

Rights and Resources for the Respondent in Cases of Sexual Misconduct (Including Sexual Assault, Dating or Domestic Violence, and Stalking)

Respondent Rights

A Respondent in an investigation and adjudication process for allegations of sexual assault, sexual misconduct, sexual harassment, dating or domestic violence, or stalking, has the right to have the complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in the investigation and adjudication procedures and the rights of the Respondent, including the right to a presumption of “not responsible” unless and/or until a finding of responsibility is made.

The Respondent has the right:

- To be treated with dignity and respect by university officials.
- To experience a safe living, educational, and work environment.
- To take advantage of campus support resources (Such as Counseling & Psychological Services, the Office of the Chaplains, and University Health Services for students, or Employee Assistance Program services for employees), and to receive courteous, fair and respectful treatments.
- To refuse to have an allegation resolved through informal resolution procedures.
- To receive amnesty for minor student misconduct (such as minor alcohol violations) that is ancillary to the incident.
- To receive written notice of an investigation describing the date, time, location and factual allegations concerning the violation, specific policy provisions alleged to have been violated, and possible sanctions.
- To be accompanied by an advisor of choice who may assist and advise the Respondent throughout the judicial or conduct process including during all meetings and hearings related to such process.
- To participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard.
- To decline to have an allegation resolved through informal resolution procedures.
- To attend in person or via videoconference any hearing in which the Respondent is charged and to be situated in a different room from the Complainant during the hearing if so desired.
- To receive written notification of the outcome/resolution of the complaint, including a statement detailing the factual findings and rationale supporting the determination as to responsibility and the rationale for any sanction imposed.
- To have access to at least one level of appeal of a determination.
- To have complaints heard in substantial accordance with the Student Sex- or Gender-Based Discrimination, Harassment, and Sexual Misconduct Resources and Response Procedures.
- To exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of Colgate.

Resources for the Responding Party in Cases of Sexual Misconduct (Including Sexual Assault, Dating or Domestic Violence, and Stalking)

Private On-Campus Support Resources:

- **Dean of the College Administrative Deans:** 315-228-7368, 116 McGregory Hall. An **on-call dean** can be reached after hours by calling Campus Safety (315-228-7911). The dean can put you in touch with appropriate counseling and support personnel, and help with matters such as managing academic obligations.
- **Title IX Coordinator:** 315-228-7014, 102 Lathrop Hall. Tamala Flack (tflack@colgate.edu) is available to explain the investigation and adjudication procedures, answer questions, and discuss the options available to you, as well as provide supportive measures as appropriate.
- **Prohibited Conduct Response Group (PCRG) Members:** PCRG members are faculty and staff trained in all aspects of the grievance process and are a source of advice, support and referral to help you know your options. Find the PCRG member list here: www.colgate.edu/pcrgmembers.

Confidential On-Campus Resources:

- **Counseling and Psychological Services:** 315-228-7385. Crisis consultation hours are 1:30-4:30 p.m. Mon-Fri. After hours, call the counseling center at 315-228-7385, for an emergency dial #2; you may also call Campus Safety at 315-228-7333 and ask to talk with the **counselor on-call**. You do *not* need to provide any additional information to Campus Safety.
- **University Chaplains:** 315-228-7682, garden level of the Colgate Chapel.
- **Student Health Services:** 315-228-7750, 150 Broad Street. After hours and for emergencies, contact Campus Safety at 315-228-7911.

Online Resources:

- Student Non-Discrimination, Anti-Harassment, and Sexual Misconduct Policy: <https://www.colgate.edu/NDAHSMpolicy>
- Student Sex- or Gender-Based Discrimination and Harassment and Sexual Misconduct process: www.colgate.edu/NDTIXprocedures
- PCRG members: www.colgate.edu/pcrgmembers
- FAQ for Respondents: www.colgate.edu/about/campus-services-and-resources/faqs-responding-parties-complaints-sexual-assault-dating-or