

Relevant Questions Asked in Violation of the Rules of Decorum

Should an Advisor ask a relevant question in a manner that violates the Rules, such as yelling, screaming, badgering, or leaning-in to the Witness' or Party's personal space, the question will not be deemed irrelevant by the Hearing Panel Chair simply because of the manner in which it was delivered. Under that circumstance, the Hearing Panel Chair will notify the Advisor of the violation of the Rules, and, if the question is relevant, will allow the question to be re-asked in a respectful, non-abusive manner by the Advisor (or a replacement Advisor, should the Advisor be removed for violation of the Rules).

EQUAL OPPORTUNITY, NON-DISCRIMINATION, AND DISCRIMINATORY HARASSMENT POLICIES

Statement of Principles

Bryn Mawr College is firmly committed to a policy of equal opportunity for all members of its faculty, staff, and student body. Bryn Mawr College does not discriminate on the basis of race, color, religion, national or ethnic origin, sexual orientation, age, or disability in the administration of its educational policies, scholarship and loan programs, athletic and other College-administered programs, or in its employment practices. In conformity with the Civil Rights Act of 1964, as amended, and Title IX of the Education Amendments of 1972, it is also the policy of Bryn Mawr College not to discriminate on the basis of sex in its employment practices, educational programs, or activities. The admission of only women to the Undergraduate College is in conformity with a provision of the Civil Rights Act. The provisions of Title IX protect students and employees from all forms of illegal sex discrimination, which includes sexual harassment and sexual violence, in College programs and activities. The College is firmly committed to academic and professional excellence and to freedom of inquiry and expression for all members of the College community. In order to preserve an atmosphere in which these goals can be pursued, certain norms of civility, based on mutual respect and appreciation of differences, recognition of the rights of others and sensitivity to their feelings, must govern the

interactions of all members of the community. The pursuit of these goals and the preservation of this civil atmosphere depend on the active commitment of all community members to making the College's programs and resources as inclusive as possible.

Statement of Policies Concerning Sexual Harassment and Other Forms of Harassment and Discrimination

It is the policy of Bryn Mawr College to maintain a work and academic environment free from discrimination and offensive or degrading remarks or conduct. Unlawful discrimination, including sexual harassment and sexual violence, will not be tolerated. This policy covers all staff members and faculty members as well as students. The College will not tolerate, condone or allow harassment or discrimination, whether engaged in by fellow staff members, students, faculty members or non-employees who conduct business with the College.

Definition of Discrimination

Discrimination is unequal or disparate treatment of groups or individuals, including their exclusion from any of the College's programs or activities, or any attempt to hinder access to the College's resources on the basis of race, religion, color, age, national origin, physical ability, sex or sexual orientation. Prohibited sex discrimination includes both sexual harassment and sexual violence. It is important to recognize that not all conduct that might be offensive to an individual or a group necessarily constitutes discriminatory conduct. Whether a specific act constitutes discrimination must be determined on a case-by-case basis in light of all relevant circumstance.

The College is committed to maintaining an environment in which all members of the community, staff, students and faculty, are treated with respect and dignity. It is the policy of the College not to discriminate on the basis of sex, including sexual harassment, in any of its programs, activities or employment practices. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct constitute sexual harassment when:

A. Submission to such conduct is made either explicitly or implicitly a term or condition

of an individual's employment or academic treatment, or is accompanied by implied or overt threats concerning one's job, grades, letters of recommendation, etc.;

B. Submission to or rejection of such conduct by an individual is used as a basis of employment or academic decisions affecting such individual; or

C. Such conduct has the purpose or effect of interfering with an individual's work performance or academic performance or creating an intimidating, hostile or offensive environment.

The College also prohibits this type of behavior when it is based on race, color, age, national origin and religion or on any other basis prohibited by law. Harassment on the basis of one's sexual orientation can also constitute discrimination on the basis of sex.

Sexual harassment can include verbal behavior such as unwanted sexual comments, suggestions, jokes or pressure for sexual favors; nonverbal behavior such as suggestive looks or leering; and physical behavior such as pats, where such behaviors are severe, offensive, and occur repeatedly unless a single instance is so severe that it warrants immediate action. Some specific examples of behavior that are inappropriate include:

- Continuous and repeated sexual slurs or sexual innuendoes.
- Offensive and repeated risqué jokes or kidding about sex or gender-specific traits
- Repeated unsolicited propositions for dates and/or sexual relations.

Reporting a Complaint of Harassment or Discrimination

If any student believes they are being harassed or discriminated against by staff members, students or faculty members or any other person at the College, or if a student is aware that another College community member has been harassed or discriminated against, it is the student's responsibility to take action immediately by discussing concerns with a dean, the Equal Opportunity Officer, or the Title IX Coordinator.

If a student is uncomfortable for any reason in discussing this issue with these individuals, they may contact the President of the College,

who will help the student find appropriate College officials with whom to discuss the concern.

The College encourages prompt reporting of complaints so that a rapid response and appropriate action may be taken. No retaliation against students who make a good-faith report of a violation of this policy will be tolerated

Investigating the Complaint

The College will investigate promptly all complaints of violations of sexual harassment and discrimination policies. The investigation will include interviews with the parties who are directly involved and possibly with others. These interviews may be conducted by the Equal Opportunity Officer, the Title IX Coordinator, deans, Staff Issues Liaison, Campus Safety officers or others as the circumstances warrant. Both parties will have an opportunity to present any information that they have to those investigating a complaint, and both will be kept informed in a timely manner of information used in the investigation to the extent possible, consistent with FERPA and confidentiality constraints. Both parties will be updated periodically regarding the status of the investigation. In its investigation, the College will find that harassment and/or discrimination has occurred if the information collected indicates that it is more likely than not that sexual harassment or sexual violence occurred. The College will complete its investigation within 60 days after its receipt of a complaint, unless circumstances not within the reasonable control of the College require additional time, in which case both parties will be informed of the delay and the reason therefor. Each situation will be responded to promptly and handled as expeditiously and discreetly as possible.

Resolving the Complaint

If the College determines that this policy was violated, it will take corrective action as warranted by the circumstances. Resolution of complaints against Bryn Mawr College students and employees can include transfer, direction to stop the behavior, counseling or training, suspension without pay or termination of employment, or in the case of students, temporary separation or permanent exclusion from the College. Both parties involved will receive written notice of the resolution of the complaint within one week

of the conclusion of the investigation. If it is determined that sexual harassment or sexual violence did occur, the College will include in its resolution steps to prevent a recurrence of harassment and, when applicable, steps to correct the discriminatory effects on the complainant and others.

If an investigation results in a finding that the complainant falsely accused another of harassment knowingly or in a malicious manner, the complainant will be subject to appropriate sanctions, up to and including termination of employment or, in the case of students, up to and including permanent exclusion from the College.

Policy Concerning Sexual Relationships Between Students and Faculty or Staff Members

Fulfilling the mission of Bryn Mawr College to provide a rigorous education and to encourage the pursuit of knowledge as preparation for life and work depends upon the existence of a relationship of trust, respect and fairness between faculty or staff members and students. Romantic and/or sexual relationships between faculty or staff members (including teaching assistants) and students threaten this relationship. Further, the unequal nature of their respective roles calls into question a student's ability to fully consent to a romantic and/or sexual relationship with a faculty or staff member. The College considers such a relationship, even if believed to be consensual, to violate the integrity of the student/faculty or student/staff relationship, and to be unethical and unacceptable.

In acting on complaints regarding sexual relationships that come to the College's attention, it will be presumed that any complaint by a student against a faculty or staff member is valid if sexual relations have occurred between them. In addition, third parties, including other students, parents, and other faculty/staff members, may report suspected violations of this policy. All complaints will be investigated and should allegations of such a relationship be substantiated, the College will take appropriate disciplinary action against the involved faculty or staff member, up to and including termination of employment.

FREEDOM OF SPEECH AND THE LIMITS OF DISSENT

Bryn Mawr College currently has in place various policies addressing issues related to freedom of speech and the expression of ideas. Chief among these are the hazing policy (page 62) and the policy on solicitation on campus, available from College Communications. The Honor Code (page 26) establishes procedures that can be used to address issues of free speech and dissent when they arise from interactions between undergraduate students. The College also has a statement governing the conduct of religious groups, advisers, and representatives on campus, which can be found at the Pensby Center. The policy outlined here assumes the framework created by these other policies and procedures and addresses particularly the conduct of both curricular and extracurricular gatherings that feature speakers, films, performances, exhibits, or any other forms of artistic expression, whether these gatherings are open or closed. For the purposes of this policy, the term "speakers" should be understood to mean performers, exhibitors, presenters of films, and others involved in any form of artistic expression as well as those delivering, introducing, or responding to speeches, talks or lectures.

As an educational institution Bryn Mawr is committed to the free expression of ideas. In practice, this commitment means that speakers who conduct themselves within the guidelines of the policies mentioned above are entitled to express their ideas without hindrance, no matter how unpopular or controversial their ideas might be. Students and other persons who choose to attend events on campus are entitled to hear and see speakers without interference or intimidation. Bryn Mawr's commitment to the free expression of ideas extends to the expression of dissenting ideas; the College recognizes that the free representation of dissenting points of view is necessary to the climate of open and vigorous debate essential to its educational mission. Those who wish to dissent from or protest the views of others are entitled to do so, within the limits set forth here, without interference or intimidation.

Essentially, while the College recognizes the rights of both speakers and dissenters to the civil expression of their ideas, it also