

BRYN MAWR COLLEGE POLICY CONCERNING SEXUAL ASSAULT

No person shall sexually assault any member of the student community. Students shall be free to report any sexual assault without fear of retaliation. Retaliation or threats of retaliation against a student bringing a charge of sexual assault will be treated as a separate and serious violation of College policy.

For the purposes of this policy, sexual assault is defined as any act in which a member of the student community is forced to engage in sexual activity against her/his will or without her/his consent. "Sexual assault" as used in this policy includes not only physically assaultive behavior but also extreme verbal threats, physical or verbal intimidation, and/or indecent exposure. Although Pennsylvania criminal law distinguishes between rape and sexual assault (defining rape as involving penetration), the College policy defines as unacceptable any act in which one person forces another or attempts to force another to engage in any sexual act.

Reporting Procedures

Any undergraduate student who believes she/he has been sexually assaulted or that an act of sexual assault has taken place may notify the Dean of the Undergraduate College, a hall adviser, an associate or assistant dean, the Director of Public Safety, or the Director of Institutional Diversity. Any one of these people will notify the Dean of the Undergraduate College as soon as possible that an accusation of sexual assault has been made.

The first concern of any official to whom an assault is reported will be the well-being of the student reporting the assault. In particular, the official will inform the student of both on- and off-campus resources available to her/him and help the student make contact with the resources she/he chooses.

The second concern of College officials must be the safety of the community. If there is reason to believe that an assailant is at large who poses an immediate threat to other members of the community, the Dean of the Undergraduate College and the Director of Public Safety will take action to protect the campus. In doing so they will reveal no information that might allow the student reporting the assault to be identified.

After seeing to the well-being of the student reporting the assault and to the immediate security of the campus, the Dean of the Undergraduate College and the Director of Public Safety will investigate the charge. Such investigation may involve the examination of physical evidence, the interviewing of persons with relevant information, or other steps which particular circumstances make necessary. In conducting this investigation the confidentiality and privacy of the student bringing the charge will be respected.

The confidentiality and privacy of any persons under suspicion will also be respected.

Charges of sexual assault brought by a Bryn Mawr student against a member of the Bi-College

student community, or a guest in the community, will be heard by a Dean's Panel. Charges of sexual assault brought by a Bryn Mawr student against a member of the faculty or staff will be handled through the College's procedures concerning sexual harassment and other forms of harassment and discrimination. Both procedures are outlined elsewhere in this handbook.

An individual accused of sexual assault may be subject to prosecution under Pennsylvania criminal statutes. A victim is free to bring charges through the College system and the criminal system simultaneously; however, the two processes are separate. It is not necessary for a student to pursue the matter in a criminal court in order to initiate a Dean's Panel proceeding. Also, the College is not obligated to wait until prosecution procedures are initiated or until a judgment is reached in court in order to proceed with its own decision-making process or to impose penalties.