

SUMMARY OF CHANGES TO THE TITLE IX PROCESSES AND POLICIES

In the wake of laws recently enacted in the state of New York and updated regulations from the federal Department of Education concerning Title IX, Colgate has revised its policies and processes for responding to complaints of sexual violence, harassment, and discrimination. These revisions were required by an evolving regulatory environment. However, to the fullest extent possible under the current law, they are also an expression of the University's ongoing work to become a more equitable and inclusively supportive institution.

The full documents describing these policies and procedures can be found online at <https://www.colgate.edu/about/offices-centers-institutes/provost-and-dean-faculty/equity-and-diversity/non-discrimination>.

Here are some highlights:

- The Department of Education has narrowed the kinds of sexual misconduct to which colleges and universities must respond under Title IX, but allows institutions to respond to other kinds of sexual misconduct if they so choose. **Colgate will continue to respond to a broader spectrum of concerns.**
- Colleges and universities must use a single standard of evidence for adjudicating all complaints of serious sexual misconduct governed by Title IX. **Colgate will continue to use the “preponderance of evidence” standard for all Title IX cases.**
- Title IX cases must allow for advisors for either complainants or respondents, and those advisors may be attorneys. At a hearing, those advisors must be allowed to ask questions of all parties. The regulations allow for these questions to be funneled through the chair of the panel, however, who first determines whether a question is relevant, and ensures that it is not abusive. **Colgate's process will accordingly arrange for trained professionals to ensure that questions are relevant, appropriate, and respectful,** and that advisors' questioning of the parties and witnesses is conducted in a non-intimidating and non-abusive manner.
- **For students who are parties to a Title IX case who wish it, the university will appoint, without cost to the student, an advisor of the university's choice who will be a licensed attorney to assist that student from the review of the investigation file through any hearing and subsequent appeal.**
- The Department of Education's updated regulations heavily emphasized the need for institutions to consistently provide meaningful supportive and protective measures for students involved in Title IX cases. **Colgate's new policy documents continue to stress this as well, and refer to a robust portfolio of supportive and protective measures for all parties.**
- The regulatory environment, both at the state and federal level, allows **more space for alternative forms of dispute resolution when all parties involved are willing, and Colgate's new policies reflect this.**
- **More information on Colgate's supportive resources for survivors of sexual assault can be found at <https://www.colgate.edu/about/campus-services-and-resources/sexual-violence-support>.**

The Office of Equity and Diversity will work to ensure that community members are well-informed about the new policies and well-supported through the new processes. The University is committed to a fair process. We are also committed to repairing harm and facilitating healing and safety for all

members of the community irrespective of race, sex, gender identity/expression, sexual orientation, age, ability, religion, or socio-economic status.