

In This Section

Grinnell College is committed to providing a learning, living and working environment that is free from discrimination and harassment, including discrimination on the basis of sex or gender. The College prohibits Sexual Harassment as defined by Title IX of the Education Amendments of 1972 (Title IX), which includes Sexual Assault, Dating Violence, Domestic Violence, and Stalking. The College also prohibits other forms of Sexual or Gender-Based Harassment, including as prohibited by Title VII, Sexual Exploitation, and Retaliation, all of which are referred to collectively in this guide as Prohibited Behavior.

Definitions regarding forms of prohibited behavior, consent and related concepts, and other terms are listed below (Source:

Fear of punitive response from the college should not impede a student's willingness to call for help in such situations. In cases of physical assault or sexual misconduct, the student coming forward with a complaint shall not face campus conduct charges related to alcohol or other drugs. When a student experiences a physical or psychological crisis while under the inis

Domestic Violence: includes any act of violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under California state law, or by any other person against an adult or minor Complainant who is protected from that person's acts under California state law

Disciplinary Actions (Sanctions): may range from written warning to permanent separation (i.e., dismissal) from the College. They may also include educational, supportive, and/or corrective actions (in combination or singularly) as warranted such as: conduct warning, conduct probation, behavioral expectations (including a campus no-contact order), parental and guardian notification, College-owned residence suspension, College-owned residence dismissal, suspension, campus ban, dismissal from the College, withdrawal from courses, withholding of registration, withholding of degree, or rehabilitative measures.

In general:

A Respondent who is found responsible for Non-consensual Sexual Intercourse will typically receive educational outcomes (sanctions) of suspension or dismissal, including a ban from campus.

A Respondent who is found responsible for Non-consensual Sexual Contact (where no intercourse has occurred) will typically receive educational outcomes (sanctions) ranging from conduct warning to dismissal.

A Respondent who is found responsible for any other prohibited form of conduct will typically receive educational outcomes (sanctions) ranging from conduct warning to dismissal.'

Falsification: a complaint alleging intentional dishonesty in the contents of a complaint of sexual assault or sexual harassment.

Family Educational Rights and Privacy Act (FERPA): the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, also known as the "Buckley Amendment", provides that schools must follow certain procedures with regard to students' records. In sum, FERPA establishes three rights for students:

- the right to inspect and review education records maintained by the College;
- the right to seek to amend education records; and
- the right to have control over the disclosure of information from education records.

Force: is the use or threat of physical violence or intimidation to overcome an individual's freedom to choose whether or not to participate in sexual activity.

F a C a : The formal resolution process (investigation, hearing and appeal process) is initiated by the filing of a formal complaint. A formal complaint is a written document submitted to the Title IX Coordinator by the Complainant alleging that a Respondent engaged in Prohibited Behavior and requesting an investigation. The formal complaint may be submitted to the Title IX Coordinator in person, by mail, or by electronic mail, using the formal complaint form. The Complainant may also contact the Title IX Coordinator directly for assistance in making a formal complaint. At the time of filing the formal complaint, the Complainant must be participating in or attempting to participate in the College's education program or activity. Where a Complainant files a formal complaint and requests an investigation, and the reported conduct falls within the scope

Further, an individual may be incapacitated as a result of consumption of alcohol or drugs. When alcohol or other drugs are involved, incapacitation is a state of intoxication or impairment that is so severe that it interferes with an individual's capacity to make informed and knowing decisions. Impairment must be significant enough to render an individual unable to understand the fact, nature, or extent of the sexual activity.

Alcohol and other drugs impact each individual differently, and determining whether an individual is incapacitated requires an individualized determination. The College does not expect students, faculty, or staff to be medical experts in assessing incapacitation. Individuals should look for the common and obvious warning signs that show that an individual may be incapacitated or approaching incapacitation. An individual's level of intoxication is not always demonstrated by objective signs; however, some signs that an individual may be incapacitated include drowsiness, difficulty walking, poor judgment, difficulty concentrating, slurred speech, vomiting, combativeness, or emotional volatility.

Another effect of excessive alcohol consumption can be memory impairment or an inability to recall entire or partial events (sometimes referred to as "black-out" or "brown-out"). An individual may experience this symptom while appearing to be functioning "normally," including communicating through actions or words that can reasonably and objectively be interpreted as communicating consent to engage in sexual activity. Total or partial loss of memory alone, may not be sufficient, without additional evidence, to prove that an individual was incapacitated under this Policy. Whether sexual activity under these circumstances constitutes Prohibited Behavior depends on the presence or absence of the outwardly observable factors indicating that an individual is incapacitated, as described above.

An individual's level of intoxication may change over a period of time based on a variety of individual factors, including the amount of substance intake, speed of intake, body mass, height, weight, tolerance, quantity and pattern of food and sleep, and drinking pattern, and metabolism. It is critical, therefore, that any individual engaging in sexual activity is aware of both their own and the other individual's level of intoxication and capacity to give consent.

In evaluating affirmative consent in cases involving incapacitation, the College considers the totality of available information in determining two issues:

If either question is answered positively, affirmative consent was absent, and the conduct is likely a violation of this Policy.

The perspective of a reasonable person will be the basis for determining whether a Respondent knew or should have been aware of the extent and amount of the ingestion of alcohol and/or other drugs by the Complainant or of the extent to which the use of alcohol and/or other drugs impacted a Complainant's ability to give consent. See [A _____](#).

L Q : a portion of the hearing process includes live questioning by the advisor of the parties. Each party has the opportunity to be heard and to respond to any questions of the Adjudicator and the other parties' advisor. Each party may question the other party, investigator, or witnesses, through their advisor.

P a : information related to a report of alleged misconduct will be shared only with those College employees who "need to know" in order to assist the complainant(s) and/or aid in the investigation or resolution of the complaint.

P B a : the College prohibits all forms of sexual and gender-based harassment, sexual misconduct, intimate partner violence and other forms of interpersonal violence. These are umbrella terms which encompass a broad range of behavior. Grinnell College community members are fully supported in using the words that they feel express and/or represent their experience - including words like rape, abuse, attack, or fondling - even when the College policy uses these other, more overarching terms when adjudicating and classifying allegations. Within these broad categories, the College specifically prohibits sexual or gender-based harassment, sexual assault, sexual exploitation, intimate partner violence/relationship abuse, stalking, and retaliation. Examples of Prohibited Conduct can be found on the College's Sexual Respect website. An individual who is uncertain about whether their ~~experience~~ ^a falls within the definitions should consult with the Title IX Coordinator. In all instances, the College encourages reporting of conduct that is unwelcome or harassing, regardless of ~~whether~~ ^a it appears to meet one of the stated definitions below. The Title IX Coordinator can assist an individual in identifying available courses of action based on the conduct at issue.

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Coordinating a change in class schedule or transferring sections, including the ability to drop a course without penalty.

Coordinating alternative course completion options.

Allow either a Complainant or a Respondent to drop a class in which both parties are enrolled in the same section.

Modifications of the Complainant's or Respondent's College work schedule or job assignment.

Change in work or campus housing locations.

Assistance navigating off-campus housing concerns.

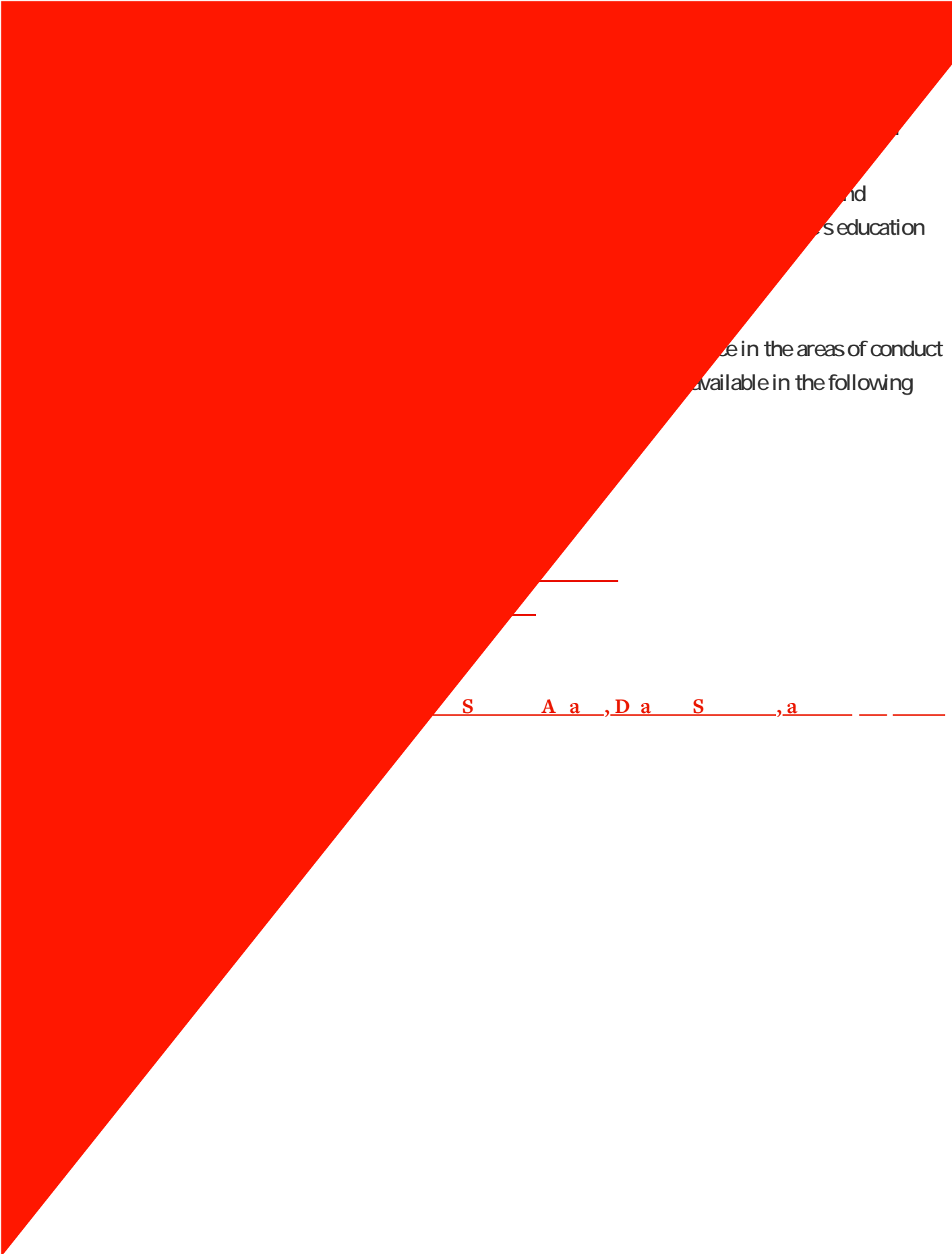
Assistance in completing residence relocation.

Campus escort services and other safety planning steps.

Increased security and monitoring of certain areas of the campus.

Leaves of absence.

Mutual "no contact order," an administrative remedy designed to curtail contact and communications between the



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available in the following

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