



Yale-NUS Student Sexual Misconduct Policy & Procedures

YaleNUSCollege

STUDENT AFFAIRS OFFICE

The mission of Yale-NUS College, and the full realisation of its character as a community of learning, is dependent upon both individual and collective student contributions in creating a culture of consent. Students contribute to the larger community in a variety of ways, and we constantly work towards the goal of a safe environment, free from sexual misconduct. The standards for community behaviour exist to ensure that community norms for Yale-NUS College are understood clearly and that students feel a sense of accountability and responsibility towards them.

As the norms of consent culture addressed in these policies and procedures are community-based, they represent shared values that are foundational to our intellectual mission. As such, they constitute a range of expectations for Yale-NUS College students no matter where or when their conduct may take place.

These guidelines apply to students from formal acceptance of admission to Yale-NUS College, and continue in effect until the student graduates – including summers and other breaks from the academic calendar. Students who host guests from outside the Yale-NUS College community may also be held accountable under these guidelines for the actions of guests that violate them.

The Yale-NUS Sexual Misconduct process is facilitated by the Student Affairs Office and is an integral part of keeping our community safe, inclusive, and respectful. The process is not intended to be punitive but is intended to hold students accountable to the College's expectation of consent and respect. The Sexual Misconduct Coordinator manages the Sexual Misconduct processes.

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1. DEFINITIONS

1.1 CONSENT

Any behaviours or actions prohibited by [Singapore law](#) are prohibited at Yale-NUS College. Consent is an informed and voluntary decision by an individual to engage in a sexual activity that must be offered knowingly and freely by that individual. Consent is given knowingly and voluntarily, and in the context of sexual conduct, the term ‘consent’ refers to an individual giving permission or agreeing to engage in sexual activity through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in sexual activity. Consent is part of a mutual and on-going process, regardless of the relationship status or sexual history of the individuals involved.

- “No” means no, “maybe” means no and the absence of an answer also means no.
- Body language can be ambiguous; the best way to gain consent is to simply and clearly ask if your partner wishes to engage in the sexual activity.
- Consent to one sexual act does not imply consent to another sexual act.
- Consent to one sexual act does not imply consent to future sexual acts.

1.1.1 Obtaining Consent

- It is the responsibility of the initiator of the sexual activity to obtain consent. All parties in sexual activities are encouraged to communicate openly about what they do and do not want to each other.
- If the sexual interaction is mutually initiated, both parties are equally responsible for getting and giving consent.
- Consent is required for each separate sexual activity (i.e. kissing, touching, penetration). Any party has the right to give consent for specific activities and not others.
- Consent must be a free choice. A person cannot give consent if their ability to understand and give informed consent is impaired in any way.
- The ability to give consent freely may also be jeopardized if the initiator is in a position of power over the student, such as a professor, employer, or functioning in a supervisory capacity. Strict policies prohibit employees of the College from having any sexual or romantic relationship with students.

1.1.2 When Consent is Not Given

- Consent cannot be considered given if:
 - it results from the use or threat of physical force, intimidation, or coercion, or any other factor that would eliminate an individual’s ability to exercise their own free will to choose whether or not to have sexual contact.
 - the person is intoxicated or unable to understand the nature and consequence of what they are consenting to.

- the person is under the influence of drugs or alcohol, is mentally impaired, is underage, or has experienced the explicit or implied use of force, coercion, threats, and/or intimidation. The legal age of consent in Singapore is 16 years old.
- A current or previous dating or sexual relationship does not constitute consent.
- Consent can always be *withdrawn at any time (before or during a sexual activity)*, so that any further sexual activity after the withdrawal of consent constitutes sexual misconduct/assault. For example, if your partner's initial 'yes' changes to a 'no' halfway through the activity, consent is considered withdrawn.

1.1.3 Alcohol and Drugs

- The use of alcohol or other drugs (prescription or not) does not minimize a student's responsibility for perpetrating sexual assault or sexual misconduct. Being under the influence of alcohol or any other drug does not excuse one from improper behaviour. The use of alcohol or drugs does not mitigate or nullify a charge of sexual assault or sexual misconduct.

1.2 FORCE OR COERCION

Force is the use or threat of physical violence or intimidation to overcome a person's agency to choose whether or not to participate in sexual activity. There is no requirement that a party resists the sexual advance or request, but resistance will be viewed as a clear demonstration of non-consent.

Coercion is conduct (including intimidation and expressed or implied threats of physical, psychological, or other harm) that would reasonably place a person in fear of immediate or future harm and that is employed to overcome the person's agency and to compel the person to engage in sexual activity.

1.3 INCAPACITATION

Incapacitation is a state in which an individual is mentally or physically impaired due to alcohol or drug consumption and cannot understand the nature or extent of the sexual situation. Therefore, an incapacitated individual cannot give consent.

1.4 RETALIATION

Retaliation refers to any act or attempt to retaliate against or seek retribution from any individual or group of individuals involved or cooperating in the sexual misconduct disciplinary investigation. Retaliation can take many forms including abuse or violence, threats, and intimidation. Retaliation can occur virtually (e.g., via social media) as well as through face-to-face interactions. Retaliation can come from any individual community member or group of community members, not just reporting or responding parties. Retaliation can also include contributing to a hostile environment for any parties involved

which may include but is not limited to slander, sharing case files or its contents, or attempts to have others perform abuse or violence, threats, intimidation, or removal of benefits.

Yale-NUS College condemns all forms of retaliation as they intentionally seek to harm members of our community. If a person suspects retaliation is taking place, this claim will be investigated via a Community Standards hearing process. If a student is found to have engaged in retaliation, that is a breach of the Community Standards and there will be sanctions imposed on that person. Where retaliatory acts are attributable to either the reporting or responding party, they may also be taken in account for the purposes of an ongoing sexual misconduct investigation. Retaliation which is carried by either the reporting and responding party after a sexual misconduct case has been resolved may be cause to revisit the case or any sanctions imposed.

1.5 DISCLOSURE

Students can make a disclosure of sexual misconduct to the Sexual Misconduct Coordinator, Ashley Yong (ashley.yong@yale-nus.edu.sg), the Dean of Students, or to a Survivor Support Advisor. A disclosure means that a report is filed but a case is not opened. Students who make disclosures can choose to be informed if anyone else discloses about the same responding party. Students who choose to make a disclosure can request that the College open a formal case as well.

2. PROHIBITED BEHAVIOUR UNDER POLICY

2.1 SEXUAL ASSAULT

Sexual assault is the act of committing non-consensual sexual contact. Sexual contact includes, but is not limited to:

- Touching, in a sexual context or manner, another person's breast, buttock, groin, or genitals;
- Touching, in a sexual context or manner another person using one's own breast, buttock, groin, or genitals;
- Physically causing another person to touch themselves or another with or on the breasts, buttocks, groin or genitals; or
- Any intentional bodily contact made in a sexual manner, even though not involving contact with, of, or by the breasts, buttocks, groin, genitals, mouth, or other orifice.
- Such an act is committed against a person's will (through force, threat, manipulation, or coercion), without a person's consent, and/or during a time in which the person is incapable of giving consent because of incapacitation, unconsciousness, or a drug-induced state. Reporting and responding parties can be of any sex/gender, sexual orientation, and/or sexual identity.

2.2 SEXUAL HARASSMENT

Sexual harassment is a form of sex discrimination that involves any non-consensual acts of a sexual nature. This includes but is not limited to non-consensual sexual advances, non-consensual requests for sexual favours, non-consensual sexual jokes or epithets, non-consensual sexually explicit statements, non-consensual physical contact, and any other physical or verbal conduct of a sexual nature directed at a person because of their sex and/or gender. Sexual harassment also includes harassment online and offline, including sending explicit messages, photos, videos, or other media, of a sexual nature, to a person without their consent.

2.3 STALKING/CYBERSTALKING

Stalking is one form of sexual harassment and is defined as harassing behaviour that is unwelcome, persistent, and repeated directed toward an individual or group. Stalking may take many forms, including following, lying in wait, monitoring, and pursuing contact. Stalking can also include communicating to or about a person for the purpose of surveillance. Stalking may occur in person or through a medium of communication such as making frequent phone calls or sending frequent messages or emails, as well as by other means. Stalking can occur over a few days or for many years.

2.4 IMAGE-BASED SEXUAL ABUSE

This is the sharing of private, revealing, or sexually explicit images or videos of a person, without the consent of the subject and in order to cause them distress or embarrassment. This includes images or videos that are AI-generated (deepfake). The media may be shared via posting online, texting to others, chat groups, printed, etc.

2.5 EXHIBITIONISM

Exhibitionism involves the deliberate and unsolicited exposure of the genitals to an unwilling audience. It also encompasses engaging in sexually explicit activity in public spaces, including online.

2.6 SEX AND/OR GENDER DISCRIMINATION

Sex and/or gender discrimination refers to the unequal or unfair treatment of an individual based on sex or gender. Yale-NUS does not tolerate any form of discrimination, including but not limited to, discrimination based on sexual orientation, gender identity, and gender expression. For more information on College policy in this regard, refer to the [Yale-NUS Student Community Standards](#).

2.7 INTIMATE PARTNER VIOLENCE

Intimate partner violence is defined as violence in which a current or former intimate partner uses or threatens physical or sexual violence. This violence can also include physical, psychological, or emotional abuse.

2.8 SEXUAL EXPLOITATION

Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another person for the benefit of anyone other than the person being exploited. This term includes behaviours that are not otherwise considered under sexual assault or sexual harassment, such as, but not limited to, non-consensual photographing or video/audio recording of sexual activity, non-consensual voyeurism, or purposefully inducing incapacitation for the intention of sexual activity. This includes allowing others to observe such conduct. Please note, this list is not exhaustive.

2.9 QUID PRO QUO

Quid pro quo occurs when a person in authority makes sexual demands or requests for sexual favours or dates in exchange for a benefit. A person in authority for this purpose is someone who can affect or impact the individual's environment by leveraging their positional power.

3. SINGAPORE LAW

3.1 PENAL CODE S354

In Singapore, sexual assault carries a different definition from rape. This difference in definition impacts the consequent punishment delivered.

According to the Penal Code S354, sexual assault is defined as ‘whoever assaults or uses criminal force to any person, intending to outrage or knowing it to be likely that he will thereby outrage the modesty of that person’, will be guilty of ‘assault or use of criminal force to a person with intent to outrage modesty’. This law does not specify gender; thus, a person of any gender could be sexually assaulted.

3.2 PENAL CODE S375

Under S375 of the Penal Code of Singapore, rape is defined as ‘any man who penetrates the vagina of a woman with his penis without her consent, or with or without her consent, when she is under 14 years of age’. Furthermore, Section 157(d) of the Evidence Act allows a woman’s past “immoral” history to be used against her, officially codifying “blaming the victim”. This law is more gender specific; technically, men cannot be raped under Singapore law. Thus, a man who is penetrated by another man would NOT be considered raped under Singapore law. However, a man who is penetrated by another man without consent is a victim of unlawful sexual penetration, which carries the same penalties as rape.

3.3 PENAL CODE S376A

Under S376A of the Penal Code of Singapore, it is illegal to have sex with a person under the age of 16. Enhanced penalties for offences against person below 14 years of age.

3.4 JAIL TERMS

The jail term for all three carry a maximum of 20 years. However, the offence of rape carries a minimum of eight years while sexual assault by penetration carries no minimum. Caning is mandatory for the offence of rape with at least 12 strokes being compulsory. This is not so for sexual assault by penetration through the offender may be liable for a fine or caning.

4. PROCESS

Sexual misconduct involves particularly sensitive issues which require careful investigation and handling. The disciplinary procedures set out below are specifically designed to ensure that complaints of sexual misconduct are investigated in a fair and objective manner whilst protecting the privacy and interests of the students involved. As such, the following clause is enacted once an individual is aware that they will be involved in a sexual misconduct investigation.

4.1 CONFIDENTIALITY

- 4.1.1 All documents and information provided, received, or obtained in the course of the disciplinary procedure by:
 - 4.1.1.a the person who reports sexual misconduct (“Reporting Party”);
 - 4.1.1.b the person who is the subject of that report (“Responding Party”);
 - and
 - 4.1.1.c any person involved in the disciplinary procedure, including the appointed investigator, the chairperson of the hearing panel, the members of the hearing panel, the Parties’ respective advisors, and all witnesses involved;must be kept strictly confidential. Disclosure of confidential documents and information will only be permitted under the limited exceptions at paragraph 2 below.
- 4.1.2 Confidential documents and information may only be disclosed where:
 - 4.1.2.a the disclosure is by the Parties to their respective advisors;
 - 4.1.2.b the disclosure is by a Party to a witness and it is reasonably necessary for that Party’s conduct of the disciplinary procedure for that witness to receive the confidential document and/or information in question; and/or
 - 4.1.2.c the disclosure is required or permitted by law.
- 4.1.3 Any breach of confidentiality (including acts of slander) will not be tolerated. A Party or witness who engages in such acts may be subject to disciplinary proceedings under the Community Standards Section 3.4.

4.2 INITIATING A DISCIPLINARY INVESTIGATION

- 4.2.1 Any student who wishes to initiate the sexual misconduct disciplinary process should submit a letter to the Sexual Misconduct Coordinator via email or in person (“Reporting Letter”). This will initiate a disciplinary investigation into the alleged sexual misconduct.
- 4.2.2 The Reporting Letter must be prepared and signed by the Reporting Party. It should contain all relevant details including:
 - the name(s) of the Responding Party or Responding Parties;
 - the date(s) and location(s) of the alleged sexual misconduct;
 - the alleged act(s) of sexual misconduct.
- 4.2.3 The Reporting Letter should also state whether the Reporting Party requests a change in accommodation (e.g., change of suite or Residential College affiliation).
- 4.2.4 Upon receipt of the Reporting Letter, the Sexual Misconduct Coordinator will work with the Reporting Party to assign them a Survivor Support Advisor (if not already determined).

4.3 NO-CONTACT POLICY

- 4.3.1 Upon receipt of the Reporting Letter, the Sexual Misconduct Coordinator shall issue a letter to the Parties to put them on notice that they are prohibited from contacting each other for the duration of the disciplinary investigation (“No-Contact Letter”).
- 4.3.2 All parties can work directly with the Sexual Misconduct Coordinator to request any accommodations during the period in which the case is being investigated and heard. This may include aspects of campus life such as classes, student organisations, residential living, etc.
- 4.3.3 The No-Contact Letter will be provided to the Reporting Party by the Sexual Misconduct Coordinator in hard copy or via email. The No-Contact Letter shall be provided to the Responding Party in accordance as listed in 4.4.2.

4.4 RESPONDING TO A DISCIPLINARY INVESTIGATION

- 4.4.1 The Sexual Misconduct Coordinator shall prepare a Statement of Issues within 2 working days of receipt of the Reporting Letter. The Statement of Issues shall include an overview of the alleged sexual misconduct and brief summary of the Reporting Letter.
- 4.4.2 The Sexual Misconduct Coordinator shall provide 1 copy of the Statement of Issues, Reporting Letter, No-Contact Letter, and Yale-NUS Sexual Misconduct Policy to the Responding Party within 1 working day after receipt of the documents (or as soon as practicably possible, not to exceed 3 working days). The notification to the Responding Party will include an invitation for the Responding Party to meet with the Sexual Misconduct Coordinator to discuss the report that has been filed, including and not limited to:
- the Statement of Issues;
 - the No-Contact Letter and its implications;
 - questions regarding the disciplinary procedure; and
 - arrangements for an advisor for the Responding Party, if requested.
- 4.4.3 Within 7 working days after receipt of the Statement of Issues, the Responding Party may submit a written response to the Sexual Misconduct Coordinator (“Response Letter”).
- 4.4.4 Within 1 working day after receipt of the Response Letter from the Responding Party, the Sexual Misconduct Coordinator shall deliver a copy of the Statement of Issues and Response Letter to the Reporting Party.
- 4.4.5 In the event that the Responding Party fails to submit their Response Letter within the timeframe at 4.4.3, the disciplinary investigations shall proceed in accordance with the procedures set out below and the Responding Party’s failure to submit their Response Letter may be taken into consideration at the disciplinary hearing.

4.5 DISCIPLINARY INVESTIGATION

- 4.5.1 Within 10 working days from the Sexual Misconduct Coordinator’s receipt of the Reporting Letter, the Sexual Misconduct Coordinator shall appoint an investigator (“Investigator”) and a chairperson for the panel (“Chairperson”) and provide them with copies of the Reporting Letter, the Statement of Issues, and the Response Letter (if any) (“Case Documents”).
- 4.5.2 Within 3 working days of the Chairperson’s receipt of the Case Documents, the Sexual Misconduct Coordinator shall appoint a panel for the disciplinary hearing.

- 4.5.3 The Investigator may at any time request to interview any persons as the Investigator deems appropriate for their investigation of the alleged sexual misconduct, including but not limited to the Parties and their witnesses (if any).
 - 4.5.3.a If the Reporting Party refuses to meet with or co-operate with the Investigator, the Chairperson will dismiss their allegations of sexual misconduct in the Reporting Letter and order the disciplinary investigation to terminate.
 - 4.5.3.b If the Responding Party refuses to meet with or cooperate with the Investigator, they will be unable to contest the allegations of sexual misconduct during the disciplinary hearing.
 - 4.5.3.c If a witness refuses to meet with or co-operate with the Investigator, this may be taken into consideration by the Investigator and/or hearing panel when assessing that witness's evidence or testimony.
- 4.5.4 Within 10 working days from their appointment, the Investigator shall submit a report to the Sexual Misconduct Coordinator. The deadline for the Investigator's report may be extended at the discretion of the Sexual Misconduct Coordinator. Any extension shall be communicated to the Parties.
- 4.5.5 Within 1 working day after receipt of the Investigator's report, the Sexual Misconduct Coordinator shall deliver copies of the Investigator's report to the Chairperson, Reporting, and Responding Parties. Parties can choose whether they want to share this report with their advisors. Once the Chairperson receives the Investigator's Report, they will distribute the Case Documents, which will include the Investigator's Report, to the hearing panel.
- 4.5.6 The Investigator's Report:
 - 4.5.6.a will set out summaries of the evidence provided by the Reporting and Responding parties and their witnesses;
 - 4.5.6.b will include supporting evidence (where available) which has a bearing on the preliminary findings in the Investigator's report; and
 - 4.5.6.c will not make any recommendations for sanctions.
- 4.5.7 After the Chairperson receives the Investigator's Report, the Chairperson shall schedule a date and time for the disciplinary hearing. The hearing will be held within 7 working days after the Chairperson's receipt of the Investigator's Report (or as soon as practicably possible). The Parties will be given at least 4 working days' notice of the hearing.

4.6 PRE-HEARING PROCEDURES

- 4.6.1 No later than 3 days before the date of the scheduled hearing, the Parties shall notify the Chairperson if they wish to call any of the witnesses who had been interviewed by the Investigator to give evidence in support of their case at the hearing or present any documents that were not part of the Investigator's report at the hearing. The Chairperson has the discretion to determine which witnesses are called based upon relevance to the hearing.
- 4.6.2 No later than 1 day before the date of the hearing, the Chairperson shall:
 - 4.6.2.a send an email to remind the Parties, the hearing panel and any witnesses of their confidentiality obligations at paragraph 1 above; and
 - 4.6.2.b provide the estimated hearing schedule to the Parties. If the Parties have questions regarding the schedule, they should contact the Chairperson directly.

4.7 HEARING PROCEDURES

- 4.7.1 During the disciplinary hearing, testimonies and questioning can take place via audio-feed. There will be no face-to-face interaction between the Parties unless both Parties desire and agree to such interaction.
- 4.7.2 Advisors may be present at hearings at the request of the student they are supporting; advisors may confer with their student in private or in the presence of the hearing committee. They may also contact the Chairperson privately. However, advisors do not interact with the Investigator, panel, or other students involved.
- 4.7.3 At the commencement of the hearing, the Chairperson shall:
 - 4.7.3.a Start recording the hearing;
 - 4.7.3.b remind all Parties and persons present of their confidentiality obligations at paragraph 1 above;
 - 4.7.3.c read aloud the Rights of the Parties; and
 - 4.7.3.d read aloud the standard of proof to be applied by the hearing panel, namely, that the Responding Party shall be presumed to be innocent of any sexual misconduct until and unless the Reporting Party proves otherwise on a preponderance of evidence.
- 4.7.4 Evidence will be presented to the panel in accordance with the hearing schedule. The Chairperson shall have full discretion to depart from and/or amend the hearing schedule as they deem fit, including but not limited to recalling any person who has already testified to answer additional questions.
- 4.7.5 The panel shall be entitled to ask questions of the Investigator, the Reporting Party, the Responding Party, and any witnesses who appear at the hearing to testify.

- 4.7.6 The Parties may be permitted by the Chairperson to pose questions to the Investigator or the other Party who appear at the hearing to testify. While the Party may question the Investigator directly, when they are questioning the other Party, they will do so via audio-feed in accordance with the following procedure:
- 4.7.6.a a Party who wishes to pose a question shall submit the proposed question to the Chairperson;
 - 4.7.6.b the Chairperson may at their absolute discretion allow the question proposed by the Party, or may rephrase or amend the question, or may decline to pose the question; and
 - 4.7.6.c if the Chairperson permits a question (whether in its original wording or as amended or rephrased by the Chairperson), the question shall be posed by the Chairperson to the reporting or responding party.
- 4.7.7 The Chairperson shall have full discretion to halt any testimony and/or terminate any questioning if they are of the view that the testimony and/or further questioning is irrelevant or would not be helpful to the resolution of the case.
- 4.7.8 Rules of evidence, as may exist in a court of law, shall not apply to the disciplinary hearing. The panel may accept and attach such weight as it thinks appropriate to any material produced to it, notwithstanding that such material may not be admissible in civil or criminal proceedings.
- 4.7.9 After the Chairperson declares that the hearing is concluded, the panel shall immediately retire for closed-door deliberations to determine whether the allegations against the Responding Party have been proved on a preponderance of evidence. The Chairperson will stop recording before the deliberation begins. In making their determination, the panel shall rely on the Case Documents, the Investigator's Report, and any evidence from the hearing. If, in the course of the panel's deliberations, the Chairperson is of the view that further evidence or questioning is required in respect of any matter, the Chairperson may re-open the hearing or schedule a further hearing.

4.8 HEARING OUTCOMES

- 4.8.1 The panel may make either of the following decisions:
- 4.8.1.a **Not responsible:** the Responding Party has not violated the sexual misconduct policy.
 - 4.8.1.b **Responsible:** the Responding Party has violated the sexual misconduct policy and the panel shall impose such sanctions as it deems appropriate. Potential sanctions include, but are not limited to the following:

- 4.8.1.b.1 **Reprimand:** This shall constitute an internal disciplinary record only. The Responding Party can accurately represent that they have no disciplinary record when applying for schools, jobs, or other opportunities. The internal disciplinary record may be considered in the event that the Responding Party is subsequently sanctioned for other instances of misconduct or sexual misconduct.
- 4.8.1.b.2 **Disciplinary probation** (1 semester minimum): This shall constitute an internal disciplinary record only. The Responding Party can accurately represent that they have no disciplinary record when applying for schools, jobs, or other opportunities. This is an official notice that any further/future violations will likely result in immediate suspension or expulsion from Yale-NUS College. A student on probation is not in good standing with the College. Students on probation may experience additional restrictions and loss of privileges from varying programmes and events, such as the ability to participate in study abroad or represent the College in an official capacity (e.g., serving on official committees, employment through certain student associate positions, some leadership positions in student organisations).
- 4.8.1.b.3 **Suspension:** This shall constitute a permanent disciplinary record which the Responding Party will need to disclose when applying for schools, jobs, or other opportunities. A suspension will end the Responding Party's current semester without the benefit of any final grades or credits being awarded (no matter when in the semester the suspension may occur).
- 4.8.1.b.4 **Dismissal:** This shall constitute a permanent disciplinary record which the Responding Party will need to disclose when applying for schools, jobs, or other opportunities. A Responding Party who is dismissed is not eligible to re-enroll in the future.
- 4.8.1.b.5 **Educational outcomes:** The hearing panel may assign educational sanctions to facilitate the Responding Party's reflection, growth, and development (e.g., compulsory counselling sessions.)
- 4.8.1.b.6 **Additional sanctions:** The hearing panel has the discretion to assign other sanctions, including transfer of Residential College, altering of class schedules, restrictions on campus leadership opportunities and no-contact orders, among others.

- 4.8.2 After the panel has reached a decision, the Chairperson shall separately meet with each Party and their respective advisor to inform them of the panel's decision. In extenuating circumstances, the Chairperson may choose to inform each Party of the decision via email. If the Responding Party is found responsible, the sanction(s) imposed and the deadline(s) for their implementation and/or completion shall also be communicated. The panel's decision and any sanctions imposed on the Responding Party will also be recorded in writing ("Outcome Letter"), a copy of which will be provided to the Parties, their respective advisors, and the Sexual Misconduct Coordinator.
- 4.8.3 In the event that the sanctions imposed include suspension or dismissal:
- 4.8.3.a The Responding Party shall vacate the campus immediately, notwithstanding any intention to appeal the panel's decision. Upon the Responding Party's receipt of the panel's findings, they shall be escorted by their advisor or Assistant Dean, or by Security, to retrieve any essential belongings from their room. The Responding Party may make arrangements with their Assistant Dean or other designated staff member to return to campus at a subsequent date/time to pack their room.
- 4.8.3.b The Sexual Misconduct Coordinator will inform all relevant campus staff (i.e. Registry, Infrastructure). Details of the case will not be disclosed and the Sexual Misconduct Coordinator will only disclose the fact that the Responding Party has been suspended or dismissed.

4.9 APPEALS

- 4.9.1 Within 7 working days after being informed of the panel's decision, either Party may appeal the hearing panel's decision by giving notice in writing ("Notice of Appeal") to the Vice President of Academic Affairs ("VPAA"). The Notice of Appeal will provide full details of the grounds of the appeal. The Party making the appeal shall also provide a copy of the Notice of Appeal to the Sexual Misconduct Coordinator.
- 4.9.2 The grounds for an appeal are noted below:
- 4.9.2.a procedural error in the disciplinary hearing process;
- 4.9.2.b new evidence coming to light;
- 4.9.2.c to contest the severity of the sanctions.
- 4.9.3 The VPAA may consult with the hearing panel on any matters in relation to the appeal.
- 4.9.4 Rules of evidence shall not apply to the appeal. The VPAA may accept and attach such weight as they think appropriate to any material before them, notwithstanding that such material may not be admissible in civil or criminal proceedings.

- 4.9.5 The VPAA may make the following decisions (or combination of decisions):
 - 4.9.5.a affirm or reverse the hearing panel's decision on responsibility;
 - 4.9.5.b impose, remove, or modify sanctions, including increasing or decreasing the severity of the sanctions; and/or remit the case to the hearing panel for a further hearing and/or further deliberations, taking into account questions or concerns expressed by the VPAA.
- 4.9.6 Within 10 working days after receiving the Notice of Appeal, the VPAA shall inform the Parties of the outcome of the appeal via email.
- 4.9.7 Decisions of the VPAA are final and binding and there shall be no further appeal against the VPAA's decision.

4.10 GENERAL

- 4.10.1 In exceptional cases of suspected sexual misconduct where the Dean of Students is of the view that the safety of any student or the general student body is at risk, the Dean of Students may require a student to take a Mandatory Leave of Absence in accordance with the rules and procedure set out in the Yale-NUS Regulations. This power may be exercised by the Dean of Students at any time and irrespective of whether a disciplinary investigation has been initiated by a Reporting Party.
- 4.10.2 In the event that a student is placed on interim suspension, they are still able to participate in conduct and sexual misconduct discipline hearings and cases. In situations where a student is under investigation by the police or any external body to Yale-NUS, students may also be placed on interim suspension pending the outcome of those investigations. An interim suspension may be imposed for up to 1 academic year or 2 consecutive semesters; after this time frame has elapsed, the interim suspension will be reviewed. The interim suspension period is counted towards the students' 5-year candidature.
- 4.10.3 If Responding Parties believe they have also been subjected to a violation of the sexual misconduct policy in the same situation in which they are being accused, this should be indicated within 7 working days of their receipt of the Reporting Letter. Responding Parties who have been found responsible are unable to request for a case to be opened against the original Reporting Party for the same circumstance.
- 4.10.4 In rare circumstances, the College may initiate a proceeding against the reporting party's wishes. For instance, if the College deems that there is a serious threat of repeat offense, an imminent threat to any community, and/or multiple reports/disclosure against the same student. In the event that this occurs, the Reporting Party will be informed.

5. OTHER RELATED INFORMATION

5.1 CONFLICT OF INTEREST

- 5.1.1 In a campus as small as Yale-NUS, it is possible that a conflict of interest could exist. A conflict of interest would include any circumstance, whether actual or perceived, arising from conflict between the performance of public duty and private or individual interests. If the reporting or responding party believes there is a conflict of interest with the Chair, Investigator, or panel members, they should indicate that to the Sexual Misconduct Coordinator as soon as the conflict of interest is discovered. The Coordinator will work with the parties involved to determine if a conflict exists. If it does, the staff/faculty person with the conflict will be removed from the case.
- 5.1.2 Please note that the below examples are not exhaustive and are listed in order to show the degrees of relationship in which a conflict of interest might arise.
- 5.1.3 A conflict of interest would not exist if:
- 5.1.3.a The Chair, Investigator, or panel member taught a class in the past in which the reporting/responding party was a student.
 - 5.1.3.b The Chair, Investigator, or panel member facilitated a workshop or program that the reporting/responding party attended.
 - 5.1.3.c The Chair, Investigator, or panel member knew the reporting/responding party through the general execution of their regular job functions.
- 5.1.4 A conflict of interest may exist if:
- 5.1.4.a The Chair, Investigator, or panel member is teaching a class in which the reporting/responding party is currently a student.
 - 5.1.4.b The Chair, Investigator, or panel member is the capstone or major advisor for the reporting/responding party.
 - 5.1.4.c The Chair, Investigator, or panel member is the student organisation advisor for an organisation of which the reporting/responding party is an ExCo member.

5.2 RIGHTS OF PARTIES

- To be treated with respect, dignity, and sensitivity throughout the process.
- To be advised and informed of the support services available from the College, including but not limited to, a Sexual Misconduct Coordinator, Assistant Dean, Counselling Centre, and off-campus resources.

- To be assured that the College will make all reasonable effort to ensure the preservation of privacy, confidentiality, and restricting access information to those with a legitimate need to know.
- To be informed of the College's policies and procedures related to sexual misconduct.
- To a prompt and thorough investigation of the allegations.
- To challenge the appointment of the Investigator or Chairperson if a conflict of interest is present.
- To leave any proceeding briefly for any reason. To appeal the decisions and or sanctions made pursuant to this policy.
- To be notified, in writing, of the case resolution including the outcome of any appeal.
- To report the incident to law enforcement or civil authorities if one wishes to do so.
- To have a support person or advisor.

6. NUSC CO-OPERATIVE FRAMEWORK

6.1 SCOPE

As a general principle, Yale-NUS students are subject to Yale-NUS Community Standards and NUSC students are subject to NUS Code of Student Conduct. When there is an incident involving both YNC and NUSC students, we developed a collaborative framework. Additionally, certain areas on the YNC campus will be designated as NUSC-designated spaces where NUS policies will apply.

YaleNUSCollege

STUDENT AFFAIRS OFFICE