



PRINCIPIA COLLEGE POLICY FOR RESOLVING REPORTS OF SEXUAL AND GENDER HARASSMENT, DISCRIMINATION, AND SEXUAL MISCONDUCT

Updated: October 8, 2020

STATEMENT OF POLICY

The Principia recognizes that each individual “as the child of God reflects the intelligence and strength of his Maker, and that all men have equal opportunity and equal ability in the sight of God.” (Principia Policy 3) In addition, The Principia “shall be a coeducational institution in the fullest meaning of the term.” (Principia Policy 14) “This means that men and women of the Board of Trustees, administration, faculty, and staff, as well as the members of the student body, shall be eligible for responsibility regardless of sex, and shall enjoy equally all opportunities which The Principia is able to provide.” Id. The Principia does not discriminate on the basis of race, color, sex, gender, sexual orientation, national origin, disability, age, or military status. The Principia strictly prohibits harassment or discrimination based on any of these protected statuses.

Another important aspect of our community is the expectation that all interpersonal relationships and interactions – especially those of an intimate nature – be grounded in mutual respect, open communication, and clear consent. To this end and in compliance with the Illinois Preventing Sexual Violence in Higher Education Act, (110 ILCS 155 et seq.), sexual violence, domestic violence, dating violence, and stalking, are unacceptable and are not tolerated by The Principia.

The Principia is committed to maintaining a safe and healthy educational and employment environment that is free from these offenses. To this end, The Principia adopts this Statement of Policy to govern the conduct for all members of the College community, including but not limited to, employees, students, contractors, volunteers, and visitors.

If there are questions about the information contained in this document, please contact Student Life or Human Resources for support or clarification.

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SEXUAL MISCONDUCT POLICY OVERVIEW FOR PRINCIPIA COLLEGE

All reports brought forward related to:

- Sexual Harassment
- Sex and Gender Discrimination, Including but Not Limited to Discrimination Directed Against Individuals as a Result of Sexual Orientation or Gender Identity
- Sexual Violence, Domestic Violence, Dating Violence, or Stalking

will be promptly and thoroughly processed pursuant to the procedures referred to in this document. Employees or students who believe they have experienced or witnessed behaviors prohibited by the policies contained in this document should promptly contact the Dean of Students, the Title IX Coordinator, or the Human Resources Department on either campus. Other Principia policies address other forms of harassment, discrimination, bullying, hazing, assault, battery, and other misconduct.

Principia College employs comprehensive resolution procedures for resolving reports alleging harassment, sexual discrimination, sexual violence, domestic violence, dating violence, and stalking. These comprehensive procedures include options to proceed formally or informally. Both the *informal and formal grievance processes* are designed to determine what occurred and where pertinent, eliminate the offending behavior. Specific policies, methods for reporting, including confidential reporting, and resources are outlined in this document.

Note: This document is intended to respond to most situations. This document is not a contract and Principia reserves the right, depending on the circumstances, to use a different process. Employees are governed by the Employee Handbook. This is the Policy that applies at Principia College, a different policy applies to situations arising with Principia School students.

APPLICATION OF POLICY:

This Statement of Policy and the relevant processes described below are intended to apply primarily to misconduct alleged to have occurred between Principia College students. The Statement of Policy applies to all conduct that occurs on The Principia property or at Principia-related or sponsored events and may include behavior that occurs outside of Principia property or events if, in the sole judgement of The Principia, such behavior impacts the work or

educational environment. Typically, incidents of reported misconduct involve adults; when either the Reporting Party or Responding Party is a minor -- under the age of 18 -- modification of the process may be required; these modifications may require parental notification or involvement and compliance with mandatory reporting laws.

When the Reporting Party and the Responding Party have multiple different roles (e.g. student, employee, graduate assistant) at The Principia there may be uncertainty as to what policy and process to apply. Principia looks to the *primary status of the Responding Party* to determine which policy and process will be used.

REPORTING:

The College strongly encourages anyone who has been subjected to or been a witness to sexual harassment, sexual discrimination, sexual violence, domestic violence, dating violence, or stalking, to familiarize themselves with this policy, seek appropriate help, and to report any incident promptly to the police and/or College officials. The College has staff that will assist students, faculty, and staff members to access help, including immediate medical care, counseling, and other essential services.

PROHIBITION AGAINST RETALIATION:

Retaliation against any individual who, in good faith, reports or discloses any alleged violation of this policy, files a report, or otherwise participates in a resolution procedure described herein is strictly prohibited. Any retaliatory conduct may result in sanctions, which for students could include warning, suspension, expulsion, or removal from campus.

CONFIDENTIALITY OF THE PARTIES:

The identity of both the Reporting Party and the Responding Party will not be disclosed by The Principia except where necessary to investigate or resolve a Report or to implement interim protective measures and/or accommodations, or when otherwise required by law. While Principia generally places no restriction regarding conversations individuals engage in, all persons involved in a Report or Investigation should appreciate that on-going discussions and conversations, whether in person, by phone, digitally, or in social media, may undermine and hamper the ability to reach a reliable resolution. In some situations, on-going demeaning or negative conversations about a party or a witness may be perceived to be retaliatory.

REQUIRED TRAINING:

Any employee who is involved in:

- the receipt of a student report of an alleged incident of sexual violence, domestic violence, dating violence, or stalking;
- the referral or provision of services to a Reporting Party or Survivor (as that term is defined in this Policy); or
- has duties under this Policy that results from an alleged incident of sexual violence, domestic violence, dating violence, or stalking

shall receive the training described in this section. Principia provides these employees with training designed to improve the trainee's ability to understand (i) Principia's policies, as described in this document; (ii) federal and state law concerning survivors of sexual violence, domestic violence, dating violence, and stalking at higher education institutions; (iii) the roles of Principia, medical providers, law enforcement, and community agencies in ensuring a coordinated response to a reported incident of sexual violence; (iv) the potential effects of trauma on a Survivor; (v) the types of conduct that constitute sexual violence, domestic violence, dating violence, and stalking, including same-sex violence; and (vi) consent and the role drug and alcohol use can have on the ability to consent. The training shall also seek to improve the trainee's ability to respond with cultural sensitivity; provide services to or assist in locating services for a survivor, as appropriate; and communicate sensitively and compassionately with a survivor of sexual violence, domestic violence, dating violence, or stalking.

In addition, all individuals whose duties include resolution of reports of student violations of this Policy shall receive a minimum of 8 hours of annual training on issues related to sexual violence, domestic violence, dating violence, and stalking and how to conduct Principia's Formal Grievance Process.

DEFINITIONS OF PROHIBITED BEHAVIOR

(In Alphabetical Order)

DATING VIOLENCE is violence committed by a person

1. Who is or has been in a social relationship of a romantic or intimate nature with another, and
2. Where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

DISCRIMINATION ON ACCOUNT OF SEX, as used in this policy, is the unjust or prejudicial treatment of different categories of people on the grounds of sex, gender, sexual orientation, or gender identity.

DOMESTIC VIOLENCE includes 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, 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 State of Illinois.

HARASSMENT is a form of discrimination and is generally defined as unwanted, unwelcome, or uninvited behavior that demeans, threatens, intimidates, alarms, puts a person in fear of their safety, or results in a "hostile environment" (also defined in this Policy). Harassment may include threats, physical assault, verbal abuse such as name-calling, racial or other epithets, slurs, graphic or written statements, or other physically threatening, harmful or humiliating conduct, including nonverbal conduct and gestures and may include the use of cell phones or the internet.

SEXUAL VIOLENCE is an extreme form of sexual harassment and includes both Sexual Intercourse Without Consent and Sexual Contact Without Consent. Sexual violence also includes sexual coercion.

SEXUAL INTERCOURSE WITHOUT CONSENT may be committed either by force, threat, intimidation or through the use of the victim's mental or physical helplessness of which the accused was aware or should have been aware. Sexual Intercourse Without Consent includes, by

stranger or acquaintance, rape, forcible sodomy, or forcible sexual penetration, however slight, of another person's anal or genital opening with any object.

SEXUAL CONTACT WITHOUT CONSENT may be committed either by force, threat, intimidation or through the use of the victim's mental or physical helplessness of which the accused was aware or should have been aware. Sexual Contact Without Consent includes the intentional touch, by stranger or acquaintance, of an unwilling person's intimate parts (defined as genitalia, groin, breast, or buttocks, or clothing covering them) or forcing an unwilling person to touch another's intimate parts.

SEXUAL HARASSMENT may include unwelcome sexual advances, requests for sexual favors, and other unwelcomed verbal or physical conduct of a sexual nature.

STALKING is engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) Fear for their safety or the safety of others; and/or (2) Suffer substantial emotional distress. Stalking includes the following: A person who intentionally and repeatedly follows or harasses another person and who makes a credible threat, either expressed or implied, with the intent to place that person in reasonable fear of harm.

DEFINITIONS OF OTHER TERMS FOR THE PURPOSE OF PRINCIPIA COLLEGE'S POLICIES AND GRIEVANCE PROCESSES

(In Alphabetical Order)

AMNESTY FOR VIOLATION OF THE PRINCIPIA CODE OF CONDUCT. Principia desires to fully support students who may have been subjected to a sexual assault or similar violation of our policies. Fear of discipline as a result of violation of the Code of Conduct should not be an obstacle to students coming forward, reporting an assault, or getting support. Amnesty from accountability for Code of Conduct violations means that any violation of the Principia Code of Conduct disclosed in *good faith* by an individual reporting a possible violation or any witnesses during a grievance process may not result in sanctions (including suspension) as a result of one or more conduct violations. Responding Parties, however, are not typically entitled to amnesty as provided herein. While disciplinary sanctions will not be imposed when Principia's Amnesty policy is implicated, Student Life may determine that further conversations are warranted with students involved in a grievance.

APPEAL means invoking the process to reconsider a formal grievance determination. Appeals may be filed on grounds of:

- Relevant, substantive and new information not available at the time of the finding.
- Alleged bias of the IFF, the Title IX Coordinator, Members of the Panel, or other administrators involved.
- Significant and material procedural error that affected the outcome of the process.
- The sanction being disproportionate with the violation.

BYSTANDER INTERVENTION includes without limitation the act of challenging the social norms that support, condone, or permit sexual violence or demeaning conduct aimed at others.

CONFIDENTIAL ADVISOR means a person who is employed or contracted to provide emergency and ongoing support to a student Reporting Party, as well as to identify resources for student Reporting Party of sexual violence. The primary purpose of a "Confidential Advisor" under Principia's policy is to direct students to appropriate resources. Confidential Advisors have received training regarding the issues surrounding sexual violence and should be utilized as a resource for student survivors; Confidential Advisors are not trained mental health professionals. Students who are in distress or at risk of self-harm should seek out and get immediate support from trained professionals.

Note: All communications between a Confidential Advisor and a Reporting Party pertaining to an incident of sexual violence shall remain confidential unless the Reporting Party consents, in writing, to the disclosure of such information. Moreover, the Confidential Advisor may disclose confidential communications between the Confidential Advisor and the Reporting Party if failure to disclose would result in a clear, imminent risk of serious physical injury to or death of the Reporting Party or another person.

CONSENT is freely given agreement to sexual activity. Consent must be clearly communicated by words and/or actions that indicate that specific sexual activity is agreed to and voluntary. A person can withdraw consent at any time. The absence of “no” is not an indication of consent.

While the totality of a situation may reflect freely given consent the following are some examples that should never be understood as an indicator of voluntary consent to sexual activity:

- a person’s lack of verbal or physical resistance
- a person’s submission resulting from the use or threat of force
- a person’s submission to sexual activity resulting from coercion.*
- a person’s manner of dress
- a person’s consent to past sexual activity
- a person’s “reputation”
- a person’s consensual sexual activity with some other person.

* “Coercion” for the purpose of this policy is defined as compelling someone to act by applying pressure, harassment, threats, intimidation, or other actions a reasonable person would consider to be coercive.

A person’s consent to engage in a specific form of sexual activity does not indicate consent to engage in another different form of sexual activity. Consent must be freely and voluntarily given to each specific form of sexual activity. AND A person can withdraw consent at any time.

A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following:

- the person is incapacitated due to the use or influence of alcohol or drugs
- the person is asleep or unconscious
- the person is underage, or
- the person is incapacitated due to a mental disability.

“DAYS” mean for this policy, calendar days. When an act or response is due within a certain number of days, all days including but not limited to holidays and weekends are counted as “days” for the purpose of this policy. A request for a brief extension due to exam schedules, scheduling demands, and other similar events will be resolved by the Title IX Coordinator. In granting an extension, the Title IX Coordinator will weigh the reasonableness of a request for a brief extension with the desire to resolve Reports in a prompt and efficient manner. Deadlines may be met by email filing.

FACT FINDER means an impartial individual designated to conduct fact finding interviews to determine as much of the reality of a situation as is possible under the circumstances.

FREEDOM OF SPEECH POLICY FOR STUDENTS is found in the Student Right to Know. It includes but is not limited to the following:

Principia, to the greatest extent possible, will not restrict freedom of speech. Libelous or slanderous statements are not protected speech. It is important in a small community that community members be able to have civil discourse with compassion, respect, and maturity. Community members should strive to propagate constructive discourse rather than destructive argumentation. In order to foster the best possible environment for both strong moral structures and robust discourse, guidelines for responsible free speech have been outlined below (please see full policy at the following link <http://www.principiacollege.edu/freespeech>)

HEARING PANEL is a group of three (3) trained Formal Grievance Hearing Panelist Pool members who serve as the Hearing Panel for a specific Report.

HEARING PANEL POOL is a group intended to be made up of at least five (5) faculty and five (5) administrators and/or staff selected by the College President, the Dean of Students, the Academic Dean, and the Title IX Coordinator to serve as hearing panel members in a Formal Grievance Hearing. While good faith and diligent efforts will be made to maintain a group or pool of trained hearing panel members, practical experience informs that there may be times when a full pool of ten or more potential hearing panel members may not be maintained.

HOSTILE ENVIRONMENT is defined as an environment that, through harassing conduct (e.g., physical, verbal, graphic or written) based on a person’s protected status (e.g., sexual orientation, age, etc.), becomes sufficiently severe, pervasive, or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from a program or activity. There are many types of behaviors that can be harassing.

Principia College Policy for Resolving Reports of Sexual And Gender Harassment, Discrimination, and Sexual Misconduct: Updated 10.8.20

Examples include but are not limited to using derogatory terms, insults, telling derogatory jokes, taunting and intimidating actions, and spreading rumors. Principia prohibits harassing behavior by any person while engaged in college business, whether on or off campus.

MANDATORY REPORTER – see Responsible Employee

PREPONDERANCE OF EVIDENCE is the standard of proof used by Principia for formal grievances. This means that it is *more likely than not* that the violation of the policy occurred.

REPORT/COMPLAINT means an allegation against another person regarding a violation of the Principia policies outlined in this document. A Report can be initiated by a Reporting Party, an administrator, or by a third party (e.g. Resident Counselor, coach, faculty/staff member, friend). In cases where a violation of any Principia’s policy described in this document has been alleged, but the person subjected to it is unwilling to take action, Principia may bring the concern forward by initiating the Formal Grievance Process.

REPORTING PARTY OR REPORTER (COMPLAINANT) is a student who files a Report alleging violation of Principia policies. **REPORTING PARTY** means an individual who files or makes a Report through Principia’s report resolution procedure (outlined herein), alleging that the individual filing has experienced behaviors that constitute a violation of this Policy. Principia may act as the Reporting Party in the Formal Grievance Process if an individual raising an allegation of violations of this policy does not wish to proceed, but Principia (through the Title IX Coordinator) deems it necessary to continue the process.

RESPONDING PARTY/RESPONDENT is a student involved in the Report resolution procedure who has been accused of violating Principia policies.

RESPONSIBLE REPORTER/EMPLOYEE means every Principia faculty/staff member (except confidential advisors unless there is potential of harm to self or others) and Christian Science Practitioners using an office on Principia’s campus. Resident Counselors are also considered responsible employees. The following, when involving in any manner a Principia College student, must be reported promptly to the Dean of Students, College President, or Title IX Coordinator:

- Sexual Violence including Sexual Assault
- Domestic and Dating Violence
- Stalking
- Sexual harassment
- Use of date-rape drugs

Principia College Policy for Resolving Reports of Sexual And Gender Harassment, Discrimination, and Sexual Misconduct: Updated 10.8.20

RETALIATION includes intimidation, threats, harassment and other adverse action taken or threatened against any Reporting Party or person reporting or filing a Report alleging sexual misconduct, discrimination on account of sex (as defined herein), harassment, or any misconduct covered by Principia's grievance processes; or against any person cooperating in the investigation of such allegations (including testifying, assisting or participating in any manner in an investigation). Retaliation is strictly prohibited. Retaliation may result in disciplinary or other action independent of the sanctions or interim measures imposed in response to the allegations of sexual violence, domestic violence, dating violence, stalking, or other violations of policy.

SANCTION means a consequence (or multiple consequences) designed to eliminate offending behavior and support education and healing after a violation of policies or rules.

SUPPORT PERSON means an individual identified by a Reporting Party or Responding Party to provide support through and after a grievance process.

SURVIVOR is a term used in the Illinois statute on sexual violence and refers to a student/employee who has experienced sexual violence, domestic violence, dating violence, or stalking while enrolled/employed at a higher education institution.

THREAT includes any oral or written expression or gesture that could be interpreted by a reasonable person as conveying intent to cause harm to persons or property.

REPORTING AND RESOURCES

ANONYMOUS ONLINE REPORTING

Principia College students and Principia employees (faculty or staff) may share concerns anonymously with the Title IX Coordinator. A prompt and confidential notice of the particular concern and the opportunity to be heard: (a) creates a safe environment in which to bring complaints forward, (b) communicates that harassment or violence of any kind, unfair bias/discrimination, or other behaviors as referenced, is unacceptable behavior at Principia, and (c) provides an accurate and professional process that safeguards both the grievant and the person complained of.

The submission form allows for but does not require identifying information of the Reporter. If submissions are anonymous it is important to provide enough information so that supportive, practical steps can be taken on behalf of the individual experiencing the unwelcome conduct. **Also, individuals should be aware that while the Principia accepts anonymous reports, it is difficult to conduct an effective investigation of an anonymous report.** A reporting form can be found on Principia's website at: <https://prinweb.principia.edu/internal/report-assault>

SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE, OR STALKING

Any student, employee, or campus community member who has experienced sexual assault, dating violence, domestic violence, or stalking is encouraged to immediately notify Campus officials, law enforcement, and/or seek immediate medical assistance. Campus Security (618-374- 5111) will provide transportation upon request. For emergency assistance, call 911.

Impacted students, sometimes referred to as Reporting Parties, may request interim protective measures and accommodations reasonably available. These accommodations may include but are not limited to changes to their academic, living, dining, movement, and working situations. They can request from Principia support in obtaining and respecting "no contact" orders and honoring an order of protection or "no contact" issued by a court.

Note: If minors are involved with any claim of Sexual Violence, Domestic Violence, Dating Violence, and Stalking the following procedures may be subject to additional considerations including mandatory reporting as required by state or federal law, notification of parents, and notification to legal authorities.

OTHER RESOURCES FOR REPORTING AND RECEIVING SUPPORT SERVICES

1. DEAN OF STUDENTS

Maya Dietz Office: 618-374-5162
Clara McNabb Administration Building 106
Mobile: 206-818-7530
Maya.Dietz@Principia.edu

2. ASSISTANT DEAN OF STUDENTS AND TITLE IX COORDINATOR

Erin Rainwater Office: 618-374-5562
Clara McNabb Administration Building 102
Mobile: 802-233-2785
Erin.Rainwater@Principia.edu

3. CONFIDENTIAL ADVISOR(S) – The following Principia employe is trained as a Confidential Advisor for advising regarding resources for issues related to sexual violence for the college campus (please note that the Confidential Advisor is not a trained counselors):

Lora McMullin (works in Athletics)

Office: 618-374-5024
Mobile: 618-578-8744
Lora.McMullin@Principia.edu

4. HUMAN RESOURCES DIRECTOR: COLLEGE CAMPUS

Beth Trevino Office: 618-374-5502
Mobile: 618-303-7789
Beth.Trevino@Principia.edu

5. HUMAN RESOURCES DIRECTOR: SCHOOL CAMPUS

Julie Hammar Office: 314-514-3005
Julie.Hammar@Principia.edu

6. CAMPUS SECURITY: COLLEGE CAMPUS

Office (Howard Center): 618-374-5470
Gatehouse: 618-374-5111
Watch.security@principia.edu

7. **CAMPUS SECURITY: SCHOOL CAMPUS**
Gatehouse: 314.434.3111
8. **LOCAL LAW ENFORCEMENT**
Jersey County Sheriff's Department: 618-498-6881
9. **EMERGENCY: 911**
10. "CALL FOR HELP, INC." located in Alton – Provides confidential assistance and counseling. Advisors are available 24 hours/day at 618-462-0552.
11. **OASIS WOMEN'S SHELTER FOR DOMESTIC VIOLENCE IN ALTON IL**
618-465-1978

OTHER RESOURCES FOR SURVIVORS OF SEXUAL VIOLENCE

Survivors of Sexual Violence should be aware that it is important to preserve physical evidence of the assault. Certain medical facilities will provide a medical forensic examination at no charge to a Survivor of Sexual Violence. The following information includes the name, address and phone of a medical facility nearest campus where a Survivor may have a medical forensic examination completed at no cost to the Survivor.

- Jersey Community Hospital at 400 Maple Summit Rd, Jerseyville, IL 62052
- Alton Memorial Hospital at 1 Memorial Drive, Alton IL 618-463-7311
- OSF St. Anthony's Health Center at 1 Saint Anthony's Way, Alton IL 618-465-2571
 - This facility provides Sexual Assault Nurse Examiners (SANE)

Survivors may also receive additional, confidential support by contacting the following:

- Sexual Assault Crisis Hotline (24 hour): 618-397-0975
- National Sexual Assault Hotline: 800-656-HOPE (4673)

CONFIDENTIALITY

Principia encourages all victims of **Sexual Violence** and bystanders to talk to somebody about what happened so that victims and bystanders can get the support they need and so that the College can respond appropriately. ***Different employees on campus have different obligations to maintain confidentiality if they receive reports from individuals alleging violations of this Policy:***

- Confidential Advisors, as defined on page 7, are required to maintain complete or near complete confidentiality. This confidentiality requirement applies only to circumstances involving sexual violence, dating violence, or domestic violence; even Confidential Advisors are expected to report circumstances where there is a significant risk of serious harm.
- ALL OTHER employees are required to report the details of an incident including identities of the alleged victim and alleged perpetrator to the Title IX Coordinator. To the extent possible, information reported to the Title IX Coordinator will be shared only with people responsible for handling Principia's response to the Report and those with a "need to know." A report to any "Responsible Employee" constitutes a report to the College and generally obligates the College to investigate the incident and take appropriate steps.

Note: If minors are involved with any claim of Sexual Violence, Domestic Violence, Dating Violence, and Stalking the procedures may be subject to additional considerations including mandatory reporting as required by state or federal law, notification of parents, and notification to legal authorities.

Once Principia receives a Report of a possible Policy violation, confidentiality will be preserved by Principia and its representatives, to the extent feasible, necessary, and consistent with a fair determination. While individuals have the right to speak as they see fit, comments made to others during the investigation may hamper or interfere with the development of reliable facts and statements. Principia strongly encourages individuals to maintain confidentiality and to avoid publicly discussing a situation during an investigation and while any hearings are being conducted. The reliability of an investigation and/or hearing may be compromised by public conversations. In addition to the risk that comments to others may undermine the investigation, parties must be alert that comments to others about any part of the allegation(s) or investigation or hearing may be perceived as retaliatory or as an effort to coach or prompt a witness to make a specific statement.

Retaliation is prohibited and if a party is found to have engaged in retaliation, this may be an independent basis for discipline, irrespective of the outcome of the underlying investigation.

The identity of both the Reporting Party and the Responding Party will not be disclosed by Principia except where it is necessary to resolve the Report or to implement interim protective measures and/or accommodations, or when otherwise required by law.

RESPECTING AND SAFEGUARDING THE GRIEVANCE PROCESS

All individuals involved in the resolution of a report under this policy have the right to be treated fairly, with integrity, and respect. While Principia does not limit what individuals can say, it is important for all involved in the resolution of a grievance to respect the confidentiality and integrity of the grievance process. All parties and their witnesses are strongly encouraged to refrain from conversations related to a report; this means avoiding conversations both in person and online. It is never appropriate to attempt to influence the outcome of a report by resort to social media, spreading rumors, or engaging in other forms of non-constructive communication. Doing so could inhibit the fair outcome of the case and may amount to a violation of the retaliation or other provisions found in this Policy. While Principia strongly encourages individuals to respect confidentiality, the strong preference for respecting confidentiality does not in any way suggest that an individual should not seek and receive spiritual, emotional, and other support. All individuals involved in a grievance are encouraged to reach out for and receive help and support, this includes both professional help and help of a more personal or informal nature. Individuals uncertain whether contemplated communication may be perceived as retaliatory or counterproductive or even possibly slanderous are invited to speak with the Title IX Coordinator prior to sharing or publishing confidential information.

GRIEVANCE PROCESS OVERVIEW

Principia has both an *Informal Grievance Process* and *Formal Grievance Process*, which are designed to respond to reports of offending behaviors as outlined in this document. A Report may be initiated by a Reporting Party, a Reporter, an administrator, or by a third party (e.g. RC, coach, faculty/staff member, friend). The Formal Grievance Process outlined in this document applies only to reports involving students; reports against employees are governed by the Employee Handbook.

Reports of sexual violence, dating violence, domestic violence, and stalking will generally be investigated and resolved pursuant to Principia's *Formal Grievance Process*. Principia may act as the Reporter in situations where the person allegedly subject to such violations does not wish to participate in the *Formal Grievance Process*. If the Reporting Party and Responding Party both voluntarily desire resolution pursuant to the Informal Grievance Process, and if the Principia Dean of Students concurs that resolution pursuant to the Informal Grievance Process is appropriate under the specific facts of the situation, allegations of sexual violence, dating violence, domestic violence, and stalking may be resolved pursuant to the Informal Grievance Process.

NOTIFICATION OF RIGHTS

Upon receiving a Report of an alleged act of sexual violence, domestic violence, dating violence, and/or stalking, Principia shall provide a Reporting Party with written information about the Party's rights and options. This "Rights and Options" notification (referred to as the "Notification of Rights") will be provided to a Reporting Party in writing within 12 hours of Principia receiving the Report. The following information will be included in this notification:

- The Reporting Party's right to report or not report the alleged incident, including information about the Reporting Party's right to privacy and which reporting options are confidential;
- Contact information for the Title IX Coordinator, Confidential Advisors, sexual assault crises centers, campus security, and local law enforcement;
- The Reporting Party's right to request and receive assistance from campus authorities in notifying law enforcement;

- The Reporting Party’s right to request assistance regarding:
 - Interim protective measures and accommodations, including without limitation, changes to academic, living, dining, working, and transportation situations;
 - A campus-issued order of protection or no contact order (if such protective measures and accommodations are reasonably available) and if the order of protection or no contact order is granted, help enforcing said order; and
 - An order of protection or no contact order in State court;
- Principia’s ability to provide assistance, upon request from the Reporting Party, in accessing and navigating campus and local/regional health and mental health services, counseling, and advocacy services; and
- A summary of the *Grievance Process* found herein.

A copy of this Notice of Rights and Options of Students Who Have Experienced Sexual Violence can also be found online at: <http://www.principiacollege.edu/srtk/rights>

INTERIM PROTECTIVE MEASURES

Reporting Parties and Responding Parties may have access to interim protective measures and accommodations which may include but are not limited to changes to their academic, living, dining, movement, and working situations. Determination of interim protective measures and accommodations will be made by Principia’s Title IX Coordinator on a case-by-case basis. Once the College receives a Report, the Title IX Coordinator will assess the need for interim protective measures and will work with the parties to implement, where appropriate, interim protective measures. The parties may also request specific interim protective measures, which Principia, through the Title IX Coordinator, will work to implement when such measures are reasonably available. In implementing Interim Protective Measures, Principia will work to minimize the burden on either the Reporting Party or Responding Party. The goal and purpose of Interim Protective Measures is to create and maintain a stable and safe learning and living environment while an investigation is undertaken, and the grievance process is completed. The Interim Protective Measures are temporary and are not intended to be disciplinary nor intended to impose any undue interference on any party’s education.

Reporting Parties can also request support from Principia in obtaining and respecting “no contact” orders and honoring an order of protection or “no contact” issued by a court.

OTHER CONSIDERATIONS DURING THE GRIEVANCE PROCESS

Both Reporting Parties and Responding Parties have the right to identify, consult with, and be accompanied to any meeting or hearing by an individual *Support Person* of the parties’ choice. The parties’ choice of a Support Person will be honored, provided the Support Person does not cause undue delay or disruption of the grievance proceedings and the Support Person complies with any rules and/or policies in place at the College. This Support Person shall be provided at the relevant party’s own cost. If the Support Person violates any College rules or policies related to the grievance proceedings, or engages in behavior or advocacy that harasses, abuses, or intimidates either the other party, a witness, or another individual involved in resolving the matter, that Support Person shall be prohibited from participating further. It is generally understood that the Support Person shall provide silent support during interviews and hearings. While the Support Person may be an attorney or other professional, the Support Person is not intended, for the purposes of the Grievance Process, to be an advocate and shall not be permitted to ask questions of any witnesses nor make arguments during the Grievance Process.

INFORMAL GRIEVANCE PROCESS

The Informal Grievance Process is administered at the request of the parties, and both the Reporting Party and Responding Party must voluntarily agree to utilize the Informal Grievance Process. The *Informal Grievance Process* is administered with significant flexibility to respond to the specific circumstances involved for the purpose of stopping the alleged behavior as expeditiously as possible. This informal process is entirely optional, and individuals may choose to reject the informal process and initiate a formal complaint at any time. *The Informal Grievance Process* is generally not available for Reports involving sexual violence, dating violence, domestic violence, and stalking, however, if the Reporting Party and Responding Party both voluntarily desire resolution pursuant to the Informal Grievance Process, and if the Principia Dean of Students concurs that resolution pursuant to the Informal Grievance Process is appropriate under the specific facts of the situation, allegations of sexual violence, dating violence, domestic violence, and stalking may be resolved pursuant to the Informal Grievance Process.

If information comes to light during an Informal Grievance Process, Principia, through the Dean of Students in consultation with the Title IX Coordinator, may terminate the Informal Process and require resolution by the *Formal Grievance Process*.

Principia will not generally take disciplinary action for conduct identified in the informal grievance process.

During the *Informal Grievance Process*, the Dean of Students, or designee may suggest a variety of strategies depending on the specific situation. The following are some examples of informal processes that are available and may be used exclusively or in combination with other processes:

- Informal, facilitated discussion with the Dean of Students or designee.
- A mediation session or sessions may be set up and conducted. Principia will provide an appropriately trained professional to conduct the mediation. Mediation is entirely voluntary, and no party is required to participate in mediation or remain in mediation past the point the party's participation is no longer voluntary.
- If entirely voluntary, the Reporting Party may speak directly to the Responding Party to communicate the nature and harm experienced by the Reporting Party and the need for the offending behavior to cease.

- The Reporting Party may request that a trusted surrogate speak to the Responding Party to communicate the nature and harm experienced by the Reporting Party and the need for the offending behavior to cease. The Reporting Party may communicate via writing to the Responding Party to communicate the date, time, place and actions of the unwelcome incident, the nature and harm experienced by the Reporting Party and the need for the offending behavior to cease. Copies of all communication should be kept, and a copy shared with the Title IX Coordinator. The Title IX Coordinator may retain a copy of any documents and notes in a confidential and secure location.

Note: If minors are involved with any claim of concern under Informal Process, the following procedures may be subject to additional considerations including notification/participation of parents and legal authorities.

FORMAL GRIEVANCE PROCESS

REPORTS AGAINST STUDENTS

This process is administered by the Title IX Coordinator or designee and may lead to disciplinary action. The standard of proof used in this process is a "preponderance of evidence." This means that an individual will be found responsible if a determination is made that it is *more likely than not* that a policy violation occurred.

The process includes the following steps:

Step 1 – Initiating the Grievance Process

- The Formal Grievance Process may be initiated by the aggrieved student, or an administrator. The Title IX Coordinator or designee receives information concerning the alleged behavior and the Reporter will receive a Notification of Rights advising among other things, of the right to make a report to law enforcement, and the right to be assisted by campus personnel in notifying such authorities. Reporting Parties and Responding Parties involved in the Formal Grievance Process shall have the opportunity to request that the resolution procedure begin promptly and be resolved in a timely fashion.
- Once a Report has been made, the Title IX Coordinator, or designee, may consult with Principia's legal office to appoint an Independent Fact Finder (IFF) from a pool of trained investigators to investigate. Principia shall make a diligent and good faith effort to appoint a fully independent and neutral IFF. The IFF may or may not be employee of Principia. Once the IFF has been appointed, but before the IFF's investigation begins, a Notice of the Investigation, including a detailed list of the charges, will be provided to both parties. Both parties will have an opportunity to request a substitution of the IFF if either believes the appointed IFF poses a conflict of interest or has a concern that the IFF cannot be neutral. This request for substitution, along with an explanation of all concerns, must be provided to the Title IX Coordinator within two (2) calendar days (48 hours) of receipt of the notice of appointment.
- Generally, a Reporting Party and Responding Party shall each be permitted to request only one substitution of an IFF. The decision to grant a request for substitution of an IFF shall be made at the discretion of the Title IX Coordinator

or designee. The Title IX Coordinator may consult with legal counsel and/or the Dean of Students regarding any aspect of appointment or substitution of an IFF.

- If the Title IX Coordinator has a conflict of interest or is reasonably alleged for articulable reasons to lack neutrality, the Dean of Students, or designee, shall act in the place of the Title IX Coordinator.

Step 2 – Independent Fact Finding

- Allegations will be promptly, fairly, and compassionately investigated. The identity of the Reporting Party and the Responding Party shall not be disclosed by Principia, except when necessary to resolve the Report, to implement interim protective measures and accommodations, or to comply with applicable law.
- The IFF will initiate an independent fact-finding investigation into the allegation(s) to determine whether a policy violation occurred. In addition to interviewing the Reporting Party and Responding Party, the IFF will identify and interview relevant witnesses and identify and collect relevant documents. As part of the investigation, the IFF will give both the Reporting Party and the Responding Party equal opportunity to be interviewed, to submit written statements, to provide names of additional people or witnesses to be interviewed, and to submit any other additional evidence either believes is relevant to the investigation. Either party may also submit questions to the IFF that they believe the IFF should ask of the other party. The IFF may, but is not required, to ask a party a question suggested by the other party. Generally, past sexual or intimate conduct with persons not involved in the matter directly under investigation is irrelevant and shall not be an area of inquiry or investigation. Once information has been gathered, the IFF will have the opportunity to conduct follow-up interviews or request additional information from any source, as deemed necessary by the IFF.
- During interviews with the IFF, each party may be accompanied by a single Support Person of their individual choice. It is generally understood that the Support Person shall provide silent support during the interview. A party may take a break during an interview to meet with their Support Person and then resume the interview after a break.

- Following a completion of all interviews, including follow-up interviews, and a review of the relevant documents, the IFF will complete and prepare a Report of Investigation outlining statements, evidence, documents, and other relevant information gathered. Before the final Report of Investigation is provided to the Title IX Coordinator, both the Reporting Party and Responding Party will be provided with an opportunity to review a draft of the Report of Investigation. This draft shall not include the findings, but shall be provided in sufficient detail so that both parties may review the accuracy of the statements attributed to them, submit additional comments, and information to the IFF, identify additional witnesses or evidence to be pursued, and submit further questions that the party believes should be addressed by the IFF. The review process afforded to each party, is not an approval process, and the IFF is expected to gather information and provide parties with an opportunity to present facts and clarify statements, but the IFF shall report all facts uncovered by the IFF. The parties shall have a specific number of days as set and communicated by the IFF, generally less than five (5) days, to complete and return their comments/additional information, and the IFF shall inform the parties at the time they are given the draft of the Report of Investigation of the deadline to submit additional comments, and information to the IFF, identify additional witnesses or evidence to be pursued, and submit further questions that the party believes should be addressed by the IFF.

Step 3 – Title IX Coordinator Review of IFF Report

- After both the Reporting Party and the Responding Party have been provided with a reasonable opportunity to review the draft Report of Investigation and it is deemed final by the IFF, the final Report of Investigation, together with findings of facts, shall be submitted to the Title IX Coordinator. The Title IX Coordinator will provide a copy of the IFF’s Report together with findings to both the Reporting Party and Responding Party. The Title IX Coordinator will review the IFF’s Report of Investigation. Following the Title IX Coordinator’s review of the IFF’s Report, and after consultation with the Dean of Students, the Title IX Coordinator may, but is not required to, advise the parties that the Report of Misconduct may be removed from Formal Grievance and be addressed pursuant to the College’s *Informal Grievance Process provided that the request to resolve the Grievance through the Informal Grievance Process is completely voluntary and mutually acceptable to all parties and the Principia College Dean of Students.*

- After reviewing the Report of Investigation, and after consultation with the Dean of Students, the Title IX Coordinator or designee, will make a **summary determination** as to whether there is a sufficient basis to continue with the formal grievance. In determining whether there is a sufficient basis, the reviewer does not need to find that there is a preponderance of evidence to support the allegations; the reviewer need only determine that there exists a sufficient factual basis on which a Hearing Panel could rely to reasonably find a violation of policy has occurred. This summary determination is intended to remove from further consideration only those grievances that, giving the benefit of the doubt to the Reporting Party, lack sufficient factual basis to reasonably support a conclusion that a violation had occurred. The Title IX Coordinator or designee may consult with legal counsel prior to making this determination.
 - *Not Sufficient Basis:* If the Title IX Coordinator determines that there is not a sufficient basis to continue the formal grievance, a written detailed notice will be provided to the parties informing them of the College’s decision to pursue no further investigation or hearing into the matter. A Reporting Party may appeal the summary determination to the Dean of Students, who, in consultation with legal counsel, will review the issue of whether there is a sufficient basis to continue with the proceeding. The Dean of Students’ decision affirming the Title IX Coordinator’s “not sufficient basis” determination is final.
 - *Sufficient Basis:* If the Title IX Coordinator determines that there is a sufficient basis to consider that the Responding Party may have violated policy, a hearing will be scheduled before a panel to determine if the alleged behavior constitutes a violation of the policy and, if so, what sanctions should be recommended. At all times, the Title IX Coordinator may confer with legal counsel for consultation and guidance, but all decisions on investigative reports shall be made solely by the Title IX Coordinator or designee.

Step 4 – Panel Hearing

- Upon the Title IX Coordinator’s determination that a hearing is appropriate, notice of such determination will be provided simultaneously to both the Reporting Party and Responding Party outlining their rights associated with the hearing. Three Panelists, drawn from the Pool of trained Panelists will then be

assembled to hear the matter. Both the Reporting Party and the Responding Party shall have the opportunity to request the substitution of a Panel Member on grounds of conflict of interest or lack of neutrality. A request for substitution, along with an explanation of the concerned conflict should be provided to the Title IX Coordinator within three (3) days of receipt of the notice. (The time to request a substitution may be shortened by the Title IX Coordinator in exceptional circumstances. If the time period is shortened, written notice of the time to request substitution shall be provided to each party.) The Title IX Coordinator may, in the exercise of discretion, grant or deny the request for substitution. In making the decision to grant or deny a request for substitution, the Title IX Coordinator may consult with the Dean of Students, the Academic Dean, the College President, and Principia's legal counsel. If the request for substitution is granted, the party who did not make the request for substitution shall have a reasonable but brief period to make a request for substitution of the newly identified Panel Member. The process for creating the Panel is intended to be both fair and efficient and the opportunity to request a substitution of a Panel Member should not be permitted to unduly delay the prompt and fair creation of a Panel. The Title IX Coordinator is authorized to take such steps as the Title IX Coordinator deems necessary to both expediently and fairly assemble a Hearing Panel.

- As soon as the Panel is composed, the Panel will elect a Chairperson. In addition, the Title IX Coordinator will provide the Panelists with a complete copy of the final IFF Report. After reviewing the IFF Report, the Panel shall notify the Title IX Coordinator and the parties of the date, time, and location of the hearing. Notice of the hearing shall, unless waived by all parties, be provided no less than five (5) days in advance of the hearing. Any party who believes additional witnesses should be called shall submit the names of those additional witnesses to the Panel at least three (3) days prior to the hearing. Any College employee requested by the Panel to attend and testify at the hearing shall be required to attend. Any student of the College shall be expected to comply with the Panel's request for their attendance. The Panel can request, but not compel, the attendance of third parties. While the Panel is expected to provide all parties with a fair and reasonable opportunity to present witnesses and documents, the Panel may elect not to hear from all witnesses identified by a party, nor review materials that appear irrelevant, cumulative, or designed solely to embarrass or harass a witness or party.

- The hearing is intended to allow the Hearing Panel to answer any questions the Panel Members may have after reading the IFF Report; formal rules of evidence shall not apply. Statements and documents accepted and relied upon shall have reasonable indicia of reliability and relevance. The Panel, led by the Chairperson, may in its discretion elect to accept or reject statements, testimony, documents, and other evidence. The Panel may reject testimony or other evidence that is offered in bad faith, is merely cumulative, is offered solely to embarrass or harass any party or witness, or which would unnecessarily prolong the hearing. The Panel Hearing is intended to supplement and clarify the IFF Report; the Panel in reaching a conclusion and determination may rely upon all, some, or none of the IFF Report as each individual Panel Member in the exercise of individual discretion deems appropriate and just.
- At the hearing, both the Reporting Party and the Responding Party may testify and present evidence and witnesses on their behalf. At no point during the proceedings will either the Reporting Party or Responding Party be permitted to cross-examine or directly question the other party; however, each may submit written questions to be posed by the Panel to the other party. The Panel Members, in their discretion, may determine if the posited written questions are appropriate and may ask the question submitted or the Panel, led by the Chairperson, may elect to rephrase a question submitted. Further, neither the Reporting Party nor Responding Party may be compelled to testify in the presence of the other. The Panel may implement such reasonable procedures as the Panel in its discretion deems appropriate to protect the overall fairness of the proceedings and the rights, safety, and well-being of the participants.
- The IFF may testify at the Hearing.
- Throughout the hearing, the Panel may consult the Title IX Coordinator and/or legal counsel for any reasonable purpose. Said consultation may occur in the presence of all parties or privately. The Panel shall not consult with the Title IX Coordinator or legal counsel in the presence of only one party.
- Generally, the Panel Hearing will be closed to the public and to the community.
- Each party may have a silent Support Person present during the hearing; absent a compelling reason, the silent Support Person shall not be a witness at the hearing.

If a party seeks to have a Support Person provide testimony at the Hearing, that request must be timely made and is subject to approval by the Hearing Panel.

Step 5 – Panel Determination and Notice of Decision to the Parties

- At the conclusion of the hearing, the Panel shall have up to four (4) calendar days to issue a written determination of its findings and sanction recommendations. The report shall include the Panel’s determination of whether a policy violation has taken place, as well as a reasonably articulated and detailed basis for its decision. While not required, if a Panel Member feels compelled, a Panel Member who does not concur in all or part of the determination or recommended sanctions may issue a brief dissenting statement. If a majority of the Hearing Panel determines that there is sufficient evidence to support a determination that a student has violated the policy, the Hearing Panel will use the following guidelines to determine what level of consequence it will recommend best fits the violation(s):
 - Consequences reflect:
 - the severity of the violation,
 - the history of previous violations,
 - the impact on any victims/survivors,
 - the found responsible student’s degree of honesty during the investigation and/or hearing, and
 - other factors the Panel reasonably believes relevant.

Dishonesty in any investigation or hearing may result in a recommendation of additional sanctions. The Hearing Panel shall submit its written recommendation regarding sanctions to the Dean of Students, who shall make the final decision as to sanctions. The Dean of Students may consult with the Title IX Coordinator and legal counsel in making this determination. If a majority of the Panel finds, on a preponderance of the evidence standard, that there is insufficient evidence to conclude that a violation has occurred, the Panel shall provide a reasonably articulated and detailed basis for its decision. While no recommendation for sanctions shall be made if no violation occurred, the Panel may make a recommendation for education, counseling, and training.

- Based on the Panel’s report and recommendation, the Dean of Students will, within four (4) calendar days of receipt of the Panel’s determination that a violation occurred, make a determination of sanctions to be imposed and

communicate that decision promptly to the Responding Party. The Dean of Students shall communicate the sanction decision, without additional comment, to the College President at the same time as the decision is presented to the Responding Party. The Hearing Panel's written report and final decision shall be provided to both the Reporting Party and Responding Party no more than four (4) calendar days following the Dean's receipt of the Panel's determination. Along with the written report of findings, both parties shall simultaneously receive notice of their right to appeal the decision.

- The Reporting Party may, at the discretion of the Dean of Students and after consultation with the Title IX Coordinator, be informed of sanctions imposed on the Responding Party. If it is determined not to share the nature and extent of sanctions with the Reporting Party, the Dean of Students and Title IX Coordinator will inform the Reporting Party in writing, that "the Responding Party has been found responsible and sanctions determined by Principia's Dean of Students to be appropriate have been imposed. Beyond this, Principia will not provide any additional information. Principia treats the nature and terms of the sanctions as private and confidential."
- At no time during the proceedings shall the College generally or publicly disclose the identity of the parties, except as may be necessary to resolve the Report or to implement interim protective measures and accommodation, or when required by applicable law.
- If, after the conclusion of the hearing and any applicable appeal, the determination is that *no policy violation occurred*:
 - Principia will simultaneously notify parties in writing of the outcome within four (4) calendar days of the determination.
 - Student records will contain no reference to the Report.
 - Principia's policy will be reemphasized to all involved in the process.

Any student who reports, in good faith, an alleged violation of this policy to a responsible employee (as defined in this policy) will not receive a disciplinary sanction for a student conduct violation which is revealed in the course of making the report. Such conduct may include, but is not limited to, underage drinking or possession of or use of a controlled substance. However, such immunity will not be extended to those acts of student conduct which the College determines placed the health or safety of any other person at significant risk.

DETERMINATION – POLICY VIOLATION FOUND / SANCTIONS

As noted above, if it is determined that a policy violation has taken place, appropriate sanctions will be imposed. The following range of sanctions may be considered and imposed on enrolled students:

- **Written Reprimand.** Students who are accountable for first-time violations, or multiple lesser violations, but for whom the Dean of Students determines probation is not appropriate or required, may receive a written reprimand. The written reprimand shall become part of the student's academic file and be provided with the stipulation that any further substantiated infractions of any Principia rules, policies, or standards may result in additional disciplinary action. The Dean of Students may impose, together with a written reprimand, certain expectations, assignments, and acts of community service which the Dean of Students deems are appropriate.
- **Probation.** Students who are accountable for first-time violations, or multiple lesser violations, but for whom the Dean of Students determines suspension is not appropriate, may be placed on probation. Probation consists of educational sanctions and the stipulation that any further substantiated infractions of any Principia rules, policies, or standards may result in immediate suspension. The Dean of Students may impose, together with probation, certain expectations, assignments, and acts of community service which the Dean of Students deems are appropriate. If a student on probation fails to adhere to expectations communicated, or fails to complete assignments and/or acts of community service demanded, the Dean of Students may determine that the terms of probation have not been met and additional sanctions up to and including suspension or expulsion may be imposed.
- **Short-Term Suspension.** Students who are accountable for first-time violations, or multiple lesser violations, may be suspended for a length of time and subject to terms determined by the College President and the Dean of Students to be appropriate. Suspended students typically will not continue course work while suspended. Suspended students may be asked to participate in educational sanctions and, if applicable, to pay reasonable damages and/or fines. Violations discovered or determined when school is not in session may result in suspension for the following term. A student can re-enroll after suspension only if the student is able to demonstrate, to the satisfaction of the Dean of Students and the College President, a readiness to return to Principia and abide by the Principia's standards. A suspended student may be required to reapply through the

Admissions Office or other office designated by the Dean of Students.

- ***Immediate Suspension for Up to One Year.*** Students who are accountable for second violations or severe violations generally will be immediately suspended for up to one year. These suspended students may not continue work in their courses as of the date of suspension. They may also be asked to participate in educational sanctions and, if applicable, to pay reasonable damages and/ or fines. They may reapply through the Admissions Office for the term that begins following the passage of a full academic year. It is the responsibility of the student to demonstrate, through the normal re-application essays and references, a readiness to return to Principia and abide by the Principia's standards.
- ***Expulsion.*** Students who are accountable for second violations or particularly severe or serious violations may be expelled. Expelled students may not continue work in their courses as of the date of expulsion. They may also be required to pay reasonable damages and/ or fines. Typically, expelled students will be placed on Principia's exclusion list and barred from coming on campus for any purpose. An expelled student may, under extraordinary circumstances that demonstrate significant personal growth, seek and be granted readmission to Principia.
- ***Discretionary Sanctions.*** The Hearing Panel has broad discretion to recommend and the Dean of Students has broad discretion to impose sanctions other than those listed above as are appropriate to the violation(s) found and which serve the well-being of the parties and the College Community.

If the Dean possesses information about the either party that is relevant to the sanctioning process but that has not been revealed during the scope of the investigation or hearing, the Dean may share that information in confidence with the Hearing Panel for consideration in its sanctions recommendations. In that event, the Hearing Panel will advise either the Reporting Party or Responding Party in writing of such additional information that was shared about that party, which may be relied upon to impose sanctions.

For non-students and students not currently enrolled at Principia, the following sanctions may be considered and imposed:

- ***Restricted access to campus***
- ***Banned from campus***
- ***Notation in student academic and/or other college records if applicable***

DETERMINATION – NO POLICY VIOLATION FOUND

Determination: No Policy Violation

If, after the conclusion of the grievance process and any applicable appeal, the determination is that *no policy violation occurred*:

- Principia will simultaneously notify parties in writing of the outcome within four (4) calendar days of the final determination.
- The grievance process will be closed.
- Student or employee records will contain no reference to the Report.
- Principia's policy will be reemphasized to all involved in the process.

Note: A finding of No Policy Violation does not preclude the Dean of Students or other professionals in student life from initiating follow up conversations with the individuals involved regarding the underlying circumstances or events for the purpose of growth in wisdom, insight, and character.

APPEAL PROCESS

The Responding Party has the right to submit a written appeal of the Hearing Panel's determination and/or sanctions to the College President. The Reporting Party has the right to submit a written appeal of the Hearing Panel's determination to the College President. The nature and extent of sanctions imposed by the Dean of Students is not subject to appeal by the Reporting Party. Any notice of appeal must be delivered to the College President within four (4) calendar days of being notified of the determination/decision and/or sanction. The reason and rationale for the Appeal shall be fully laid out in the written appeal document.

Appeals may be filed on grounds of:

- Relevant, substantive and new information not available at the time of the finding/determination;
- Alleged bias of the IFF, the Title IX Coordinator, Members of the Panel, or other administrators involved. Any alleged bias must be shown to have impacted the outcome of the proceeding and/or sanctions;
- Significant and material procedural error that affected the outcome of the process;
- The sanction being disproportionate to the violation(s) found.

Process

1. Within three (3) calendar days of receiving the notice of appeal, the President or designee will determine whether sufficient grounds for appeal have been demonstrated. If a determination is made that grounds for appeal are lacking, the person appealing shall be notified and the appeal shall be considered denied. The non-appealing party shall receive notice of an appeal *only if* a finding is made that grounds for appeal exist.
2. If the College President determines that a conflict of interest exists which precludes the College President from fairly ruling on the Appeal, the College President may designate either the Principia Chief Executive or a neutral member of Principia College's faculty to make all rulings on the Appeal that the President would make but for the conflict of interest.
3. If a finding is made that grounds for appeal exist, the appeal will be resolved by the College President and/or designee within seven (7) calendar days from the date the determination is made that the Appeal has merit.
4. The individual or individuals making the decision as regards granting or denying the Appeal or any issues raised in the Appeal, shall *not* have previously participated in any investigatory, adjudicatory, or determinative role in the Grievance Process. Any individual making the determination regarding an Appeal shall be neutral and shall not have a conflict of interest with either party.

5. The parties will be notified simultaneously in writing that there has been a finding that an appeal has merit.
6. The College President may invite the party who did not file the appeal to review the appeal and submit a written response, but a response is not required. The College President, if inviting a written response, shall inform the non-appealing party of the deadline for submitting the written response.
7. Unless the College President in the exercise of discretion finds that additional information would be helpful, no formal hearing or opportunity for additional arguments, written or oral, shall be provided. The College President has unfettered discretion to gather such additional information as the College President deems appropriate to make a just determination of the appeal, however, in no situation or circumstance will the President permit a party to present, directly or indirectly, *ex parte* arguments or communication to the President.
8. In making a decision on appeal which has been shown to have merit, the College President may review all records, notes, findings, and determinations previously made in the matter. The College President may in the exercise of reasonable discretion consult with the Dean of Students, the Title IX Coordinator, and/or legal counsel. At all times the decision to grant or deny the Appeal shall sit exclusively with the College President or person designated by the College President to make the determination.
9. The College President on appeal may:
 - a. Deny the appeal.
 - b. Return the matter to the Title IX Coordinator for reconsideration.
 - c. Under extraordinary circumstances, direct that a new hearing panel be convened to consider the formal grievance.
 - d. The College President's decision regarding the appeal is final.

IMPORTANT: This Grievance Policy reflects Principia's commitment to maintaining a safe and respectful community. This Policy further reflects Principia's commitment to the just, equitable, and fair resolution of all reports to which the Policy speaks. This Grievance Policy is not, however, contractual and Principia reserves the unfettered discretion to deviate from this Policy as Principia in its sole discretion determines appropriate. Principia further reserves the right to modify, change, or withdraw entirely this Grievance Policy at any time and for any reason.