Introduction

The College is committed to providing a prompt, fair and effective process for resolution of allegations of sexual misconduct. As a reporting party (the student reporting an incident of sexual harassment or assault or another form of sexual misconduct), you have several rights and options. We are here to support you.

We understand that the decision to report is not an easy one. We will support you throughout the process including, if appropriate, taking interim steps (see below). Upon reporting to us, you immediately have the right to be free from retaliation by the person you are reporting and others affiliated with him or her. This right extends to anyone affiliated with you, such as family members and any potential witnesses.

This document is about the College’s internal administrative process. We will support you making criminal charges if you choose. You can pursue both criminal and administrative charges – you do not need to choose one or the other. Reporting options are available at www.wm.edu/titleix/report.

Immediate Precautions

If you are reporting to us within 120 hours of a physical incident, there are specific procedures you can follow in an effort to preserve evidence, including receiving a physical examination. It is recommended that you do not bathe, wash your clothes, or brush your teeth. William & Mary Police can provide assistance in transporting you to the hospital if you desire. William & Mary can also help you remain anonymous at the hospital for insurance purposes. Please retain any electronic records, including texts, emails, photos, social media postings, for review by the investigators and for purposes of obtaining a protective order through the courts.

Interim Steps & Services

The Title IX Coordinator and the Dean of Students promptly will determine whether any interim steps should be taken to prevent retaliation, prevent continuation or recurrence of the misconduct, prevent the creation of (or remedy) a hostile or offensive environment, and ensure that you are able to participate in W&M’s educational and other programs and activities. Possible interim steps include:

- Orders barring further contact (no-contact orders)
- Making academic accommodations, such as deferring an assignment or exam or reducing course load
- Relocation or rescheduling of classes for you or the respondent (you will not be required to reschedule a class)
- Financial aid assistance for an underload, work study assignment, etc., subject to limitations imposed by federal law and the terms of relevant financial aid
- Changing residence locations (you will not be moved without your consent)
- Restrictions limiting the respondent’s presence on campus or to certain areas of campus
- Interim suspension of the respondent
- Providing you with an escort so that you may move safely between classes and activities.

Free services that may be helpful to you include:

- Medical services from the Student Health Center (your parents will not receive a bill)
- Mental health services through the Counseling Center
- Victim advocacy services through off-campus groups including Avalon (located in Williamsburg)
- For international students, visa and immigration assistance through the Reves Center.

While the university is unable to provide legal assistance for students, as a reporting party you are entitled to an advisor of your choice, which can be a private attorney or legal counsel that you retain.

The university will maintain as confidential any accommodations or other interim measures provided to you, to the extent feasible. (For example, no-contact orders must, by their nature, be disclosed to the affected student.)
Initial Assessment of Report
When a report is made or a W&M staff person becomes aware of an incident of sexual harassment or assault, a Title IX Review Team assembles. This Team operates confidentially to determine whether law enforcement notification is necessary. The Team also decides whether to start an investigation. In some cases, the Team may decide that the university does not have a basis to conduct an investigation, or that the matter is best addressed through remedial measures without an investigation. You will be notified if the Team decides not to investigate the matter.

Investigation and Determination Process
Trained investigator(s) will gather information related to the allegation(s), including interviewing you, the respondent and any other relevant persons, reviewing electronic communications and social media postings, digital images and other relevant documentation, and analyzing medical records, if applicable. The investigator(s) will share with you and the respondent a draft/preliminary investigation report for independent review, comment, corrections and personal statement. The investigator(s) may conduct additional investigation and will produce a final report.

The final report is provided to the Dean of Students for determination as to whether a preponderance of evidence exists to find violation(s), and if so, the Dean of Students, in consultation with the Title IX Coordinator, will issue sanctions. If the Dean of Students determines that there is not enough evidence to find responsibility for a violation, the Dean of Students Office can continue to enforce interim measures to help ensure that you can continue your educational endeavors without interference. You may appeal the Dean of Student's decision or sanctions, as described in the procedure.

Your Rights in the Process
- The right to be treated with respect by College officials;
- The right to confidentiality, to the extent possible and permitted by College policy and the law;
- The right to be informed of and have access to resources for medical, counseling, and advisory services, both on campus and in the community;
- The right to have the report responded to promptly and with sensitivity;
- The right to a thorough and impartial investigation;
- The right to be informed of relevant provisions of applicable policies and procedures;
- The right to have an advisor of your choice to attend meetings;
- The right to have College policies and procedures followed without material deviation;
- The right not to be retaliated against, or any of your family or friends to be retaliated against, for filing a report or participating in an investigation;
- The right not to have unrelated prior sexual history considered as evidence;
- The right to have a pre-determination meeting with the Dean of Students or designee;
- The right to have the determination made using the preponderance of the evidence standard;
- The right to be notified in writing of the outcome & sanction(s) at the same time as the respondent;
- The right to appeal the outcome;
- The right to continued support and access to campus resources through the appeal period.

Your Resources
- **Dean of Students Office**: interim measures to protect health/safety, information about the investigation/resolution process. 109 Campus Center, 221-2510, deanofstudents@wm.edu
- **Title IX Coordinator**: investigations of reports; information about Title IX. 108 James Blair Hall, 221-3146
- **The Haven**: confidential support for victims of assault/harassment (staffed primarily by students). 166 Campus Center, 221-2449, thehaven@wm.edu
- **The Counseling Center**: confidential counseling provided by professionals. Blow Hall, Rm 240, 221-3620

Other resources can be found on the Title IX website: [www.wm.edu/sexualviolence](http://www.wm.edu/sexualviolence)