Skidmore College
Title IX Policy for Staff (Interim)
2024-2025
August 1, 2024

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Case Center 311
815 North Broadway
Saratoga Springs, NY 12866
518-580-5708
jaure@skidmore.edu

Campus Safety
Jonsson Tower (ground floor)
815 North Broadway
Saratoga Springs, NY 12866
518-580-5566
campus-safety@skidmore.edu

For emergencies or immediate assistance on-campus, please call Campus Safety at x5566*

Reports Alleging Sexual & Gender-Based Misconduct Involving a Skidmore Faculty Member:

Janet Casey
Associate Dean of the Faculty for Diversity and Faculty Affairs
Palamountain 416
(518) 580-5705
jcasey@skidmore.edu

Reports Alleging Sexual & Gender-Based Misconduct Involving a Skidmore Faculty/Staff Member:

Jude Klein
Associate Director for Employment and Workforce Diversity
Barrett Center
518-580-5819
jsklein@skidmore.edu

Off Campus:

Saratoga Springs Pc 89 (l)8 0. v6fE.31 0.SSoffer

II. Statement of Institutional Values

Skidmore College is committed to promoting a campus environment where sex discrimination, sex-based harassment, sexual assault, domestic violence, dating violence, stalking, retaliation and exploitation are not tolerated, and where every member of the community shares in the responsibility of preventing and addressing sexual and gender based misconduct. The College also is committed to providing survivors and all community members affected by sexual and relationship violence support and avenues of redress as appropriate. Sex discrimination, sex-based harassment, sexual assault, domestic violence, dating violence, and stalking are violations of Skidmore College policy with some also representing violations of criminal law as defined by the State of New York and the Violence Against Women Act.

III. Scope of this Policy

All members of the Skidmore College community have an obligation to act responsibly in the realm of sexuality, gender, and relationships, to recognize and challenge any sexual and gender-based misconduct, and to adhere to College policies and local, state, and federal law.

This policy applies specifically to sex discrimination and sex-based harassment as defined by Title IX occurring on Skidmore College property or at other locations at which the College exercises substantial control over the alleged Respondent(s) and context in which the sex-based harassment occurs, and also includes such conduct occurring at any building owned or controlled by a recognized student organization. This policy also applies when such acts of sex discrimination or sex-based harassment occur away from Skidmore College property and similar locations identified above when they contribute to a hostile environment on Skidmore College property or in any education programs controlled by Skidmore College.

When used in this policy, "Complainant" refers to the individual who is identified as the target of the alleged sexual and gender-based misconduct (ie. sex discrimination and sex-based harassment under Title IX). "Respondent" refers to the individual alleged to have engaged in sexual and gender-based misconduct. A "Third Party" refers to any other participant in the process, including a witness or an individual who makes a report on behalf of a Complainant.

This Policy identifies the rights, options and resources afforded Complainants, Respondents and Third Parties when involved in an incident of sexual and gender-based misconduct.

Title IX sex discrimination and sex-based harassment can be committed by any member of the Skidmore College community, including students, staff, and faculty. Under Title IX, the College has jurisdiction over a Respondent who is a current student or employee. This policy applies to address and resolve reports against a current **Staff** member.

For information about complaints against other Skidmore community members, please visit www.skidmore.edu/sgbm.

The Employee Assistance Program (EAP) can provide advice and support to individuals who believe they are experiencing sex-based harassment, who have been accused of sex-based harassment or who are otherwise involved in a sex-based harassment complaint. All information shared with these individuals will remain confidential to the extent permitted by law and college policy. Discussions with representatives from EAP will not be considered a report to the College regarding the problematic behavior and will not, without additional action by the Complainant, result in intervention or corrective action.

V. Terminology

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual and gender-based misconduct under Title IX.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual and gender-based misconduct under Title IX.

Advisor of Choice: Both the Complainant and Respondent may elect to be accompanied by an advisor of their choosing to any meetings, conferences, and interviews pertaining to the investigation or adjudication of the Title IX complaint. In most of these instances, the advisor's role is limited to observing, consulting with, and providing support to the party.

An Advisor of Choice may not speak or communicate on behalf of the Complainant or Respondent. This includes but is not limited to in-person meetings, phone conversations, email, or any other forms of elec

Notice of Allegations: a document created by the Title IX Coordinator informing the Complainant and Respondent of the sexual and gender-based misconduct alleged against a Respondent. The notice will also include the grievance procedures, identities of the parties involved in the incident(s), the conduct alleged to constitute sexual and gender-based misconduct under Tt a

Incapacitation can also occur because of an individual's physical or mental condition or disability that impairs the individual's ability to provide consent. Incapacitation as a result of a physical or mental

- Be accompanied by an advisor of choice who may assist and advise a Complainant or Respondent throughout the process including during all meetings and panels related to such process; and
- Be protected from retaliation by the institution, employee, any student, Respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
- Have a meeting with the Title IX Coordinator or official managing the process;
- Review a copy of the final report and investigation materials;
- Be notified of the outcome
- Access to at least one level of appeal of a determination; and
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- ***Disparate Impact***
  Disparate impact occurs when policies or practices that appear to be neutral unintentionally result in a disproportionate impact on a protected group or person based on that individual's actual or perceived sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity and that:

    - Excludes an individual from participation in;
    - Denies the individual benefits of; or
    - Otherwise adversely affects a term or condition of an individual's participation in a Recipient program or activity.

Sex-Based Harassment:
Conduct on the basis of sex that aligns with one or more of the following conditions as defined by Title IX:

- An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct;

- Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's education program or activity (i.e., creates a hostile environment); or

- Sexual Assault, Dating Violence, Domestic Violence, and Stalking as defined below as required by the United States Department of Education:

Sexual Assault
Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent described as follows:

- Rape is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

- Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

- Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- Statutory Rape is sexual intercourse with a person who is under the statutory age of consent

The definitions above align with the definition of Rape, Fondling, Incest or Statutory Rape as used in the FB defif2e

- Any staff member who is placed on an interim suspension or administrative leave under this policy can challenge this decision immediately after the removal by submitting an appeal to the

of any criminal investigation or proceedings to commence its own investigation and provide supportive measures to the Complainant and protect the College community as necessary.

Timely Warning

If a report of sexual or gender-based misconduct under this policy or other policies discloses information indicating a serious or continuing threat to the Skidmore community, the College may issue a campus wide timely warning (which can take the form of campus flyers and/or thiop w-0.004 Tc 0.004 Tw [(s)--370 0 9Td[(time) (

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