

Margot Mayer

Re: Agreement to Resolution by External Neutral Adjudicator

Dear Ms. Mayer:

As you know you are the reporting party in a charge of alleged sexual misconduct. Kevin [REDACTED] is being charged with:

5.05: Sexual Misconduct

7.01: Dating/Domestic Violence- Emotional/Verbal Abuse

In accordance with the requirements of Title IX, Federal law, New York State law, and College policy, the College investigated these allegations and the matter is now ready for a hearing and decision. College policy provides that in cases of alleged sexual misconduct, where matters are not resolved informally, a Title IX Panel comprised of faculty members will convene to determine whether misconduct occurred. However, the use of such a panel may not always be feasible. Therefore, there may be circumstances when the College deems it appropriate to use an experienced, neutral and trained external adjudicator working with a College faculty member or administrator in place of a panel.

The College has determined that it is appropriate to use an external neutral adjudicator in this case to review evidence, hear testimony, and make a finding as to what happened. The external neutral adjudicator will be assisted by a trained faculty member or administrator. Upon reviewing the findings of the external neutral administrator, the Dean of the College or his designee will make a final decision on the charges and a decision as to sanction, if any. Please review this letter and let me know if you have any questions about what this means, the adjudication process, or anything else related to the process.

I understand and agree to the following:

1. The allegations that are the subject of these proceedings may be heard by an external neutral adjudicator or a faculty Title IX Panel;
2. I agree to the adjudication of these allegations by an experienced, neutral and trained external adjudicator retained by the College who will be assisted by a faculty member or administrator. The assisting faculty member or administrator is not a decision-maker in these proceedings;
3. I understand that this agreement is voluntary;
4. I have the right to notify the College if I believe the external neutral adjudicator possesses a conflict of interest. If I choose to make such a challenge I will explain the reasons for my concern in writing. The Title IX Coordinator will make the final decision as to whether a different adjudicator will be used;

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5. The external neutral adjudicator will have access to and will review the College's investigation file on this matter, including any statements made by witnesses or the parties and any other evidence contained in the investigation file;
6. I understand that I will have the same opportunity to present my position on the charges, to present evidence, witnesses and information to the external neutral adjudicator, and to have questions asked of the other people who make statements in this process as I would have were this matter before a faculty Title IX Panel;
7. The external neutral adjudicator, after reviewing the investigation file, evidence, and listening to additional testimony, will make a finding on the charges and send that finding to the Dean of the College, or his designee, for review. The external neutral adjudicator may also recommend a sanction. The Dean of the College, or his designee, will then make a final determination on the charges and an appropriate sanction, if any, in consultation with the external neutral adjudicator;
8. I acknowledge that I have received the Title IX Adjudication Procedural Guide which outlines the principles that will guide the review process before an external neutral adjudicator and the assisting faculty member or administrator;
9. I understand that both parties have the right to appeal the final determination as they would the decision of the Title IX Panel; and
10. I acknowledge that the College has afforded me the opportunity to ask questions and my consent here is freely and knowingly given.

If you agree to the terms above please sign below and return a signed copy to the Title IX Coordinator, Julian Williams, at [REDACTED], office location, Metcalf Building or at [REDACTED] 124 Raymond Avenue Poughkeepsie NY, 12604. Please also return a signed copy of the Title IX Adjudication Procedural Guide with this agreement.

Sincerely,

Director of Equal Opportunity/Title IX Officer
Vassar College

ACCEPTED AND AGREED:

Signature _____

Date _____

VASSAR