

Revision History for the *Faculty Handbook*

Revisions are made to the *Faculty Handbook* annually to reflect changes that were passed by a vote of the Faculty during the previous year, as well as smaller technical or editorial changes made in accordance with the procedure outlined in Section I-E.

Changes made in the 2019-2020 handbook from the 2018-2019 edition:

- 1. Section I-D (College and Faculty Governance and Administration: Administrative Advisory Groups); and Section I-C (College and Faculty Governance and Administration: Faculty Committees and Panels) were changed to reflect changes in the membership of CAFA and the status of CAFA as a standing committee that were voted in by the faculty in 2018 but were not reflected in the 18-19 Handbook.**

Below is the deletion from Section I-D; the addition to Section I-C; and the correction to Section I-C.

DELETION FROM: Section I-D

~~The Committee on Admission and Financial Aid (CAFA)~~

~~The Committee on Admission and Financial Aid advises the Provost and the Dean of Admission and Financial Aid on admission strategies and financial aid. The Provost chairs the Committee, whose other members include the Dean of Admission and Financial Aid, the Dean of the College, the Director of Admission, the Director of Financial Aid, the Vice President for Institutional Diversity and Equity, the Director of Institutional Research, and four faculty members appointed by the Provost in consultation with the Faculty Steering Committee.~~

ADDITION TO Section I-C (in italics):

The Committee on Admission and Financial Aid (CAFA)

The Committee on Admission and Financial Aid *is a standing committee that* advises the Provost and the Dean of Admission and Financial Aid on admission strategies and financial aid. The Provost chairs the Committee, whose other members include the Dean of Admission and Financial Aid, the Dean of the College, the Director of Admission, the Director of Financial Aid, the Vice President for Institutional Diversity and Equity, the Director of Institutional Research, and four faculty members, *one of whom must be from the Athletics Department*, appointed by the Provost in consultation with the Faculty Steering Committee.

CORRECTION TO: Section I-C (in italics):

The Committee on Admission and Financial Aid is a standing committee that advises the Provost and the Dean of Admission and Financial Aid on admission strategies and financial aid. The Provost chairs the Committee, whose other members include the Dean of Admission and Financial Aid, the Dean of the College, *the Associate Dean of the College*, the Director of Admission, the Director of Financial Aid, the Vice President for Institutional Diversity and Equity, the Director of Institutional Research, and four faculty members, one of whom must be from the Athletics Department, appointed by the Provost in consultation with the Faculty Steering Committee.

- 2. Changes to Section II-D and Section I-C based on motion dissolving Faculty Review Panel, passed at December Faculty Meeting (from December Motion Dissolving Faculty Review Panel)**

Section II.D. of the Faculty handbook now reads (with cross-outs indicating what was eliminated):

Within two weeks of receipt of the petition, the Chair of the Faculty Steering Committee, in consultation with the other members of the Faculty Steering Committee, will appoint a Review Committee consisting of a chair and four

additional members chosen from the faculty ~~Faculty Steering Committee and the Faculty Review Panel~~ in such a way that at least one, and at most two, are non-tenured members of the faculty and at least one is a member of the Faculty Steering Committee. No member of the faculty ~~Faculty Steering Committee or Faculty Review Panel~~ who has participated in making the decision being appealed, or who is a member of the petitioner's department or program, shall serve on the Review Committee. Nor shall any members of the current CAP, members of the current Standing Grievance Panel, or First Three Directors who served in that role while the appellant participated in First Three. ~~Similarly, should~~ Should the Chair of the Faculty Steering Committee have participated in that decision or be a member of the petitioner's department or program, his or her function for the particular case shall be discharged by a member of the Faculty Steering Committee not so involved. That member will be designated by the remaining members of the Faculty Steering Committee.

~~Should these or other constraints make it impossible for the Faculty Steering Committee to appoint a full Review Committee, it may select members from previous Faculty Steering Committees or Faculty Review Panels.~~ At the time the Review Committee is to be constituted, the petitioner and the Dean of the Faculty may express concerns about potential conflicts of interest for any of the candidates ~~on the Faculty Steering Committee and/or the Faculty Review Panel~~ for the Review Committee. In addition, the Chair of the Faculty Steering Committee will ask candidates under consideration for the Review Committee whether there are any reasons they might not be able to render a fair judgment. The Faculty Steering Committee will consider this information when forming the Review Committee.

The current description (below) of the Faculty Review Panel was removed from Section I: C (College and Faculty Governance and Administration) of the Faculty Handbook.

Faculty Review Panel (12-0-0)

The Faculty Review Panel is composed of 12 faculty, no staff, and no students (12-0-0).

The Faculty Review Panel is composed of twelve faculty members who stand available to serve, at the request of the Chair of the Faculty Steering Committee, as members of a review committee or hearing committee in cases involving Appeals of Reappointment or Promotion Decisions, Termination for Cause, or Imposition of Sanctions other than Dismissal. The twelve members are also members of the standing panel from which the President appoints a grievance committee to hear cases of alleged discrimination (see Non-Discrimination Policy and Grievance Procedures).

Election to the Faculty Review Panel

The Panel is elected in the same fashion as the Faculty Steering Committee. There are two tenured and two non-tenured members from each division; members normally serve two-year terms; and there is a two-stage election process. Nominations occur at the April meeting and the elections at the May meeting.

If an untenured faculty member on the Faculty Review Panel comes up for a tenure review during his or her term, he or she will be replaced on the Panel at the beginning of the academic year in which they are considered for tenure. These untenured slots will be filled following the regular two-stage election process. Nominations will occur at the September faculty meeting and the elections at the October faculty meeting.

A faculty member may not be a member of the Faculty Steering Committee and the Faculty Review Panel at the same time. A faculty member sitting on or elected to the Faculty Steering Committee is not eligible to be elected to the Faculty Review Panel. If a member on the Faculty Review Panel is elected to the Faculty Steering Committee, he or she will be replaced on the Panel.

The Faculty Review Panel is replenished on a rolling basis when a member has completed service on a tenure review committee or other appeal or hearing committee as defined above. The member is released from the rest of his or her two-year term on the Panel, and nominations and an election will be held over the next two faculty meetings to replace him or her with a faculty member of the same division and tenure status. The newly elected

~~member serves a two year term from the time of his or her election.~~

3. Change to Section I-C based on motion on staffing committees that was passed at December Faculty Meeting

The following three sentences were inserted at the end of the introduction to Section I-C of the Faculty Handbook:

In the event that there are not enough eligible or willing people meeting the compositional requirements for a particular appointed committee, the Faculty Steering Committee will have the ability to appoint a faculty member from other divisions or ranks.

In the event that there are not enough eligible or willing people meeting the compositional requirements for a particular elected committee (excluding the Committee on Appointments and Promotions, the Faculty Steering Committee, and the Curricular Planning Committee) the Faculty Steering Committee will have the ability to nominate a faculty member from other divisions or ranks.

In the event that a committee member steps down from an elected committee (with the exception of the Committee on Appointments and Promotions, the Faculty Steering Committee, and the Curricular Planning Committee) mid-year (any time after July 1), the Faculty Steering Committee will appoint a replacement for the remainder of the year or term. The appointed replacement will satisfy the criteria of division and rank where necessary unless no such candidates are available.

Revised Section I-C: Faculty Committees and Panels (with additions in *italics*)

Committees and panels composed largely of faculty (and, in some cases, staff and/or students) carry a considerable share of the responsibility for creating and implementing College policies. These committees and panels are listed below, arranged by the content of their work: faculty appointments and promotions, faculty governance, intellectual life and the curriculum, institutional policy and resources, student life and academic standing.

There are also two different types of committees listed below: standing and non-standing. Standing faculty committees are permanent committees created by a vote of the faculty. Change in their composition or charge requires faculty approval. Faculty are either elected or appointed to standing faculty committees. Non-standing committees are less permanent and can be created without a vote of the faculty.

At the beginning of each academic year faculty are asked if they are *unwilling* to serve on the Committee on Appointments and Promotions, Faculty Steering Committee, Curricular Planning Committee, and Faculty Review Panel respectively. The names of unwilling faculty will not appear on the respective nomination ballot for each of these committees during that academic year. Faculty members may, at any time, contact the Dean of the Faculty to reverse their current preference of service.

Each spring faculty are asked to indicate their preferences for assignments to committees. The President, acting through the Dean of the Faculty and in consultation with the Faculty Steering Committee, appoints faculty to non-elective committees. The at-large members of the Faculty Compensation Committee, however, are appointed directly by the Faculty Steering Committee.

The group composition of each committee is indicated by the three numbers that appear after the title: the first represents the number of faculty; the second the number of staff and ex officio administrators, the third the number of student members. *Ex officio* members, unless otherwise indicated, are voting members. (See *Voting Membership* for eligibility information.)

In the event that there are not enough eligible or willing people meeting the compositional requirements for a particular appointed committee, the Faculty Steering Committee will have the ability to appoint a faculty member from other divisions or ranks.

In the event that there are not enough eligible or willing people meeting the compositional requirements for a particular elected committee (excluding the Committee on Appointments and Promotions, the Faculty Steering Committee, and the Curricular Planning Committee) the Faculty Steering Committee will have the ability to nominate a faculty member from other divisions or ranks.

In the event that a committee member steps down from an elected committee (with the exception of the Committee on Appointments and Promotions, the Faculty Steering Committee, and the Curricular Planning Committee) mid-year (any time after July 1), the Faculty Steering Committee will appoint a replacement for the remainder of the year or term. The appointed replacement will satisfy the criteria of division and rank where necessary unless no such candidates are available.

4. Section I-C was changed based on motion limiting number of committees on which they are unwilling to serve, that was passed at the February Faculty Meeting.

The following sentence was added to the fourth paragraph of Section I-C (College and Faculty Governance and Administration: Faculty Committees and Panels):

“The Faculty Steering Committee shall allow faculty to specify a limited number of committees for which they are unwilling to serve.”

The revised *Handbook* for 2019-2020 reads:

“Each Spring, faculty are asked to indicate their preferences for assignments to committees. The Faculty Steering Committee shall allow faculty to specify a limited number of committees for which they are unwilling to serve.”

5. Section II: D of the Handbook was revised to allow a mechanism for the Faculty Steering Committee to get an extension on the deadline establishing a review committee.

The sentence in Section II:D in the 2018-2019 *Handbook* that currently reads “[s]hould the CAP or the Review Committee be unable to meet a given deadline, the petitioner will be formally notified of the reason for the delay,” was revised to read:

“[s]hould the CAP, the Faculty Steering Committee, or the Review Committee be unable to meet a given deadline, the petitioner will be formally notified of the reason for the delay.”

6. Technical or editorial change made to Section III-I (The College Tuition Grant Program) in accordance with the procedure outlined in Section I-E, and described in the September 2018 Faculty Bulletin.

The following two sentences were added to Section III-I (The College Tuition Grant Program):

Receipt of the Williams College Tuition Grant may affect the financial aid awarded by the college or university the child is attending. For specific information, contact the Financial Aid office at the dependent child's school.

Final revised language for Section III-I: The College Tuition Grant Program:

The Williams College Tuition Grant Plan Summary

...Currently these grants are not considered taxable income for federal or state purposes. However, if there is a change in the tax laws, or a need to restructure the College's benefit package for any reason, the nature and applicability of this benefit will be reviewed, and upon approval of the Board of Trustees, may be changed. The College cannot, in any case, guarantee the after-tax value of the tuition grants.

Receipt of the Williams College Tuition Grant may affect the financial aid awarded by the college or university the child is attending. For specific information, contact the Financial Aid office at the dependent child's school.

To obtain further details of the College Tuition Grant Program or to apply for the benefit, faculty and staff members should contact the Office of Human Resources at 4478.

- 7. Technical or editorial changes made to Section III-G (Faculty and Administrative Staff Housing), in order to allow eligible commuting faculty and staff to purchase real estate locally using the College's mortgage benefit, made in accordance with the procedure outlined in Section I-E, and described in the September 2018 Faculty Bulletin.**

PREVIOUS Section III-G: Faculty and Administrative Staff Housing (with additions indicated by italics and deletions by cross-outs)

Mortgage Benefit Program

The College makes subsidized mortgages available to eligible faculty and administrative staff...

...Only one College mortgage is available to each eligible employee during the course of employment at Williams, although that mortgage can be transferred to another property (see "Transferal" below). The College mortgage is intended to help finance a *local* ~~primary~~ residence. ~~and cannot be used to finance the purchase of a second home or rental property.~~ If land is purchased with a College mortgage, the parcel financed cannot exceed five acres without special permission, and a home for the borrower must be built on the parcel within two years of the purchase date. No dwelling in which two or more faculty or administrative staff members cohabit may be mortgaged through the College for more than the maximum amount of one full mortgage.

The employee borrower must occupy the financed real estate as a *local* ~~primary~~ residence except (a) for any period that the borrower is on an approved leave from the College, (b) ~~for an aggregate of 150 days in any year (non-cumulative from year to year), and (c) for any period when construction or repair work makes occupancy of the home impractical.~~

The property may not be rented / leased in excess of 60 days total for the academic year, except when the borrower is on an approved leave from the college. Borrower may rent / lease the property for the entire summer period (from June 1 through August 30) in addition to the 60 days during the academic year.

Final Revised Language for Section III-G, "Faculty and Administrative Staff Housing": Mortgage Benefit Program

The College makes subsidized mortgages available to eligible faculty and administrative staff...

...Only one College mortgage is available to each eligible employee during the course of employment at Williams, although that mortgage can be transferred to another property (see "Transferal" below). The College mortgage is intended to help finance a local residence. If land is purchased with a College mortgage, the parcel financed cannot

exceed five acres without special permission, and a home for the borrower must be built on the parcel within two years of the purchase date. No dwelling in which two or more faculty or administrative staff members cohabit may be mortgaged through the College for more than the maximum amount of one full mortgage.

The employee borrower must occupy the financed real estate as a local residence except (a) for any period that the borrower is on an approved leave from the College, (b) for any period when construction or repair work makes occupancy of the home impractical.

The property may not be rented / leased in excess of 60 days total for the academic year, except when the borrower is on an approved leave from the college. Borrower may rent / lease the property for the entire summer period (from June 1 through August 30) in addition to the 60 days during the academic year.

8. Technical or editorial changes made to Section III-I (The College Tuition Grant Program) in accordance with the procedure outlined in Section I-E, and described in the November 2018 Faculty Bulletin.

Revised Section III-I: The College Tuition Grant Program, to replace the current Section III-I.

Dependent children of benefit-eligible faculty and staff at Williams College who are enrolled in accredited college programs leading to an academic degree (excluding secondary and graduate schools) are eligible for a grant that covers the tuition costs plus any fees normally covered under the Williams College tuition, up to an annual maximum dollar amount of one-half the prevailing tuition at Williams. Eligibility begins when the employee has completed five years of full-time service, and the tuition grant benefit is payable for a maximum of four years per dependent child. The program covers children of retired, deceased, or disabled employees, subject to the five-year service requirement. If the spouse of a deceased employee remarries, the eligibility for the benefit will be reviewed. The terms of the benefit are detailed on the [tuition grant webpage](#) maintained by the Benefits Office.

Section III-I in the 2018-2018 Faculty Handbook, edited with proposed changes:

~~As part of the Williams College employee benefits package, eligible employees can receive tuition support for dependents to attend a college or university. This benefit is equal to the lesser of, the tuition amount at the college/university the employee's child is attending plus any fees normally covered under the Williams tuition amount or one half of Williams' tuition for 2016-2017, the maximum Tuition Grant Benefit amount will be \$25,745. If both parents work at the college, the benefit will apply to one parent.~~

~~If your dependent is planning on using the benefit during the 2016-2017 academic year either for the **FIRST TIME** or is **CURRENTLY** receiving the benefit and plans on continuing to utilize it, please complete the Annual Tuition Grant Benefit Request Form. If you have questions about this benefit, please call 597-4478 or e-mail kmaloney@williams.edu.~~

The Williams College Tuition Grant Plan Summary

Dependent children of benefit-eligible faculty and staff at Williams College who are enrolled in accredited college programs leading to an academic degree (excluding secondary and graduate schools) are eligible for a grant that covers the tuition costs plus any fees normally covered under the Williams College tuition, up to an annual dollar amount of one-half the prevailing tuition at Williams. ~~The Tuition Grant Benefit is payable for a maximum of four years per dependent child.~~ Eligibility begins when the employee has completed five years of full-time service, and the tuition grant benefit is payable for a maximum of four years per dependent child. The program covers children of retired, deceased, or disabled employees, subject to the five-year service requirement. If the spouse of a deceased employee remarries, the eligibility for the benefit will be reviewed. The terms of the benefit are detailed on the [tuition grant webpage](#) maintained by the Benefits Office.

The terms of the benefit are as follows:—

- The employee must be benefit eligible in a regular faculty or staff position, and must have completed five years of full time service at Williams. Faculty members with appointments other than full time should refer to the *Faculty Handbook* for eligibility.—
- The program covers children of retired, deceased, or disabled employees, subject to the five year service requirement. If the spouse of a deceased employee remarries, the eligibility for the benefit will be reviewed.—
- In order for the child to be considered a dependent of the eligible employee, the child must meet the "qualifying child" criteria established by the IRS. The tests to determine dependency are explained in the IRS' instructions for completing Form 1040 U.S. Individual Income Tax Return. The College reserves the right to request documentation of a child's dependency at any time.—
- The Tuition Grant Program is not applicable to secondary or graduate schools.—
- No more than four dependents per eligible employee family may use this benefit.—
- The grant can be applied to tuition costs plus fees that are normally covered under Williams College tuition, for any accredited college program leading to an academic degree. An itemized bill will be required each semester from all state institutions to determine the amount of the tuition grant payment.—

The five year service requirement is counted from the employee's date of hire in a fully benefited eligible position. If the service requirement is satisfied after the dependent child has started a semester, the grant will be available at the start of the next academic period.

New regular faculty and staff hired into benefit eligible positions will be credited with years of service and be eligible for the Tuition Grant Program if their employer immediately prior to Williams College had a tuition support program for which the employee was eligible. The College will request verification of such a program by requiring a copy of the prior employer's policy statement describing details of the benefit.

Each spring the Office of Human Resources will send a memo to all employees reminding them of the benefit and request that employees who plan on using the benefit in the next academic year to indicate which school their child(ren) will be attending by completing a form above.

Tuition checks are mailed by the Benefits Office directly to each college in early August for the fall semester and in December for the spring semester. If an institution operates on a trimester schedule, the third payment is sent in early March. The Benefits Office will notify the Bursar of dependent(s) who will attend Williams and the appropriate accounts will be credited. The employee should contact the benefits office if they resign from Williams after the tuition payment has been made.

Currently these grants are not considered taxable income for federal or state purposes. However, if there is a change in the tax laws, or a need to restructure the College's benefit package for any reason, the nature and applicability of this benefit will be reviewed, and upon approval of the Board of Trustees, may be changed. The College cannot, in any case, guarantee the after tax value of the tuition grants.

To obtain further details of the College Tuition Grant Program or to apply for the benefit, faculty and staff members should contact the Office of Human Resources at 4478.

9. Technical or editorial change to Section II-P (Terms of Service for Faculty in the Department of Physical Education) on tuition benefit for PE Faculty, in accordance with the procedure outlined in Section I-E and described in the April Faculty Bulletin

The following sentence will be added to Section II-P (Terms of Service for Faculty in the Department of Physical Education):

“PE faculty on three-year contracts are therefore eligible for the staff tuition benefit as described in the staff handbook.”

Final revised language for Section II-P: Terms of Service for Faculty in the Department of Physical Education, under the heading “Appointments, Reappointments and Promotions,” (paragraph 4, added sentence in italics)

Faculty in the Department of Physical Education are appointed to the rank of assistant professor either as an initial appointment or as a promotion from the rank of lecturer following a national search. Normally in the fall of a faculty member's third year as an assistant professor, a decision will be made whether to reappoint him or her to a second three-year term. If the decision is positive, the assistant professor will, in the fall of his or her sixth year in rank, become eligible for reappointment to a five-year term. A Master's degree is required for promotion to a five-year term, except in exceptional circumstances. *PE faculty on three-year contracts are therefore eligible for the staff tuition benefit as described in the staff handbook.* Once promoted, assistant professors on five-year terms hold the most senior rank in the Department of Physical Education, and though these are term appointments and not tenured positions, further reappointments for terms of five years may take place thereafter. All assistant professors in PE are voting members of the faculty.

10. Technical or editorial change to Appendix C: Safety and Public Health: Committees and Policies: Non-smoking Policy, made in accordance with the procedure outlined in Section I-E and described in the May Faculty Bulletin

Below is a revision to Appendix C: Safety and Public Health: Committees and Policies: Non-smoking Policy

Current Handbook Language:

All members of the community and visitors are expected to comply with the College's regulations on smoking. Because both smoking, and its secondary effects, are known to be health concerns, the College prohibits smoking in all buildings, offices, and indoor facilities of the College. The two exceptions are in College-owned faculty/staff rental housing and in the individual student rooms of College-owned student housing. In student housing, smoking is not permitted in any common space (common rooms, living rooms, kitchens, entries, stairwells, etc.). In individual student rooms, students may smoke as long as it does not infringe on the rights of others to a smoke-free environment. The College Council urges students to designate their smoking preferences in the annual room draw, particularly if they plan to live in a suite, or double room. In faculty/staff rental housing, in apartments and/or duplexes, smoking is not permitted in any shared areas (hallways, entries, etc.) of the facility, nor in fire or safety hazard exits. Smoking is not permitted in College vehicles. Members of the community are asked to comply with and to enforce these policies. Complaints or questions should be directed to the appropriate Senior Staff member: for faculty, the Dean of the Faculty; for students, the Dean of the College; for any and all others, the Vice President for Finance & Administration and Treasurer.

Revised Handbook Language replaces the above paragraph with the following three sentences:

All members of the community and visitors are expected to comply with the College's regulations on smoking. Because both smoking, and its secondary effects, are known to be health concerns, the College prohibits smoking in all buildings, offices, and indoor facilities of the College. The College's policy on smoking may be found here: <https://sec.williams.edu/health-policies/smoking-policy/>

Revision History for the *Faculty Handbook*

Revisions are made to the *Faculty Handbook* annually to reflect changes that were passed by a vote of the Faculty during the previous year, as well as smaller technical or editorial changes made in accordance with the procedure outlined in Section I-E.

Changes made in the 2018-19 edition from the 2017-18 edition:

1. The lists of Departments and Interdisciplinary Programs in the “Undergraduate Divisions, Departments, and Programs” subheading I-B on pages 4-5 were updated to reflect the new status of Arabic Studies and African Studies as departments.
2. The following text of Section II-S was deleted from pages 62-63 of the 2017-18 Handbook:

Section II-S: Sexual Harassment Policy

Nothing in this policy statement should be taken to supersede the College’s commitment to academic freedom, which it hereby re-affirms. The College follows the American Association of University Professors’ “1970 Interpretive Comments” of the “1940 Statement of Principles on Academic Freedom and Tenure, with 1970 Interpretive Comments,” which state that “controversy is at the heart of... free academic inquiry” but simultaneously “underscore the need for teachers to avoid persistently intruding material which has no relation to their subject” (AAUP Policy Documents and Reports, Ninth ed., 2001, p. 5).

Policies and procedures, approved by the Faculty on December 5, 1990 and by the Board of Trustees on January 19, 1991, effective as of May 6, 1991. See accompanying Non-Discrimination Policy and Grievance Procedures. Policies and Procedures are also available in the Student Handbook, the Faculty Handbook, the Support Staff Handbook, and the Administrative Staff Handbook.

A healthy and productive educational community is one in which students, faculty, and staff treat each other with mutual respect. Such a community requires an atmosphere free of discrimination. Williams College, in compliance with state and federal law, does not discriminate in admission, employment, or administration of its programs and activities on the basis of sex, sexual orientation, gender identity, gender expression, national or ethnic origin, race, color, religion or creed, age, or disability. Sexual harassment, a form of discrimination based on sex or sexual orientation, clearly endangers such an atmosphere and is not tolerated at Williams College. Behavior that constitutes sexual harassment is also prohibited by both state and federal law.

The College’s definition of sexual harassment, which is based on the definition formulated by the federal Equal Employment Opportunity Commission and state legislation, is as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

submission to such conduct is made either explicitly or implicitly as a term or condition of an individual’s employment, instruction, or participation in other College activities, or submission to or rejection of such conduct by an individual is used as a basis for making academic, employment, or personnel decisions affecting that individual, or such conduct has the purpose or effect of unreasonably interfering with an individual’s performance by creating an intimidating or hostile educational or working environment.

Sexual harassment breaches the trust that should exist among members of an educational community. Sexual harassment can have an impact on any member of the college community regardless of sex or sexual orientation. It can occur between people whether or not they are in a relationship where one has power over the other, or are of different sexes or gender identities. Victims can be anyone - students or members of the faculty or staff, superiors, subordinates, or peers. Sexual harassment can disturb the climate in classroom, residence, or workplace, and alter the course of one's education or career, presenting obstacles to the free and full development of an individual. It can, moreover, cause serious and lasting harm to an individual. The College is committed, therefore, to taking whatever action may be needed to prevent, correct, and, if necessary, discipline behavior that constitutes sexual harassment. Officers of the College and advisors who are conversant with the definitions of sexual harassment and the procedures the College uses to prevent and remedy discriminatory behavior are available to all members of the community for consultation. (See Section VII-A: Discrimination Grievance Procedures, Advising Procedure for definition of the officers and advisors.)

The term sexual harassment covers a broad range of behavior. Examples of the forms it can take include sexually offensive remarks or conduct; repeated or persistent remarks, jokes, or other actions that are demeaning to one's sex, gender identity, gender expression, or sexual orientation; unwanted physical contact; requests or demands for sexual favors accompanied by implicitly or explicitly promised rewards or threatened punishment; attempted or completed physical sexual assault. Behavior that constitutes sexual harassment is actionable under the College's discrimination grievance procedures.

Sexual harassment may also be at issue in relationships that begin as consensual ones. Anyone in a position of institutional authority over other persons should be sensitive to the potential for coercion in sexual relationships that also involve professional relationships. These problematic relationships may involve persons in a position of authority over their institutional subordinates (e.g., tenured faculty and non-tenured faculty; administrators and staff), or they may involve those who teach and counsel students. Sexual harassment, when it exploits the authority the institution gives to its faculty and staff, or otherwise compromises the boundary between personal and professional roles, is an abuse of the power the College entrusts to its faculty and staff. Anyone who willingly enters into a sexual relationship is, of course, in some measure personally responsible for the consequences of having done so. In cases, however, where a sexual relationship between a faculty member and a student, or a supervisor and a subordinate, occurs during a period of instructional or supervisory responsibility, the person in the position of authority will be held accountable, by virtue of his or her professional responsibility, should a claim of sexual harassment be lodged against him or her. The recommendations and requirements described in sections 1 and 2 below are designed to protect the integrity of the College's instructional, counseling, and supervisory responsibilities by separating sexual relationships from professional ones where instruction or supervision is involved.

1. Potentially Coercive Relationships Between Students and Faculty or Staff

All faculty are in a position of power with regard to students; hence, sexual relationships between faculty and students are almost always inappropriate. Sexual relationships between faculty and students put claims of consent in question. It is difficult for a student to be certain of the motives of a member of the faculty. A person in a position of authority cannot be certain that the student's consent is genuine, rather than motivated by an unspoken fear of the consequences of not consenting. In addition, a sexual relationship with a student may raise questions of unfair academic advantage or of unwarranted negative evaluation. These questions may adversely affect the educational environment of other students as well as the student directly involved. Should any of these questions arise, sexual discrimination is at issue.

A sexual relationship between a faculty member and a student violates the College's Sexual Misconduct Policy when a faculty member has teaching, evaluative, formal advising, or supervisory responsibilities for

that student, even if the parties involved view the relationship as consensual. A member of the faculty cannot initiate or agree to a relationship with a student with whom he or she has any teaching, evaluative, formal advising, or supervisory roles. To protect the integrity of the educational process, the College also requires a faculty member to refrain, except under unusual circumstances and with the permission of the appropriate executive officer¹, from taking on any teaching, evaluative, formal advising, or supervisory roles involving a student with whom he or she has had a sexual relationship in the past. If the College receives a complaint that a member of the faculty violated this policy, the College shall follow the procedures laid out in Appendix B of the Faculty Handbook to investigate and adjudicate this complaint. If the complaint is found to be valid, the faculty member will be subject to disciplinary action. A faculty member who has questions about this policy should consult the Dean of the Faculty.

2. Potentially Coercive Relationships Involving Faculty and/or Staff

A sexual relationship with a member of the faculty or staff for whom one has professional responsibilities may similarly put claims of consent into question or raise questions of unfair evaluation. To protect the integrity of the working relationships among employees, the College requires anyone in a position of authority a) to refrain from any supervisory, evaluative or counseling role involving a subordinate with whom he or she has had a sexual relationship in the past, unless the circumstances warrant a waiver. The College also requires a faculty or staff person b) to remove him or herself from any supervisory, evaluative, or counseling role involving a subordinate employee with whom he or she currently has a sexual relationship. The parties involved should consult with either party's executive officer or department chair/director concerning the need for a waiver or a removal. That person shall grant or deny the waiver or arrange for the removal, and the parties involved shall abide by the administrator's decision. A faculty or staff person who does not abide by rules (a) and (b) is at substantial risk under College policy to complaints of coercion, or of preferential or prejudicial treatment.² Should the complaint be found valid, the faculty or staff member will also be subject to disciplinary action.

Williams College takes seriously any allegation of sexual harassment and will investigate all such charges promptly. In deciding whether alleged conduct constitutes sexual harassment, and in determining the degree of seriousness of the harassment, the College will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual conduct and the context in which the alleged incidents occurred. The College's actions, which are designed primarily to remedy any harm done to those who have been subjected to sexual harassment and to protect other members of the community, may range from a warning to suspension or expulsion, when the offender is a student. When the offender is a faculty or staff member, the disciplinary action may range from a reprimand to non-reappointment or the initiation of proceedings for dismissal for cause. They may also include warnings regarding the consequences of future misconduct, removal from certain teaching, advising, or supervisory roles, and other restrictions on the person's professional role at the College. Students and employees who believe they have been sexually harassed may use the discrimination grievance procedures in the Student Handbook, Faculty Handbook, Administrative Staff Handbook, and Support Staff Handbook. Questions of confidentiality are addressed in the discrimination grievance procedures, Section II-T: Non-Discrimination Policy and Section VII-A: Discrimination Grievance Procedures.

(Revised July 31, 2015)

¹ For the purposes of the discrimination grievance procedures, the executive officer for students is the Dean of the College; and for faculty, the Dean of the Faculty.

² Failure to abide by rules (a) and (b) may also subject a faculty or staff member to charges of conflict of interest. It should be noted that a removal policy is also in place for family and other special relationships (see Conflict of Interest).

The following text was added in place of the deleted material on pages 69-75 of the 2018-19 Handbook:

Section II-S: Non-Discrimination, Harassment, and Sexual Misconduct Policy¹

Williams College is committed to maintaining a fair and respectful environment for all members of its community. In compliance with state and federal law and as a matter of its own principles, the college prohibits discrimination against any person on the basis of race, sex, ethnicity or national origin, religion, age, disability, marital status, sexual orientation, gender identity, or veteran status. These factors may not hinder employment or study, nor be permitted to have an adverse influence upon decisions regarding students, employees, applicants for admission, applicants for employment, or members of the community. In addition, the college prohibits harassment, that is, behavior that creates an intimidating, hostile, or offensive work or learning environment for any member of the community. The college also prohibits sexual misconduct by any member of the college community. Members of the Williams College community are expected to uphold these principles as a matter of mutual respect and fairness.

Discrimination breaches the trust that should exist among members of an educational community. Discriminatory behavior or patterns can disturb the climate in the classroom, residence, or workplace, and alter the course of an education or career, presenting obstacles to the free and full development of an individual. It can, moreover, cause serious and lasting harm to an individual and to the college community. Williams College is committed, therefore, to taking whatever action may be needed to prevent and, if necessary, correct acts of discrimination and to prevent, correct, and if necessary, discipline behavior that constitutes discrimination or discriminatory harassment.

Members of the college community who believe they have been subjected to discrimination, harassment, or sexual misconduct are encouraged to bring these concerns forward. Concerns may be brought directly to the Vice President for Institutional Diversity and Equity or the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator. Reports may also be made to appropriate deputies (for students, the Dean of the College; for staff, the Director of Human Resources; for Faculty, the Dean of the Faculty) or relevant American with Disabilities Act (ADA) officer, who will then work with the Office of Institutional Diversity and Equity to resolve the concern. Campus Safety and Security, local police, state and/or federal agencies may also be contacted, either immediately or at any point during a college investigation. Normally, college investigations and hearings can occur simultaneously with external ones.

When a report is made the college will treat the identities of the parties and the substance of the claims as confidential, except as is reasonably necessary to carry out the investigative process and to ensure the safety of the community. Williams College policy explicitly prohibits retaliation, academic or otherwise, against employees or students for bringing complaints of discrimination, harassment, or sexual misconduct forward.

Possible sanctions if a student or employee of the college is found to have violated the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy include the full range of disciplinary sanctions available at the college, up to and including suspension from the college for one or more semesters and expulsion, in the case of a student, or dismissal in the case of a College employee.

I. Definitions

A. Discrimination

¹ This policy may also be followed in cases involving complaints of discrimination, harassment or sexual misconduct brought against college employees or students by persons who are not members of the college community, e.g. visitors to the campus or participants in college programs or activities.

Discrimination is defined as the denial of rights, benefits, equitable treatment, or access to facilities available to all others, to an individual or group of people because of their race, sex, ethnicity or national origin, religion, age, disability, marital status, sexual orientation, gender identity, or veteran status. Discrimination can take the form of isolated or repeated behaviors directed against an individual or a group (see “Discriminatory Harassment,” “Sexual Harassment,” and “Sexual Misconduct”) or of patterns of inequitable treatment in a workplace or learning environment.

B. Harassment/Bullying

Harassment is unwelcome verbal, non-verbal, or physical conduct that:

- has the purpose or effect of unreasonably interfering with the individual’s work or educational performance;*
- creates or has the intention of creating an intimidating, hostile, or offensive working and/or learning environment; or*
- unreasonably interferes with or limits one’s ability to participate in or benefit from an educational program or activity.*

Harassment may involve isolated or continuing acts of intimidation, coercion, bullying, and/or verbal, non-verbal, or physical abuse. Examples of the forms it can take include targeted remarks or jokes, threats, ostracism, public humiliation, and physical actions, including unwanted touching and physical assault.

The targets of harassment can be anyone: students or members of the faculty or staff, superiors, subordinates, or peers.

C. Discriminatory Harassment

Discriminatory harassment is harassment targeted at and demeaning to one’s race, color, sex, national origin, religion, age, disability, marital status, sexual orientation, gender identity or expression, ancestry, or military service.

D. Sexual Harassment

Sexual harassment is a form of discriminatory harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- *submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment, instruction, or participation in other college activities,*
- *submission to or rejection of such conduct by an individual is used as a basis for making academic, employment, or personnel decisions affecting that individual, or*
- *such conduct has the purpose or effect of unreasonably interfering with an individual's performance by creating an intimidating or hostile educational or working environment.*

Sexual harassment may also be at issue in relationships that begin as consensual ones. Anyone in a position of institutional authority over other persons should be sensitive to the potential for coercion in sexual relationships that also involve professional relationships. The recommendations and requirements described in sub-sections I.D.1. and I.D.2. below are designed to protect the integrity of the college’s instructional, counseling, and supervisory responsibilities by separating sexual relationships from professional ones where instruction or supervision is involved.

D.1. Potentially Coercive Relationships Between Students and Faculty

All faculty are in a position of power with regard to undergraduate students; hence, sexual relationships between faculty and undergraduate students are prohibited. Sexual relationships between faculty and undergraduate students put claims of consent in question. It is difficult for a student to be certain of the motives of a member of the faculty. A person in a position of authority cannot be certain that the student’s consent is genuine, rather than motivated by an unspoken fear of the consequences of not consenting. In addition, a sexual relationship with a student may raise questions of unfair academic advantage or of unwarranted negative evaluation. These questions may adversely affect the educational environment of other students, as well as the student directly involved. Should any of these questions arise, sexual discrimination is at issue.

A sexual relationship between a faculty member and a graduate student violates the college's Non-Discrimination, Harassment, and Sexual Misconduct policy when a faculty member has teaching, evaluative, formal advising, or supervisory responsibilities for that student, even if the parties involved view the relationship as consensual. A member of the faculty may not initiate or agree to a relationship with a graduate student with whom they have any teaching, evaluative, formal advising, or supervisory roles. To protect the integrity of the educational process, the college also requires a faculty member to refrain, except under unusual circumstances and with the permission of the Dean of the Faculty, from taking on any teaching, evaluative, formal advising, or supervisory roles involving a graduate student with whom they have had a sexual relationship in the past.

If the college receives a complaint that a member of the faculty has violated any part of this policy, the college shall follow the procedures laid out in Appendix A: Non-Discrimination, Harassment, and Sexual Misconduct Grievance Procedures of the Faculty Handbook to investigate and adjudicate this complaint. If the complaint is found to be valid, the faculty member will be subject to disciplinary action.

The Dean of the Faculty may grant exemptions to this policy in reasonable cases of pre-existing relationships. Any faculty member who wishes to request such an exemption should submit a written statement to the Dean of the Faculty explaining the reasons for the request. The Dean of the Faculty shall provide a response in writing to the faculty member and the Assistant Vice President for Institutional Diversity and Equity/Title IX coordinator.

A faculty member who has questions about this policy should consult the Dean of the Faculty.

D.2. Potentially Coercive Relationships Involving Faculty and/or Staff

A sexual relationship with a member of the faculty or staff for whom one has professional responsibilities may similarly put claims of consent into question or raise questions of unfair evaluation. To protect the integrity of the working relationships among employees, the college requires anyone in a position of authority to a) refrain from any supervisory, evaluative or counseling role involving a subordinate with whom they have had a sexual relationship in the past, unless the circumstances warrant a waiver.² The College also requires a faculty or staff person to b) remove themselves from any supervisory, evaluative, or counseling role involving a subordinate employee with whom they currently have a sexual relationship. The parties involved should consult with either party's executive officer or department chair/director concerning the need for a waiver or a removal. The executive officer or department chair/director shall grant or deny the waiver or arrange for the removal, and the parties involved shall abide by the administrator's decision. A faculty or staff person who does not abide by rules (a) and (b) is at substantial risk under college policy to complaints of coercion, or of preferential or prejudicial treatment.³ Should the complaint be found valid, the faculty or staff member will also be subject to disciplinary action.

E. Sexual Misconduct

Sexual misconduct means any form of sexual assault, sexual harassment, sexual exploitation, dating or domestic violence, or stalking as described on the college's Title IX site (<http://titleix.williams.edu/definition-of-terms/>). Sexual misconduct is prohibited under the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy. Sexual misconduct can occur regardless of the

² Requests for waivers should be sent to the Dean of the Faculty (for faculty) or the Director of Human Resources (for staff), who communicate their decision in writing to the faculty or staff member and the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator.

³ Failure to abide by rules (a) and (b) may also subject a faculty or staff member to charges of conflict of interest. It should be noted that a removal policy is also in place for family and other special relationships (see Conflict of Interest).

relationship, position or respective genders of the parties. Same gender harassment violates this Policy, as does harassment by a student of a faculty member or a subordinate employee of their supervisor.

F. Ordinary Workplace Grievances

For ordinary workplace grievances outside of I.A, I.B, I.C, I.D, I.D.1, I.D.2, and I.E above see the relevant sections of the Staff and Faculty Handbooks.

II. Rights and Responsibilities

A. The College grievance process and outside investigations

The college grievance processes (outlined in Appendix A: Non-Discrimination, Harassment, and Sexual Misconduct Grievance Procedures) are used to investigate complaints or reports of discrimination, harassment, and sexual misconduct, to end any discrimination, harassment, or sexual misconduct found, to remedy its effects, and to prevent any recurrence. Its processes do not replace the right to file complaints or seek remedies available under state or federal law. In most instances, internal college and local police, state or federal investigations can proceed simultaneously.

B. Confidentiality

When a report is made the college will treat the identity of the parties and the substance of the claims as confidential, except as is reasonably necessary to carry out the investigative process and to ensure the safety of everyone at Williams College.

In support of an individual's request for confidentiality and the college's interest in learning about incidents of discrimination, Williams College provides confidential advising: for students, the College Health Center and Integrative Well-being Services, the Chaplain's office, and the Director of Sexual Assault Prevention and Response; for faculty and staff, the Employee Assistance Program. These advisors must still comply with anonymous reporting under federal and state law.

C. Reporting

Any person wishing to report discrimination, harassment, or sexual misconduct, is encouraged to bring concerns forward in a timely fashion, as soon as possible and preferably within a month of occurrence, since prolonged delay may complicate the ability to investigate.

Reports of discrimination, harassment, or sexual misconduct may be brought directly to the Vice President for Institutional Diversity and Equity or the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator. Reports may also be made to an appropriate deputy of the office (for students, the Dean of the College; for staff, the Director of Human Resources; for Faculty, the Dean of the Faculty) or relevant American with Disabilities Act (ADA) officer, who will then work with the Office of Institutional Diversity and Equity to resolve the concern. Campus Safety and Security, local police, and state and/or federal agencies may also be contacted, either immediately or at any point during a college investigation. Normally, College investigations and hearings can occur simultaneously with external ones.

An administrator, supervisor, faculty member, or other person in a position of authority who is not a confidential resource as defined above and who becomes aware of, or receives a complaint of discrimination, harassment, or sexual misconduct must promptly and fully report the information or complaint to the Vice President for Institutional Diversity and Equity, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, relevant deputy, (for students, the Dean of the College; for staff, the Director of Human Resources; for Faculty, the Dean of the Faculty), or relevant American with Disabilities Act (ADA) officer. No member of the community should assume that a college administrator knows about a situation involving discrimination, harassment, or sexual misconduct.

If a complainant reports to a person in authority who is not a confidential resource and wishes to maintain confidentiality, the one who reports must relay the request for confidentiality, which will be respected to the extent possible, as outlined above.

D. Retaliation

Williams College policy explicitly prohibits retaliation, academic or otherwise, against employees or students for bringing complaints of discriminatory behavior. Any retaliation by the respondent or bystanders against the complainant or any witness is strictly prohibited, and will be treated as a new and additional violation of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy. During an active case under this policy, changes to the work hours/conditions of either the complainant and/or the respondent are made in consultation with the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator.

E. Prompt and Fair Resolution

The college's procedures for cases of discrimination, harassment, and sexual misconduct seek to ensure a prompt, fair, and impartial investigation and resolution. College officials who receive training on issues related to the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy, as well as on conducting a hearing process that protects victim safety and promotes accountability will conduct these procedures.

F. Academic Freedom and Freedom of Expression

Williams College is committed to both freedom of expression and full academic freedom of inquiry, teaching and research. Academic freedom and freedom of expression will be strongly considered in investigating complaints of discrimination and harassment, but will not excuse behavior that constitutes a violation of the law or college policy.

G. Right to be Accompanied by an Advisor or Support Person

During the investigation, the complainant and respondent may be accompanied by an advisor or support person of their choosing, including legal counsel, at meetings and interviews. However, no advisor or support person may actively participate in the investigation and/or adjudication process.

In the case of complaints that enter a formal resolution process, both the complainant and the respondent will be assigned a college advisor trained in non-discrimination, harassment, and sexual misconduct policy and processes. This advisor may, but need not, function as the advisor/support person who accompanies the complainant or respondent through the process.

H. Standard of Proof

The standard of proof used in the adjudication of all cases involving alleged violation of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy will be preponderance of the evidence. The preponderance of the evidence standard requires a determination of whether it is more likely than not that the person committed the alleged act(s).

I. The Standing Grievance Panel

The Faculty Steering Committee and the Director of Human Resources will jointly convene a Standing Grievance Panel (SGP) each year whose members stand available to serve as members of an adjudication panel in cases of alleged discrimination, harassment or sexual misconduct. The SGP will consist of 12 staff appointed by the Director of Human Resources and 12 faculty, 6 faculty (one tenured and one non-tenured from each division) are elected by the faculty from a slate of two persons nominated by the Faculty Steering Committee from each category and another 6 to be appointed by the Faculty Steering Committee. In choosing members of the SGP, consideration will be given to the diversity (sex, race, ethnic, disability, sexual orientation, and gender identity or expression) of the staff and faculty at the college. The 12 faculty on the SGP will also consist of at least one faculty member from the Department of Physical Education. Once constituted, members of the SGP will be trained, as necessary, on issues related to the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy, as well as on conducting a hearing process that protects victim safety and promotes accountability.

LIST OF CONTACTS

Leticia S. E. Haynes
 Vice President for Institutional Diversity
 and
 Equity
 Office of Institutional Diversity and Equity
 Hopkins Hall
 413-597-4376
 lseh1@williams.edu
 Leticia.S.E.Haynes@williams.edu

Toya C. Camacho
 Assistant Vice President for Institutional
 Diversity
 and Equity/Title IX Coordinator
 ADA Officer for Faculty and Staff
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 Hopkins Hall
 413-597-3301
 tcc2@williams.edu
 Toya.C.Camacho@williams.edu

Deputy Title IX CoordinatorsFor faculty:

Denise Buell
 Dean of the Faculty
 Dean of Faculty's Office
 Hopkins Hall
 413-597-4351
 dbuell@williams.edu
 Denise.K.Buell@williams.edu

For students:

Marlene Sandstrom
 Dean of the College
 Dean's Office
 Hopkins Hall
 413-597-4261
 msandstr@williams.edu
 Marlene.J.Sandstrom@williams.edu

For staff:

Martha Tetrault
 Director of Human Resources
 Human Resources
 B&L Building, Suite 201
 413-597-2058
 mtetrault@williams.edu
 Martha.R.Tetrault@williams.edu

Title 504 (ADA) OfficerFor students:

G. L. M. Wallace
 Director of Accessible Education

Academic Resources
 Paresky Center, Rm 202A
 413-5974978
 glw3@williams.edu
 G.L.M.Wallace@williams.edu

Confidential Resources**On Campus:**

- Sexual Assault Survivor Services (SASS)
 597-3000 (on call 24/7 during the academic year)
- Williams College Health Center
 597-2206
- Williams College Psychological Counseling 597-2353 (or on call 24/7 through Campus Safety at 597-4444)
- Meg Bossong, Director of Sexual Assault Prevention and Response 597-4977
- Donna Denelli-Hess (Health Educator)
 597-3013

Off Campus:

- Elizabeth Freeman Center 499-2425
- National Sexual Assault Hotline 1-800-656-HOPE
- National Sexual Assault Online Hotline –
<https://ohl.rainn.org/online/>
- For a list of regional and national resources with particular focus on the needs of LGBTQ survivors,
 see
<http://barcc.org/information/resourcesonline/>
 glbt
- For regional and national resources with a particular focus on the needs of male survivors, see malesurvivor.org.

To report a sexual assault to the police contact:

- 911
- Williamstown Police Department at 413-458-5733
 Campus Safety and Security at 413-597-4444

3. The following text of Section II-T was deleted from pages 64-65 of the 2017-18 Handbook:

Section II-T: Non-Discrimination Policy and Outline of Discrimination Grievance Procedures

Non-Discrimination Policy

Williams College, in compliance with state and federal law, does not discriminate in admission, employment, or administration of its programs and activities on the basis of race, color, sex, national origin, religion, age, disability, marital status, sexual orientation, gender identity or expression, ancestry, or military service. Any member of the College community who on any of these grounds feels discriminated against by another member of the community should take action. The complainant⁶ should report the incident as soon as possible and preferably within a month of its occurrence, since prolonged delay may complicate the presentation of evidence in the grievance procedures. Complainants have, however, up to two years to report alleged discriminatory behavior, and even this period may be extended with the approval of the appropriate executive officer. Complainants are free to withdraw or proceed at any stage of the process. The College will treat the identity of the parties and the substance of the claims as confidential throughout, except as is reasonably necessary to carrying out the procedures and to ensuring the safety of everyone at the College. College policy explicitly prohibits retaliation, academic or otherwise, against employees or students for bringing complaints of discriminatory behavior.

Should the allegation of discriminatory behavior involve a faculty appointment renewal decision, the range of appropriate action and the type of further redress open to the complainant are those described in Section II-D: Appointment Appeals. Cases of sexual misconduct involving a student and a faculty or staff member are governed by the Sexual Misconduct Investigation and Adjudication Process in Section VII-B. In all other cases, the complainant should use the discrimination grievance procedures that are described in detail in Section VII-A: Discrimination Grievance Procedures. These procedures have four parts: advising, informal grievance, formal grievance, and appeal.

Outline of the Sequence of Options and Events in the Discrimination Grievance Procedures

Advising Procedure

The person who believes he or she may have been subjected to discriminatory behavior may but need not discuss the incident(s) with a College advisor. College advisors are also available to persons against whom a complaint has been filed.

Informal Procedure

The person who believes he or she may have been subjected to discriminatory behavior may discuss the incident(s) with the appropriate administrator.

The person may but need not file a complaint at the informal stage.

To file a complaint the person submits a statement of allegations to his or her executive officer. The executive officers will then conduct an investigation and reach a finding. If they find the complaint unwarranted, the complainant may but need not request formal grievance proceedings. If the respondent is judged to have violated College policy, the executive officers attempt a resolution. Either party may refuse to accept the terms proposed.

If both parties accept the terms, the resolution is successful and the case is settled. If the resolution fails,

⁶ Throughout these procedures, a "complainant" is the person who has filed a complaint; the person against whom a complaint is filed is the "respondent."

the complainant may ask for formal grievance proceedings or withdraw the complaint. If the complainant withdraws, the executive officers may decide to take action against the respondent on their own. The respondent may appeal the executive officers' decision.

Formal Procedure

The grievance committee conducts a hearing and reaches a finding, reporting its finding and its recommendations to the executive officers, the complainant, and the respondent.

The executive officers reach their own finding. If it differs from the committee's, they so inform the committee and provide it with an opportunity to reply.

If the executive officers then find the respondent not to have violated the College's anti-discrimination policy, or if they find the evidence insufficient, the case is dismissed.

If, on the other hand, the executive officers find that the respondent violated the College's policy, they will report their finding and the actions they propose to take to the committee, the complainant, and the respondent. The respondent may appeal their finding and their proposed actions.

Appeal Procedure

The formal grievance proceedings constitute the complainant's appeal.

The respondent may appeal at the conclusion of the informal proceedings if the complainant has withdrawn and the executive officers have proposed disciplinary action, or at the end of the formal grievance proceedings if the complainant has taken the complaint to a grievance committee.

If the respondent is a student or staff member, the appeal will be heard by the President. If the respondent is a faculty member, the appeal will be heard by a faculty hearing committee.

The following text was added in place of the deleted material on pages 76-79 of the 2018-19 Handbook:

Section II-T: Outline of the Discrimination, Harassment, and Sexual Misconduct Grievance Procedures¹

NOTE: In cases involving only students or student respondents, the investigation and adjudication procedures will be those outlined in the college's policies relating to student misconduct: <https://dean.williams.edu/policies/>

A member of the Williams College community who believes they have been discriminated against is encouraged to report these concerns to the Vice President for Institutional Diversity and Equity or the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator. Reports may also be made to appropriate deputies: for students, the Dean of the College; for faculty, the Dean of the Faculty; and for staff, the Director of Human Resources.

If a complaint goes forward, the review, investigation and adjudication process is overseen by the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator.

In the following summary of the college grievance procedures, the person alleging discrimination is called the "complainant"; the party accused of violating the non-discrimination, harassment, and sexual misconduct policy is called the "respondent."

With some exceptions, a member of the college community reporting an incident of alleged discrimination may decide to pursue either an informal or a formal process. Both are summarized here and outlined in more detail in Appendix A: Discrimination, Harassment, and Sexual Misconduct

¹ These procedures may also be followed in cases involving complaints of discrimination, harassment or sexual misconduct brought against college employees or students by persons who are not members of the college community, e.g. visitors to the campus or participants in college programs or activities.

Grievance Procedures.

A. Informal process

The informal process is an opportunity to bring resolution to a complaint through awareness, education, and/or a facilitated discussion. An informal resolution may be appropriate if the complainant, the respondent, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and the relevant deputy or deputies can all come to an agreement about the facts and desirable resolution to the case.

The informal process is not appropriate for most cases that involve a student and a member of the faculty or staff; for complaints of sexual misconduct, apart from certain instances of discriminatory harassment; and for any complaint involving behavior that potentially endangers members of the college community and/or is potentially criminal in nature. In other cases, if both the complainant and the respondent prefer an informal process, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with the relevant deputy or deputies, will decide if an informal resolution is appropriate and advisable.

During an informal process, fact-finding occurs to the extent necessary to understand the conflict and protect the interest of the parties and the Williams College community, but no determination is made of whether college policy has been violated.

Information obtained during the course of the informal complaint process will be shared only to the extent necessary to understand the conflict and protect the interest of the parties and the Williams College community.

At any point during or following the informal process, the complainant and/or the respondent may end the informal process and request a formal process.

B. Formal process

1. Before the process of investigation and adjudication starts, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with relevant deputies, will:

- *Assign the complainant and the respondent each a trained advisor from the college staff;*
- *Provide both the complainant and the respondent a written statement of their rights and responsibilities;*
- *Provide each with a description of the adjudication processes, including requirements of confidentiality and non-retaliation;*
- *If necessary, arrange reasonable and appropriate accommodations to increase the complainant's safety and well-being on campus;*
- *If necessary, arrange appropriate accommodations for the respondent.*

2. Investigation

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with the relevant deputies, will:

- *Assign an investigator to gather information about the case and produce a report;*
- *Review the investigator's report;*
- *Share the report with both the complainant and the respondent², who each have 10 days to respond and to request that further information be gathered;*
- *Review the completed report and any responses to determine if the respondent's alleged action(s) is within the purview of the college's Non-discrimination, Harassment, and Sexual Misconduct Policy.*

If the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and the relevant deputies determine that the respondent's alleged behavior is within the purview of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy, the case will move forward to the primary adjudication process. The Assistant Vice President for Institutional Diversity and Equity/Title IX

Coordinator will communicate this determination in writing to the complainant and respondent.

After receiving the investigator's report the complainant may choose to pursue an administrative resolution of the complaint or proceed straight to an adjudication panel. At any point during the administrative resolution process the complainant is free to end the process and request an adjudication panel.

3A. Administrative resolution (for cases involving faculty and/or staff only)

In consultation with the complainant and the respondent, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will appoint two executive officers to oversee the administrative resolution. After receiving training from the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator or a designee, these executive officers will:

- *Read and consider the investigator's report, along with any responses from the complainant and respondent;*
- *Reach a finding and report it to the complainant and respondent.*

If in the judgment of the executive officers the respondent has violated the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy, they will:

- *Seek a resolution of the complaint, working with the respondent's supervisor if applicable and, within one month, reporting to the complainant any progress made;*
- *Produce a proposed resolution, and submit it to the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator for approval;*
- *Communicate both the findings and the proposed resolution in writing to both the complainant and respondent.*

The complainant and the respondent have 10 days to sign the proposed resolution. The attempt will have failed if either party chooses not to accept the terms proposed. At this point, either party may instruct the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator to convene an adjudication panel.

3b. Adjudication Panel

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will constitute an adjudication panel of five members from the SGP according to the policy's guidelines in consultation with the relevant deputy or deputies and inform the complainant and respondent in writing.

The adjudication panel:

- *Reads and discusses the investigator's report along with any responses, and may decide on additional questions to ask of the parties or administrative officials;*
- *Decides whether there is a preponderance of the evidence showing violation of the college's nondiscrimination, harassment, and sexual misconduct policy;*
- *If the adjudication panel decides there has been a violation, it will inform both parties in writing and give both an opportunity to address the committee; and will*
- *Recommend a sanction.*

4. Appeal

Both parties have the right to appeal the finding on two grounds:

- *Significant procedural lapses;*
- *The appearance of substantive new evidence not available at the time of the original decision.*

The Vice President in the Office of Institutional Diversity and Equity hears the appeal and determines its disposition.

5. Final determination of sanction in cases involving respondents who are members of the faculty

If the recommended sanction is termination of the respondent's appointment for cause, the Dean of the Faculty will initiate proceedings pursuant to Section II-V: Termination of Faculty Appointment for Cause of the Faculty Handbook. If the recommended sanction is a major sanction, the Dean of the Faculty will initiate proceedings pursuant to Section II-W: Procedures for Imposition of Sanctions on Faculty Other

Than Dismissal, “Major Sanctions,” of the Faculty Handbook. If the recommended sanction is a minor sanction, the Dean of the Faculty will initiate proceedings in accordance with Section II-W., “Minor Sanctions,” of the Faculty Handbook. Final decisions as to sanctions will be reported in writing simultaneously to the complainant and the respondent, as well as the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator.

6. Final determination of sanction in cases involving respondents who are members of the staff

Final determination of sanctions involving respondents who are members of staff will be made by the Director of Human Resources, in conjunction with the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and relevant supervisor(s) of the staff member. Final decisions as to sanctions will be reported in writing simultaneously to the complainant and the respondent, as well as the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator.

4. The following text of Section VII: Appendices A and B were deleted from pages 146-65 of the 2017-18 Handbook:

Appendix A: Discrimination Grievance Procedures

This appendix describes in detail the discrimination grievance procedures that accompany the Williams College Non-Discrimination Policy. A statement of that policy and a brief outline of the most important stages in the discrimination grievance procedures appear in Section II-T: Non-Discrimination Policy. See also Section II-S: Sexual Harassment Policy.

Because Federal law has changed due to the reauthorization of the Violence Against Women Act, the College must, effective October 1, 2014, comply with new federal regulations regarding sexual misconduct. The College's Sexual Misconduct Investigation and Adjudication Process is marked by notes added below.

NOTE: Cases that involve a student and College employee and a potential case of domestic or dating violence, sexual assault, or sexual exploitation, do not fall under the discrimination procedures outlined below: see the Title IX website for definitions of these terms, the College's Sexual Misconduct Policies, and the Sexual Misconduct Investigation and Adjudication Process to follow in these cases. If a College employee experiences conduct on the part of another College employee that may violate the College's Sexual Misconduct Policies, the Title IX Coordinator or a deputy will be charged with ensuring that the employee considering or making a claim is afforded the resources and accommodations described on the College's Title IX Sexual Misconduct website, throughout the grievance process outlined below.

Please note that while the discrimination grievance procedures have four components – advisory, informal, formal, and appeal – the advisory phase is not part of the actual grievance procedures. Unlike the components that are part of that process, it does not require the filing of an official complaint.

Incidents of alleged discriminatory behavior should be reported as soon as possible. Only if an official complaint is filed is the matter certain to come to the attention of the appropriate administrators. A complainant is free to withdraw or proceed at any stage of the process. The identity of the parties and the substance of the claims are treated by the College as confidential throughout, except as is reasonably necessary to carrying out the procedures and to ensuring the safety of everyone at the College. Retaliation, academic or otherwise, against employees or students for bringing complaints of discriminatory behavior is explicitly prohibited by College policy.

Advising Procedure

Whenever someone has experienced an incident that could be a form of discrimination, talking about the incident soon thereafter with a trusted advisor or friend can be helpful. Members of the College community such as health staff and counselors, assistant and associate deans, human resources officers, chaplains, and the Affirmative Action Officer are available for consultation. Among them are a number of people who have training in sexual harassment counseling. This group includes also two faculty, two staff, and two student advisors appointed yearly by the President, who invites nominations from the community. The

names of the College advisors are listed in print and online in the Student Handbook; Williams College Bulletin, Catalog edition; The Williams Directory; the pamphlet on sexual discrimination, *Understanding Sexual Harassment*; and the websites of the Dean of the College and the Vice President for Institutional Diversity and Equity. Their names are also published semi-annually online in the Daily Messages and printed in the Daily Advisor.

A student, faculty, or staff member who seeks advice on matters related to discrimination is free to consult with any of the College's advisors. Depending on the wishes of the advisee, the advisor's role may include any of the following informational or supportive activities: listening to and discussing the incident with the advisee; helping the advisee decide whether to try to resolve the situation on her or his own; helping the advisee understand the College's discrimination grievance procedures. The advisee may choose at any point not to pursue the matter any further, and the College is not required to take any further action during the advising phase, except when in its judgment the circumstances present a danger to the individual or to others. Advising activities of this kind are not part of the actual discrimination grievance procedures, which require that a complaint be officially filed, as described in the Informal Grievance Procedure below. Only complaints that do proceed to the informal stage are certain to come to the attention of the appropriate authorities. The advisor keeps no record of the consultation. A person who feels discriminated against may proceed directly to the informal grievance procedure, whether or not he or she has consulted an advisor.

Should the advisee decide to proceed, the advisor's role may also include accompanying the advisee (now the complainant) through any subsequent College discrimination grievance procedures, should he or she want the advisor present. The respondent may also consult with any of the College advisors, except the one chosen by the complainant. The advisor's role continues to be that of a facilitator who provides information and support. The complainant may bring a draft of the statement of allegations (see Informal Grievance Procedure below, paragraph 2) to the advisor to consult about how to express clearly what he or she wishes to say. The respondent, should he or she proceed to the appeal stage, may similarly consult with a College advisor about the statement of reasons for the appeal. The advisor may discuss procedural matters with the executive officers involved in the case, but may not investigate, or attempt to mediate or resolve the complaint. Like all other participants, the advisor is expected to respect the confidentiality of the proceedings.

Informal Grievance Procedure

A person who is considering filing a complaint regarding discriminatory behavior should meet as soon as possible with the appropriate administrator (i.e., either the pertinent executive officer or affiliated staff).² The administrator will, if so requested, help the person decide whether the allegation falls within the scope of these grievance procedures, answer any questions regarding the procedures themselves, or provide any information that might help the person decide whether to file a complaint and thereby initiate an investigation.

If the person then chooses to file a complaint, he or she will send to his or her executive officer a written statement of allegations. The complainant's executive officer will provide the complainant with a written set of guidelines³ indicating the kinds of information that the statement should contain. The respondent's executive officer will be responsible for giving the respondent a copy of the statement of allegations and for answering any questions regarding the procedures themselves. The complainant's executive officer and the executive officer of the person charged with the offense will oversee the entire informal stage.⁴ In doing so

² For the Dean of the College the other administrators include the Associate and Assistant Deans; for the Dean of the Faculty they include the Provost and the Vice President for Institutional Diversity and Equity; for the Vice President for Finance & Administration and Treasurer they include the Director of Human Resources and the Vice President for Institutional Diversity and Equity. If it is an executive officer whose behavior may be at issue, the person should discuss the alleged discriminatory behavior with the President, who will appoint a formal grievance committee, which will proceed as stipulated below, except that the committee will in this case make its report and recommendation to the President.

³ See Appendix B for the guidelines.

⁴ When both the complainant and the respondent belong to the same category (i.e., students, faculty, or staff) their executive officer and an affiliated staff member will oversee the proceedings.

they may need to confer with and delegate responsibilities to members of their staffs. They will also inform the Affirmative Action Officer that a complaint has been filed. In conducting the investigation, the respondent's executive officer should consult his or her file of complaints of discrimination to determine whether it contains any information about the respondent that is relevant to a judgment concerning the present case or to the terms of its resolution.⁵

After the investigation has been concluded the executive officers will reach a finding and report it to both the complainant and the respondent. If the finding indicates that the respondent did not violate the College's policy, or that the evidence is inconclusive, the complainant may, if dissatisfied with the finding, instruct his or her executive officer to begin formal grievance proceedings. If the complainant chooses not to request formal proceedings, the case is dismissed. If, on the other hand, it is the judgment of the executive officers that the respondent committed the act(s) alleged by the complainant and thereby violated College policy, they will seek an informal resolution of the complaint. They will also, if the respondent is a faculty or staff member, confer with his or her department supervisor. The complainant's executive officer will keep the complainant informed of any progress made in resolving the grievance, reporting to the complainant within one month of the filing of one the complaint. This period may be extended beyond one month if the complainant and his or her executive officer agree that an extension is needed.

To be successful, the terms of the resolution proposed by the executive officers must be acceptable to both the complainant and the respondent. The executive officers will put those terms in writing, giving a copy to the complainant and another to the respondent. Each party will have one week to indicate his or her acceptance of the terms as constituting a satisfactory resolution of the grievance by returning a signed copy to the executive officers. Upon receipt of both signed copies, the respondent's executive officer will place them in his or her file of complaints of discrimination and take such actions as are called for in the resolution.

The executive officers' attempt at an informal resolution will have failed if either the complainant or the respondent chooses not to accept the terms proposed. If the complainant does not accept them, he or she may, again within a week of receiving the proposed terms in writing, instruct the complainant's executive officer to begin formal grievance proceedings, and the grievance committee will hear the case following the regulations stipulated (see *Formal Grievance Procedure*). In cases where the respondent is a faculty member and the finding is extremely serious, the complainant may waive his or her right to have the case heard before a formal grievance committee to enable the executive officers, if they so recommend, to initiate proceedings for the imposition of a major sanction (dismissal or suspension), see *Section II-V: Termination for Cause and Section II-W: Sanctions Other than Dismissal*). Should the complainant choose to withdraw the complaint, the executive officers may, depending on their findings, decide nevertheless to impose sanctions on the respondent. If the executive officers so decide, and the respondent believes that their findings are unwarranted or their proposed sanctions unjust, he or she may appeal the executive officers' decision as specified in the *Appeal Procedure* [below](#).

Formal Discrimination Grievance Procedure

The committee that hears cases of alleged discrimination is the Discipline Committee when both parties are students (see *Student Handbook, Discipline and Disciplinary Proceedings*). The formal mechanism for hearing all other allegations of discriminatory behavior, except those involving faculty appointment renewal decisions (which are handled by the Committee on Appointments and Promotions and by the faculty Steering Committee), is a grievance committee constituted for each particular case. This committee is drawn from a Standing Panel of thirty-two people, which the President appoints annually, whose members stand ready to serve in this capacity. The membership of the Standing Panel is constituted as follows:

One minority faculty member and one minority staff member appointed annually by the President.
The twelve faculty members elected by the faculty to serve on the Faculty Review Panel.

⁵ Only the respondent's executive officer has access to the file, which contains information pertaining both to dismissed and to settled cases. See Appendix C for regulations governing the use of the file.

Those staff members who are appointed annually to two similar panels by the Provost and the Vice President for Finance & Administration and Treasurer, each of which has six members. Six students, appointed by the College Council, two of whom shall be the minority representatives to the College Council.

The President shall also annually appoint, from among the membership of the Standing Panel, one faculty member and one staff member, who will stand ready to chair the grievance committee constituted to hear a particular case. The chair will vote only to break a tie.

The grievance committee appointed by the President to hear a particular case shall be constituted from the membership of the Standing Panel as follows. If one of the parties is a student and the other faculty or staff, the committee shall have seven members, three from the same College category (student, faculty, staff) as the complainant, three from that of the respondent, and a chair. If one of the parties is a member of the faculty and the other a member of the staff, the committee shall likewise have seven members: a chair, three faculty members, and three staff members, at least one of whom shall be from the same job category as the staff member who is a party to the case. If both parties are faculty, the committee shall have five members, four from the Faculty Review Committee and a chair. If both parties are staff, the committee shall similarly have five members, a chair, and four members drawn from one or both of the panels appointed by the Provost and Vice President for Finance & Administration and Treasurer. At least one of those members shall be from the same job category as each of the parties involved. When the case involves faculty, both non-tenured and tenured faculty shall be included in the membership of the grievance committee. The faculty chair of the Standing Panel will preside in all cases involving faculty, and the staff chair in all cases involving staff, unless the case involves faculty and staff, when the chair shall be from the same College category as that of the complainant. The President shall strive to represent the diversity of the Williams community in appointing a committee to hear a particular case. Depending on the nature of the allegation, the President shall also strive to assure representation of the relevant groups protected by the College's non-discrimination statement (see [Section II-T: Non-Discrimination Policy](#)). If unable to convene a committee with appropriate representation from among the members of the Standing Panel, the President may appoint up to two members not on the Standing Panel.

At or before the first meeting of the grievance committee constituted to hear a particular case, the chair, or any member of the committee may, at his or her own initiative, excuse himself or herself from the case because of potential bias or conflict of interest. If the chair asks to be excused, the President appoints for that case a chair pro tempore. Either party to the case may request members of the committee to withdraw from hearing a case on grounds of potential bias or conflict of interest. Should disagreement arise about a request for the disqualification of a particular member, the other members of the committee shall resolve the matter by majority vote. In the event that a member withdraws or is disqualified, the President shall appoint a replacement.

The grievance committee will conduct its hearings in private, keeping its proceedings, findings, and recommendations strictly confidential. A member of the grievance committee shall be designated by its chair to maintain minutes of its proceedings. Neither party to the case may mechanically record or stenographically transcribe the hearings. All decisions of the committee shall be made by majority vote, with the chair voting only to break a tie.

The committee will proceed as follows in order to protect the rights of both parties to the case and to assure the fairness of the College's procedures:

The respondent will receive a copy of the complainant's statement of allegations in advance of the first meeting of the committee, if he or she has not already received one.

Both parties will receive sufficient notice of the time and place of the hearing to allow for preparation of the case.

Both parties have the right to be present when the case is heard.

Both parties have the right to present evidence and to call a reasonable number of witnesses. Witnesses may be present only when they are actually testifying or being questioned.

Both parties have a right to question all witnesses.

The only sexual history that is admissible as evidence is that which exists between the two parties, and then only if the case involves sexual discrimination.

The grievance committee may request the executive officer of the respondent to testify whether the file of complaints of discrimination that he or she maintains contains information concerning the respondent that is relevant to a judgment concerning the present case or to its disposition.

Each party has the right to an advisor of his or her choice from the student body, faculty or staff of the College, who may help with the preparation of the case, who may be present when the case is heard, and who may confer with the advisee during the hearing. The advisor, however, may not address the grievance committee or question witnesses. The advisor may, but need not, be chosen from among the College advisors (see Advising Procedure above). Neither party may be represented at the hearing by legal counsel.

The committee makes a finding as to whether or not the act alleged in the complaint, should it have taken place, would be a violation of the College's policies against discrimination. If so, the committee also makes a finding as to whether the accused faculty or staff person actually committed the alleged act. The committee then reports its finding(s) and a summary of the reasons for its judgments in a written statement sent to the complainant, the respondent, and their executive officers no later than two weeks after the hearings conclude. In the event that both of the findings are affirmative, the committee also sends to the executive officers a recommendation of appropriate courses of action to remedy the harm done to the complainant and to protect other members of the College community, including a recommendation, if necessary, of any disciplinary action to be taken against the respondent. When the committee's decisions are not unanimous, the report shall record both majority and minority opinions. The report shall be signed by all members of the committee.

If the complaint of discrimination involves grading, the grievance committee shall, at its discretion, call upon appropriate members of the Williams faculty for advice and shall have access to any information, including student records, it deems necessary. The laws governing access to individually identifiable student records require, however, that such information come to the committee through an officer of the College, i.e., the Dean of the College. If the committee judges an assigned grade to be the result of discrimination, the committee will recommend to the executive officers either a revised grade or a procedure for assigning a new grade. Nothing in these procedures shall infringe upon an instructor's responsibility for his or her own grading so long as that grading does not violate the College's non-discrimination policy.

The executive officers shall consider the grievance committee's finding(s), report, and recommendations (if any). The executive officers shall also consider any information about the respondent in the file of complaints of discrimination, to which the executive officer of the respondent has access that is relevant to a judgment concerning the present case or to its disposition. If the executive officers reach conclusions that differ from those of the grievance committee, they will state their reasons for having done so, in writing, to the committee, providing the committee with an opportunity to reply before taking action. If, after considering the grievance committee's reply, the executive officers conclude that the respondent did not violate the College's non-discrimination policy, or that the evidence is not sufficient to substantiate the allegation, the case shall be dismissed. If they conclude that a violation has occurred, they will, normally within a period of one month after receiving the committee's report, submit a written statement of their finding(s), and of the actions they plan to take, to the committee, the complainant, the respondent, and the respondent's department supervisor.

The complainant will have exhausted the College's discrimination grievance procedures at the close of the formal stage. The respondent has the right to appeal the executive officers' proposed disposition of the case, unless the executive officers have instituted proceedings to suspend or dismiss a faculty member, as the Appeal Procedure below explains. If the respondent chooses not to appeal, the executive officers shall then act to remedy the harm done to the complainant, to protect the College community, and to take appropriate disciplinary action against the respondent. Copies of the executive officers' written reports will be placed in the file of complaints of discrimination maintained by the Respondent's executive officer.

Appeal Procedure

The formal grievance procedure constitutes the complainant's appeal. The respondent may appeal the executive officers' disposition of the case in the manner described below, unless the executive officers have initiated proceedings for the dismissal or suspension of a faculty member, in which case the matter shall be referred to the President and the Committee on Appointments and Promotions in accordance with the procedure governing the imposition of a major sanction, as described in the Faculty Handbook, Section II-V: Termination for Cause. This procedure includes an appeal option of its own. In all other cases, a respondent who is dissatisfied with the executive officers' finding of discriminatory behavior and/or the actions they have proposed may appeal at one of two points: at the conclusion of the informal proceedings, if the complainant has withdrawn; or at the conclusion of the formal proceedings, if the complainant has taken the case to a grievance committee. Should the respondent (hereafter the appellant) choose to appeal, he or she must submit a written statement explaining the reasons for the appeal within one month of receiving the executive officers' statement of the findings and the action proposed. The complainant is no longer party to the case but may be called upon as a witness.

When the appellant is a student, and the complainant who had filed the charge of discriminatory behavior is a member of the faculty or staff, the statement explaining the reasons for the appeal should be sent to the President, whose resolution of the case shall be final. When the appellant is a staff member, the statement of the reasons for the appeal should in all cases be sent to the President, whose resolution of the case shall again be final. The President shall report his or her decision(s), in writing, to the appellant and to the executive officers involved in the case. If during the formal stage the case had been brought before a grievance committee, the President shall send to the grievance committee and to the original complainant the statement of reasons for the appeal and report to the committee his or her findings and final resolution of the case. The executive officer of the appellant shall place the statement of reasons for the appeal and the President's report to the appellant and the executive officers in the file of complaints of discrimination he or she maintains, providing a full record of the final disposition of the case.

When the appellant is a member of the faculty, he or she should send the statement explaining the reasons for the appeal to a faculty hearing committee, which shall be constituted and conduct its business according to the procedures described in the Faculty Handbook in Section II-V. Upon the conclusion of those procedures, however, the following reporting mechanisms shall be added to those stipulated in Section II-V. In cases that had come before a grievance committee at the formal stage, the hearing committee and, where applicable, the President, shall report to the grievance committee and the original complainant the following: the statement of reasons for the appeal; the hearing committee's findings and its recommendation, if any, to the President; the final resolution of the case. In all cases, the Dean of the Faculty shall place in his or her file of complaints of discrimination the statement of reasons for the appeal and the report(s) to the faculty member from the hearing committee and, where applicable, the President, providing a full record of the final disposition of the case.

A Summary of the Sequence of Events and Options in the Discrimination Grievance Procedures

Advising

The person who believes he or she may have been subjected to discriminatory behavior may but need not discuss the incident(s) with a College advisor. College advisors are also available to persons against whom a complaint has been filed.

Informal

The person who believes he or she may have been subjected to discriminatory behavior may discuss the incident(s) with the appropriate administrator.

The person may but need not file a complaint at the informal stage.

To file a complaint the person submits a statement of allegations to his or her executive officer. The executive officers will then conduct an investigation and reach a finding. If they find the complaint unwarranted, the complainant may but need not request formal grievance proceedings. If the respondent is judged to have violated College policy, the executive officers attempt a resolution. Either party may refuse to accept the terms proposed.

If both parties accept the terms, the resolution is successful and the case is settled. If the resolution fails, the complainant may ask for formal grievance proceedings or withdraw the complaint.

If the complainant withdraws, the executive officers may decide to take action against the respondent on their own. The respondent may appeal the executive officers' decision.

Formal

The grievance committee conducts a hearing and reaches a finding, reporting its finding and its recommendations to the executive officers, the complainant, and the respondent.

The executive officers reach their own finding. If it differs from the committee's, they so inform the committee and provide it with an opportunity to reply.

If the executive officers then find the respondent not to have violated the College's anti-discrimination policy, or if they find the evidence insufficient, the case is dismissed.

If, on the other hand, the executive officers find that the respondent violated the College's policy, they will report their finding and the actions they propose to take to the committee, the complainant, and the respondent. The respondent may appeal their finding and their proposed actions.

Appeal

The formal grievance proceedings constitute the complainant's appeal.

The respondent may appeal at the conclusion of the informal proceedings if the complainant has withdrawn and the executive officers have proposed disciplinary action; or at the end of the formal grievance proceedings if the complainant has taken the complaint to a grievance committee.

If the respondent is a student or staff member, the appeal will be heard by the President. If the respondent is a faculty member, the appeal will be heard by a faculty hearing committee.

Regulations Governing the Use of the Executive Officer's File of Prior Complaints Brought Against the Respondent

If a complaint of discriminatory behavior has been lodged against the respondent in the past, the following rules govern the use of the record of the prior case in the case under consideration:

The executive officers may use information from the record in conducting the investigation. Nothing from the record, however, may be used as evidence in support of a finding as to whether the respondent in fact committed the act(s) currently being alleged. That determination must be based solely on the established facts of the case under consideration.

If the respondent is found to have committed the alleged act(s), and is judged to have violated the College's anti-discrimination policy, a prior finding of discriminatory behavior, a prior warning, or prior instructions about what constitutes discriminatory behavior, may be used in determining the appropriate penalties or sanctions.

Advisory Conversations and the College's Non-Discrimination Policy

The following guidelines are for persons who have advising functions related to the College's Non-discrimination Policy. As with all parts of the advising procedure, they are not part of the actual discrimination grievance procedures, which require that a complaint be officially filed. An "advisory conversation" is merely one of the options that College-designated advisors or other persons whose positions carry advising functions, such as chairs or managers of department or programs, might want to describe to an advisee whose situation resembles the following:

The advisee does not wish to file a complaint but does want the person whose behavior is at issue to be advised that he or she should be careful to avoid actions that could very well be innocent but could be misinterpreted.

An advisory conversation might be appropriate, in other words, when the advisee perceives the conduct to be ambiguous or innocent but nonetheless finds it dislocating. The guidelines are as follows:

Guidelines for Advisory Conversation

The advisee requests the conversation and the executive officer makes the decision as to whether an advisory conversation shall take place. The advisee, before deciding to recommend such a conversation,

should be made aware of the following. His or her name will need to be made known to the executive officer. Depending on the circumstance of the case, the executive officer might also need to talk to the advisee, and the advisee's identity might need to be made known to the person whose behavior is at issue.

If the advisee wishes the conversation to take place, either the advisor and/or the advisee should discuss the matter with the executive officer of the person whose behavior is at issue. If the executive officer decides that an advisory conversation would be useful, the executive officer may choose to conduct it, or may delegate the responsibility to a member of his or her staff, or to another member of the faculty or staff, depending on who is likely to be the most appropriate and effective person. If the responsibility is delegated, the executive officer shall discuss what is to be said with the person who conducts the conversation and shall receive notice of its having taken place.

The executive officer or the delegated person shall inform the advisee that the conversation has taken place. Nothing else shall be conveyed to the advisee without the explicit permission of the person whose behavior is at issue. No record shall be kept of the conversation, unless the person whose behavior is at issue requests one, in which case he or she shall be given a copy. Such a record would have no "probative value" (i.e., it would provide no "proof" or "evidence" of discriminatory behavior concerning either the present situation or any future allegations of discriminatory behavior, should such be made).

Both the conversation, and the written record, if there is any, must make clear the following:
That no charges of discriminatory behavior have been filed nor are any such allegations currently being made.
That the case has not been investigated.
That the behavior at issue may be entirely innocent.
That the sole purpose of the conversation is to discuss for the sake of all concerned, the need to be careful about the impressions that even well-intentioned comments or contacts with students, faculty, or staff can have

Appendix B: Sexual Misconduct

Anyone who experiences conduct that he or she believes violates the College's Sexual Misconduct Policies is encouraged to report that conduct to Campus Safety and Security, the Office of the Dean of the College (in the case of a student), or to the College's Title IX Coordinator or any of the Title IX deputies. He or she is also encouraged to make a report to the police for legal action. Both of these processes can happen simultaneously. College processes are outlined below.

The College's procedures seek to ensure a prompt, fair, and impartial investigation and resolution. Procedures will be conducted by College officials who receive annual training on issues related to domestic violence, dating violence, stalking, sexual exploitation and sexual assault, as well as on conducting a hearing process that protects victim safety and promotes accountability.

The standard of proof used in adjudication of cases of sexual misconduct, including sexual harassment, sexual assault, dating violence, domestic violence and stalking, will be preponderance of evidence, as required by Federal regulation. Possible sanctions if a student or employee of the College is found responsible for violation of the College's Sexual Misconduct Policies include the full range of disciplinary sanctions available at the college, up to and including suspension from the college for one or more semesters and expulsion, in the case of a student, or dismissal in the case of a College employee.

1. Cases involving student respondents

A staff or faculty member who experiences conduct on the part of a student that he or she believes violates the College's Sexual Misconduct Policies should contact the Dean of the College or the Title IX Coordinator. The Title IX Coordinator will ensure that the staff or faculty member is provided the information and support stipulated by the College's Title IX policies. The investigation and adjudication processes will be those outlined in the College's Sexual Misconduct Policy relating to student sexual misconduct.

2. Cases involving a student and a faculty or staff member

A student who experiences conduct on the part of a staff or faculty member that the student believes violates the College's Sexual Misconduct Policies is encouraged to report that conduct to Campus Safety and Security, the College's Title IX Coordinator, or the Dean of the College. A student who reports an experience of sexual assault or other sexual misconduct is called the "complainant." The staff or faculty member who is accused of committing sexual assault or sexual misconduct is called the "respondent." Both the complainant and the respondent are encouraged to participate in the process of investigation and adjudication.

A. Before the process of investigation and adjudication starts, several steps are taken

The Title IX Coordinator, in consultation with the relevant Title IX deputy or deputies (for students, the Dean of the College; for faculty, the Dean of the Faculty; for staff, the Director of Human Resources) will assign the complainant and the respondent each to a different trained advisor from the College staff (the "trained College advisor"). This advisor will explain to them the process and will also serve as a resource for any questions or concerns.

The Title IX Coordinator will provide to both the complainant and the respondent a written statement of their rights and responsibilities, and a description of these processes, including the requirements of confidentiality and the rules forbidding retaliation.

The Title IX Coordinator will make available at any time, before, during or after the hearing process, and whether or not the complainant participates in the investigation and adjudication, reasonable and appropriate accommodations to increase the complainant's safety and wellbeing on campus. These may include no-contact orders with the respondent and/or other parties, changes of housing accommodations, and academic accommodations such as extensions, tutors, and changes of class schedule. Accommodations may also include changes of class modality (for example, switching to an independent study) if needed in order to ensure access to academic opportunity for the complainant in a class taught by a faculty member who is the respondent. The Title IX Coordinator will inform the complainant in writing of the College's obligation to provide these accommodations and resources as soon as the complainant comes forward. The Title IX Coordinator will work with the relevant Title IX deputy or deputies to arrange any appropriate accommodations for the respondent and will inform the respondent in writing of the College's readiness to provide these accommodations and resources.

B. Investigation

Both the complainant and respondent have the right to have an advisor of their choosing (either the trained College advisor or any other person, including an attorney) present with them for all parts of the process. The advisor can speak to the complainant/respondent at any time during the process but cannot speak for them to the investigator or to the hearing panel.

If a student reports an incident but does not wish to participate in the investigation and adjudication process, the situation will be reviewed by a committee comprised of the Title IX Coordinator, the relevant Title IX deputy or deputies, and the Director of Sexual Assault Prevention and Response. That committee will determine whether there is sufficient information to proceed with an investigation and adjudication without the participation of the complainant. If the committee determines that the case should proceed without the complainant, it will make every effort to protect confidentiality (see Title IX Confidentiality and Privacy).

If it is determined that a process will go forward, the Title IX deputy relevant to the respondent will inform the respondent of the charges in writing.

If a respondent chooses not to participate in the investigation and adjudication process, the process will proceed without their contribution to the determination of the facts of the case. The respondent should note that the appeal process based on appearance of new information not available to the hearing panel does not apply in cases of deliberate omission of information by the respondent, including refusal by the respondent to participate in the investigation.

The Title IX Coordinator, in consultation with the relevant Title IX deputy or deputies, will assign a person trained in sexual misconduct investigations to determine the facts of the case as completely as possible. This investigator will hear statements from the complainant and respondent, ask follow up questions, reach out to and collect statements from others who have evidence/information relevant to the question of violation of the Sexual Misconduct Policies, and ask follow-up questions as needed. The complainant and respondent may each direct the investigator toward people to interview and may frame questions to be asked of others. The investigator will respect these directives unless they violate standards of good practices for sexual misconduct investigations or are clearly redundant or irrelevant. If the investigator decides not to pursue a question or interviewee submitted by one of the parties in the case, he or she will so inform that party in writing of the decision. All of those contacted by the investigator will be required to maintain the privacy of the investigation. The investigator will also gather any additional evidence available (for example, health care records, with permission of the person to whom they refer). The investigator may consult with the Title IX Coordinator and relevant deputies in decisions regarding the investigation process. The statements of the complainant and respondent will be recorded (audio). The investigator will produce for the hearing panel a report of his/her findings, which will include a list of those interviewed and copies of any additional material referenced.

The Title IX Coordinator, in consultation with the relevant Title IX deputy or deputies, will review the report and may request that additional information be gathered. These Title IX officers will also ensure that the report does not contain material that is inadmissible in the decision process, such as irrelevant prior sexual history.

The investigator's report will be shared with the complainant and respondent once it is complete. The complainant and respondent each have 10 days following the receipt of the report to write a response to it if they wish to do so; at that time, both may request that further information be gathered. Responses will be included in the official materials sent forward to the hearing panel for adjudication. If the Title IX Coordinator agrees that further information should be gathered, the investigator will be charged with pursuing the additional information and, if appropriate, issuing an amendment or supplement to the report. The complainant and respondent will be given an additional ten days to respond to any such additional or supplemental report.

The Title IX Coordinator and each of the deputies relevant to the complainant and respondent will review the report and the responses of both parties, and determine whether the alleged behavior of the respondent is properly within the purview of the sexual misconduct policies. If the Title IX Coordinator and deputies determine that the respondent's alleged behavior is not within the purview of the college's sexual misconduct policies, the Title IX Coordinator or relevant deputy will so inform the complainant and respondent in writing, and will direct the complainant to any other relevant college or legal processes that may address the behavior. The complainant may bring the investigator's report over into other relevant college processes (such as the discrimination grievance process).

If the Title IX committee determines that the respondent's alleged behavior is within the purview of the college's sexual misconduct policies, the case will move forward to the primary adjudication process, described below.

C. Primary Adjudication

The decision about whether there has been a violation of the College's Sexual Misconduct Policies will be made by a hearing panel of five trained members. Four "yes" votes are necessary for a finding that there has been a violation. If such a violation is found to have taken place, then the same panel recommends an appropriate sanction. Sanctions are ultimately determined according to the rules in the Staff and Faculty Handbooks as described and modified below.

For each case the panel will be appointed by the Title IX Coordinator in consultation with the relevant Title IX deputy or deputies. The panel will ordinarily consist of a member of the office of the Dean of the College plus four additional members, drawn from the President's Standing Panel. If the respondent is a member of the faculty, at least two persons on the panel shall be faculty. If the respondent is staff, at least

two persons on the panel shall be staff. The complainant and respondent will have the opportunity to state whether there are those they feel should not participate in the panel due to bias or any other reason which would prevent them from making a fair assessment of the evidence. The final decision on any such requests for recusal will be made by the Title IX Coordinator in consultation with the relevant Title IX deputy or deputies.

The panel will start its deliberations by reading the investigator's report, along with the responses to the report (if any) from the complainant and respondent. The hearing panel also may request statements gathered by the investigator if they believe it is important to read the transcripts of the interviews. If the hearing panel draws substantive new information from review of the raw transcripts that was not already in the investigator's report, it will inform the complainant and respondent and allow them an opportunity to respond. After discussion, the panel will decide whether there are additional questions that need to be asked. If so, the investigator will go back to the parties to ask those questions. The panel may ask questions of the Title IX Coordinator or other relevant college officials.

The panel will decide whether there is a preponderance of evidence showing a violation of the College's Sexual Misconduct Policies.

If the panel determines that there has been a violation of the College's Sexual Misconduct Policies, the complainant and respondent will each be so informed in writing, and each then will have the opportunity to briefly address the committee, either in person, by media communication, or in writing, before the sanction is considered. (The two parties would do this separately – neither one in the presence of the other. It is optional rather than required to make such a statement.) This opportunity is not one in which the facts of the case are discussed or questions are asked by the committee. Rather, it is an opportunity for both parties to present directly to the panel in their own "voice" any additional information, including information about the impact of the incident in question. This opportunity is limited to 15 minutes or the written equivalent thereof. Each party's trained College advisor will provide them with guidelines on what is and is not permitted in this part of the process.

The panel will then recommend a sanction to the relevant senior officer (Dean of the Faculty for respondents who are members of the faculty, the Director of Human Resources for respondents who are members of the staff.) The complainant and respondent will each be informed in writing of the recommended sanction. Sanctions are ultimately determined by the processes described in the Staff and Faculty Handbooks, modified as described below.

D. Appeal of the Finding of the Hearing Panel

Both parties have the right to request an appeal of the finding made by the hearing panel on whether or not there was a violation of the College's policy on Sexual Misconduct. This right to appeal of the finding is limited to (a) significant procedural lapses or (b) the appearance of substantive new evidence not available at the time of the original decision. Each party has 15 days following the receipt of the written decision to indicate their intention to appeal. Requests for appeal, with reasons, should be sent in writing to the Vice President for Institutional Diversity and Equity.¹²

If either the complainant or the respondent wishes to have other people interviewed to determine whether they have substantive new information pertinent to the appeal that was not available at the time of the original decision, the following process will be followed. (1) The person wishing to appeal will write to the Vice President for Institutional Diversity and Equity describing whom they wish to have interviewed and on what topic. (2) The Vice President or a designee will ask the person whether they do, in fact, have information on that topic. (3) If they do, the investigator will ask them questions or request a written statement. The appeal process will be suspended until the completion of these steps.

The Vice President for Institutional Diversity and Equity will grant appeals only in cases where the procedural problems or new evidence are considered substantive enough to have had a significant effect on the outcome of the initial hearing. If the appeal is granted, its disposition is determined by the Vice

¹² If this position is empty, this role will be filled by the Vice President for Finance & Administration and Treasurer.

President for Institutional Diversity and Equity who may affirm the decision of the panel, return it to the original committee or summon a new committee, and who may task those committees with reviewing the decision either in whole or in part.

The results of any appeal will be communicated simultaneously and in writing to the complainant and the respondent by the Title IX Coordinator.

E. Final Determination of Sanction in Cases Involving Respondents who are Members of the Faculty

If the recommended sanction is termination of the respondent's appointment for cause, the Dean of the Faculty will initiate proceedings pursuant to Section II-V: Termination for Cause, of the Faculty Handbook. If the recommended sanction is a major sanction, such as suspension from service for a stated period, the Dean of the Faculty will initiate proceedings pursuant to Section II-W, "Major Sanctions," of the Faculty Handbook. If the recommended sanction is a minor sanction, the Dean of the Faculty will initiate proceedings in accordance with Section II-W, "Minor Sanctions," of the Faculty Handbook. In order to comply with federal law, regulations, and guidance regarding Title IX, Sections II-V and II-W of the Faculty Handbook must be changed in some ways for cases involving sexual misconduct. Those changes are delineated below.

In all cases covered by this policy the sole determination to be made according to the processes described in Sections II-V and II-W of the Faculty Handbook will be the final sanction to be imposed on the respondent. The determination by the hearing panel that the respondent committed a violation of the college's Sexual Misconduct Policies shall be final and shall not be subject to review or reconsideration in the sanctions process.

The hearing panel convened at this stage of the process will receive as evidence the letter of findings and recommended sanction from the original hearing panel described in section C. They will also have access to the report of the investigator and to previous disciplinary records of the respondent, if any. The hearing panel may request assistance from the Title IX Coordinator or other college officials.

The faculty member does not have the right to compel the complainant to appear before the panel. The complainant's testimony may be represented by the investigator's report.

Although the complainant cannot be compelled to appear before the hearing panel, in all cases covered by this policy the complainant will have an equal right with the respondent to be heard by the Dean of the Faculty, any hearing committee convened pursuant to the provisions of Section II-V or II-W and by the Board of Trustees.

Final decisions as to sanctions will be reported in writing simultaneously to the complainant and the respondent, as well as to the Title IX officer.

F. Final Determination of Sanction in Cases Involving Respondents who are Members of the Staff

Final determination of sanctions involving respondents who are members of the staff will be made by the Director of Human Resources, in consultation with the Title IX officer and relevant supervisor(s) of the staff member. The Director of Human Resources may take into account previous disciplinary records of the staff member in making his/her decision regarding sanction. Final decisions as to sanctions will be reported in writing simultaneously to the complainant and the respondent, as well as to the Title IX officer.

Appendix: Additional Matters

The complainant and respondent will each be assigned a trained College advisor to help them navigate the process. Each party can bring this advisor with them for all parts of the process, including the investigation. These trained College advisors will not be part of a hearing panel regarding the case. Both the complainant and respondent have the right to have another advisor of their choosing present with them for all parts of the process, including any meeting with campus officials, with the hearing panel, and with the investigator. This advisor can speak to the complainant/respondent at any time during the process but cannot speak directly to the investigator or to the hearing panel. The complainant and respondent may bring one advisor with them—either the trained College advisor or the other advisor of their choosing—to

any part of the process.

Both parties have full access to the support services provided by the College throughout the process. For students, this includes the resources of the Health Center and Psychological Counseling Services; for faculty and staff, the employee assistance program.

Retaliation of any kind against the complainant or any witness is strictly prohibited. Any retaliation will be treated as a new and additional violation of the Sexual Misconduct Policy.

3. Cases Involving Faculty and/or Staff Members Only

A staff or faculty member who experiences conduct on the part of a staff or faculty member that he or she believes violates the College's Sexual Misconduct Policies is encouraged to report that conduct to the Dean of the Faculty, the Director of Human Resources, the College's Title IX Coordinator, or Campus Safety and Security. A staff or faculty member who reports an experience of sexual misconduct is called the "complainant." The staff or faculty member who is accused of committing sexual misconduct is called the "respondent." Both the complainant and the respondent are encouraged to participate in the process of investigation and adjudication.

A. Before the process of investigation and adjudication starts, several steps are taken

The Title IX Coordinator, in consultation with the relevant Title IX deputy or deputies (for faculty, the Dean of the Faculty; for staff, the Director of Human Resources) will assign the complainant and the respondent each to a different trained advisor from the College staff (the "trained College advisor"). This advisor will explain to them the process and will also serve as a resource for any questions or concerns.

The Title IX Coordinator will provide to both the complainant and the respondent a written statement of their rights and responsibilities, and a description of these processes, including the requirements of confidentiality and the rules forbidding retaliation.

The Title IX Coordinator will make available at any time, before, during or after the administrative resolution or hearing process, and whether or not the complainant participates in the investigation and adjudication, reasonable and appropriate accommodations to increase the complainant's safety and wellbeing on campus. These may include no-contact orders with the respondent and/or other parties, changes of housing if living in College housing, and changes of work duties if necessary to avoid conflict. The Title IX Coordinator will inform the complainant in writing of the College's obligation to provide these accommodations and resources as soon as the complainant comes forward. The Title IX Coordinator will work with the relevant Title IX deputy or deputies to arrange any appropriate accommodations for the respondent and will inform the respondent in writing of the College's readiness to provide these accommodations and resources.

B. Investigation

Both the complainant and respondent have the right to have an advisor of their choosing (either the trained College advisor or any other person, including an attorney) present with them for all parts of the process. The advisor can speak to the complainant/respondent at any time during the process but cannot speak for them to the investigator, to the relevant administrators, or to the hearing panel.

If a faculty or staff member reports an incident but does not wish to participate in the investigation and adjudication process, the situation will be reviewed by a committee comprised of the Title IX Coordinator, the relevant Title IX deputy or deputies, and the Director of Sexual Assault Prevention and Response. That committee will determine whether there is sufficient information to proceed with an investigation and adjudication without the participation of the complainant. If the committee determines that the case should proceed without the complainant, it will make every effort to protect confidentiality (see Title IX Confidentiality and Privacy).

If it is determined that a process will go forward, the Title IX deputy relevant to the respondent will inform the respondent of the charges in writing.

If a respondent chooses not to participate in the investigation and adjudication process, the process will proceed without their contribution to the determination of the facts of the case. The respondent should note that the appeal process based on appearance of new information not available to the hearing panel does not apply in cases of deliberate omission of information by the respondent, including refusal by the respondent to participate in the investigation.

The Title IX Coordinator, in consultation with the relevant Title IX deputy or deputies, will assign a person trained in sexual misconduct investigations to determine the facts of the case as completely as possible. This investigator will hear statements from the complainant and respondent, ask follow up questions, reach out to and collect statements from others who have evidence/information relevant to the question of violation of the Sexual Misconduct Policies, and ask follow-up questions as needed. The complainant and respondent may each direct the investigator toward people to interview and may frame questions to be asked of others. The investigator will respect these directives unless they violate standards of good practices for sexual misconduct investigations or are clearly redundant or irrelevant. If the investigator decides not to pursue a question or interviewee submitted by one of the parties in the case, he or she will so inform that party in writing of the decision. All of those contacted by the investigator will be required to maintain the privacy of the investigation. The investigator will also gather any additional evidence available (for example, health care records, with permission of the person to whom they refer). The investigator may consult with the Title IX Coordinator and relevant deputies in decisions regarding the investigation process. The statements of the complainant and respondent will be recorded (audio). The investigator will produce for the administrators and/or the hearing panel a report of his/her findings, which will include a list of those interviewed and copies of any additional material referenced.

The Title IX Coordinator, in consultation with the relevant Title IX deputy or deputies, will review the report and may request that additional information be gathered. These Title IX officers will also ensure that the report does not contain material that is inadmissible in the decision process, such as irrelevant prior sexual history.

The investigator's report will be shared with the complainant and respondent once it is complete. The complainant and respondent each have 10 days following the receipt of the report to write a response to it if they wish to do so; at that time, both may request that further information be gathered. Responses will be included in the official materials sent forward to the hearing panel for adjudication. If the Title IX Coordinator agrees that further information should be gathered, the investigator will be charged with pursuing the additional information and, if appropriate, issuing an amendment or supplement to the report. The complainant and respondent will be given an additional 10 days to respond to any such additional or supplemental report.

The Title IX Coordinator and each of the deputies relevant to the complainant and respondent will review the report and the responses of both parties, and determine whether the alleged behavior of the respondent is properly within the purview of the sexual misconduct policies.

If the Title IX Coordinator and deputies determine that the respondent's alleged behavior is not within the purview of the college's sexual misconduct policies, the Title IX Coordinator or relevant deputy will so inform the complainant and respondent in writing, and will direct the complainant to any other relevant college or legal processes that may address the behavior. The complainant may bring the investigator's report over into other relevant college processes (such as the discrimination grievance process).

If the Title IX committee determines that the respondent's alleged behavior is within the purview of the college's sexual misconduct policies, the case will move forward to the primary adjudication process, described below.

C. Primary Adjudication

After receiving the investigator's report, the complainant may choose to pursue an administrative resolution of the complaint or proceed straight to a hearing panel. If the complainant chooses the administrative resolution, he or she may end that process at any time and move instead to a hearing by the hearing panel.

I. Administrative Resolution

Two executive officers of the college will oversee the administrative resolution process for the complaint. Ordinarily, the two executive officers will be those to whom the complainant and respondent report (the Dean of the Faculty for the faculty, and the executive officer to whom the staff member's department reports for staff.) In cases where both complainant and respondent have the same executive officer, or in cases where the complainant or respondent believe their own executive officer cannot fairly adjudicate the complaint, the Title IX coordinator, after consultation with the complainant and respondent, will determine which two executive officers of the College will oversee the administrative resolution process. If it is an executive officer whose behavior is at issue in the complaint, the Title IX Coordinator, in consultation with the President and after conversation with both complainant and respondent, shall select two other executive officers to oversee the administrative resolution process.

The executive officers will read and consider the investigator's report, along with any responses to that report written by the complainant and respondent. The executive officers may request statements gathered by the investigator if they believe it is important to read the transcripts of the interviews. If the executive officers draw substantive new information from review of the raw transcripts that was not already in the investigator's report, they will inform the complainant and respondent and allow them an opportunity to respond. If the executive officers decide that additional questions need to be asked, the investigator will go back to the parties to ask those questions. The executive officers may also ask questions of the Title IX Coordinator or other relevant college officials.

The executive officers will reach a finding and report it to both the complainant and the respondent. If it is the judgment of the executive officers that the respondent committed the act(s) alleged by the complainant and thereby violated College sexual misconduct policy, they will seek a resolution of the complaint. They will also, if the respondent is a faculty or staff member, confer with his or her department supervisor. The complainant's executive officer will keep the complainant informed of any progress made in resolving the grievance, reporting to the complainant within one month of the filing of the complaint. This period may be extended beyond one month if the complainant and his or her executive officer agree that an extension is needed.

To be successful, the terms of the resolution proposed by the executive officers must be acceptable to both the complainant and the respondent. The executive officers will put both the finding of responsibility and the terms of the proposed resolution in writing, giving a copy to the complainant and another to the respondent. Each party will have 10 days to indicate his or her acceptance of the terms as constituting a satisfactory resolution of the grievance by returning a signed copy to the executive officers. Upon receipt of both signed copies, the respondent's executive officer, as well as the Title IX Coordinator, will place them in his or her file of complaints of discrimination and take such actions as are called for in the resolution.

The executive officers' attempt at a resolution will have failed if either the complainant or the respondent chooses not to accept the terms proposed. If the complainant or the respondent does not accept them, either of them may, again within 10 days of receiving the proposed terms in writing, instruct the Title IX Coordinator to convene a hearing panel.

II. Hearing Panel

If the complainant decides to forgo administrative resolution or if administrative resolution is not acceptable to the complainant or respondent, the decision about whether there has been a violation of the College's Sexual Misconduct Policies will be made by a hearing panel of five trained members. Four "yes" votes are necessary for a finding that there has been a violation. If such a violation is found to have taken place, then the same panel recommends an appropriate sanction. Sanctions are ultimately determined according to the rules in the Staff and Faculty Handbooks as described and modified below.

For each case the panel will be appointed by the Title IX Coordinator in consultation with the relevant Title IX deputy or deputies. The panel will be drawn from the President's Standing Panel. If one party is a member of the faculty and the other party is a member of the staff, the panel will consist of two members of the faculty, two members of the staff, and a chair. If the complainant and respondent are both faculty, then

the panel will consist of five members of the faculty, one of whom will be chair. If the complainant and respondent are both staff, then the hearing panel will consist of five members of the staff, one of whom will be chair. The complainant and respondent will have the opportunity to state whether there are those they feel should not participate in the panel due to bias or any other reason which would prevent them from making a fair assessment of the evidence. The final decision on any such requests for recusal will be made by the Title IX Coordinator in consultation with the relevant Title IX deputy or deputies.

The panel will start its deliberations by reading the investigator's report, along with the responses to the report (if any) from the complainant and respondent. The hearing panel may request statements gathered by the investigator if they believe it is important to read the transcripts of the interviews. If the hearing panel draws substantive new information from review of the raw transcripts that was not already in the investigator's report, it will inform the complainant and respondent and allow them an opportunity to respond. After discussion, the panel will decide whether there are additional questions that need to be asked. If so, the investigator will go back to the parties to ask those questions. The panel may ask questions of the Title IX Coordinator or other relevant college officials.

The panel will decide whether there is a preponderance of evidence showing a violation of the College's Sexual Misconduct Policies.

If the panel determines that there has been a violation of the College's Sexual Misconduct Policies, the complainant and respondent will each be so informed in writing, and each then will have the opportunity to briefly address the committee, either in person, by media communication, or in writing, before the sanction is considered. (The two parties would do this separately – neither one in the presence of the other. It is optional rather than required to make such a statement.) This opportunity is not one in which the facts of the case are discussed or questions are asked by the committee. Rather, it is an opportunity for both parties to present directly to the panel in their own "voice" any additional information, including information about the impact of the incident in question. This opportunity is limited to 15 minutes or the written equivalent thereof. Each party's trained College advisor will provide them with guidelines on what is and is not permitted in this part of the process.

The panel will then recommend a sanction to the relevant senior officer (Dean of the Faculty for respondents who are members of the faculty, the Director of Human Resources for respondents who are members of the staff.) The complainant and respondent will each be informed in writing of the recommended sanction. Sanctions are ultimately determined by the processes described in the Staff and Faculty Handbooks, modified as described below.

D. Appeal of the Finding of the Hearing Panel

Both parties have the right to request an appeal of the finding made by the hearing panel on whether or not there was a violation of the College's policy on Sexual Misconduct. This right to appeal of the finding is limited to (a) significant procedural lapses or (b) the appearance of substantive new evidence not available at the time of the original decision. Each party has 15 days following the receipt of the written decision to indicate their intention to appeal. Requests for appeal, with reasons, should be sent in writing to the Vice President for Institutional Diversity and Equity.¹³

If either the complainant or the respondent wishes to have other people interviewed to determine whether they have substantive new information pertinent to the appeal that was not available at the time of the original decision, the following process will be followed. (1) The person wishing to appeal will write to the Vice President for Institutional Diversity and Equity describing whom they wish to have interviewed and on what topic. (2) The Vice President or a designee will ask the person whether they do, in fact, have information on that topic. (3) If they do, the investigator will ask them questions or request a written statement. The appeal process will be suspended until the completion of these steps.

The Vice President for Institutional Diversity and Equity will grant appeals only in cases where the

¹³ *If this position is empty, this role will be filled by the Vice President for Finance & Administration and Treasurer.*

procedural problems or new evidence are considered substantive enough to have had a significant effect on the outcome of the initial hearing. If the appeal is granted, its disposition is determined by the Vice President for Institutional Diversity and Equity who may affirm the decision of the panel, return it to the original committee or summon a new committee, and who may task those committees with reviewing the decision either in whole or in part.

The results of any appeal will be communicated simultaneously and in writing to the complainant and the respondent by the Title IX Coordinator. If this position is empty, this role will be filled by the Vice President for Finance & Administration and Treasurer.

E. Final determination of sanction in cases involving respondents who are members of the faculty

If the recommended sanction is termination of the respondent's appointment for cause, the Dean of the Faculty will initiate proceedings pursuant to Section II-V: Termination for Cause of the Faculty Handbook. If the recommended sanction is a major sanction, such as suspension from service for a stated period, the Dean of the Faculty will initiate proceedings pursuant to Section II-W, "Major Sanctions," of the Faculty Handbook. If the recommended sanction is a minor sanction, the Dean of the Faculty will initiate proceedings in accordance with Section II-W, "Minor Sanctions," of the Faculty Handbook. In order to comply with federal law, regulations, and guidance regarding Title IX, Sections II-V and II-W of the Faculty Handbook must be changed in some ways for cases involving sexual misconduct. Those changes are delineated below.

In all cases covered by this policy the sole determination to be made according to the processes described in Sections II-V and II-W of the Faculty Handbook will be the final sanction to be imposed on the respondent. The determination by the hearing panel that the respondent committed a violation of the College's Sexual Misconduct Policies shall be final and shall not be subject to review or reconsideration in the sanctions process.

The hearing panel convened at this stage of the process will receive as evidence the letter of findings and recommended sanction from the original hearing panel described in section C. They will also have access to the report of the investigator and responses written by either party to that report, and to previous disciplinary records of the respondent, if any. The hearing panel may request assistance from the Title IX Coordinator or other college officials.

The faculty member does not have the right to compel the complainant to appear before the panel. The complainant's testimony may be represented by the investigator's report.

Although the complainant cannot be compelled to appear before the hearing panel, in all cases covered by this policy the complainant will have an equal right with the respondent to be heard by the Dean of the Faculty, any hearing committee convened pursuant to the provisions of Sections II-V or II-W and by the Board of Trustees.

Final decisions as to sanctions will be reported in writing simultaneously to the complainant and the respondent, as well as to the Title IX Coordinator.

F. Final Determination of Sanction in Cases Involving Respondents who are Members of the Staff

Final determination of sanctions involving respondents who are members of the staff will be made by the Director of Human Resources, in consultation with the Title IX Coordinator and relevant supervisor(s) of the staff member. The Director of Human Resources may take into account previous disciplinary records of the staff member in making his/her decision regarding sanction.

Final decisions as to sanctions will be reported in writing simultaneously to the complainant and the respondent, as well as to the Title IX Coordinator.

Appendix: Additional matters

The complainant and respondent will each be assigned a trained College advisor to help them navigate the process. Each party can bring this advisor with them for all parts of the process, including the investigation. These trained College advisors will not be part of a hearing panel regarding the case. Both

the complainant and respondent have the right to have another advisor of their choosing present with them for all parts of the process, including any meeting with campus officials, with the hearing panel, and with the investigator. This advisor can speak to the complainant/respondent at any time during the process but cannot speak directly to the investigator or to the hearing panel. The complainant and respondent may bring one advisor with them—either the trained College advisor or the other advisor of their choosing—to any part of the process.

Both parties have full access to the support services, including the employee assistance program, provided by the College throughout the process.

Retaliation of any kind against the complainant or any witness is strictly prohibited. Any retaliation will be treated as a new and additional violation of the Sexual Misconduct Policy.

The following text was added in place of the deleted material on pages 160-74 of the 2018-19 Handbook:

Appendix A: Discrimination, Harassment, and Sexual Misconduct Grievance Procedures¹⁴

NOTE: In cases involving only students or student respondents, the investigation and adjudication procedures will be those outlined in the college's policies relating to student misconduct: <https://dean.williams.edu/policies/>

Members of the Williams College community who believe they have been subjected to discrimination, harassment, or sexual misconduct are encouraged to bring these concerns forward. Concerns may be brought directly to the Office of Institutional Diversity and Equity (to the Vice President, the Assistant Vice President/Title IX Coordinator). Reports may also be made to an appropriate deputy of the office (for students, the Dean of the College; for staff, the Director of Human Resources; for Faculty, the Dean of the Faculty) or relevant American with Disabilities Act (ADA) officer, who will then work with the Office of Institutional Diversity and Equity to resolve the concern. Campus Safety and Security, local police, and state and/or federal agencies may also be contacted, either immediately or at any point during a college investigation. Normally, college investigations and hearings can occur simultaneously with external ones.

The college's procedures seek to ensure a prompt, fair, and impartial investigation and resolution. College officials who receive training on issues related to discrimination, harassment, and sexual misconduct, as well as on conducting a hearing process that protects the rights and safety of aggrieved parties and promotes accountability will conduct these procedures.

The standard of proof used in adjudicating of cases of alleged discrimination, harassment, and sexual misconduct will be preponderance of the evidence.¹⁵ Possible sanctions if a student or employee of the college is found responsible for violation of the college's Non-Discrimination, Harassment and Sexual Misconduct Policy include the full range of disciplinary sanctions available at the college, up to and including suspension from the college for one or more semesters and expulsion, in the case of a student, or dismissal in the case of a college employee.

In cases of sexual misconduct, the investigation and adjudication process is overseen by the Title IX Coordinator; in all other discrimination and harassment cases, the Assistant Vice President for Institutional Diversity and Equity has oversight.

The person alleging discrimination is here called the "complainant"; the party accused of violating college

¹⁴ These procedures may also be followed in cases involving complaints of discrimination, harassment or sexual misconduct brought against college employees or students by persons who are not members of the college community, e.g. visitors to the campus or participants in college programs or activities.

¹⁵ These procedures may also be followed in cases involving complaints of discrimination, harassment or sexual misconduct brought against college employees or students by persons who are not members of the college community, e.g. visitors to the campus or participants in college programs or activities.

policy is called the “respondent.” Both the complainant and the respondent are encouraged to participate in the process of investigation and adjudication.

I. Cases involving student respondents

A staff or faculty member who experiences conduct on the part of a student that they believe violates the college’s Non-Discrimination, Harassment and Sexual Misconduct Policy should contact the Dean of the College, the Vice President for Institutional Diversity and Equity or the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator. The local police, state or federal officials may also be contacted. Normally, college investigations and hearings can occur simultaneously with external ones. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will ensure that the staff or faculty member is provided the information and support stipulated by the college’s Non-Discrimination, Harassment and Sexual Misconduct Policy.

The investigation and adjudication processes will be those outlined in the college’s policies relating to student misconduct: <https://dean.williams.edu/policies/>.

II. Cases involving a student complainant and a faculty or staff member

A student who experiences conduct on the part of a staff or faculty member that the student believes violates the college’s Non-Discrimination, Harassment, and Sexual Misconduct Policy is encouraged to report that conduct to the Dean of the College, the Vice President for Institutional Diversity and Equity or the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, or to Campus Safety and Security. The local police, state or federal officials may also be contacted. Normally, college investigations and hearings can occur simultaneously with external ones.

Once an incident is reported, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with relevant deputy or deputies, will determine what support and accommodations, if any, should be made immediately available to the complainant. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will inform the respondent of the allegation(s) in writing.

In some cases, a student alleging discrimination or harassment may pursue either an informal or a formal process.

A. Informal process

The informal process is an opportunity to bring resolution to a complaint through awareness, education, and/or a facilitated discussion. An informal resolution may be appropriate if the complainant, the respondent, and the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and the relevant deputy or deputies can all come to an agreement about the facts and desirable resolution to the case.

The informal process is not appropriate for most cases that involve a student and a member of the faculty or staff; for complaints of sexual misconduct apart from certain instances of discriminatory harassment; and for any complaint involving behavior that potentially endangers members of the college community and/or is potentially criminal in nature. In other cases, if both the complainant and the respondent prefer an informal process, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with the relevant deputy or deputies, will decide if an informal resolution is appropriate and advisable.

During an informal process, fact-finding occurs to the extent necessary to understand the conflict and protect the interest of the parties and the college community, but no determination is made of whether college policy has been violated.

Informal resolutions may include, but are not limited to:

- Training;
- Changes to work or academic arrangements;
- Housing reassignment;

- *Informal discussion with a person whose conduct, if not stopped, could rise to the level of discrimination or harassment;*
- *Advisory discussion with the respondent's supervisor or chair;*
- *"No contact" directive to the parties;*
- *Suspension.*

Information obtained by the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with the relevant deputy or deputies, during the course of the informal complaint process will be shared only to the extent necessary to understand the conflict and protect the interest of the parties and the college community.

At any point during or following the informal process, the complainant and/or the respondent may end the informal process and request a formal process. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will inform, in writing, the complainant or respondent if the other party opts out of the informal process.

B. Formal process

Before the formal investigation and adjudication begins, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with relevant deputy or deputies, will assign the complainant and the respondent each a different trained advisor from the college staff. Advisors will explain the formal process to their assigned advisee and will also serve as a resource for any questions or concerns.

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will provide to both the complainant and the respondent a written statement of their rights and responsibilities and a description of these processes, including the requirements of confidentiality and the rules forbidding retaliation.

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will make available at any time before, during or after the hearing process, and whether or not the complainant participates in the investigation and adjudication, reasonable and appropriate accommodations to increase the complainant's safety and well-being on campus. These may include no-contact orders with the respondent and/or other parties, changes of housing accommodations, and academic accommodations such as extensions, tutors, and changes of class schedule. Accommodations may also include changes of class modality (for example, switching to an independent study) if needed in order to ensure access to academic opportunity for the complainant in a class taught by a faculty member who is the respondent. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will inform the complainant in writing of the college's obligation to provide these accommodations and resources as soon as the complaint comes forward; will work with relevant deputies to arrange any appropriate accommodations for the respondent; and will inform the respondent in writing of the college's readiness to provide these accommodations and resources.

1. Rights, including rights of non-participation

During all parts of the investigation and adjudication processes, both the complainant and respondent have the right to have an advisor of their choosing (either the trained college advisor or any other person, including an attorney) present with them. The advisor may speak to the complainant/respondent at any time during the process but may not speak for them to the investigator, to the relevant administrators, or to the adjudication panel.

If a student reports an incident but does not wish to participate in the investigation and adjudication process, the situation will be reviewed by a committee comprised of the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, the relevant deputy or deputies, and a third member: in cases of sexual misconduct, the Director of Sexual Assault Prevention and Response; in other discrimination or harassment cases, the Associate Dean for Institutional Diversity and Equity. That committee will determine whether there is sufficient information to proceed with an investigation and adjudication without the participation of the complainant. If the committee determines that the case should

proceed without the complainant, it will make every effort to protect their confidentiality (see Section II-S: Non-Discrimination, Harassment, and Sexual Misconduct Policy, “Confidentiality”).

If it is determined that a process will go forward, the deputy relevant to the respondent will inform the respondent of the allegations in writing.

If a respondent chooses not to participate in the investigation and adjudication process, the process will proceed without their contribution to the determination of the facts of the case. The respondent should note that the appeal process based on the appearance of new information not available to the adjudication panel does not apply in cases of deliberate omission of information by the respondent, including refusal by the respondent to participate in the investigation.

2. Investigation

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with the relevant deputy or deputies, will assign a person trained in discrimination investigations to determine the facts of the case as completely as possible. This investigator will hear statements from the complainant and respondent, ask follow up questions, reach out to and collect statements from others who have evidence/information relevant to the question of violation of the college’s Non-Discrimination, Harassment and Sexual Misconduct Policy, and ask follow-up questions as needed. The complainant and respondent may each direct the investigator toward people to interview and may frame questions to be asked of others. The investigator will respect these directives unless they violate standards of good practices for such investigations or are clearly redundant or irrelevant. If the investigator decides not to pursue a question or interviewee submitted by one of the parties in the case, they will so inform that party in writing of the decision. All of those contacted by the investigator will be required to maintain the confidentiality of the investigation. The investigator will also gather any additional evidence available (for example, health care records, with permission of the person to whom they refer, or evidence of patterns of discrimination). The investigator may consult with the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and any relevant deputies in decisions regarding the investigation process. The statements of the complainant and respondent will be recorded (audio). The investigator will produce a report of the findings, which will include a list of those interviewed and copies of any additional material referenced.

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and relevant deputies will review the report and may request that additional information be gathered. They will also ensure that the report does not contain material that is inadmissible in the decision process, such as irrelevant prior sexual history.

The investigator’s report will be shared with the complainant and respondent once it is complete.¹⁶ The complainant and respondent each have 10 days following the receipt of the report to write a response to it if they wish to do so. At that time, both may request that further information be gathered. Responses will be included in the official materials sent forward to the adjudication panel. If the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator agrees that further information should be gathered, the investigator will be charged with pursuing the additional information and, if appropriate, issuing an amendment or supplement to the report. The complainant and respondent will be given an additional 10 days to respond to any such additional or supplemental report.

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and each of the deputies relevant to the complainant and respondent will review the report and the responses of both parties, and determine whether the alleged behavior of the respondent is properly within the purview of the college’s Non-Discrimination, Harassment, and Sexual Misconduct Policy.

If the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and the relevant

¹⁶ The information shared at this point will include the alleged incident(s) being considered and a summary of interviews.

deputies determine that the respondent's alleged behavior is not within the purview of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy, they will so inform the complainant and respondent in writing and will direct the complainant to any other relevant college or legal processes that may address the behavior. The complainant may bring the investigator's report over into other relevant college processes.

If the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and relevant deputies determine that the respondent's alleged behavior is within the purview of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy, the case will move forward to the adjudication process, described below. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will communicate this determination, in writing, to the complainant and respondent.

3. Adjudication Process

An adjudication panel of five trained members will make the decision about whether there has been a violation of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy. Four "yes" votes are necessary for a finding that there has been a violation. If such a violation is found to have taken place, then the same panel recommends an appropriate sanction. Sanctions are ultimately determined according to the procedures in the Staff and Faculty Handbooks as described and modified below.

For each case, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator in consultation with the relevant deputy or deputies will appoint an adjudication panel and inform the complainant and respondent in writing. The panel will consist of a member of the office of the Dean of the College plus four additional members, drawn from the Standing Grievance Panel. If the respondent is a member of the faculty, at least two persons on the adjudication panel will be faculty. If the respondent is a member of the staff, at least two persons on the adjudication panel will be staff. The complainant and respondent will have the opportunity to state whether there are those they feel should not participate in the panel due to bias or any other reason which would prevent them from making a fair assessment of the evidence. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator in consultation with the relevant deputy or deputies will make the final decision on any such requests for recusal and inform the complainant and respondent in writing. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will ensure that all members of the adjudication panel are trained.

The panel will start its deliberations by reading the investigator's report, along with the responses to the report (if any) from the complainant and respondent. After discussion, the panel will decide whether there are additional questions that need to be asked. If so, the investigator will go back to the parties to ask those questions. The panel may ask questions of the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator or other relevant college officials.

The panel will decide whether there is a preponderance of the evidence showing a violation of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy.

If the panel determines that there has been a violation of the college's policy, the complainant and respondent will each be so informed in writing, and each then will have the opportunity to briefly address the committee, either in person, by media communication, or in writing, before a sanction is considered. (The two parties will do this separately – neither one in the presence of the other. It is optional rather than required to make such a statement.) This opportunity is not one in which the facts of the case are discussed or questions are asked by the committee. Rather, it is an opportunity for both parties to present directly to the panel in their own "voices" any additional information, including information about the impact of the incident in question. This opportunity is limited to 15 minutes or the written equivalent thereof. Each party's trained college advisor will provide them with guidelines on what is and is not permitted in this part of the process.

The panel will then recommend a sanction to the relevant senior administrator (Dean of the Faculty for respondents who are members of the faculty, the Director of Human Resources for respondents who are members of the staff). The complainant and respondent will each be informed in writing of the

recommended sanction. Final decisions as to sanctions are determined by the relevant procedures described in the Staff and Faculty Handbooks.

4. Appeal of the finding

Both parties have the right to appeal the finding made by the adjudication panel on whether or not there was a violation of the college's Non-Discrimination, Harassment and Sexual Misconduct Policy. This right to appeal of the finding is limited to (a) significant procedural lapses or (b) the appearance of substantive new evidence not available at the time of the original decision. Each party has 15 days following the receipt of the written decision to indicate their intention to appeal. Requests for appeal, with reasons, should be sent in writing to the Vice President for Institutional Diversity and Equity. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will inform, in writing, the complainant or respondent if the other party chooses to appeal the finding.

If either the complainant or the respondent wishes to have other people interviewed to determine whether they have substantive new information pertinent to the case that was not available at the time of the original decision, the following process will be followed:

- (1) The person wishing to appeal will write to the Vice President for Institutional Diversity and Equity describing whom they wish to have interviewed and on what topic.
- (2) The Vice President or a designee will ask the person whether they do, in fact, have information on that topic.
- (3) If they do, the investigator will ask them questions or request a written statement. The appeal process will be suspended until the completion of these steps.

The Vice President for Institutional Diversity and Equity will grant appeals only in cases where the procedural problems or new evidence are considered substantive enough to have had a significant effect on the outcome of the initial hearing. If the appeal is granted, its disposition is determined by the Vice President for Institutional Diversity and Equity, who may affirm the decision of the adjudication panel, return the matter to the original adjudication panel, or summon a new adjudication panel, and who may task those panels with reviewing the decision either in whole or in part.

A decision by the Vice President for Institutional Diversity and Equity to affirm the original panel's decision shall be final. Subject to the scope of the instructions from the Vice President for Institutional Diversity and Equity, the review by a panel after referral from the Vice President for Institutional Diversity and Equity may result in a change in the decision as to whether or not a violation of the college's policy as regards non-discrimination, harassment, and sexual misconduct has occurred, or may result in an increase in sanction, a decrease in sanction, or no change in sanction. If the decision of the reviewing panel is to affirm the original decisions as to violation and as to sanction, that decision shall be final. If the decision of the reviewing panel is to change the original decision either as to violation or as to sanction, the reviewing panel's decision shall be subject to appeal in accordance with the foregoing procedures. The results of any such second appeal process shall be final, not subject to further appeal.

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will communicate the outcome of any appeal simultaneously and in writing to the complainant and the respondent.

5. Final determination of sanction in cases involving respondents who are members of the faculty

If the recommended sanction is termination of the respondent's appointment for cause, the Dean of the Faculty will initiate proceedings pursuant to Section II-V: Termination of Faculty Appointment for Cause of the Faculty Handbook. If the recommended sanction is a major sanction, such as suspension from service for a stated period, the Dean of the Faculty will initiate proceedings pursuant to Section II-W: Procedures for Imposition of Sanctions on Faculty other than Dismissal, "Major Sanctions," of the Faculty Handbook. If the recommended sanction is a minor sanction, the Dean of the Faculty will initiate proceedings in accordance with Section II-W., "Minor Sanctions," of the Faculty Handbook. In all cases covered by this policy the sole determination to be made according to the processes described in Sections II-V: Termination of Faculty Appointment for Cause and II-W: Procedures for Imposition of Sanctions on Faculty other than Dismissal of the Faculty Handbook will be the final sanction to be imposed on the respondent. The determination by the adjudication panel that the respondent violated the college's Non-

Discrimination, Harassment and Sexual Misconduct Policy shall be final and shall not be subject to review or reconsideration in the sanctions process.

The sanctions panel convened at this stage of the process will receive as evidence the letter of findings and recommended sanction from the adjudication panel described in sub-section II.B.3. above. The sanctions panel will also have access to the report of the investigator and to previous disciplinary records of the respondent, if any. The sanctions panel may request assistance from the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, or deputy or duties.

The faculty member does not have the right to compel the complainant to appear before the sanctions panel. The complainant's testimony may be represented by the investigator's report.

Although the complainant cannot be compelled to appear before the sanctions panel, in all cases covered by this policy the complainant will have an equal right as the respondent to be heard by the Dean of the Faculty, any hearing committee convened pursuant to the provisions of Section II-V: Termination of Faculty Appointment for Cause or Section II-W: Procedures for Imposition of Sanctions on Faculty Other than Dismissal, and by the Board of Trustees.

Final decisions as to sanctions will be reported in writing simultaneously to the complainant and the respondent, as well as to the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and relevant deputies.

6. Final determination of sanction in cases involving respondents who are members of the staff

Final determination of sanctions involving respondents who are members of the staff will be made by the Director of Human Resources, in conjunction with the Coordinator and relevant supervisor(s) of the staff member. They may take into account previous disciplinary records of the staff member in making their decision regarding sanction. Final decisions as to sanctions will be reported in writing simultaneously to the complainant and the respondent, as well as to the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator.

Additional Matters

The complainant and respondent will each be assigned a trained college advisor to help them navigate the process. Each party can bring this advisor with them to all parts of the process, including the investigation. These trained college advisors may not be part of a hearing panel regarding the case. Both the complainant and respondent have the right to have another advisor of their choosing present with them for all parts of the process, including any meeting with campus officials, with the adjudication and/or sanctions panels, and with the investigator. However, the complainant and respondent may bring only one advisor with them—either the trained college advisor or the other advisor of their choosing—to any part of the process. Advisors may speak to the individual being advised, the complainant or respondent, at any time during the process but may not speak directly to the investigator or to the members of adjudication and/or sanctions panels.

Both parties have full access to the support services provided by the college throughout the process. For students, this includes the resources of the Health Center and Integrative Well-being Services; for faculty and staff, the Employee Assistance Program.

Retaliation of any kind against the complainant or any witness is strictly prohibited. Any retaliation will be treated as a new and additional violation of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy.

III. Cases involving faculty and/or staff members only

A staff or faculty member who experiences conduct on the part of a staff or faculty member that potentially violates the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy is encouraged to report that conduct to the Vice President for Institutional Diversity and Equity or the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator. Reports may also be made to an appropriate deputy (for staff, the Director of Human Resources; for faculty, the Dean of the Faculty). The

local police, state or federal officials may also be contacted. Normally, college investigations and hearings can occur simultaneously with external ones.

Once an incident is reported, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with relevant deputy or deputies, will determine what immediate support and accommodations, if any, should be made available to the complainant. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will inform the respondent of the allegation(s) in writing.

With some exceptions, a member of the college community reporting an incident of alleged discrimination may pursue either an informal or a formal process.

A. Informal process

The informal process is an opportunity to bring resolution to a complaint through awareness, education, and/or a facilitated discussion. An informal resolution may be appropriate if the complainant, the respondent, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and the relevant deputy or deputies can all come to an agreement about the facts and desirable resolution to the case.

The informal process is not appropriate for complaints of sexual misconduct, apart from certain instances of discriminatory harassment, or for any complaint involving behavior that potentially endangers members of the college community and/or is potentially criminal in nature. In other cases, if both the complainant and the respondent prefer an informal process, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with the relevant deputy or deputies, will decide if an informal resolution is appropriate and advisable.

During an informal process, fact-finding occurs to the extent necessary to understand the conflict and protect the interest of the parties and the College community, but no determination is made of whether college policy has been violated.

Informal resolutions may include, but are not limited to:

- *Training;*
- *Changes to work or academic arrangements;*
- *Housing reassignment;*
- *Informal discussion with a person whose conduct, if not stopped, could rise to the level of discrimination or harassment;*
- *Advisory discussion with the respondent's supervisor or chair;*
- *"No contact" directive to the parties;*
- *Suspension.*

Information obtained by the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with the relevant deputy or deputies, during the course of the informal complaint process will be shared only to the extent necessary to understand the conflict and protect the interest of the parties and the college community.

At any point during or following the informal process, the complainant and/or the respondent may end the informal process and request a formal process. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will inform, in writing, the complainant or respondent if the other opts out of the informal process.

B. Formal process

Before the formal investigation and adjudication begins, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with the relevant deputy or deputies, will assign the complainant and the respondent each a different trained advisor from the college staff. Advisors will explain the formal process to their assigned advisee and will also serve as a resource for any questions or concerns.

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will provide to both the complainant and the respondent a written statement of their rights and responsibilities, and a description of these processes, including the requirements of confidentiality and the rules forbidding retaliation.

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will make available at any time, before, during or after the hearing process, and whether or not the complainant participates in the investigation and adjudication, reasonable and appropriate accommodations to increase the complainant's safety and well-being on campus. These may include no-contact orders with the respondent and/or other parties, changes of housing if living in college housing, and changes of work duties if necessary to avoid conflict. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will work with the relevant deputy or deputies to arrange any appropriate accommodations for the respondent and will inform the respondent in writing of the College's readiness to provide these accommodations and resources.

1. Rights, including rights of non-participation

During all parts of the investigation and adjudication processes, both the complainant and respondent have the right to have an advisor of their choosing (either the trained college advisor or any other person, including an attorney) present with them. The advisor may speak to the complainant/respondent at any time during the process but may not speak for them to the investigator, to the relevant administrators, or to an adjudication panel.

If a faculty or staff member reports an incident but does not wish to participate in the investigation and adjudication process, the situation will be reviewed by a committee comprised of the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, the relevant deputy or deputies, and the Director of Sexual Assault Prevention and Response if the case involves sexual misconduct, or the Associate Dean for Institutional Diversity and Equity in other discrimination or harassment cases. That committee will determine whether there is sufficient information to proceed with an investigation and adjudication without the participation of the complainant. If the committee determines that the case should proceed without the complainant, it will make every effort to protect their confidentiality (see Section II-S: Non-Discrimination, Harassment, and Sexual Misconduct Policy, "Confidentiality").

If it is determined that the process will go forward, the deputy relevant to the respondent will inform the respondent of the charges in writing.

If a respondent chooses not to participate in the investigation and adjudication process, the process will proceed without their contribution to the determination of the facts of the case. The respondent should note that the appeal process based on the appearance of new information not available to the adjudication panel does not apply in cases of deliberate omission of information by the respondent, including refusal by the respondent to participate in the investigation.

2. Investigation

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with the relevant deputy or deputies, will assign a person trained in discrimination investigations to determine the facts of the case as completely as possible. This investigator will hear statements from the complainant and respondent, ask follow up questions, reach out to and collect statements from others who have evidence/information relevant to the question of violation of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy, and ask follow-up questions as needed. The complainant and respondent may each direct the investigator toward people to interview and may frame questions to be asked of others. The investigator will respect these directives unless they violate standards of good practices for such investigations or are clearly redundant or irrelevant. If the investigator decides not to pursue a question or interviewee submitted by one of the parties in the case, they will so inform that party in writing of the decision. All of those contacted by the investigator will be required to maintain the privacy of the investigation. The investigator will also gather any additional evidence available (for example, health care records, with permission of the person to whom they refer, or evidence of patterns of

discrimination). The investigator may consult with the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and the relevant deputy or deputies in decisions regarding the investigation process. The statements of the complainant and respondent will be recorded (audio). The investigator will produce for the administrators and/or the adjudication panel a report of findings, which will include a list of those interviewed and copies of any additional material referenced.

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and the relevant deputy or deputies will review the report and may request that additional information be gathered. They will also ensure that the report does not contain material that is inadmissible in the decision process, such as irrelevant prior sexual history.

The investigator's report will be shared with the complainant and respondent once it is complete.¹⁷ The complainant and respondent each have 10 days following the receipt of the report to write a response to it if they wish to do so. At that time, both may request that further information be gathered. Responses will be included in the official materials sent forward to the relevant administrators (in the event of an administrative resolution) or the adjudication panel. If the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator agrees that further information should be gathered, the investigator will be charged with pursuing the additional information and, if appropriate, issuing an amendment or supplement to the report. The complainant and respondent will be given an additional 10 days to respond to any such additional or supplemental report.

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and the deputy or deputies relevant to the complainant and respondent will review the report and the responses of both parties, and determine whether the alleged behavior of the respondent is properly within the purview of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy.

If the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and the relevant deputy or deputies determine that the respondent's alleged behavior is not within the purview of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy, they will so inform the complainant and respondent in writing, and will direct the complainant to any other relevant college or legal processes that may address the behavior. The complainant may bring the investigator's report over into other relevant College processes.

If the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and relevant deputy or deputies determine that the respondent's alleged behavior is within the purview of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy, the case will move forward to the adjudication process, described below. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will communicate this determination, in writing, to the complainant and respondent.

3. Adjudication Process

After receiving the investigator's report, the complainant may choose to pursue an administrative resolution of the complaint or proceed straight to an adjudication panel. A complainant choosing the administrative resolution may end that process at any time and move instead to a hearing by an adjudication panel. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will inform the respondent in writing of the complainant's decision to seek administrative resolution.

3a. Administrative Resolution

Two executive officers of the college will oversee the administrative resolution process for the complaint. Ordinarily, the two executive officers will be those to whom the complainant and respondent report (the Dean of the Faculty for faculty, and the executive officer to whom the staff member's department reports for staff). In cases where both complainant and respondent have the same executive officer, or in cases where the complainant or respondent believe their own executive officer cannot fairly adjudicate the

¹⁷ The information shared at this point will include the alleged incident(s) being considered and a summary of interviews.

complaint, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, after consultation with the complainant and respondent, will determine which two executive officers of the college will oversee the administrative resolution process and inform the complainant and respondent in writing. If it is an executive officer whose behavior is at issue in the complaint, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with the President of the College and after conversation with both complainant and respondent, will select two other executive officers to oversee the administrative resolution process.¹⁸

The executive officers, who will be trained by the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator or a designee, will read and consider the investigator's report, along with any responses to that report written by the complainant and respondent. If the executive officers decide that additional questions need to be asked, the investigator will go back to the parties to ask those questions. The executive officers may also ask questions of the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator or other relevant college officials.

The executive officers will reach a finding and report it to both the complainant and the respondent. If it is the judgment of the executive officers that the respondent committed the act(s) alleged by the complainant and thereby violated the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy, they will seek a resolution of the complaint. They will also confer with the respondent's department supervisor. The complainant's executive officer will keep the complainant informed of any progress made in resolving the grievance, reporting to the complainant within one month of the filing of the complaint. This period may be extended beyond one month if the complainant and the complainant's executive officer agree that an extension is needed.

The executive officers will apprise the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator of the resolution that is proposed. To be successful, the terms of the resolution proposed by the executive officers must be acceptable to both the complainant and the respondent. The executive officers will put both the finding of responsibility and the terms of the proposed resolution in writing, giving a copy to the complainant and another to the respondent. Each party will have 10 days to indicate their acceptance of the terms as constituting a satisfactory resolution of the grievance by returning a signed copy to the executive officers. Upon receipt of both signed copies, the respondent's executive officer, as well as the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, will place them in their file of complaints of discrimination, harassment, and sexual misconduct and take such actions as are called for in the resolution.

The executive officers' attempt at a resolution will have failed if either the complainant or the respondent chooses not to accept the terms proposed. If the complainant or the respondent does not accept the proposed resolution, either of them may, again within 10 days of receiving the proposed terms in writing, instruct the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator to convene an adjudication panel. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will inform the complainant and respondent that the complaint is proceeding to a hearing by an adjudication panel.

3b. Adjudication Panel

If the complainant decides to forgo administrative resolution or if administrative resolution is not acceptable to the complainant or respondent, the decision about whether there has been a violation of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy will be made by an adjudication panel of five trained members. Four "yes" votes are necessary for a finding that there has been a violation. If such a violation is found to have taken place, then the same panel recommends an appropriate sanction. Sanctions are ultimately determined according to the relevant procedures in the Staff and Faculty

¹⁸ Executive officers of the college are: The President of the College, the Dean of the Faculty, the Provost, the Dean of the College, the Vice President for Campus Life, the Vice President for Finance & Administration and Treasurer, the Vice President for College Relations, the Vice President of Institutional Diversity and Equity, the Chief Investment Officer, the Chief Communications Officer, and the Assistant to the President and Secretary of the Board of Trustees.

Handbooks as described and modified below.

For each case, the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with the relevant deputy or deputies, will appoint an adjudication panel and inform the complainant and respondent in writing. The adjudication panel will be drawn from the Standing Grievance Panel. If one party in the complaint is a member of the faculty and the other party is a member of the staff, the adjudication panel will consist of two members of the faculty, two members of the staff, and a chair. If the complainant and respondent are both faculty, then the panel will consist of five members of the faculty, one of whom will be chair. If the complainant and respondent are both staff, then the adjudication panel will consist of five members of the staff, one of whom will be chair. The complainant and respondent will have the opportunity to state whether there are those they feel should not participate in the adjudication panel due to bias or any other reason which would prevent them from making a fair assessment of the evidence. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator, in consultation with the relevant deputy or deputies, will make final decisions on any such requests for recusal and inform the complainant and respondent in writing. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will ensure that all members of the adjudication panel are trained.

The panel will start its deliberations by reading the investigator's report, along with the responses to the report (if any) from the complainant and respondent. After discussion, the panel will decide whether there are additional questions that need to be asked. If so, the investigator will go back to the parties to ask those questions. The adjudication panel may ask questions of the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator or other relevant College officials.

The panel will decide whether there is a preponderance of the evidence showing a violation of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy.

If the panel determines that there has been a violation of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy, the complainant and respondent will each be so informed in writing, and each then will have the opportunity to briefly address the committee, either in person, by media communication, or in writing, before the sanction is considered. (The two parties will do this separately – neither one in the presence of the other. It is optional rather than required to make such a statement.) This opportunity is not one in which the facts of the case are discussed or questions are asked by the committee. Rather, it is an opportunity for both parties to present directly to the panel in their own "voices" any additional information, including information about the impact of the incident in question. This opportunity is limited to 15 minutes or the written equivalent thereof. Each party's trained college advisor will provide them with guidelines on what is and is not permitted in this part of the process.

The panel will then recommend a sanction to the relevant senior administrator (Dean of the Faculty for respondents who are members of the faculty, the Director of Human Resources for respondents who are members of the staff.) The complainant and respondent will each be informed in writing of the recommended sanction. Final decisions as to sanctions are determined by the procedures described in the Staff and Faculty Handbooks.

4. Appeal of the finding

Both parties have the right to appeal the finding made by the adjudication panel on whether or not there was a violation of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy. This right to appeal of the finding is limited to (a) significant procedural lapses or (b) the appearance of substantive new evidence not available at the time of the original decision. Each party has 15 days following the receipt of the written decision to indicate their intention to appeal. Requests for appeal, with reasons, should be sent in writing to the Vice President for Institutional Diversity and Equity. The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will inform, in writing, the complainant or respondent if the other party chooses to appeal the finding.

If either the complainant or the respondent wishes to have other people interviewed to determine whether they have substantive new information pertinent to the appeal that was not available at the time of the

original decision, the following process will be followed:

- (1) The person wishing to appeal will write to the Vice President for Institutional Diversity and Equity describing whom they wish to have interviewed and on what topic.*
- (2) The Vice President or a designee will ask the person whether they do, in fact, have information on that topic.*
- (3) If they do, the investigator will ask them questions or request a written statement. The appeal process will be suspended until the completion of these steps.*

The Vice President for Institutional Diversity and Equity will grant appeals only in cases where the procedural problems or new evidence are considered substantive enough to have had a significant effect on the outcome of the initial hearing. If the appeal is granted, its disposition is determined by the Vice President for Institutional Diversity and Equity who may affirm the decision of the adjudication panel, return the case to the original adjudication panel, or summon a new adjudication panel, and who may task those panels with reviewing the decision either in whole or in part.

A decision by the Vice President for Institutional Diversity and Equity to affirm the original panel's decision shall be final. Subject to the scope of the instructions from the Vice President for Institutional Diversity and Equity, the review by a panel after referral from the Vice President for Institutional Diversity and Equity may result in a change in the decision as to whether or not a violation of the college's policy as regards non-discrimination, harassment, and sexual misconduct has occurred, or may result in an increase in sanction, a decrease in sanction, or no change in sanction. If the decision of the reviewing panel is to affirm the original decisions as to violation and as to sanction, that decision shall be final. If the decision of the reviewing panel is to change the original decision either as to violation or as to sanction, the reviewing panel's decision shall be subject to appeal in accordance with the foregoing procedures. The results of any such second appeal process shall be final, not subject to further appeal.

The Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator will communicate the outcome of any appeal simultaneously and in writing to the complainant and the respondent.

5. Final determination of sanction in cases involving respondents who are members of the faculty

If the recommended sanction is termination of the respondent's appointment for cause, the Dean of the Faculty will initiate proceedings pursuant to Section II-V: Termination of Faculty Appointment for Cause of the Faculty Handbook. If the recommended sanction is a major sanction, such as suspension from service for a stated period, the Dean of the Faculty will initiate proceedings pursuant to Section II-W: Procedures for Imposition of Sanctions on Faculty Other than Dismissal, "Major Sanctions," of the Faculty Handbook. If the recommended sanction is a minor sanction, the Dean of the Faculty will initiate proceedings in accordance with Section II-W., "Minor Sanctions," of the Faculty Handbook.

In all cases covered by this policy the sole determination to be made according to the processes described in Sections II-V: Termination of Faculty Appointment for Cause and II-W: Procedures for Imposition of Sanctions on Faculty Other than Dismissal of the Faculty Handbook will be the final sanction to be imposed on the respondent. The determination by the adjudication panel that the respondent violated the college's Non-Discrimination, Harassment and Sexual Misconduct Policy shall be final and shall not be subject to review or reconsideration in the sanctions process.

The sanctions panel convened at this stage of the process will receive as evidence the letter of findings and recommended sanction from the adjudication panel described in sub-section III.B.3b. above. The sanctions panel will also have access to the report of the investigator and responses written by either party to that report, and to previous disciplinary records of the respondent, if any. The sanctions panel may request assistance from the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator.

The faculty member does not have the right to compel the complainant to appear before the sanctions panel. The complainant's testimony may be represented by the investigator's report.

Although the complainant cannot be compelled to appear before the sanctions panel, in all cases covered by this policy the complainant will have an equal right as the respondent to be heard by the Dean of the

Faculty, any hearing committee convened pursuant to the provisions of Section II-V: Termination of Faculty Appointment for Cause or II-W: Procedures for Imposition of Sanctions on Faculty Other than Dismissal, and by the Board of Trustees.

Final decisions as to sanctions will be reported in writing simultaneously to the complainant and the respondent, as well as to the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator.

6. Final determination of sanction in cases involving respondents who are members of the staff

Final determination of sanctions involving respondents who are members of the staff will be made by the Director of Human Resources, in conjunction with the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator and relevant supervisor(s) of the staff member. They may take into account previous disciplinary records of the staff member in making their decision regarding sanction. Final decisions as to sanctions will be reported in writing simultaneously to the complainant and the respondent, as well as to the Assistant Vice President for Institutional Diversity and Equity/Title IX Coordinator.

Additional matters

The complainant and respondent will each be assigned a trained college advisor to help them navigate the process. Each party can bring this advisor with them to all parts of the process, including the investigation. These trained college advisors will not be part of a hearing panel regarding the case. Both the complainant and respondent have the right to have another advisor of their choosing present with them for all parts of the process, including any meeting with campus officials, with the adjudication and/or sanctions panels, and with the investigator. However, the complainant and respondent may bring one advisor with them—either the trained college advisor or the other advisor of their choosing—to any part of the process. Advisors may speak to the complainant/respondent at any time during the process but may not speak directly to the investigator or to the adjudication and/or sanctions panels.

Both parties have full access to the support services, including the Employee Assistance Program, provided by the college throughout the process.

Retaliation of any kind against the complainant or any witness is strictly prohibited. Any retaliation will be treated as a new and additional violation of the college's Non-Discrimination, Harassment, and Sexual Misconduct Policy.

To accommodate the merger of Appendices A and B, Appendices C through G have been renamed accordingly, and all references to those appendices in the body of the Handbook have likewise been corrected.

5. The following text was added to the “Committees Dealing with Institutional Policies and Resources” subheading of Section I-C on page 14:

Standing Grievance Panel (12-12-0)

The Standing Grievance Panel (SGP) is composed of 12 faculty, 12 staff, and no students (12-12-0).

Members of the SGP are available to serve on adjudication panels in cases of alleged discrimination, harassment or sexual misconduct. Once constituted, members of the SGP will be trained, as necessary, on issues related to the college's Non-Discrimination, Harassment, and Sexual Misconduct Policies, as well as on conducting a hearing process that protects victim safety and promotes accountability.

Six faculty members of the Standing Grievance Panel (one tenured and one non-tenured from each division) are elected by the faculty from a slate of two persons nominated by the Faculty Steering Committee from each category. In addition, six members of the SGP are appointed by the Faculty Steering Committee to ensure that the SGP is representative of the diversity (sex, race, ethnic, disability, sexual orientation, and gender identity or expression) of the faculty at the college. The twelve faculty on the SGP will also consist of at least one faculty member from the Department of Physical Education. Members of

the faculty Steering Committee and the Faculty Review Panel are not eligible to serve on the SGP .

6. The following text was added to the description of the Committee on Appointments and Promotions under the subheading “Committees Dealing with Faculty Appointments and Promotions” of Section I-C on pages 7-8:

The Committee on Appointments and Promotions (CAP) is composed of 3 faculty, 3 staff, and no students (3-3-0).

The CAP advises the President and Trustees on appointment and advancement of faculty, allocation of faculty positions to departments and programs, granting of sabbatical and assistant professor leaves, and on College policies governing such matters. The CAP also serves as the nominating committee for various national fellowships. The CAP also reviews new curricular initiatives for their staffing implications before the CEA brings them to the faculty for a vote.

The CAP consists of three tenured full professors, one of whom is elected from each of the three divisions. The President, the Provost, and the Dean of the Faculty are members of the Committee. The Dean of the Faculty serves as chair.

Members of the Faculty Interview Panel join the CAP to interview candidates for faculty positions.

Election to the CAP

Terms for the elected members of the CAP are for three years on a staggered basis. A full professor elected for the first time must commit to serving for a minimum of two years. Members are eligible for re-election. First 3 coordinators are not eligible to serve on the CAP for a period of six years following their service in this role. When a vacancy occurs, the eligible members of the faculty vote for two persons in the appropriate category. The three receiving the highest number of votes are then nominees for a run-off ballot where each eligible member of the faculty votes for each nominee ranked in order of preference. If any one of the three receives a majority of first-place votes, that candidate is appointed. If no candidate receives a majority of first-place votes, then the candidate with the fewest first-place votes is dropped. The second-place votes on the ballots of the dropped candidate are then added to the first-place vote totals of the remaining two candidates. The candidate receiving the highest number of first-place votes after this redistribution is then appointed. If a vacancy occurs before the three-year term expires, a replacement is elected for a new term, except in cases of a mid-year election, in which case the term is two and one-half years.

7. The following text was removed from the “Committees Dealing with Intellectual Life and the Curriculum” subheading of Section I-C on page 7 of the 2017-18 Handbook:

Chapin Library Committee (3-2-0)

The following text was added in place of the deleted material on page 11 of the 2018-19 Handbook:

Special Collections Committee (3-3-0)

The Special Collections Committee is composed of 3 faculty, 3 staff, and no students (3-3-0)

The Special Collections Committee reviews and recommends policies for Special Collections and advises on budget priorities, new initiatives, and academic programming. The committee reviews purchases by and gifts to Special Collections and is responsible for approving single purchases over a specified dollar

amount, as well as larger gifts. The committee works to foster alignment between Special Collections and the needs of the College community. The committee addresses the specific structures and requirements of the Chapin Library and Special Collections, while working together with the Library Committee on broader issues that affect the Libraries as a whole.

The Special Collections Committee includes three faculty members who represent the three divisions, one of whom serves as chair of the committee. These three members serve concurrently on the Library Committee, with the same faculty member as chair. The Head of Special Collections, Chapin Librarian, and Director of Libraries are ex officio members.

8. The following text was added to the description of the Library Committee under the “Committees Dealing with Intellectual Life and the Curriculum” subheading of Section I-C on page 11:

Library Committee (3-4-4)

The Library Committee is composed of 3 faculty, 4 staff, and 4 students (3-4-4)

The Library Committee reviews and recommends policies for the Library, with particular attention to the collection budget and to the distribution of resources among academic divisions and units. The Library Committee provides a channel of communication between the Library and the faculty, staff, and students, while also assisting in the assessment and promotion of the Library’s alignment with the needs of the College community.

The Library Committee includes three faculty members who represent the three divisions, one of whom serves as chair of the committee. These three members serve concurrently on the Special Collections Committee, with the same faculty member as chair. The Director of Libraries, Head of Special Collections, Chief Technology Officer, and the Provost or a designated representative are ex officio members.

9. The following text was removed from the “Committees Dealing with Intellectual Life and the Curriculum” subheading of Section I-C on page 7 of the 2017-18 Handbook:

Faculty Lecture Series Committee(3-0-0)

10. The following text was added to the description of the Lecture Committee under the “Committees Dealing with Intellectual Life and the Curriculum” subheading of Section I-C on pages 10-11:

Lecture Committee (3-1-3)

The Lecture Committee is composed of 3 faculty, 1 staff, and 3 students (3-1-3)

The Lecture Committee selects, schedules, and makes arrangements for visiting lecturers who would be of interest to the College community. The committee frequently works in conjunction with departments, programs, and administrative offices of the College to co-sponsor appearances. While the Lecture Committee is not the only source of funds for this purpose, it is an important one. The Director of Commencement and Academic Events serves as an ex officio voting member.

The Lecture Committee, through a subcommittee composed only of its faculty members, also invites Williams faculty colleagues to present public lectures in the annual Faculty Lecture Series, which occur each Thursday in the first half of the spring semester. The chair of the subcommittee need not be the same

as the chair of the main committee.

11. The following text was removed from the “Committees Dealing with Student Life and the Academic Standing” subheading of Section I-C on page 8 of the 2017-18 Handbook:

Committee on Undergraduate Life (CUL) (5-3-6)

The following text was added in place of the deleted material on page 15 of the 2018-19 Handbook:

Committee on Student Life (3-3-6)

The Committee on Student Life is composed of 3 faculty, 3 staff, and 6 students (3-3-6)

The Committee on Student Life reviews and recommends policy on all non-academic aspects of undergraduate life at the College. The three appointed faculty members, one of whom chairs the committee, include a representative from the Athletics Department. The Dean of the College, The Vice President for Campus Life, and the Vice President for Institutional Diversity and Equity are ex officio members.

12. The following text was removed from the “Committees Dealing with Institutional Policies and Resources” subheading of Section I-C on page 8 of the 2017-18 Handbook:

Committee on Admission and Financial Aid (CAFA) (4-10-0)

13. The following text was deleted from the description of the Committee on Admission and Financial Aid in Section I-D on page 9 of the 2017-18 Handbook:

CAFA advises the Provost on financial aid policy, admissions research, and the development of admissions strategies. The Provost chairs the Committee, whose other members include the Dean and the Associate Dean of the College, the Associate Dean for Academic Programs and Registrar, the Director of Admission, the Director of Financial Aid, the Associate Provost, the Vice President for Institutional Diversity and Equity, the Chief Communications Officer, the Vice President for College Relations, the Director of Institutional Research, and four faculty members appointed by the Provost in consultation with the Faculty Steering Committee.

The following text was added in place of the deleted material on page 16 of the 2018-19 Handbook:

The Committee on Admission and Financial Aid advises the Provost and the Dean of Admission and Financial Aid on admission strategies and financial aid. The Provost chairs the Committee, whose other members include the Dean of Admission and Financial Aid, the Dean of the College, the Director of Admission, the Director of Financial Aid, the Vice President for Institutional Diversity and Equity, the Director of Institutional Research, and four faculty members appointed by the Provost in consultation with the Faculty Steering Committee.

14. The following text was removed from the “Committees Dealing with Institutional Policies and Resources” subheading of Section I-C on page 8 of the 2017-18 Handbook:

Advisory Committee on Shareholder Responsibility (ACSR) (2-2-2 and Alumni)

15. The following text was deleted from the description of the Advisory Committee on Shareholder Responsibility in Section I-D on page 9 of the 2017-18 Handbook:

The Advisory Committee on Shareholder Responsibility advises the Finance Committee of the Board of Trustees on matters pertaining to the College as a stockholder. Chaired by one of its faculty members, the Committee consists of two students, two faculty, two alumni, the Vice President for Finance & Administration and Treasurer, the Provost, and the Chief Investment Officer. Student members are elected by the student body at large; faculty and alumni members are appointed by the President.

The following text was added in place of the deleted material on pages 16 of the 2018-19 Handbook:

The Advisory Committee on Shareholder Responsibility (ACSR) is a non-standing committee composed of two faculty, two staff, two students, and two alumni. When requested by a member of the College community, the ACSR provides advice to the Investment Committee of the Board of Trustees on matters relating to non-financial aspects of the investment portfolio. The ACSR stands ready to respond to requests from the College community concerning socially responsible investment of the endowment, and as a result of an evaluation it may decide to recommend action to the Investment Committee. In making recommendations, the ACSR seeks to carry out its responsibilities in a manner consistent with College policies and values. It recognizes the importance of combining strong financial performance with social and environmental commitment.

Periodically, the ACSR has played a role in providing comment on other matters, including recommending investment vehicles for the Williams Social Choice Fund — an alumni giving option that both helps the College fulfill its mission and contributes to positive social and environmental change.

Please contact the Chair of the ACSR if you have an issue for this committee's consideration.

For more information on the College's investment program, please see <https://investment.williams.edu/>

16. The following text was added to the description of the Faculty Interview Panel under the “Committees Dealing with Faculty Appointments and Promotions” subheading of Section I-C on page 8:

The Faculty Interview Panel is composed of 9 faculty, no staff and no students (9-0-0).

Members of the Faculty Interview Panel join the Committee on Appointments and Promotions (CAP) to interview candidates for faculty positions. The panel consists of nine tenured professors, three from each of the divisions. The members are chosen yearly by joint consultation with the Faculty Steering Committee and the elected members of the CAP, and the invitation to join the panel is extended by the Dean of the Faculty.

17. The following text was added to the description of the Faculty Review Panel under the “Committees Dealing with Faculty Appointments and Promotions” subheading of Section I-C on page 8:

The Faculty Review Panel is composed of 12 faculty, no staff, and no students (12-0-0).

The Faculty Review Panel is composed of twelve faculty members who stand available to serve, at the request of the Chair of the Faculty Steering Committee, as members of a review committee or hearing committee in cases involving Appeals of Reappointment or Promotion Decisions, Termination for Cause, or Imposition of Sanctions other than Dismissal. The twelve members are also members of the standing

panel from which the President appoints a grievance committee to hear cases of alleged discrimination (see Non-Discrimination Policy and Grievance Procedures).

Election to the Faculty Review Panel

The Panel is elected in the same fashion as the Faculty Steering Committee. There are two tenured and two non-tenured members from each division; members normally serve two-year terms; and there is a two-stage election process. Nominations occur at the April meeting and the elections at the May meeting.

If an untenured faculty member on the Faculty Review Panel comes up for a tenure review during his or her term, he or she will be replaced on the Panel at the beginning of the academic year in which they are considered for tenure. These untenured slots will be filled following the regular two-stage election process. Nominations will occur at the September faculty meeting and the elections at the October faculty meeting.

A faculty member may not be a member of the Faculty Steering Committee and the Faculty Review Panel at the same time. A faculty member sitting on or elected to the Faculty Steering Committee is not eligible to be elected to the Faculty Review Panel. If a member on the Faculty Review Panel is elected to the Faculty Steering Committee, he or she will be replaced on the Panel.

The Faculty Review Panel is replenished on a rolling basis when a member has completed service on a tenure review committee or other appeal or hearing committee as defined above. The member is released from the rest of his or her two-year term on the Panel, and nominations and an election will be held over the next two faculty meetings to replace him or her with a faculty member of the same division and tenure status. The newly elected member serves a two-year term from the time of his or her election.

18. The following text was added to the description of the Faculty Steering Committee under the “Committees Dealing with Faculty Governance” subheading of Section I-C on page 9:

The Faculty Steering Committee is composed of 6 faculty, no staff, and no students (6-0-0).

The Faculty Steering Committee is the committee most broadly and directly responsible for representing faculty concerns. An elected committee, its principal goal is to facilitate effective participation by the faculty in the conduct of College business and to bring issues of faculty concern to the attention of other committees.

More specifically, the Faculty Steering Committee and the President jointly have the power to convene faculty meetings and to set their agenda. The Committee, in consultation with the Dean of the Faculty, advises the President on the appointment of faculty to standing committees, nominates candidates for election to the Committee on Educational Affairs, Curricular Planning Committee and the Faculty Compensation Committee, and it also appoints the at-large members of the latter committee. The Committee acts, in addition, as a liaison between other faculty committees and the faculty as a whole. The President consults with the Committee on appointments to the administrative positions of Dean of the Faculty, Provost, Dean of the College, and other administrative positions. The Committee also meets periodically with the Executive Committee of the Board of Trustees. It is available to the President, other administrative officers, and the Board of Trustees for consultation on any matter of interest to the faculty.

The Committee plays a major role in appeals procedures.

The Committee has six members, one tenured and one non-tenured elected from each of the three divisions.

Election to the Faculty Steering Committee

Balloting for the nominations for the tenured and non-tenured divisional elected members normally occurs during the February faculty meeting, and the election during the March meeting. Terms are ordinarily for two years. The Committee designates its own chair from among its members. Assistant professors who have been reappointed to a position with tenure are eligible for election to the tenured positions. Should a member resign at the end of one year, the vacated position will revert to a two-year position. Should a member resign more than three months prior to balloting time, the newly-elected member will serve out the year plus one additional year. No member is eligible for re-election until at least one year after his or her full term has expired.

19. The following text was added to the description of the Committee on Educational Affairs under the “Committees Dealing with Intellectual Life and the Curriculum” subheading of Section I-C on pages 9-10:

The Committee on Educational Affairs is composed of 7 faculty, 5 staff, and 6 students (7-5-6).

The Committee on Educational Affairs evaluates and implements changes in the curriculum of the College, graduate and undergraduate. It recommends educational policy to the faculty and maintains college-wide oversight of the curriculum on an annual basis. All additions or deletions of courses, majors, and programs, all substantial changes in course descriptions, and all changes in major requirements are reviewed by the CEA. The CEA assesses these and other new curricular initiatives and solicits the input of both the CPC and the CAP before bringing them to the faculty for approval.

Six faculty members of the CEA (one tenured and one non-tenured from each division) are elected by the faculty from a slate of two persons nominated by the Steering Committee from each category; one member is selected by the President, who also names the faculty chair. The President, the Dean of the Faculty, the Dean of the College, an Associate Dean of the Faculty, and the Registrar are non-voting ex officio members of the CEA. Elected faculty serve two-year terms.

20. The following text was added to the description of the Curricular Planning Committee under the “Committees Dealing with Intellectual Life and the Curriculum” subheading of Section I-C on page 10:

The Curricular Planning Committee is composed of 6 faculty, 3 staff, and no students (6-3-0).

The Curricular Planning Committee analyzes the college-wide curriculum, investigating changes over time and exploring questions about its future. The CPC coordinates conversations among academic units as they make curricular plans and staffing requests. It assesses all new curricular initiatives for their long-term curricular and staffing implications and communicates its views to the CEA before they are brought to the faculty for discussion and a vote. The CPC makes its analysis of the curriculum available for faculty discussion. In light of its analysis and faculty input, the CPC makes recommendations to the CAP on the allocation of faculty positions to departments and programs; a summary of these recommendations is made available to the faculty. After the CAP completes its allocation of faculty positions, the CPC and CAP analyze the staffing decisions for the faculty.

The six faculty members of the CPC (one from the assistant or associate ranks and one from the full professor rank from each division) are elected by the faculty; the committee members designate one member to serve as the faculty chair. The President, the Dean of the Faculty, and the Provost are members of the Committee. Elected faculty serve a three-year term on the committee, with a minimum of two years.

21. The following text was added to the description of the Dively Committee for Human Sexuality and Diversity under the “Committees Dealing with Intellectual Life and the Curriculum” subheading of Section I-C on page 10:

Founded in 1991 with a generous gift from Mike Dively (Class of 1961), The Dively Committee for Human Sexuality and Diversity is a non-standing committee composed of students, staff, and faculty who plan and fund events on campus that focus on gender, sexuality, and queer identities. In the past, the committee has funded and organized visits by feminist artists, bisexual activists, lesbian writers, gay athletes, transgender performers, queer filmmakers, and a broad range of other events that focus on gender, sexuality, and BGLTQ people at Williams.

22. The following text was added to the description of the Honorary Degrees Advisory Committee under the “Committees Dealing with Intellectual Life and the Curriculum” subheading of Section I-C on page 10:

The Honorary Degrees Advisory Committee is a non-standing committee that seeks the names of suitable candidates for honorary degrees and presents those nominations to the President and Committee on Degrees of the Board of Trustees. The Committee is co-chaired by the chair of the Trustee Committee on Degrees and by the College Marshal. The Committee includes the Chaplain to the College, one faculty member from each division, 10 students (3 seniors, 3 juniors, 3 sophomores, and the College Council Vice President for Community and Diversity), and as staffing support, the College VP for Institutional Diversity and Equity.

23. The following text was added to the description of the Information Technology Committee under the “Committees Dealing with Intellectual Life and the Curriculum” subheading of Section I-C on page 10:

The Information Technology Committee is composed of 4 faculty, 5 administrators, and 3 students (4-5-3).

The Committee on Information Technology monitors and recommends policies for faculty, staff, and student use of information technology throughout the college. It meets regularly to review and provide feedback to the college on plans for developing technology-related policies and resources. The committee is chaired by a faculty member, with the other three faculty members representing each of the three divisions. The Provost, the Chief Information Officer, and the Librarian are ex officio members. The Provost and Chief Information Officer are non-voting members. Two administrative staff members are appointed by the Provost. The committee regularly invites other members of the community to participate as non-voting consultants on particular issues.

24. The following text was added to the description of the Winter Study Program Committee under the “Committees Dealing with Intellectual Life and the Curriculum” subheading of Section I-C on page 11:

The Winter Study Program Committee is composed of 5 faculty, 4 staff, and 4 students (5-4-4).

The Winter Study Program Committee recommends policy on the Winter Study Program and assists in the administration of the Program. It reviews all faculty and student projects for approval and allocates the budget provided for the Winter Study Program.

Faculty membership includes at least one representative from each division. The four non-voting ex officio

members will be the Associate Dean of the College and Registrar or designee, one librarian, the Coordinator of Experiential Education or designee, and the Director of Instructional Technology or designee.

25. The following text was added to the description of the Calendar and Scheduling Committee under the “Committees Dealing with Institutional Policy and Resources” subheading of Section I-C on page 12:

The Calendar and Schedule Committee is composed of 3 faculty, 2 staff, and 3 students (3-2-3).

The Calendar and Schedule Committee submits to the faculty for consideration and approval a calendar that will allow for orderly planning of College events two years in advance, and it works with the Associate Dean for Academic Programs and Registrar to prepare departmental and program schedules of classes, hours, and rooms, distributing fairly the class hours and rooms among all members of the faculty. The committee also has responsibility for monitoring the stock of classrooms, and for providing input whenever decisions are considered that would affect the stock of classrooms. A request to schedule a course or a required class outside of regular class hours must be approved by the Calendar and Schedule Committee. Such requests should be made well in advance of the start of the term.

Three faculty members represent each of the three divisions; the ex officio members are the Registrar or designee, and the Director of Athletics or designee. Three students also serve on the committee. Three students also serve on the committee.

26. The following text was added to the description of the Campus Environmental Advisory Committee under the “Committees Dealing with Institutional Policy and Resources” subheading of Section I-C on page 12:

The Campus Environmental Advisory Committee (3 Faculty-6 ex officio-3 Students) acts as a forum for communication among students, faculty, staff, and administrators on environmental matters; advises and works to develop policy on matters of environmental stewardship in the operation of the College; assists in developing relevant environmental resources and strategies for Williams; and fosters a sense of shared environmental responsibility among various constituencies and individuals on campus.

Appointed faculty membership includes the chair of the committee and two other faculty members, appointed by the Dean of the Faculty. Student membership consists of three students appointed by the College Council. The committee’s ex officio members are the Director of Facilities Management, the Director of Design and Construction, the Director of Dining Services, the Director of the Zilkha Center for Environmental Initiatives, the Chief Technology Officer, and the Director of the Center for Environmental Studies.

The committee reports to the President of the College and to the college community as a whole. In keeping with the committee’s mission, members of the college community may attend meetings at the discretion of the chair.

27. The following text was added to the description of the College and Community Advisory Committee under the “Committees Dealing with Institutional Policy and Resources” subheading of Section I-C on page 12:

The College and Community Advisory Committee is a non-standing committee comprised of 3 faculty, 5 staff, and 3 students (3-5-3).

The College and Community Advisory Committee advises senior staff on issues that grow from the college and community's interdependence, with the primary goal of identifying and encouraging efforts of mutual benefit. Three faculty members are appointed to staggered two-year terms on the committee, as are three students. The ex-officio members of the committee are the Assistant to the President for Community and Government Affairs (who serves as chair of the committee), Director of Real Estate and Legal Affairs, Associate Provost, the Chaplain to the College, and the Director of the Center for Learning in Action.

28. The following text was added to the description of the Committee on Diversity and Community under the "Committees Dealing with Institutional Policy and Resources" subheading of Section I-C on pages 12-13:

The Committee on Diversity and Community (CDC), formerly the Commission on Campus Race Relations (CCRR), is a non-standing committee that focuses on issues of diversity and community on campus and makes recommendations on both curricular and extracurricular matters with the intention of promoting better understanding between and among groups on campus. The Committee, comprising faculty, staff, and students, is charged with examining the health of our Williams community with respect to diversity and inclusion. In addition, the CDC discusses problems and proposes initiatives with regard to the College's commitment to educate students for engagement with our increasingly diverse world.

The Vice President for Strategic Planning and Institutional Diversity solicits faculty nominations from the Faculty Steering Committee, student self-nominations through the College Council, and self-nominations from staff. The two ex officio members are the Vice President for Strategic Planning and Institutional Diversity and the Associate Dean for Institutional Diversity.

Over the years, the CDC has reviewed topics such as staff and faculty recruitment and retention, discrimination and sexual harassment/misconduct grievance procedures, admission and financial aid policies and practices, student orientation and advising training, and student retention and academic success. More recently, the Committee sponsored the Williams Reads project during Winter Study and hosted numerous discussion group sessions. The Committee will continue to explore the intellectual, cultural, and social experiences of the many diverse communities within the wider College community of students, faculty, and staff.

29. The following text was added to the description of the Committee on Priorities and Resources under the "Committees Dealing with Institutional Policy and Resources" subheading of Section I-C on page 13:

Committee on Priorities and Resources (CPR) (4-6-3)

The Committee on Priorities and Resources (CPR) is composed of 4 faculty, 6 staff, and 3 students (4-6-3).

The Committee on Priorities and Resources advises the President on the allocation of the College's fiscal and tangible resources and on long-range financial planning and also considers trends in the annual College budget and other matters relating to priorities in fund raising and resources for capital expenditures. Each division is represented by at least one faculty member. Faculty members appointed to the CPR serve staggered two-year terms. Students appointed to the Committee likewise serve staggered two-year terms beginning as juniors. The Provost, Associate Provost, Vice President for Campus Life, Vice President for Finance and Administration, Vice President for Alumni Relations and Development, Associate Vice President for Finance and Administration, and Associate Vice President for Facilities and Auxiliary Services, serve as ex officio, non-voting members. The faculty chair of the CPR normally serves a two-year term.

30. The following text was added to the description of the Faculty Compensation Committee under the “Committees Dealing with Institutional Policy and Resources” subheading of Section I-C on page 13:

The Faculty Compensation Committee is composed of 8-10 faculty, no staff, and no students (8 to 10-0-0).

The Faculty Compensation Committee advises the Provost, Vice President for Finance and Administration, and Dean of the Faculty on policies and procedures affecting faculty compensation. The Committee represents the interests of both full-time and part-time faculty. Areas of primary concern are salary schedules, leave pay, and benefits (such as health insurance, life insurance, retirement benefits, mortgage assistance, rental housing, child-care assistance, and children’s tuition benefits).

Election to the Compensation Committee

The six faculty members of the Faculty Compensation Committee (one tenured and one non-tenured from each division) are elected by the faculty from a slate of two persons nominated by the Steering Committee from each category. The Committee designates its own chair from among its members. The elected members ordinarily serve two-year terms. The election usually occurs at the April faculty meeting. In addition, two to four at-large members are appointed by the Steering Committee to ensure that disparate faculty interests and viewpoints on matters of compensation are adequately represented (e.g., part-time or retirement benefit concerns).

31. The following text was added to the description of the Science Executive Committee under the “Committees Dealing with Institutional Policy and Resources” subheading of Section I-C on pages 13-14:

The Science Executive Committee (SEC) is the representative body that discusses issues of policy and planning that concern Division III and Psychology. This non-standing Committee makes recommendations to the Administration, the CAP, and other College Committees. The SEC oversees the Research Funding Committee for Division III and Psychology (see Research Support) and other Science Center committees, which consult with the SEC on questions of policy. The SEC also oversees the allocation of space in the Science Center and serves as a general forum for discussion of Division III and Psychology space policy.

Membership consists of the chair of each department in Division III and Psychology, the Coordinator of the Science Facilities, the Director of the Science Center, who serves as chair of the SEC, the science librarian, the Associate Provost, Director of Instructional Technology, and two rotating non-tenured faculty members, drawn from the participating departments.

32. The following text was added to the description of the Athletics Committee under the “Committees Dealing with Student Life and Academic Standing” subheading of Section I-C on page 14:

The Athletics Committee is composed of 6 faculty, no staff, and no students (6-0-0).

The Athletics Committee oversees the relationship between athletics and the intellectual and social life of the College. It evaluates and makes recommendations on issues concerning the intersection of academics and athletics. It works to promote communication between academic and athletic faculty and staff. It also works to promote discussion regarding athletics with other NESCAC schools. Each of the three academic divisions is represented by at least one faculty member, and two members represent the Athletics Department. The chair also serves as the faculty representative to the NCAA and NESCAC.

33. The following text was added to the description of the Committee on Academic Standing under the “Committees Dealing with Student Life and Academic Standing” subheading of Section I-C on pages 14-15:

The Committee on Academic Standing is composed of 6 faculty, 4 staff, and no students (6-4-0).

The Committee on Academic Standing is responsible to the faculty for maintaining the academic standards of students of the College through its review of inadequate academic performance, petitions for unusual academic activities, and some requests for readmission. The ex officio members are the Dean of the College, the Associate Dean for Academic Programs, the Registrar, and the Director of Admission. The Registrar serves as an ex officio, non-voting member.

34. The following text was added to the description of the Honor System Committee under the “Committees Dealing with Student Life and Academic Standing” subheading of Section I-C on page 15:

On March 17, 1896, Williams students voted 247 to 42 in favor of inaugurating a campus-wide Honor Code. While it has evolved over time, this Honor Code remains, to this day, a critical component of our academic community. The Honor Code is only ratified by Williams students, and as such, only student members of the Honor and Discipline Committee can vote on cases.

35. The following text was added to the description of the Discipline Committee under the “Committees Dealing with Student Life and Academic Standing” subheading of Section I-C on page 15:

The Discipline Committee is composed of 8 faculty, 1 staff, and 8 students (8-1-8)

The Discipline Committee hears and decides, either on direct referral by the Dean of the College or on appeal of the Dean’s decision, cases that involve violations of individual rights or the rules of student conduct. It also hears cases of alleged discrimination when both parties are students. The faculty member who chairs the Discipline Committee serves also as one of the four faculty advisors to the Honor System Committee. The Dean of the College is an ex officio member, who votes only when there is a tie in cases referred directly to the Discipline Committee by the Dean. (See Student Handbook, “Discipline and Disciplinary Proceedings” and “Non-Discrimination Policy and Grievance Procedures, III.”)

36. The following paragraph was added to the “Maternity Leave” subheading of Section III-S on page 141:

If an individual takes a maternity leave or a combined maternity and parental leave for one semester, she will be expected to teach the equivalent of three courses during Winter Study and the non-leave semester. Finally, if a member of the faculty takes one or two maternity leaves prior to a tenure decision, she may elect to delay the tenure decision by one year. The person who wishes to delay the tenure decision should inform her department chair and the Dean of the Faculty of this as soon as possible. Normally, she should notify the college of her decision to delay the tenure process no later than September 1 of the calendar year prior to the originally scheduled time for the tenure decision. Should the maternity leave occur prior to the reappointment decision, she may delay the reappointment decision as well. In this instance, she should notify the college by May 1 of the calendar year of her reappointment decision. Whether the faculty member takes one maternity leave or two, and whether or not she delays the reappointment decision, the total by which the tenure decision can be delayed for maternity leaves is one year.

37. The following paragraph was added to the “Faculty Parental Leave” subheading of Section III-S on page 142:

If a member of the faculty takes more than one parental leave prior to a tenure decision, he or she may elect to delay the tenure decision by one year. The person who wishes to delay the tenure decision should inform his or her department chair and the Dean of the Faculty of this as soon as possible. Normally, the faculty member should notify the college of his or her decision to delay the tenure process no later than September 1 of the calendar year prior to the originally scheduled time for the tenure decision. Should more than one parental leave accrue prior to the reappointment decision, the faculty member may opt to delay the reappointment decision. Regardless of the timing of the parental leaves, the total by which the tenure decision can be delayed for parental leaves is one year.

Changes made in the 2017-18 edition from the 2016-17 edition:

1. The following paragraph was added to Section I-C after the second paragraph on page 7:

At the beginning of each academic year faculty are asked if they are unwilling to serve on the Committee on Appointments and Promotions, Faculty Steering Committee, Curricular Planning Committee, and Faculty Review Panel respectively. The names of unwilling faculty will not appear on the respective nomination ballot for each of these committees during that academic year. Faculty members may, at any time, contact the Dean of the Faculty to reverse their current preference of service.

2. The bold-faced phrase was removed from the third paragraph of the “Tenure Review Process” subheading of Section II-C on page 16:

*This redacted version does not explicitly state the unit’s recommendation for or against tenure, **nor does it convey the academic unit(s) vote or degree of consensus.** However, the redaction should not obscure other arguments, evaluative statements, or judgments made in the report.*

3. The bold-faced sentence was added to the “Request for Reconsideration” subheading of Section II-D at the end of the fourth full paragraph on page 19:

*The faculty member may also request to receive a redacted version of the department or program evaluation report that was submitted to the CAP. If the faculty member requests the report, the chair of the department or program that submitted the report, working in conjunction with the senior staff of the department or program, the Dean of the Faculty and the CAP, creates the redacted version. This version should be as close as possible to the original report. However, any confidential information, such as information that identifies individuals within the department or program, or comparisons with other identifiable faculty members at Williams or elsewhere, is removed. In addition, any information identifying outside reviewers or information that could be used to infer the identities of the outside reviewers is also removed. However, the typical and, circumstances permitting, most desirable form of redaction is to remove merely those details (name, institutional affiliation, etc.) that identify those quoted, while preserving the substantive remarks verbatim. If a letter or letters from faculty on leave are appended to the end of the department/program report, the import of those letters, if it diverges from that of the rest of the report, will be conveyed in a synopsis incorporated into the redacted version of the report, in a manner that does not divulge the identities of the letter writers. **Unlike the redacted report produced during tenure review (see Section II-C: Tenure Review Process), this version should explicitly state the unit’s recommendation for or against tenure, and convey the academic unit(s) vote or degree of consensus.***

4. The bold-faced phrase was deleted in the “Request for Reconsideration” subheading of Section II-D in the middle of the second full paragraph on page 20:

*Should the faculty member believe that the decision not to reappoint and/or promote to tenure resulted from improper consideration (as defined above), and/or inadequate consideration (as defined above) under the relevant standards of the College, the faculty member may ask the CAP through the Dean of the Faculty for reconsideration of the decision. The request for reconsideration must be made in writing no later than one month **following the date on the CAP explanatory letter.** That request must specify the factors that the faculty member believes warrant such a reconsideration. The decision by the CAP whether to reconsider must be communicated in writing to the faculty member by the Dean of the Faculty within six weeks of the receipt of the request.*

It was replaced with the following phrase:

after receipt of both the CAP Explanatory Letter and the redacted report

5. The following sections of Section II-L were deleted from pages 40-42 of the 2016-17 Handbook:

Evaluation of Teaching

The following means for the evaluation of teaching include both required procedures and procedures that provide departments with certain options. The evaluation procedures used within a department must in any case be uniform for all untenured department members within a given year. Decisions about which of the non-mandated procedures to use (if any) are made by each department following its usual modes of decision-making.

The Student Course Survey (SCS)

Use of the Student Course Survey (SCS) is required in all courses taught in the College. The SCS consists of a page of questions to which students give numerical ratings and a page inviting descriptive commentary ("blue sheets") primarily for the benefit of the instructor. The numerical ratings are computed by the Director of Institutional Research, who also produces detailed comparisons of individual results with divisional, departmental, course level, peer group and all College results. Each faculty member receives the analysis of his or her own results. Results for all departmental members are sent to the chair. Tenured members collectively make their own interpretations of the results of untenured members of their department. The data and the numerical comparisons for all faculty members are made available to the CAP. Untenured members may wish to share their "blue sheets" with chairs, but this is not required.

Procedures for Gathering Individual Student Opinion

Departments choose which procedure for gathering individual student opinion best suits their needs, so long as the same procedure is used for all untenured members in a given year. The alternatives are: a) interviews, b) letters, c) departmental questionnaire (administered in class or through the mail), or d) either b or c with follow-up interviews. (If interviews are chosen, see following protocols.) Whatever procedure is selected, it will have a standard format devised in consultation with the untenured members of the department.

Departments should make a good faith effort to gather at least ten individual student responses per year for each untenured member, with proportional adjustment for those teaching less than a full load. They should be gathered as late in the term as possible. In any event they should be completed in time for the results to be included in the next departmental staffing report.

The students selected should fairly reflect the range of the untenured member's experience during the academic year with majors and non-majors, large and small classes, lecture and discussion classes, and introductory versus advanced level classes. The grade of each respondent will be noted.

A good faith effort should be made to select roughly half the students from a list provided by the untenured faculty member; the rest will be chosen by the department.

The department should have a written record of each student's responses. All materials will be confidential.

Departments' evaluations of these responses will be communicated annually to untenured members by department chairs in accordance with existing procedures governing communication between departments and untenured faculty (see Section II-F: Departmental Governance: Communication).

Optional senior exit interviews or questionnaires and letters solicited from alumni or alumnae will be in addition to the minimum of ten timely student responses collected over the course of the year in which the classes being evaluated were taught.

Protocols for Conducting Interviews

- *Students coming to an interview will have received either a letter of invitation explaining the purpose of the interview and the general areas to be reviewed or a copy of the questionnaire which the department uses.*
- *Only one student will be interviewed at a time. There will be no group interviews.*

- *Interviews will be conducted by one or more tenured members, two tenured members being the preferred number. The interviewer(s) will be any tenured member(s) of the department. If a department has only one or two senior members, the chair may request the Dean of the Faculty to assemble an advisory committee of tenured members from other departments to assist in these interviews.*
- *If possible, interviews pertaining to a given untenured member in a particular year will not all be conducted by the same person; as many tenured members of a department as possible are expected to take part over the course of the untenured members' years at the College.*
- *Students who have taken courses from more than one untenured instructor in a department can be asked to comment on each one of them. Comparative comments may be elicited. Students may be asked about all the courses they have taken from a given instructor, including those within the preceding year. Although all interviewers should raise the same questions, the departments' procedures should allow interviewers flexibility in pursuing issues raised by students' responses to specific questions.*

Peer Reviews and Class Visits

Although no common form of direct faculty assessment has been mandated, each department is required in its annual staffing report to give an interpretation of all available data on the teaching effectiveness of its untenured members. Many departments maintain programs of class visits, and, in some, tenured and untenured faculty regularly exchange visits to each other's classes. Other departments have opportunities for team-teaching or departmental colloquia in addition to regular opportunities for interaction at departmental meetings. By such means the departments have a context for interpreting student opinions.

Guidelines for Class Visits (for departments that have chosen this option):

- *Visits for the purpose of evaluation may begin in either the first or second year of an assistant professor's time at Williams, continuing each semester until, but not including, the semester of the tenure decision.*
- *Each semester the chair should designate a tenured faculty member to visit each untenured faculty member's classes after consulting with the untenured member as to which tenured faculty member would be the most appropriate visitor in a given semester and which course would be the most appropriate to visit. The final decision on the visitor and the course to be visited should be the chair's.*
- *To the extent possible, different tenured members should visit each untenured member's classes in different semesters. That is, over time as many tenured faculty as possible should visit each untenured person's classes.*
- *Typically, tenured faculty visit two or three classes taught by the untenured faculty member. The untenured faculty member should suggest two or three classes, normally consecutive, which would be appropriate for the tenured faculty member to visit. Before the visits, the two should discuss the relation of the classes to the aims and structure of the course as a whole. Students should be told that the visits are a routine vehicle for evaluation and constructive feedback.*
- *The visitor should discuss his or her observations with the untenured faculty member after the set of visits. A written statement of the strengths and weaknesses of the classes observed and suggestions for improvement should be given to the untenured faculty member and to the chair.*
- *Departments' evaluations of classes visited during the year, based on visitors' written statements and departments' discussion of them, will be communicated to untenured faculty members by department chairs in accordance with existing procedures governing communication between departments and untenured faculty (see Communication under Section II-F: Academic Department Governance).*

The following sections were added in place of the deleted material on pages 40-42 of the 2017-18 Handbook:

The Evaluation of Teaching

Units must use three different methods to evaluate the teaching of untenured faculty members. 1) The Student Course Survey (SCS). 2) A method, other than the SCS, for gathering individual student opinion. 3) A method of peer review that involves observation of the untenured faculty member's teaching.

The evaluation procedures used within a unit must be uniform for all untenured unit members within a given year. Each year, the unit must provide an explanation of their evaluation procedures to the CAP. Although a unit must use the SCS, a method other than the SCS for gathering student opinion, and a method of peer review that involves observation of the untenured faculty member's teaching, if a unit chooses to deviate from any other aspect of the required evaluation procedures outlined in the Faculty Handbook, such deviations must be submitted to the CAP for its approval.

The Student Course Survey (SCS)

Use of the Student Course Survey (SCS) is required in regular-semester courses taught in the College, with the exception of those with the EXPR prefix. The SCS consists of a form and a separate page inviting descriptive commentary ("blue sheets") primarily for the benefit of the instructor.

The responses from the form are compiled by Institutional Research, who provides analyses of individual quantitative results and comparisons with various group results. Aggregated responses and analyses of quantitative results for all unit members are sent to the chair. Tenured members collectively make their own interpretations of the responses and analyses for untenured members in their unit, in conjunction with information from the other methods of evaluation used. The responses for all faculty members are made available to the CAP.

Untenured members may wish to share their "blue sheets" with chairs, but this is not required.

Methods for Gathering Individual Student Opinion

Units choose which method for gathering individual student opinion best suits their needs, so long as the same procedure is used for all untenured members in a given year. The options include: interviews or unit questionnaire. Whatever procedure is selected, it will have a standard format.

Units' evaluations of the student opinion gathered will be communicated annually to untenured members by unit chairs in accordance with existing procedures governing communication between units and untenured faculty (see Section II-F: Departmental Governance: Communication).

Protocols for Conducting Interviews

Units should make every possible effort to gather at least ten individual student responses per year for each untenured member, with proportional adjustment for those teaching less than a full load. They should be gathered as late in the term as possible. In any event they should be completed in time for the results to be included in the next unit staffing report.

The students selected should fairly reflect the range of the untenured member's experience during the academic year with majors and non-majors, large and small classes, lecture and discussion classes, and introductory versus advanced level classes. The grade of each respondent will be noted.

A good faith effort should be made to select roughly half the students from a list provided by the untenured faculty member; the rest will be chosen by the unit. The untenured faculty member may also suggest, and to the extent possible should explain why, certain students should not be interviewed.

Students coming to an interview will have received either a letter of invitation explaining the purpose of the interview and the general areas to be reviewed or a copy of the questionnaire which the unit uses.

Only one student will be interviewed at a time. There will be no group interviews.

Interviews will be conducted by one or more tenured members, two tenured members being the preferred number. The interviewer(s) will be any tenured member(s) of the unit. If a unit has only one or two tenured members, the chair may request the Dean of the Faculty to assemble an advisory committee of tenured members from other units to assist in these interviews.

If possible, interviews pertaining to a given untenured member in a particular year will not all be conducted by the same person; as many tenured members of a unit as possible are expected to take part over the course of the untenured members' years at the College.

Students who have taken courses in a particular unit from more than one untenured instructor can be asked to comment on each one of them. Comparative comments may be elicited. Students may be asked about all the courses they have taken from a given instructor, including those within the preceding year. Although all interviewers should raise the same questions, the units' procedures should allow interviewers flexibility in pursuing issues raised by students' responses to specific questions.

A written statement summarizing the students' responses should be given to the untenured faculty member and to the chair, and should preserve each student's anonymity.

Protocols for Questionnaires

Unit questionnaires should solicit primarily qualitative responses from students.

Questionnaires should be administered for every semester for every course taught by the untenured faculty member. Units should administer the questionnaire to as many of the students in the untenured faculty member's courses as possible. In any case, units should make every possible effort to gather at least ten individual student responses per year for each untenured member, with proportional adjustment for those teaching less than a full load.

Student responses to questionnaires should be given to the untenured faculty member and to the chair, and should preserve each student's anonymity.

Methods of Peer Review

Units choose which method of direct faculty assessment best suits their needs, so long as the same procedure is used for all untenured members in a given year. The options include: class visits or observation of video-recorded classes.

Protocols for Class Visits

Visits for the purpose of evaluation may begin in either the first or second year of an assistant professor's time at Williams, continuing each semester until, but not including, the semester of the tenure decision.

Each semester the chair should designate a tenured faculty member to visit each untenured faculty member's classes after consulting with the untenured member as to which tenured faculty member would be the most appropriate visitor in a given semester and which course would be the most appropriate to visit. The final decision on the visitor and the course to be visited should be the chair's.

To the extent possible, different tenured members should visit each untenured member's classes in different semesters. That is, over time as many tenured faculty as possible should visit each untenured person's classes. If a unit has only one or two tenured members, the chair may request the Dean of the Faculty to assemble an advisory committee of tenured members from other units to assist in these visits.

Tenured faculty must visit at least two classes taught by the untenured faculty member. The untenured faculty member should suggest classes which would be appropriate for the tenured faculty member to visit. Before the visits, the two should discuss the relation of the classes to the aims and structure of the course as a whole. A discussion of initial observations might take place between the first and last visit. Students should be told that the visits are a routine vehicle for evaluation and constructive feedback.

The visitor should discuss his or her observations with the untenured faculty member after the set of visits. A written statement of the strengths and weaknesses of the classes visited and suggestions for improvement should be given to the untenured faculty member and to the chair.

A unit may also decide to conduct reciprocal class visits, whereby the untenured faculty member is encouraged to visit a class taught by the tenured faculty member.

Units' evaluations of classes visited during the year, based on visitors' written statements and units' discussion of them, will be communicated to untenured faculty members by unit chairs in accordance with existing procedures governing communication between units and untenured faculty (see Communication under Section II-F: Academic Department Governance).

Protocols for Observation of Video-Recorded Classes

Observations of video-recorded classes for the purpose of evaluation may begin in either the first or second year of an assistant professor's time at Williams, continuing each semester until, but not including, the semester of the tenure decision.

Each semester the chair should designate a tenured faculty member to observe the video recording of each untenured faculty member's classes after consulting with the untenured member as to which tenured faculty member would be the most appropriate observer in a given semester and which course would be the most appropriate to observe. The final decision on the observer and the course to be observed should be the chair's.

To the extent possible, different tenured members should observe each untenured member's video-recorded classes in different semesters. That is, over time as many tenured faculty as possible should observe each untenured person's classes. If a unit has only one or two tenured members, the chair may request the Dean of the Faculty to assemble an advisory committee of tenured members from other units to assist in these observations.

Tenured faculty must observe at least two video-recorded classes taught by the untenured faculty member. The untenured faculty member should suggest classes which would be appropriate for video recording and observation. Before the video recording and observations, the two should discuss the relation of the classes to the aims and structure of the course as a whole. A discussion of initial observations might take place between the first and last video-recorded classes. Students should be notified in advance that a class will be video recorded.

The video recording of the class should be viewed only by the designated observer, and should be destroyed after viewing.

The visitor should discuss his or her observations with the untenured faculty member after the set of video-recorded classes. A written statement of the strengths and weaknesses of the classes observed and suggestions for improvement should be given to the untenured faculty member and to the chair.

Units' evaluations of video-recorded classes observed during the year, based on observers' written statements and units' discussion of them, will be communicated to untenured faculty members by unit chairs in accordance with existing procedures governing communication between units and untenured faculty (see Communication under Section II-F: Academic Department Governance).

Optional Methods of Evaluation

In addition to the three required methods of evaluation, a unit may choose to use other methods to gather information about an untenured faculty member's teaching. These methods might include: senior exit interviews; letters solicited from alumni. The use of any such additional methods of evaluation must be explained in the unit's evaluation procedures.

6. The following paragraph was deleted from the Group 1 subheading of Section III-G on page 107 of the 2016-17 Handbook:

Administrative Staff are eligible to live in College rental housing for three years from the date of hire until June 15 after their 3rd anniversary.

7. The following subsection entitled "AIDS Policy" under Appendix D was deleted in its entirety from pages 168-69 of the 2016-17 Handbook:

AIDS Policy

The College policy, when Acquired Immune Deficiency Syndrome (AIDS) or infection with the HIV virus (as indicated by a positive antibody test) has been diagnosed in an employee, is that standard medical rules of confidentiality will apply; i.e., the privacy of the employee will be protected in accordance with the procedures stated below. This policy applies also to any external requests for information about an employee, such as applications for health insurance, references, et al.

Prospective and present employees are not required to report diseases to the College. Should the fact that an employee has AIDS or is HIV-positive come to the attention of the Director of Health, the Director will confer with the employee to make sure that an appropriate medical care plan has been established with the employee's primary physician, but the College will ordinarily take no administrative action regarding the employee. Should the employee wish to have his or her medical condition known to others, the employee may do so. Since AIDS is a reportable disease, the Director of Health must confirm that the Massachusetts Public Health Service has been informed.

A diagnosis of AIDS/HIV-positive by itself is not a clinical cause for termination or for a change in conditions of employment, including location of employment. The concern of the College shall be for the employee and his/her risk of exposure to primary and secondary infections. In cases of requests by fellow employees for changes in jobs for fear of acquiring AIDS, the person with AIDS or HIV-positive diagnosis will not be displaced, and the fellow employee(s) will be provided with education and counseling about the disease. No transfer should be assumed.

Any judgment about an employee's continuation at the College based on his/her health or risk to others will be made by the Director of Health in consultation with the appropriate supervisor, Director of Human Resources, members of the President's Senior Staff, and legal counsel.

Ordinarily, information about an employee with AIDS or who is HIV-positive will be given to no other person or office at the College without the employee's permission. Should the Director of Health feel that others need to be informed, he/she will work with the employee in a confidential manner to encourage the employee to inform that person or office.

The medical staff of the College Health Service is available to answer questions from any member of the Williams community about AIDS/HIV and to discuss antibody testing. The Health Service will provide medical treatment to students and will refer employees to other primary care physicians with whom they may develop a medical care plan. Area physicians and dentists are available for referral and treatment. Other area medical services available to those with AIDS or who are HIV-positive are the Visiting Nurse Association and Hospice of Northern Berkshire, the North Adams Regional Hospital, and the Berkshire Medical Center. Additional referral and counseling services include the American Red Cross in Pittsfield and the Bennington AIDS Project.

Individuals with questions or concerns should feel free to contact the Director of Health, the Health Educator, the Director of Human Resources, the Dean of the College, the Vice President for Finance & Administration and Treasurer, the Dean of the Faculty, or the Vice President for Institutional Diversity and Equity. Additional information can be obtained by referring to "What Everyone Should Know about AIDS," which is available through the College Health Service.