

Dear Students,

This summer, the university convened a large working group consisting of staff from Student Affairs, Health Promotion, the William & Mary Police, Administration, Office of Compliance, and University Counsel to study our sexual misconduct policies, procedures, and educational efforts. This two-day “summit” produced a number of recommendations. Specifically, the group proposed policy and procedures revisions to address the following matters:

- Clarify the definition of consent and incapacity
- Incorporate additions of relationship violence and stalking in compliance with requirements set out in the Violence Against Women Act
- Provide more effective support for both parties throughout the process
- Clarify investigation process and define roles of various parties and avoid administrators serving in multiple roles where possible
- Provide a process that is less adversarial and more focused on the relevant issues/facts to be resolved by the hearing panel
- Better define the timeline for resolution of reports to comply with the Office of Civil Rights’ expectation of resolution within 60 days when possible
- Provide improved communication with all parties throughout, and after, the adjudication process
- Provide for a board comprised of faculty, staff, and students (and provide for multi-year terms for each in order to ensure continual training and continuity).

To that end, W&M has been working on revisions to both policies and procedures related to sexual misconduct (see attached). We are grateful for the assistance of the Office of Compliance for advising us about evolving federal law and the expectations placed upon all

colleges and universities under Title IX, and these proposal revisions have been produced with their guidance throughout the process.

To accomplish the objectives above, the policies/procedures contain the following specific changes/additions:

- Modified definition of consent to better explain the role of alcohol and drugs in incapacitation
- Added domestic violence, dating violation, and stalking to the list of prohibited conduct
- Added time frames for various steps in the process
- Required equal notice to both parties (both in type and timing of notice) where possible
- Codified that any administrative resolution of charges requires the written consent of the reporting party
- Provides for a group of administrators who will be trained to provide specific advisory assistance to each party throughout the process
- Provides additional examples of prohibited conduct to better inform students of the application of the policy
- Defines roles of various personnel in the process to avoid multiple roles where possible
- Adds a faculty member to the panel that adjudicates reports
- Establishes multi-year appointments for all panel members
- Provides more definition of the role and process of investigation of reports before decision is made as to whether charges are warranted
- Removes adversarial elements of the hearing to provide a process focused on the results of the investigation and testing of witness credibility
- Provides for an advisor to the panel during hearings to answer questions regarding process
- Provides for Dean of Students review of sanction prior to determination to ensure that panel has applied policy and

precedent correctly

- Clarifies process for student to request review of previously-offered resignation when new information arises that may establish student's innocence
- Provides automatic review by the Provost for any properly-submitted appeal (bypassing need for review by the Appeals Committee first)

As is our custom, we seek comments from the community on proposed changes to student conduct policies and procedures. I encourage you to submit any feedback you have during the comment period which will remain open **until Friday, November 7** – you can send your thoughts via email to studentaffairs@wm.edu.

Sincerely,
Ginger Ambler