



Office of Educational Equity

**ANNUAL
REPORT**

2021-22



ABOUT THE POSITION

The Director of Educational Equity is responsible for overseeing the College's response to reports of harassment and discrimination and compliance efforts relating to state and federal laws, including Title IX of the Education Amendments Act of 1972 and Section 504 of the Rehabilitation Act of 1973. In addition, the Director of Educational Equity collaborates with offices across campus to train and educate the community on discrimination and harassment related issues.

LETTER FROM THE OFFICE OF EDUCATIONAL EQUITY

In my role as Director of Educational Equity, I'm often asked about the type of reports that are filed with my office and how the College handles each report of alleged sexual harassment or misconduct. The purpose of this report is to provide information to the college community on these issues, including the type and frequency of reports to the Office of Educational Equity.

I am always interested in discussing new ideas for sexual misconduct prevention education or how to encourage reporting. Feel free to reach out to me to discuss the same or to address any related questions or concerns.

Amanda Hanincik
Director of Educational Equity (Title IX Coordinator)
hanincia@lafayette.edu



Reporting Options

The College recognizes that deciding among these options can be difficult and is a personal decision. Complainants and witnesses are encouraged to seek assistance from resources and to explore all potential reporting and support options. In addition, it is important to understand the different responsibilities of Lafayette College employees. Employees may be designated as an Official With Authority, a Mandated Reporter, a Confidential Resource, or a Private Resource, as defined in the Policy on Equal Opportunity, Harassment & Non-Discrimination. A Complainant who is unsure of a College employee's reporting obligations and ability to maintain confidentiality may ask about the employee's responsibilities, and an inquiry into an individual's reporting obligations will not, by itself, trigger an investigation.

An individual may make a report to the Title IX Coordinator, an Official with Authority, a Mandated Reporter, and/or to law enforcement (the Department of Public Safety or Easton Police Department). (Refer to the Policy for a description and listing of Officials with Authority and Mandated Reporters.) An individual may pursue some or all of these options at the same time (e.g., one may simultaneously pursue a Sexual Harassment report under this Policy and a criminal complaint).

Reports, Notice, and Formal Complaints of discrimination, harassment, and/or retaliation may be made using any of the options described below. **Only a report to the Title IX Coordinator or an Official with Authority will trigger the College's obligation to respond to an allegation of Sexual Harassment under Title IX.** (Refer to the Policy for differences between Reports, Notice, Formal Complaints and the College's response.) A report may be accompanied by a request for resources, supportive measures, no further action, informal resolution, and/or to initiate a formal resolution process. All of these options may be discussed further with the Director of Educational Equity or a Deputy Title IX Coordinator after a report is made to the College.



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Deputy Title IX Coordinators



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Terrence Haynes
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114 Kirby House
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Lisa Rex
Director of Human Resources
12 Markle Hall
610-330-5814
rexl@lafayette.edu

ONLINE REPORTING

Individuals may also report to the Title IX Coordinator through the online reporting tool located at <http://sash.lafayette.edu>, or by using the Universal Reporting form at <http://onepard.lafayette.edu>. The online reporting tool is only monitored during regular business hours and should not be used in emergencies or situations where an immediate response is required. In such situations call Public Safety at (610) 330-4444 (emergency), or (610) 330-5330 (non-emergency).

ANONYMOUS REPORTING

Anyone can make an anonymous report to the Title IX Coordinator by going to <https://sash.lafayette.edu/> and clicking on “Report Sexual Harassment”, or by going to <https://onepard.lafayette.edu> and filling out the Universal Reporting Form. Based on the nature of the information submitted, the College’s ability to respond to an anonymous report may be limited, particularly where the identity of a Complainant is not revealed. Because reporting carries no obligation to initiate a formal response, and as the College respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows the College to discuss and/or provide supportive measures.

Reporting to Law Enforcement and Seeking Emergency Medical Assistance

Emergency medical assistance and campus safety/law enforcement assistance are available both on and off campus. Individuals are encouraged to contact law enforcement and seek medical treatment as soon as possible following an incident that may pose a threat to safety or physical well-being or following a potential criminal offense.

A Complainant or Third-Party Reporter has the right to report, or decline to report, potential criminal conduct to law enforcement or campus authorities, and the College will assist a Complainant or Third-Party Reporter in contacting law enforcement at any time.

Under limited circumstances posing a threat to health or safety of any College community member, the College may independently notify law enforcement.

The Department of Public Safety is available 24 hours a day to receive reports. The Department of Public Safety may be reached at (610) 330-4444 (emergency), or (610) 330-5330 (non-emergency).

IN-PERSON REPORTING

In-person reports can be made to the Director of Educational Equity or to a Deputy Title IX Coordinator during normal business hours. Appointments are encouraged.

Reporting to Mandated Reporters at the College

Lafayette College has designated all faculty (including visiting faculty) and all full and part-time administrators as Mandated Reporters. The only student employees designated as Mandated Reporters are Resident Advisors. (Refer to the [Policy](#) for a complete listing.) Any time a Mandated Reporter is told or becomes aware of any information related to alleged harassment or discrimination, the Mandated Reporter must promptly share all relevant information about the reported incident with the Title IX Coordinator or a Deputy Title IX Coordinator. The Mandated Reporter is only responsible for sharing what was disclosed and will not attempt to investigate the allegations. To the extent possible, information reported to a Mandated Reporter will be shared only with people responsible for handling the College’s response to the report. At the request of a Complainant, notice may be given by a Mandated Reporter to the Title IX Coordinator anonymously, without identification of the Complainant. Other relevant information may be recorded in the College’s crime statistics.

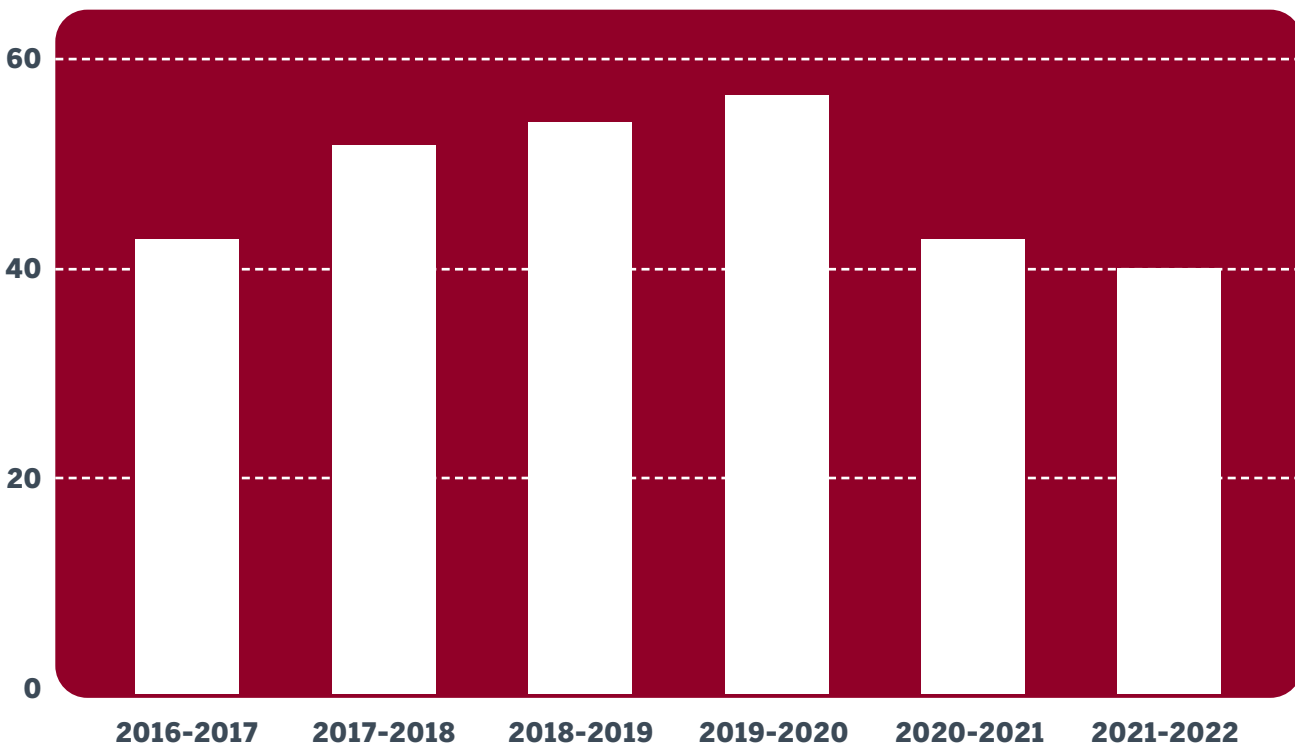
REPORTS TO THE EDUCATIONAL EQUITY OFFICE

The information contained in this report is based on information received by the Office of Educational Equity during the 2021–2022 academic year. All reports to the office—whether online, by telephone, or in-person—are documented and logged for tracking purposes. The numbers contained in this report may vary from information in other office reports (such as the Annual Security Report) due to differing definitions of reportable conduct, geographic limitations, and other factors.

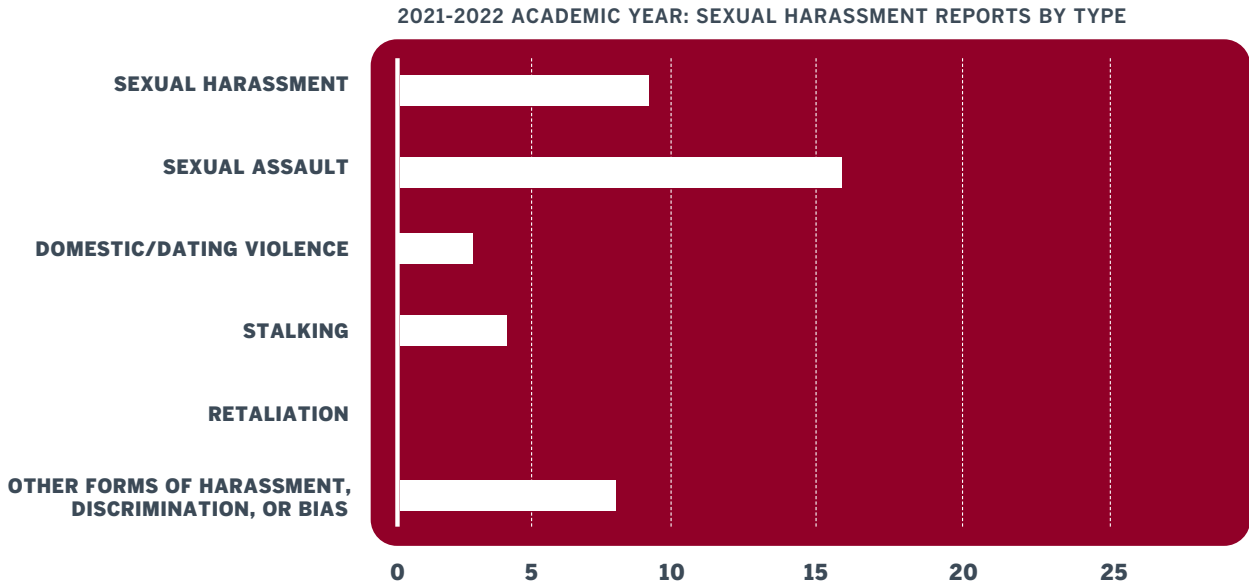
The data below is based on *reported* information. Not all reports received by the Office of Educational Equity are able to be verified and/or go through a formal investigation and grievance process. Whether a report is referred to the formal grievance process depends on a variety of factors including the wishes of the complainant, the relationship of the respondent to the College, evidence of a pattern of conduct, and other factors. As noted below, there are times when a report does not contain enough information for the College to gather additional data about the incident.

During the 2021–2022 academic year, the Director of Educational Equity received 40 reports. (This includes reports of sexual harassment, sexual assault, dating and domestic violence, stalking, retaliation, and other forms of harassment and discrimination.) The graph below compares the number of reports received by the College per academic year beginning in 2016. The College believes the increase in report numbers over the last four academic years represents a combination of national attention to sexual misconduct issues, creation of the Office of Educational Equity at Lafayette, and increased ways to report sexual misconduct on campus. The College does not have evidence to indicate that the number of incidents on campus have increased in the last four academic years.

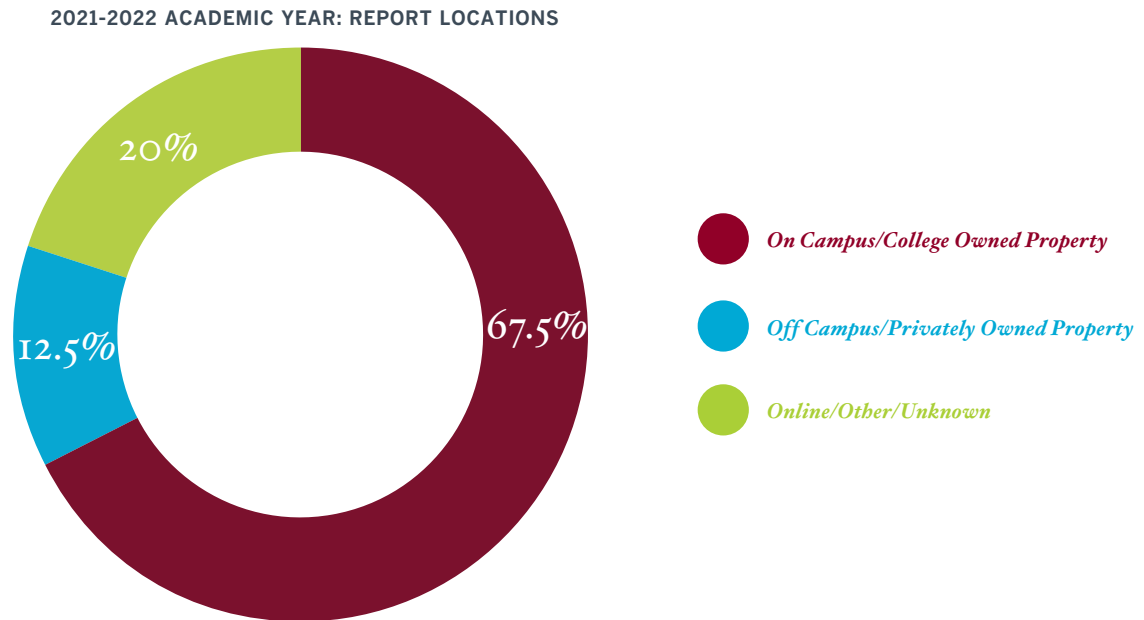
LAFAYETTE COLLEGE: SEXUAL MISCONDUCT REPORTS 2016-2021

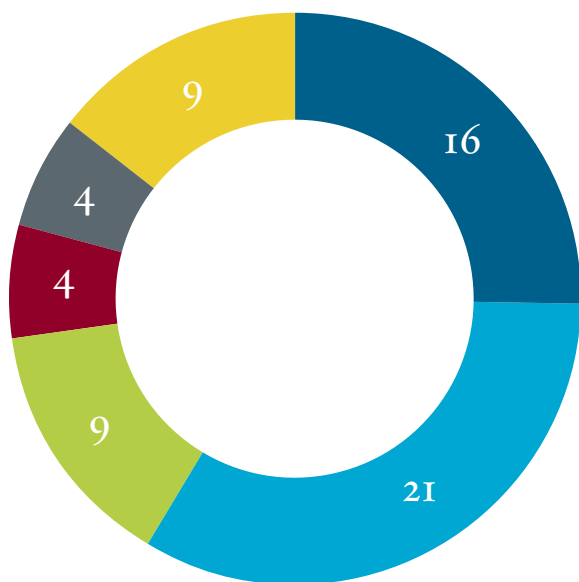


The reports received by the Office of Educational Equity during the 2021–2022 academic year included reports of sexual harassment, sexual assault, domestic and dating violence, stalking, retaliation and other forms of harassment and discrimination. The reports are broken down by category (as reported) in the graph below.



The Office of Educational Equity receives reports of conduct that occurs both on and off campus. The chart below shows the location of incidents reported during the 2021–2022 academic year.





- *Complainant was either Anonymous or Unknown*
- *Documented Response from the Office of Educational Equity*
- *Complainant was unresponsive to outreach*
- *Complainant requested supportive measures only*
- *Complainant requested no further action*
- *Complainant submitted a Formal Complaint (Title IX Process A) or requested Formal Resolution (non-Title IX Process B)*
 - 6 Formal Complaints were filed under Title IX Process A (1 case included a Counterclaim)
 - 1 Complaint was filed under non-Title IX Process B and is currently under investigation, outcome pending
 - 1 Formal Complaint filed under Title IX Process A and 1 Complaint filed under non-Title IX Process B were resolved from the 2020-2021 academic year
 - For all 9 aforementioned complaints and at the request of Complainants: 8 complaints were resolved using formal procedures (1 pending); and 1 complaint was resolved using informal procedures

RESOLUTION OF CASES

Reports to the Office of Educational Equity are resolved consistent with the College’s Policies and Procedures on Equal Opportunity, Harassment and Non-Discrimination. (For full policies and procedures, visit sash.lafayette.edu/get-informed/policies-laws/) These policies provide for informal or formal resolution of complaints. Many reports are not resolved through either of the processes outlined in the College policies. This decision is based on the wishes of the complainant and assessment of the report by the Director of Educational Equity, or is sometimes due to insufficient information. In cases that do not proceed through either the informal or formal resolution processes, the complainant may still seek resources and supportive measures from the College.

.....● **For full policies and procedures, visit**
sash.lafayette.edu/get-informed/policies-laws/

Informal resolution may be pursued when both the complainant and the respondent consent to resolve a report through this process. Informal resolution varies on a case-by-case basis, but may include facilitated conversation, training, and education, or other remedies designed to maintain the complainant’s access to education or employment activities, and eliminate a potential hostile environment at the College.

Formal resolution involves a fact-finding investigation of the complaint. This involves interviewing involved parties and witnesses and gathering evidence in an investigative report. Depending on the process used to resolve the complaint (Process A for Title IX complaints or Process B for non-Title IX complaints), the investigation report will either be referred to a live hearing with cross examination (Process A), or provided to the Director of Educational Equity, with a recommendation to the Decision-makers on a determination (Process B). In both instances, the panel will consist of three decision-makers who will make a determination, based on a preponderance of the evidence, whether a policy violation is more likely than not to have occurred. If the panel determines a policy was violated, it also will determine sanctions.

Due to the small number of sexual misconduct cases that go through the formal resolution process each year, the following data is representative of the 2021-2022 academic year. The following information is broken down by policy/conduct charges issued. In many cases there are multiple charges against a single respondent (for example, in instances where sexual assault is charged, there is likely also a sexual harassment charge). An individual may be found responsible for some charges and not responsible for others (for example, a respondent may be found responsible for sexual harassment but not responsible for sexual assault).

POLICY VIOLATIONS, RESOLUTION OUTCOMES, SANCTIONS AND APPEALS:

Policy Violations: 7 Sexual Assault (1 Counterclaim is included; and includes categories of Rape, Fondling, and/or non-consensual sexual contact and/or penetration); 2 Discriminatory Harassment complaints

Outcomes for the 9 complaints that were resolved/pending during the 2021-2022 academic year resulted in:

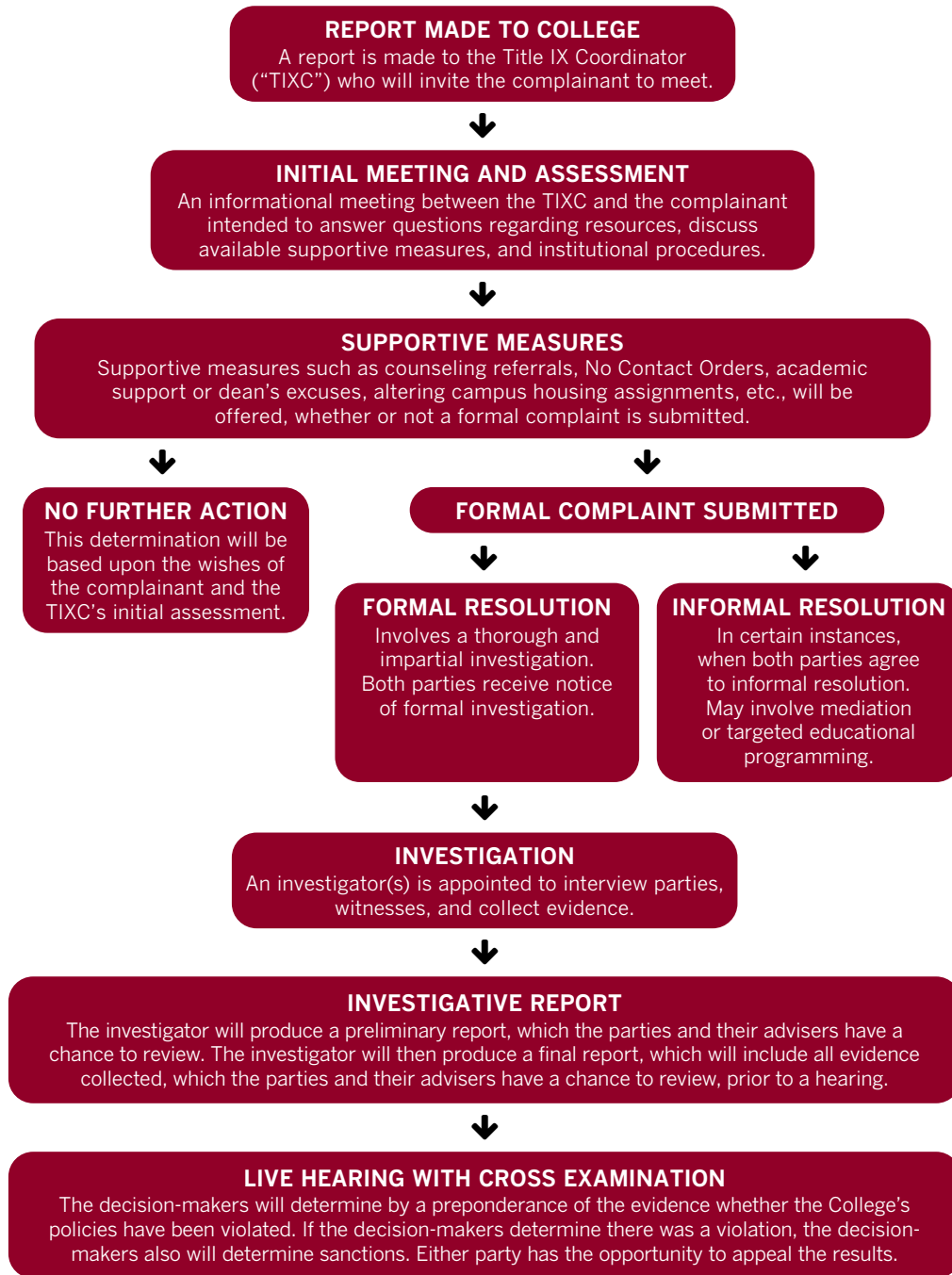
- 3 Responsible findings
- 4 Not Responsible findings (1 included a Counterclaim)
- 1 Informal Resolution mutually agreed upon by the parties
- 1 investigation and outcome are pending
- 2 Appeals were submitted

Summary of Sanctions included:

- 1 Expulsion
- 2 Disciplinary Probation Level II
- 1 Disciplinary Probation Level I
- 1 Removal from Student Employment positions

Educational Sanctions and other Restorative Practices were also implemented in the above cases.

The flowchart below is intended to provide an overview of the reporting and investigative process for incidents that may be covered by Title IX, known as Process A. Procedures may vary for incidents not covered by Title IX, known as Process B. Please consult the FULL policy and procedures for a complete explanation of procedures.



Additional Information and Resources

The Office of Educational Equity maintains a website at sash.lafayette.edu. Visit this site for more information on reporting sexual harassment, campus and community support and resources, and educational material on Title IX and sexual harassment.

There are a number of resources available to individuals who have experienced sexual harassment or other forms of sexual misconduct. The list below contains information for campus, community, state, and national resources.

CONFIDENTIAL RESOURCES:

ON CAMPUS FOR STUDENTS

COUNSELING CENTER

Second floor Bailey Health Center
610-330-5005 (After-hours crisis telephone support available)

COLLEGE CHAPLAIN

Rev. Alex Hendrickson
107 Farinon College Center
610-330-5959
hendrica@lafayette.edu

STUDENT ADVOCACY AND PREVENTION COORDINATOR

Katy Bednarsky
210 Feather House
610-330-3331
bednarsk@lafayette.edu

ON CAMPUS FOR FACULTY AND STAFF

EMPLOYEE ASSISTANCE PROGRAM

Visit hr.lafayette.edu/benefits/employee-assistance-program/ for more information

COMMUNITY

CRIME VICTIMS COUNCIL OF THE LEHIGH VALLEY

cvclv.org
2132 S. 12th St., Suite 101
Allentown, Pa.
610-437-6611 (24-hour hotline)

TURNING POINT OF LEHIGH VALLEY

turningpointlv.org
444 E. Susquehanna St.
Allentown, Pa.
1-877-438-4957 (24-hour hotline)

OTHER RESOURCES AT LAFAYETTE:

ACADEMIC RESOURCE HUB

300 Scott Hall
hub.lafayette.edu
610-330-5098

ACCESSIBILITY SERVICES

hub.lafayette.edu/disability-services/
Third Floor Scott Hall
Resourcehub@Lafayette.edu

BAILEY HEALTH CENTER

healthcenter.lafayette.edu
607 High St.
610-330-5001

DEPARTMENT OF PUBLIC SAFETY

901 Bushkill Drive
610-330-5330 (non-emergency)
610-330-4444 (emergency)

OFFICE OF EDUCATIONAL EQUITY

sash.lafayette.edu
202 Feather House
610-330-5338
hanincia@lafayette.edu

HUMAN RESOURCES

hr.lafayette.edu
12 Markle Hall
610-330-5060

OFFICE OF INTERCULTURAL DEVELOPMENT

intercultural.lafayette.edu
107 Farinon College Center
610-330-5320

OFFICE OF STUDENT CONDUCT

conduct.lafayette.edu
205 Feather House
610-330-5082

ONEPARD

onepard.lafayette.edu

OTHER COMMUNITY, STATE, AND NATIONAL RESOURCES:

EASTON POLICE DEPARTMENT

48 N. Fourth St., Easton, Pa.
610-250-2282 (main number)
911 (emergency)

LEHIGH VALLEY HOSPITAL

Muhlenberg: 484 Schoenersville Road
Bethlehem, Pa.; 610-402-8000
484-884-2521 (emergency room)

Cedar Crest: 1200 S. Cedar Crest Blvd.
Allentown, Pa.; 610-402-8111 (emergency room)

ST. LUKE'S HOSPITAL

Anderson Campus: 1872 Riverside Circle,
Easton, Pa.; 1-866-STLUKES (785-8537)
484-503-3000 (emergency room)

Warren: 185 Roseberry Street
Phillipsburg, N.J.; 908-859-6700
(emergency room)

Bethlehem: 801 Ostrum St.
Bethlehem, Pa.; 484-526-4000

PENNSYLVANIA COALITION AGAINST RAPE (PCAR)

pcar.org
1-888-772-7227

PENNSYLVANIA COALITION AGAINST DOMESTIC VIOLENCE (PCADV)

pcadv.org, 1-800-799-SAFE (7233)
(National helpline)

RAPE, ABUSE, AND INCEST NATIONAL NETWORK (RAINN)

rainn.org, 1-800-656-HOPE (4673)
(24-hour hotline)

NATIONAL RESOURCE CENTER ON DOMESTIC VIOLENCE (NRCDV)

nrcdv.org, 1-800-799-7233
(National helpline)

NATIONAL SEXUAL VIOLENCE RESOURCE CENTER (NSVRC)

nsvrc.org

This data summarizes reports submitted to the Office of Educational Equity 7.1.21 through 6.30.22

- The Department of Education, Office for Civil Rights, announced the final Title IX regulations on 5.19.20, which took effect on 8.14.20. Lafayette's Policies and Procedures were revised to comply with federal regulations.
- The average number of days to resolve formal complaints from the date filed through final institutional action was 77 business days.
- Of the reports submitted to the Office of Education Equity this year, five involved employees and/or departments.
- Office of Educational Equity, Summary of Responses based on 40 reports.

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