CARLETON COLLEGE
Sexual Misconduct Formal Complaint Process
1st Conversation Checklist for Student Participants

This checklist has been prepared to assist all parties as they go through the formal complaint process. The following items will be addressed and/or clarified with complainants and respondents in a meeting with the Title IX Coordinator.

☐ Policies: Student Sexual Misconduct Policies and Procedures: The policy, a description of the resolution process, support resources, legal information, and other information can be found on this website: https://www.carleton.edu/sexual-misconduct/

☐ Support resources: Support, including confidential support, is available for students on campus. Specific resources are outlined online at https://www.carleton.edu/sexual-misconduct/get-help/support-resources/

☐ Accommodations: The Title IX Coordinator will work with a student to provide/request accommodations to reduce the impact of the experience. Some accommodations can be put in place long term while others are used temporarily while a student is seeking longer term resolution. Examples of accommodations for students may include: changes in academic/class assignments or schedules; changes in living arrangements; changes to work or research schedules or assignments; assistance in requesting academic accommodations; issuance of a request that a student cease current behaviors; issuance of a mutual “No Contact Order.”

☐ No contact agreement or orders: Limited contact agreements or directives can be put in place for students involved.
  o Contact is defined as direct or indirect, in person, through others, by email, text message, through social media, etc.
  o Carleton is a small campus and it may be difficult to completely avoid each other. Students should consider how they will react the first time they see the other person. It is important to respect the no contact agreement, yet know there may be instances they will see each other and need to determine what the best choice is in such a situation. Contact the Title IX Coordinator if clarity is needed or if there is a possible violation.
  o Retaliation of any type is not acceptable. Retaliation includes any actions by a participant or others on their behalf, which are meant to intimidate or harm the other person because of their involvement with the complaint process.

☐ Resolution: Formal Resolution, Informal Resolution, and Legal Action: Students can decide how they want to resolve an incident that happened with another student. Processes are detailed under “Policies & Procedures” at go.carleton.edu/sexual_misconduct

☐ Presumption: The Respondent in a Formal Complaint is presumed not responsible for the alleged conduct until a determination is made regarding responsibility at the conclusion of the Formal Complaint Resolution Process.

☐ Formal Complaint: A Complainant or the Title IX Coordinator may submit a formal complaint alleging sexual harassment against a Respondent and requesting investigation of the allegations. The Title IX Coordinator will contact the respondent to notify them of the complaint, and an investigation will begin. To submit a form to file a formal complaint, visit https://www.carleton.edu/sexual-misconduct/get-help/reporting-2/filing-formal-complaint/
  o Investigation: During the investigation, the complainant and respondent will each have the opportunity to submit evidence and identify witnesses to be interviewed. Prior to the hearing, the complainant and respondent will have the opportunity to review and respond to all evidence collected during the investigation, including listening to all recordings and viewing all texts, photos, or other evidence.
  o Live Hearing: The formal complaint process includes a live, virtual hearing to determine whether it is more likely than not Carleton’s policy was violated. At the hearing the decision makers are an outside Hearing Officer and two members of the Community Board for Sexual Misconduct. Both parties have the opportunity for cross examination and it is the adviser’s responsibility to ask questions on behalf of their party. For more details regarding the hearing, visit Carleton’s Policy Against Sexual Misconduct.
  o Conduct at the hearing: The Decision-Makers will not draw an inference about the determination regarding responsibility based solely on a party or witness’s absence from the hearing or refusal to answer cross-examination or other questions.

☐ Informal Process: The informal process comes in many forms, and can include, but is not limited to, receiving support and learning about resources, having the College put another party on notice, receiving academic accommodations, initiating a limited contact agreement, or offering education and training. Informal Resolution will involve the parties working together with Carleton personnel to attempt to reach a mediated resolution which could result in an agreed-upon sanction.

☐ Pursuing external action of sexual harassment or assault is always an option. Students may contact the Northfield Police at 507-645-4477. A private attorney or an advocate at the HOPE Center are well prepared to provide guidance and help a student navigate the legal system, including pursuing an order for protection or harassment restraining order. External action can happen separately, or at the same time as a Carleton Complaint. See https://apps.carleton.edu/dos/sexual_misconduct/get_help/legal_resources/

☐ Adviser: “Adviser” means a person selected by the Complainant or Respondent, or appointed by Carleton, who may be present during the Formal Complaint Process and related meetings. An Adviser selected by the Complainant or Respondent may be an attorney.

☐ Privacy of Data and Confidentiality and Records Retention: Carleton will strive to maintain the privacy of all parties involved with a sexual misconduct allegation to the fullest extent possible. Maintaining privacy means that only individuals who need to

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know information about a matter will have access to it and that information will be handled with sensitivity. Publicly available records will not identify the parties. Records relating to sexual misconduct allegations and investigations will be retained by the College for seven years.

- **Amnesty:** Carleton has an amnesty policy for any alcohol or drug violations that come to light during a sexual misconduct investigation. The primary concern of the College is to have all details for a thorough investigation.

- **Parental Notification:** Though parental notification is permitted under law in most cases, the College prefers to communicate directly with students as adults. Customarily, the College does not notify parents concerning policy violations that do not involve suspension or expulsion. However, the College retains the right to inform parents when there is a possibility that a finding and sanction could impact the student’s status with the College.

The signature below indicates that the student participant has reviewed this document with the Title IX Coordinator and has been given the opportunity to ask any question. The signatory also understands they have a responsibility to be completely truthful about all circumstances and details of the incidents surrounding this situation.

____________________ ______________________________
Student Participant                                                    Title IX Coordinator or designee

____________________ ______________________________
Date                                                                Date