CARLETON COLLEGE
Student Sexual Misconduct Complaint Process
1st Conversation Checklist for Complainants and Respondents

In order to make the complaint process as thorough as possible, this checklist has been prepared to assist all parties as they go through a sexual misconduct complaint and resolution process. The following items will be addressed and/or clarified with complainants (C), respondents (R) and witnesses (W) at their first meeting with the Title IX Coordinator or an SMS Adviser.

☐ I have been given the Student Sexual Misconduct Policies and Procedures and have been offered the opportunity to ask any questions or have any part of the policy further explained to me (C, R, W).

☐ I understand the role of the Investigator (C, R, W).

☐ I understand the role of the Community Board on Sexual Misconduct (CBSM) and the resolution meeting (C, R, W).

☐ ___________________ will serve as my adviser (C, R).

I understand I am entitled to one adviser of my choosing to guide and accompany me throughout the Title IX campus resolution process.

Carleton College maintains a pool of highly trained Sexual Misconduct Support (SMS) Advisers who have gone through extensive training about the College’s resolution process. SMS Advisers are available to complainants and respondents. To see a listing of Carleton’s SMS Advisers, please go to this website: http://apps.carleton.edu/dos/sexual_misconduct/support/sms_advisers/.

Complainants and respondents may choose advisers from outside the SMS Adviser pool, such as a friend, mentor, family member, attorney, or any other supporter they choose to advise them. However those advisers may not have the same level of insight and training on the campus resolution process as do those trained by the College. The College will not train other advisers.

Complainants and respondents are entitled to be accompanied by their adviser in all required meetings, including informational meetings, investigative interviews, resolution meetings, and appeals. Advisers should help their advisees prepare for each meeting and are expected to advise ethically, with integrity and in good faith. The College cannot guarantee equal advisory rights. For example, if one party selects an adviser who is an attorney, but the other party does not, or cannot afford an attorney, the College is not obligated to provide an attorney. Or if one party selects a trained SMS Adviser, and the other does not, we cannot guarantee both will have access to the same level of knowledge about the resolution process.

I understand that if I would like to change advisers, I will need to request this with the Title IX Coordinator prior to investigative or resolution meetings.

The roles of SMS advisers include...

**Serving as a visible resource for the Carleton Community:** SMS Advisers are prepared to answer questions related to the sexual misconduct policy, complaint process and resolution process. They can provide information about support options and other campus resources. **Assisting a student through the entire Complaint Process:** This includes attending meetings, investigation interviews, and the resolution meeting—serving as an emotional support as well as a second set of ears. An Adviser will help a student navigate the entire process. The SMS adviser is not meant to serve as an advocate or therapist, but is an empowering and compassionate support person who is knowledgeable and comfortable with the complaint and resolution process. **Being highly trained:** Advisers participate in regular trainings throughout each school year. Training provides detailed information about the Carleton policies and complaint process, resources available at Carleton and in Northfield, as well as how to address common issues and concerns of Complainants and Respondents. **Providing feedback:** Advisers provide an invaluable stream of feedback about students’ experiences, areas of concern, and recommendations for change to the complaint process.

Updated April 2015
☐ I have been given information regarding support resources available to me (C, R, W).
See www.go.carleton.edu/sexual_misconduct/support/ and the Policies, Procedures, and Resources booklet.

☐ I have been given information about Confidential Support People (C, R, W).
Carleton’s Student Health & Counseling Center Staff and the College Chaplains are Confidential Support People. This means that in most circumstances they have a professional and legal obligation not to reveal information shared in the course and scope of performing their duties. When students talk to a Confidential Support Person about a possible violation of the sexual misconduct policy, that Support Person will not reveal or report this conversation in any identifying manner. The Confidential Support Person will however report the incident in a non-identifying manner to be part of the College’s end-of-term Report on Sexual Misconduct, in compliance with state and federal laws. https://apps.carleton.edu/dos/sexual_misconduct/support/confidentiality/

☐ I understand that the complaint process will be handled with sensitivity, but that the Investigator, unassigned SMS Advisers, and Title IX Coordinator are not Confidential Resources. Please note that once an SMS Adviser is officially assigned to a student participating in a complaint process by the Title IX Coordinator, that Adviser’s reporting obligations are suspended (C, R, W).

☐ I understand that the investigative process will take place over several days, but I may contact the Title IX Coordinator or the Investigator at any time with questions or to provide information. The Title IX Coordinator will keep me updated on a regular basis about how the investigation is progressing (C, R).

We cannot guarantee a specific timeline for completion of the process; however those involved will work to assure it is handled in the timeliest manner possible.

☐ It is clear to me that I am filing a Complaint (C).

☐ It is clear to me that a Complaint has been filed against me, and I understand the allegations of the complaint (R).

☐ It is clear to me that I have a responsibility to be completely truthful about all circumstances and details of the situation being investigated (C, R, W).

☐ I understand there is amnesty for any alcohol/drug violations that come to light during a sexual misconduct investigation and that if I provide any information about students’ alcohol/drug use during the situation which is being investigated, the Dean of Students Office will not pursue any conduct charges; and the primary concern of the College is to have all details for a thorough investigation (although in some circumstances an educative response may be appropriate) (C, R, W).

☐ I understand that I have a responsibility to be completely truthful about all circumstances and details of the situation being investigated (C, R, W).

☐ I understand that I am to have no contact with ______________________________ (C, R).

No Contact means:
- limit contact in person; this includes, but is not limited to housing space, dining hall, and work space
- do not have other people contact the other person on your behalf
- do not publically address this situation via computer sites, blogs, etc.
- do not contact via phone, computer, campus mail and U.S. mail
- limit activities where you may have significant contact with the other person; if you have courses together the professor will be informed that the two of you should not do groupwork or other activities where you would need to communicate on a regular basis
- retaliation of any type is not acceptable; retaliation includes any actions by you, or others on your behalf, which are meant to intimidate or harm another person because of her/his involvement with the complaint process

Carleton is a small campus and it may be difficult to completely avoid each other. Please make sure to consider your own personal thoughts about how you will react the first time you see the other person. It is important you respect the no contact agreement, yet know there may be instances you will see each other and need to determine what the best choice is in such a situation. Contact the Title IX Coordinator if this agreement needs to be altered or is violated beyond what is comfortable for either party.

☐ I understand I may appeal the decision to the VP/Dean of Students (or a designee) (C, R).

Either party has the right to appeal the decision of the CBSM Panel. The purpose of an appeal is to review the adjudication process. Appeals are accepted on the basis of one or more of the following:
1) procedural errors that may have substantially impacted the final decision;
2) relevant new information that was not available at the time of the hearing, and would have substantially affected the Panel’s decision;
3) sanctions that are substantially inconsistent with past institutional responses.

The right of appeal is contingent upon participation in the investigative and hearing process. An appeal must be made in writing to the Complaint Coordinator within five business days of the Panel’s decision and imposed sanctions. Imposed sanctions are active and put in place during the appeals process. https://apps.carleton.edu/dos/sexual_misconduct/reporting/complaint_process/

_Under April 2015_
□ I understand that after the case is adjudicated and appeal timeline has passed, the Investigator will destroy any notes or documents not officially part of the Documentary Record and that the Documentary Record will be stored in the Sexual Misconduct Investigator’s Office for seven years. After seven years, the Record will be destroyed (C, R).

□ I understand the parental notification policy (C, R).

Carleton’s Parental Notification Policy: Though parental notification is permitted under law in most cases, the College prefers to communicate directly with students as adults. Customarily, the Dean of Students Office does not notify parents concerning policy violations that do not involve suspension or expulsion from the College. However, should a student receive a sanction that suggests that any future violation may lead to suspension, the Dean of Students has discretion to determine whether the student or a college official should notify parents about the student’s status or other serious concerns.

Please note: Carleton College wants you to get the support you need, whether this is from your parents/guardians, friends or college resources. If you ever feel like you need more support during this process or afterwards, please talk to your advisor, the investigator, the complaint coordinator, your class dean or another college resource.

□ I understand that by completing and submitting the complaint form, I have started the complaint process with the College. The Title IX Coordinator will then contact the respondent to notify the respondent of the complaint (C).

□ I understand any information given as part of this investigation may be shared with the complainant/respondent, as well as college officials and CBSM members involved with the complaint and resolution process (C, R, W).

□ I understand that if I wish, I may pursue an external/legal complaint of sexual harassment or assault.

At any time, students who wish to pursue an external complaint of sexual harassment or sexual assault may do so. To pursue external action, you may contact the Northfield Police at 507-645-4477, the Minnesota Department of Human Rights at 1-800-652-9747, or a private attorney. Advocates at the HOPE Center are well prepared to provide guidance as you navigate the legal system. This can happen separately, or at the same time as the Carleton Complaint Process.

My signature below indicates I have reviewed this document with the Complaint Process Coordinator and/or Investigator and have been given the opportunity to ask any questions (C, R).

_________________________  _____________________________________  ______________________________  ___________________________________
Complainant or Respondent  Title IX Coordinator
_________________________  ___________________________________
Date  Date