



Title IX Institutional Obligations

Chesapeake College prohibits sexual misconduct and sex discrimination. These terms and specific acts are defined; regular prevention education and training will be provided to students and employees to help all persons understand what behaviors are prohibited, what happens if the behaviors occur, and how to help prevent sexual misconduct and sex discrimination at Chesapeake College.

- Acts of sexual misconduct and sex discrimination should be reported immediately.
- Retaliation against any person is prohibited.
- Timeline: Institutional processes shall be concluded within a reasonable period of time (typically no more than 60 days; if more time is needed, the parties shall be updated).
- Confidentiality: The College shall preserve confidentiality of all parties to the greatest extent possible in order to protect the privacy of the parties and the integrity of the investigation. Confidentiality, however, cannot be guaranteed.
- Complainants and witnesses shall not be subject to disciplinary action for drug/alcohol violations IF
 - (a) violation occurred during/near time of assault,
 - (b) assault report/participation is in good faith, and
 - (c) violation was “not an act that was reasonably likely to place the health or safety of another individual at risk.”

- Institutional Process:

These processes shall be detailed in “Procedures: Response Checklist”.

Upon receiving a report of alleged discrimination and/or sexual misconduct, Chesapeake College will:

1. Take immediate and appropriate action to stop the misconduct;
2. Take immediate and appropriate action to prevent its recurrence for the safety of the individuals involved as well as the campus generally including the issuance of any essential warnings;
3. Take immediate and appropriate action to address the effects of the misconduct;
4. Provide information to the identified complainant and to the accused perpetrator (if a student or employee) about their rights as well as available resources;
5. Conduct a preliminary inquiry of the complaint;
 - » At the conclusion of the preliminary inquiry, the investigators shall determine if there is reasonable cause (ie., sufficient substantiating evidence) to proceed and, if so, whether a formal or informal resolution is required.

6. Conduct a prompt, adequate, reliable, and impartial investigation of the complaint where indicated;
 - » At the conclusion of any formal investigation, the investigators shall determine if the accused person violated the Code of Student Conduct (student) or Faculty/Staff Manual policies (employees).
 - » The standard of proof shall be Preponderance of Evidence.
 - » If the accused person is found responsible, an appropriate consequence or sanction shall be imposed.
 7. Follow all appropriate procedures as detailed in the Code of Student Conduct, Faculty/Staff Manual, and other related institutional policies;
 8. Encourage and support a report to local law enforcement;
 9. Cooperate with any criminal investigation/prosecution; and
 10. Comply with other legal and policy/procedure requirements.
- Two investigators (minimum) shall work together at all steps of the institutional process.
 - The College's process shall be independent of any criminal or civil proceeding (including investigations by law enforcement) and shall not depend upon the outcome of any criminal or civil proceeding.
 - Other institutional procedures provide greater detail.
 - See the Documents List for a comprehensive list of procedures, documents, and information.