CFR part 106, including implementing supportive measures and the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

ADDITIONAL WITNESS INFORMATION

WITNESS TWO

Name:

Adrian College ID #:

Email Address:

Phone Number:

Status at Adrian
College:

- Student Faculty Member Staff Member
 Non-Community Member Other (please specify) _____

Gender:

- Male Female Gender Non-Conforming
 Organization Other (specify if desired) _____

WITNESS THREE

Name:

Adrian College ID #:

Email Address:

Phone Number:

Status at Adrian
College:

- Student Faculty Member Staff Member
 Non-Community Member Other (please specify) _____

Gender:

- Male Female Gender Non-Conforming
 Organization Other (specify if desired) _____

ADRIAN COLLEGE

TITLE IX SEXUAL HARASSMENT FORMAL COMPLAINT

If this is an emergency, call 911.

Title IX is a federal law that prohibits discrimination on the basis of sex in education programs or activities receiving federal financial assistance. Sexual harassment is a form of sex discrimination, and Title IX defines sexual harassment as conduct on the basis of sex that constitutes one or more of the following three types of behavior:

1. Quid Pro Quo harassment
2. Severe, Pervasive, and Objectively Offensive Conduct that Denies a Party Equal Educational Access
3. Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Under Title IX, Adrian College is obligated to investigate formal complaints of sexual harassment and will treat parties equally and equitably throughout the grievance process. For more information about the definitions of sexual harassment, filing a formal complaint, and the Title IX investigation and grievance process, refer to the [Adrian College Sexual Misconduct & Sexual Harassment Policy](#).

IMPORTANT: ONLY THE INDIVIDUAL WHO IS THE ALLEGED VICTIM OF CONDUCT THAT COULD CONSTITUTE SEXUAL HARASSMENT (“COMPLAINANT”) MAY FILE A FORMAL COMPLAINT.

Filing a formal complaint will initiate the Title IX grievance process, which requires notifying the respondent of the allegations and grievance process.

If you are a Complainant and would like to discuss Adrian College’s policies and grievance procedures before filing a formal complaint, please complete the [Incident Report](#) rather than this form.

If you are a third-party reporter, you may report the incident using the [Incident Report](#) rather than this form.

If the Title IX Coordinator receives a formal complaint which does not meet the Title IX definition of sexual harassment, they will contact the complainant to discuss available options.

If you have questions about filing a formal complaint, we encourage you to contact a Title IX Coordinator. The following people have been designated as the Title IX Co-Coordinators at Adrian College:

For incidents involving students:

Thomas Doney
Student Life Coordinator & Title IX Co-Coordinator
1325 Williams St. Adrian, MI 49221
Phone: (517) 264-3142
Email: tdoney@adrian.edu

For incidents involving employees:

Christina Corson
Director of Human Resources & Title IX Co-Coordinator
Office of Business Affairs
110 S. Madison Street, Adrian, MI 49221
Phone: (517) 264-3999
Email: ccorson@adrian.edu

In this document, you will see various terms. The definitions of these terms are below:

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment

Witness: An individual with first-hand knowledge of the alleged incident. This may include someone you told about the alleged incident after it occurred.

Once you have completed the formal complaint, please submit via email, mail, or deliver to the office of the Title IX Coordinator.

Thank you for filing a formal complaint of sexual harassment under Title IX. You can find additional resources about Adrian College's policies and protocols regarding incidents of sex discrimination, sexual misconduct, and sexual harassment on our [website](#).

TITLE IX SEXUAL HARASSMENT FORMAL COMPLAINT

NOTE: The fields with an asterisk (*) indicate information that must be completed to file a formal complaint under Title IX. If you are unable to complete the required fields or wish to remain anonymous, please complete an [Incident Report](#) rather than this formal complaint.

COMPLAINANT INFORMATION

*Your Full Name:

*Adrian College ID #:

*Email Address:

*Phone Number:

Nature of Complaint:

- Complaint against Adrian College employee
 Complaint against Adrian College Student
 Complaint against Adrian College Community Member
 Complaint against Non-Adrian College Community Member Unknown

*Date of Incident:

*Approximate Time
of Incident:

*Location of Incident
(be as specific as
possible):

Gender:

- Male Female Gender Non-Conforming
 Organization Other (specify if desired) _____

DOB (YYYY-MM-DD):

Address:

INVOLVED PARTIES

Please complete the following information to the best of your knowledge, including the name of the Respondent (if known) and the names of any witnesses. If you do not know the name of the Respondent, please type "Unknown Respondent" in the name field.

If you would like to list more than one witness, please fill out the fields on the last page of this document.

RESPONDENT INFORMATION

Name or
Organization:

Adrian College ID #:

Email Address:

Phone Number:

Status at Adrian
College:

- Student Faculty Member Staff Member
 Non-Community Member Other/Unknown (please specify) _____

Gender:

- Male Female Gender Non-Conforming
 Organization Other (specify if desired) _____

DOB (YYYY-MM-DD):

Address:

WITNESS INFORMATION

Name or
Organization:

Adrian College ID #:

Email Address:

Phone Number:

Status at Adrian
College:

- Student Faculty Member Staff Member
 Non-Community Member Other (please specify) _____

Gender:

- Male Female Gender Non-Conforming
 Organization Other (specify if desired) _____

DOB (YYYY-MM-DD):

Address:

*DESCRIPTION OF THE INCIDENT

*Please describe the incident in detail, using specific, concise, and objective language to explain the who, what, where, when, why and how of the incident. If you need more space to describe the incident, you may attach an additional document to this report. *(required)*

FORM OF SEXUAL HARASSMENT

*I allege that the behavior described is considered to be the following form of sexual harassment as defined in the Adrian College Sexual Misconduct & Sexual Harassment Policy:
(required)

- Quid Pro Quo Sexual Harassment
- Severe, Pervasive, and Objectively Offensive Behavior that Denies Me Equal Access to Educational Opportunities at Adrian College
- Sexual Assault
- Dating Violence
- Domestic Violence
- Stalking

ADDITIONAL INFORMATION

Please provide any additional information that you would like the Title IX Coordinator to know such as your reason for reporting this incident, immediate security concerns, or questions about next steps.

RELEVANT DOCUMENTS OR PHOTOS

Please attach to this report any documents, emails, photos, screenshots of relevant texts or social media posts/messages, or any other materials that may be relevant to your report. If you do not have access to these materials at this time, you will have additional opportunities to present them during the investigation.

AUTHORIZATION & SIGNATURE

*I understand that by submitting this formal complaint, I am knowingly initiating the formal grievance process (i.e. formal investigation) related to the allegations that have been described. *(required)*

Yes, I understand

* I understand that upon receipt of this formal complaint, the Title IX Coordinator may contact me to gather additional information, if necessary. *(required)*

Yes, I understand

* I understand that upon the Title IX Coordinator's review, Adrian College will dismiss the formal complaint if the alleged conduct:

1. Would not constitute sexual harassment as defined in the Sexual Misconduct & Sexual Harassment Policy if proven;
2. Did not occur in Adrian College's education program or activity;
3. Did not occur in the United States; or
4. Occurred prior to August 14, 2020.

I also understand that if the formal complaint is dismissed, the Title IX Coordinator will notify the respondent and me of the dismissal. However, the behavior that does not meet the above

criteria may still be addressed under different Adrian College policies. (If you are unsure if the alleged incident would meet the above criteria, we encourage you to use the [Incident Report](#) and/or contact the Title IX Coordinator with questions). *(required)*

Yes, I understand

By signing my name below, I confirm that I am the Complainant making a Formal Complaint of Sexual Harassment under Title IX. I also confirm that the information provided in this formal complaint is true to the best of my knowledge.

Signature: _____

Date: _____