

Exhibit D

- D. The Statement of Sexual Assault and Other Sexual Misconduct effective [month] 2015 – [month] 2016
- E. The Stalking Policy, effective [month] 2015- [month] 2016
- F. The Relationship Abuse Policy, effective October 9, 2015
- G. The Williams College Employee Handbook Sexual Misconduct Policy.

A. Statement of Sexual Assault and Other Sexual Misconduct²

Williams College is committed to maintaining a learning and working environment that is free from sexual assault, sexual harassment and other sexual misconduct, remedying the effects of such misconduct when it occurs, and preventing its re-occurrence. The term “sexual misconduct” includes sexual assault, sexual harassment, sexual exploitation, stalking, dating violence and domestic violence.

Consent is a crucial part of both the Williams Code of Conduct and Massachusetts law. The Williams College Code of Conduct requires affirmative consent for all sexual activity. Consent means that at the time of the sexual contact, words or conduct clearly indicate freely given approval or agreement, without coercion, by all participants in the sexual contact. Both parties have an obligation to communicate consent or the lack of consent. In the absence of affirmatively expressed consent, sexual activity is a violation of the code of conduct. In addition, a verbal “no” (no matter how indecisive) or resistance (no matter how passive) constitutes the lack of consent. In addition, consent once given may be withdrawn at any time. If consent is withdrawn, the other party must immediately stop whatever sexual contact is occurring. An individual is unable to give consent if he or she is substantially physically or mentally impaired by alcohol or drugs, forced or threatened, physically incapable of resisting, asleep, or unconscious. Consent while under the influence of alcohol or drugs is valid consent, unless the person is under the influence to the point of being substantially impaired. As is the case with other violations of the Code of Conduct, the use of alcohol or drugs does not minimize or excuse a person’s responsibility for committing a sexual assault.

Dating or Domestic Violence means conduct by a person who is or has been in a relationship of a romantic or intimate nature with the victim, which involves physical harm to the victim; attempting or threatening to physically harm the victim; making the victim fear that physical harm is going to happen; or threatening, pressuring or forcing the victim to engage in sexual activity.

² The policy has been effect since October 2014. The policy in effect prior to October 2014 defined sexual misconduct in substantially the same manner. The definition of non-consensual sexual intercourse was “any sexual intercourse (anal, oral or vaginal); however slight; with any object; by any person upon any other person; without effective consent.” The current definition includes sexual penetration by “any body part.”