Changes to Student Code of Conduct

to comply with VAWA, Title IX and University policy

M. Ward
Additions to Student Code of Conduct

to make the Code compliant with Violence Against Women Act, Title IX, and University policy the following language is being proposed as additions to the Code.
Policy

The Bloomberg School of Public Health is committed to providing members of its community with an environment free from discrimination and harassment, including sexual harassment, sexual violence and sexual assault (collectively, “sexual misconduct”); domestic violence and dating violence (collectively, “relationship violence”); and stalking. The School will not tolerate discrimination, harassment, sexual misconduct, relationship violence and stalking.

To the extent there is any inconsistency between University and School policy and Procedures, the University Policy and Procedures control.

Complaints brought under these policies will be investigated and resolved in accordance with the University Procedures.
PROCEDURE, SECTION 2

If mediation or other informal mechanisms of resolution are used to resolve complaints of discrimination, harassment, sexual assault, relationship violence, or stalking, these informal mechanisms may be used only on a voluntary basis, and for complaints of sexual harassment, in the presence of a trained counselor, trained mediator, or other appropriate administrative or staff member. Mediation and other informal mechanisms may not used to resolve complaints of sexual violence (including sexual assault), regardless of whether participation is voluntary. A complainant may end an informal process at any time for any reason and begin the formal stage of the complaint process.
Procedures

Section 4
The complainant and respondent are to have an equal opportunity to present relevant witnesses and evidence during the investigation and hearing.

Section 5
Interim Accommodations. Pending the outcome of an investigation, the School may implement interim accommodations to address any safety or security concern, if requested by a complainant or respondent or if otherwise deemed appropriate or to protect the integrity of the investigation, subject to the reasonable availability of such accommodations and based on available facts and circumstances. Interim accommodations include, but are not limited to, the placement of the respondent on academic or administrative leave or suspension, no-contact orders, transfer to an alternate work or lab location, academic program adjustments, reassignment of housing and other interim accommodations to academic, living, transportation or working situations.
Section Five
Continued
Interim accommodations are available regardless of whether the complainant chooses to report the crime to campus security or law enforcement authorities or pursue a complaint through the University’s disciplinary process. Interim accommodations are coordinated by one of the deans responsible for student affairs. The School will maintain as confidential any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations.
Hearing Panel Procedures
Section Three

The complainant and the respondent will be afforded similar and timely access to any information used in connection with the hearing, consistent with the University’s obligations under FERPA (Family Educational Rights and Privacy Act) and other laws protecting privileged and confidential information.
Hearing Panel Procedures
Section Six

For cases involving sexual assault, relationship violence, or stalking, the complainant and respondent are entitled to the equal opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. The advisor may counsel and provide support to the party during a meeting or proceeding, but may not participate or speak on the party's behalf. The advisor may make written submission on the party's behalf.
QUESTIONS?