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Trinity College Title IX Program Review

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Trinity College (CT)

Title IX Program Review

Sheena Landy



Photo Credit: Trinity College

GENERAL INFORMATION

In summary, Title IX information pertaining to issues of sexual misconduct at Trinity College is readily available but locating information regarding Title IX's application to athletics, pregnancy policies and LGBTQ+ issues is notably more difficult.

Accessibility to Information on Title IX

Title IX information pertaining to athletics and issues of sexual misconduct at Trinity College is readily available but locating information regarding Title IX's application to pregnancy policies and LGBTQ+ issues is notably more difficult.

In general, the information found through a quick online search was helpful in accessing high level overviews on Title IX information related to Trinity College, including issues pertaining to athletics compliance or sexual misconduct resources. However, this brief search did not turn up any information related to the school's pregnancy policies or LGBTQ+ issues, which may have been helpful – especially given the duplicate results for certain applications of Title IX within the search results.

More specifically, an initial Google search using the keywords "Trinity College (CT) Title IX" shows ten relevant search results, displaying information related to Trinity's general Title IX policy, Trinity's Title IX Coordinator, Sexual Assault resources, the Title IX process at Trinity College, Title IX Training Information, Title IX policies prohibiting retaliation, information related to athletics, and two news articles addressing Title IX issues at Trinity College with the last few years.

The first result links to a page dedicated exclusively to the College's Title IX policy and provides an overview of the College's policy.¹ This overview includes the specific text of Title IX that applies to educational institutions in general, and then includes a sentence about how it applies to the College as an educational institution. Further, the information overview page continues on to state, *"Accordingly, Trinity College prohibits discrimination on the basis of sex in all of its programs and activities, including academics, employment, athletics, and other extracurricular activities. This prohibition includes gender-based harassment, sexual violence and other sexual harassment."*² The overview page also includes information on Trinity College's Title IX Coordinator, including contact information for the coordinator with several ways to contact the

¹ Title IX, Trinity College Title IX Information Page, <https://www.trincoll.edu/title-ix/> (last accessed Apr. 6, 2024.)

² Title IX, <https://www.trincoll.edu/title-ix/> (last accessed Apr. 6, 2024.)

coordinator. Also provided in the “contact information” section, the webpage provides further contact information to contact the US Department of Education’s Office for Civil Rights division for any further information needed. Finally, the page has a bright call-out box for reporting an incident, with a link to an anonymous reporting form right on the overview page, as well as six links to further resources for more specific types of policy applications.

Most notably at the outset, however, was the fact that the key term “Trinity College Title IX” search yielded no results within the first page containing any information relating to pregnancy or LGBTQ+ issues. Further, it is important to note that Trinity College is not religiously affiliated, despite the somewhat misleading name of the institution; It is a nondenominational liberal arts school located in Hartford, CT. Thus, it is surprising the lack of information related to pregnancy or LGBTQ+ under Title IX.

Office of the Title IX Coordinator

The information for Trinity College’s Title IX Coordinator is easily accessible and can be found either through a Google search or through the College’s overview page.

The College's designated Title IX Coordinator, Shannon Lynch, can be contacted via email at titleixcoordinator@trincoll.edu.³ The Title IX Coordinator ensures that Trinity College upholds a timely, thorough, and fair process for addressing allegations of sexual misconduct and any instances of discrimination or unequal treatment based on gender. More specifically, the role assumes leadership and provides centralized support to ensure compliance with various federal and state regulations, including Title IX of the Educational Amendments Act of 1972, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), and the Violence Against Women Act (VAWA), among others, pertaining to issues of sex discrimination, harassment, and sexual violence. Ms. Lynch acts as the primary resource on Title IX requirements and compliance for the College community, offering consultation as needed. Further, Ms. Lynch is responsible for developing and implementing procedures for handling complaints and investigations, as well as overseeing training initiatives aimed at promoting Title IX compliance.



Photo Credit: Trinity's Title IX Coordinator Page

³ *Title IX: Coordinator*, Trinity College Title IX Coordinator, <https://www.trincoll.edu/title-ix/coordinator/> (last accessed Apr. 6, 2024.)

General Information on Title IX Programs and Policies

General Information related to Trinity College’s Title IX Programs and Policies can be found directly on the College’s overview page.⁴ This landing page for Trinity College on Title IX includes an overview of the College’s Title IX policy, and very clear information on how someone can report sexual harassment and discrimination. The highlighted section (screenshot provided below) on reporting sexual harassment and discrimination also explicitly states that any Title IX related report can be filed online through their reporting form, with the option of making any report anonymous, and includes a direct link to the Anonymous Reporting Form.

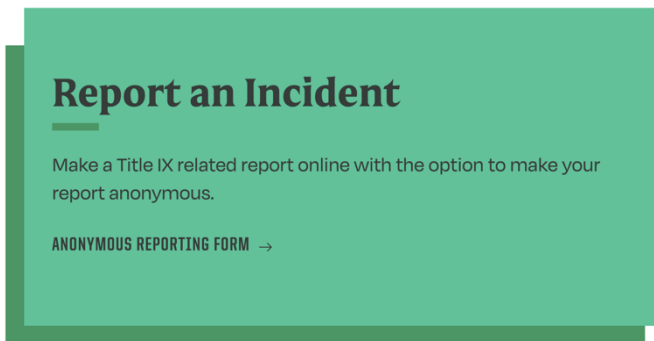


Photo Credit: Screenshot of Title IX Overview Page

While the Overview page does provide a hyperlink to the “College’s Title IX policy,” the actual policy itself is the “Trinity College Policy on Sexual Harassment.”⁵ This policy includes information relating to incidents of sexual assault, domestic violence, dating violence, stalking, and

retaliation, as well as the investigatory process for the aforementioned instances. However, given that Title IX applies to more than just the College’s sexual harassment policies, it’s worth noting that this policy does not provide information directly to anyone experiencing discrimination for pregnancy or LGBTQ+ related issues. Thus, as a student or employee that is trying to locate information on filing complaints for discrimination under Title IX, it is not very clear that this policy applies to those types of incidents.

What's particularly noteworthy is that when searching "Trinity College Title IX pregnancy" and "Trinity College Title IX LGBTQ+ issues" on Google, the top hit listed for each respective search is Trinity’s Title IX Overview page. However, this page provides no explicit resources for pregnant students or employees; There is no separate page for any type of pregnancy support at Trinity College, and the only mention of the words “pregnancy” or “pregnant” seem to be with respect to victims of alleged sexual misconduct and access to medical care.⁶ Further, the only resource provided for LGBTQ+ related issues related to Title IX is linked at the bottom of the page to

⁴ Title IX, Trinity College Title IX Information Page, <https://www.trincoll.edu/title-ix/> (last accessed Apr. 6, 2024.)

⁵ Trinity College Policy on Sexual Harassment, Trinity College on Title IX, <https://www.trincoll.edu/wp-content/uploads/2021/03/Trinity-College-Policy-on-Sexual-Harassment.pdf> (last accessed Apr. 6, 2024.)

⁶ Trinity College Policy on Sexual Harassment, Trinity College on Title IX, <https://www.trincoll.edu/wp-content/uploads/2021/03/Trinity-College-Policy-on-Sexual-Harassment.pdf> (last accessed Apr. 6, 2024) “A victim of alleged sexual harassment may seek medical care, including treatment for injuries, preventive treatment for sexually transmitted diseases, pregnancy tests and contraception, and other health services, plus evidence preservation through a medical exam...”

Trinity College’s Queer Resource Center. This page makes no mention of Title IX at all, despite being linked to in the “other resources” section of the College’s Title IX Overview page.⁷ There is no mention of Title IX protections, never mind any substantive explanation of how Title IX safeguards impact pregnant persons and LGBTQ+ individuals. Consequently, the absence of college resources addressing the comprehensive scope and relevance of Title IX to these specific issues is likely an area for concern.

Organization of Information on Title IX

At first glance, Trinity College’s Title IX information and resources appear organized and helpful to students and employees, as the information seems to be located all within the “Title IX” page that functions as a Title IX homepage.⁸ Upon further digging, however, the information began to look somewhat disorganized and challenging to access. It is clear that the College’s main focus within the Title IX homepage is on sexual misconduct at Trinity College, so that information was somewhat easy to find. But beyond sexual misconduct concerns, the College’s resources are sparse. Outside of linking to the College’s Queer Resource Center on the bottom of the page, the Title IX homepage makes no references to the other areas that Title IX concerns, such as athletics, pregnant students and employees, or LGBTQ+ students and employees.

The glaring lack of information concerning the Title IX rights of pregnant and LGBTQ+ individuals may be representative of the overall inadequacy and inefficacy of Trinity College’s Title IX resources. This deficiency not only highlights the potential for incomplete or nonexistent reports of Title IX violations in these areas but also raises suspicions about the prevalence of discriminatory behavior against certain individuals on campus. While the campus does provide the Queer Resource Center as a resource for LGBTQIA individuals, there is no clear link illustrated that would allow an undergraduate student or employee to understand that they are protected under Title IX and the anti-discrimination policies that apply to Trinity College as an educational institution. Further, it is concerning that pregnant individuals may not even know that there are protections in place that Trinity is required to provide, never mind knowing a contact person or resource center that they can reach out to with their concerns during their pregnancy. For those reasons alone, it is clear that Trinity College should attempt to make the information on all areas of Title IX clearer, more coherent, and far easier to access information than it currently stands for its students and employees.

⁷ *Queer Resource Center*, Trinity College, <https://www.trincoll.edu/lgbtqlife/> (last accessed Apr. 6, 2024.)

⁸ *Title IX*, Trinity College Title IX Information Page, <https://www.trincoll.edu/title-ix/> (last accessed Apr. 6, 2024.)

Locating Information on Title IX Training

Within the Title IX homepage for Trinity College, there is a direct link for Title IX Trainings. The link goes to a separate page as a subsection of the initial “Title IX” page, strictly limited to addressing the training provided at Trinity College on Title IX. This seemed hopeful, at first, until I read the only paragraph on the page which stated:

The Title IX regulations require institutions to post: “All materials used to train Title IX Coordinators, investigators, decision-makers, and any person and any person who facilitates an informal resolution process. Posting anything less than “all materials” on the website is insufficient. Accordingly, merely listing topics covered by the school’s training of Title IX personnel, or merely summarizing such training materials is not the same as posting “all materials.”⁹

The rest of the page is dedicated to providing links to the power point presentations given in prior academic years. Notably, the most recent years updated with Title IX resources were in 2022-2023.¹⁰ Further, the most helpful presentation in my opinion seemed to be the 2021-2022 presentation, “Trinity College Hearing Panel, Officer, and Investigator Training,” presented by Cozen O’Connor lawyers.¹¹

Current Investigations

Trinity College is not currently under investigation for any complaints by the Department of Education.¹²

⁹ *Title IX: Trainings*, Trinity College Title IX – Trainings, <https://www.trincoll.edu/title-ix/trainings/> (last accessed Apr. 6, 2024.)

¹⁰ *Id.*

¹¹ Trinity College Title IX – Trainings, Presentation: *Trinity College Hearing Panel, Officer, and Investigator Training*, <https://www.trincoll.edu/title-ix/wp-content/uploads/sites/57/2022/02/Feb-1-and-2-External-Hearing-Panelist-Training-v2.pdf> (last accessed Apr. 6, 2024.)

¹² Office of Civil Rights, *Pending Cases Currently Under Investigation at Elementary-Secondary and Post-Secondary Schools*, <https://ocrcas.ed.gov/open-investigations> (last accessed Apr. 7, 2024.)

ATHLETICS

Title IX Coordinator for Athletics

In addition to Trinity College's Title IX Coordinator role, Trinity College Athletics has an additional Title IX deputy coordinator that serves as essentially the Title IX athletics coordinator. This role is currently filled by Kristen Noone, the Associate Director for Athletics at Trinity College.¹³ While a quick google search for "Trinity College Title IX Athletics Coordinator" brought Ms. Noone's faculty profile up within the first three google search results, the only information included anywhere regarding her role as the deputy Title IX coordinator was a brief sentence within her



Photo Credit: Trinity College Faculty Profiles

faculty profile. Further, while her faculty profile includes information on contacting her, there is no other information or guidelines on discussing concerns specific to athletics with Ms. Noone. With that being said, as a former athletics participant at Trinity College, I knew from my personal experience that Kristen Noone was the Title IX athletics coordinator during my time at the College; So, there may be information and training provided to inform student-athletes of her role that may not be available online (and accessible to the general public.)

Information on Filing a Complaint or Lodging a Concern

Trinity College does not seem to provide any information at all on how to file a Title IX complaint for discrimination in Athletics. Every google search I tried directed me towards Trinity College's Title IX office directly, which is the same page they use as the College's Title IX homepage. As previously mentioned, this page is focused on primarily addressing sexual misconduct concerns on the campus. There is no information on this page referencing athletics in any capacity, which is concerning for many reasons. Mainly, if I was a student-athlete experiencing discrimination on the basis of sex at the College, I would not know who to go to or how to report the issue from online research alone. While I do believe that the school does do some sort of training on the topic for student-athletes based on my prior experience and knowledge (e.g., that I could bring Title IX concerns regarding my athletics experience to Kristen Noone), there really is no clear instruction on the process of filing a complaint or lodging a concern for student-athletes. In this situation, I would be under the impression that I had to file a report using the Title IX reporting form on the main campus page, which does allow you to select "gender/sex discrimination" on the reporting

¹³ Trinity College Faculty Profiles, *Kristen Noone*, <https://internet3.trincoll.edu/facProfiles/Default.aspx?fid=1015433> (last accessed Apr. 7, 2024)

form in the “description of the incident” box; but in my experience, I absolutely would not have thought to do that because the form seems to be focused on incidents of sexual misconduct.

Interestingly enough, after several days of research on Trinity College’s Title IX compliance in Athletics, I came across a report published by the school addressing the Title IX updates they were implementing.¹⁴ Upon even further research, I found a press article written in 2021 addressing how female athletes at Trinity College had recently pushed for a review of the school’s Title IX compliance after concerns over certain men’s teams’ facilities were renovated while women’s teams’ facilities were not.¹⁵ This was of particular interest to me as a former two-sport athlete at Trinity College who personally felt that there were huge discrepancies in the treatment of the men’s programs and the women’s programs. Although the article doesn’t directly say how the process of requesting the Title IX audit went, it seemed to suggest that Field Hockey players went directly to the Athletics administration to lodge their concerns. In response, the administration decided to conduct a full Title IX audit of their athletics programs and a change for future projects to assess Title IX compliance in the planning process. What the article did say, however, was exactly on point with my concerns earlier in my research:

... In fact, members of the softball team say the team has been feeling left out since 2013 when the baseball team got a new stadium and turf field. Theirs stayed the same.

“It’s very frustrating to watch these improvements to things people already have when we don’t even have the bare minimum,” said Bolduc. “We can’t even hold our own fans, our own families at our field as it stands.”

The women wondered if this was a violation of their Title IX rights, a federal rights law that prohibits sex-based decimation at institutions that receive federal money.

They reached out to the non-profit “champion women” to help them understand the law.¹⁶

When the student-athletes felt the school’s measures in place continually fell short of compliance, the women organized the Trinity Women’s Athletic League, a space for all female athletes on campus to share their feelings. It was through this effort that they began to wonder if any of these discrepancies were in violation of their Title IX rights. But the fact that they then reached out to a

¹⁴ Trinity College Title IX – Title IX Letter to the Community, https://bantamsports.com/documents/2023/4/12/Title_IX_Audit_for_Athletics_FindingsB_1_27_23.pdf (last accessed Apr. 11, 2024)

¹⁵ Gabrielle Lucivero, NBC Connecticut: *Female Athletes at Trinity College Raise Discrimination Concerns*, <https://www.nbcconnecticut.com/news/local/female-athletes-at-trinity-college-raise-discrimination-concerns/2655715/> (last accessed Apr. 11, 2024)

¹⁶ *Id.*

non-profit organization to learn their rights under Title IX – just to even determine whether they had valid Title IX concerns – is the greater concern here. From my perspective, after everything we have learned and discussed in class, the goal of Title IX is to provide clear, cohesive, and easily accessible information for students and employees at Trinity College. For student-athletes to not even understand what their rights are under Title IX, and then have to reach out to an outside organization just to learn about their rights – that is why accessibility to information provided in clear and cohesive ways is of such importance. While I applaud the efforts of the female student-athletes and the non-profit organization for stepping in to help those athletes understand from a legal perspective what Title IX seeks to prevent and protect, Trinity College could have made their policies and information clearer from the start. Therefore, it is crucial that Trinity College implements a far more cohesive Title IX website and/or web pages, that explains clearly how Title IX applies to athletics at the College.

EADA Information: Imbalances at the Institution

Under Title IX, Trinity College is required to provide intercollegiate athletic participation opportunities for female and male students in numbers substantially proportionate to their respective full-time undergraduate enrollments. During the 2021–22 academic year, Trinity’s female-male student ratio and female-male student-athlete ratio deviated from true proportionality by approximately 8 percent, with roughly 130 more males than females participating on varsity teams.¹⁷ This underscores the importance of ensuring equitable opportunities for both genders in collegiate sports.

At the undergraduate level, Trinity’s enrollment is 48.5% men (1025/2112) and 51.5% women (1087/2112). Trinity has 417 male athletes and 286 female athletes. If female athletes are double counted for playing multiple sports, the number is 331 female athletes, to 477 male athletes. There were no practice players accounted for, as they are not used in any sports. The one caveat was that the Men’s Rowing team included 3 females. It was unclear how the college accounts for gender-neutral or gender-fluid students. The unduplicated count of participants on women’s teams total 40.7% (286/703) and the men’s teams total 59.3% (417/703). Therefore, there is roughly an 8 percent imbalance in proportionality when compared to the College’s undergraduate enrollment percentages.

¹⁷ Trinity College, Equity in Athletics Data Analysis, <https://ope.ed.gov/athletics/#/institution/details> (last accessed Apr. 8, 2024.)

Athletics Participation

Varsity Teams	Number of participants as of the day of the first scheduled contest	
	Men's Teams	Women's Teams
Baseball	32	N/A
Basketball	17	17
Field Hockey	N/A	22
Football	101	N/A
Golf	12	7
Ice Hockey	31	24
Lacrosse	57	32
Rowing	35	38
Soccer	31	33
Softball	N/A	18
Squash	25	16
Swimming and Diving	16	27
Tennis	10	9
Track and Field, Indoor	34	31
Track and Field, Outdoor	31	27
Track and Field, X-Country	17	13
Volleyball		17
Wrestling	28	
Total Participants Men's and Women's Teams	477	331
Unduplicated Count of Participants (Number of individuals who participated on at least one varsity team.)	417	286
CAVEAT		

Men's Rowing team count of 35 includes 32 males and 3 females.

Trinity College does not offer athletics scholarships, so revenues and expenses reflect recruiting expenses and operating expenses only. Overall, Trinity spent \$9,632,640 on athletics.¹⁸ Of that, \$3,858,819 (40%) went to men's sports and \$2,821,245 (29.3%) went to women's sports. \$2,952,576 (30.7%) went to expenses not allocated by gender/sport. Thus, the money Trinity spends on expenses for sports teams is far greater for the men's teams than the women's teams. Although it could be closer than the numbers indicate depending on what the "expenses not allocated by gender/sport" actually account for, it seems like the spending leans to the men's teams. Overall, Trinity College makes \$329,064 in profit, which seems to be what I would imagine given the fact that most games are free to attend for spectators (besides football, I believe) and it is a very small school. Finally, it does not appear that teams have been added or removed for either gender in recent years, either.

¹⁸ *Id.*

Complaints/Investigations in Athletics

There have not been any recorded complaints or investigations into Trinity College Athletics. While Trinity College did initiate the aforementioned 2021-2023 compliance audit of the College's athletic program, which was completed by an independent law firm for assessment of the program for gender equity and compliance with Title IX, this investigation was initiated independent of any formal complaint or investigatory process. This audit was performed at the request of several female student-athletes and in their discussions with athletics administration. The findings report for this audit was published in early January of 2023, and the key findings and recommendations resulting from this audit is discussed further in the Recommendations section, beginning on page 18.

Transgender Athletes

It does not appear that the institution as made any statements concerning transgender athletes, but the on-campus newspaper "The Trinity Tripod" did include an article regarding the Biden Administration's recent updates on transgender athletes on April 18, 2023.¹⁹

NIL Policy

Finally, it does not seem that Trinity College has an NIL policy at this time.

SEXUAL MISCONDUCT

Title IX Coordinator for Sexual Misconduct



Photo Credit: Trinity's Title IX Coordinator Page

There is no Title IX Coordinator specifically for sexual misconduct. Instead, the College has an overall designated Title IX Coordinator, Shannon Lynch. Ms. Lynch is listed as the main contact person for all reports and investigations related to sexual misconduct at the College. Ms. Lynch acts as the primary resource on Title IX requirements and compliance for the College community. Further, Ms. Lynch is responsible for developing and implementing procedures for handling complaints and investigations, as well as overseeing training initiatives aimed at promoting Title IX compliance.

¹⁹ *Title IX Changes: Transgender Athletes Fight to Compete*, Trinity Tripod, <https://trinitytripod.com/news/title-ix-changes-transgender-athletes-fight-to-compete/> (last accessed Apr. 6, 2024.)

Information on Filing a Complaint or Lodging a Concern

Trinity College’s Title IX Programs and Policies are accessible via the College’s general overview page.²⁰ This dedicated landing page provides an overview of the College’s Title IX policy and offers clear guidance on how individuals can report incidents of sexual harassment and discrimination. Notably, the highlighted section (as shown again in the screenshot below) emphasizes that any Title IX-related report can be submitted online using their reporting form. Importantly, this process allows for anonymous reporting, and a direct link to the Anonymous Reporting Form is provided right in the middle of the landing page.

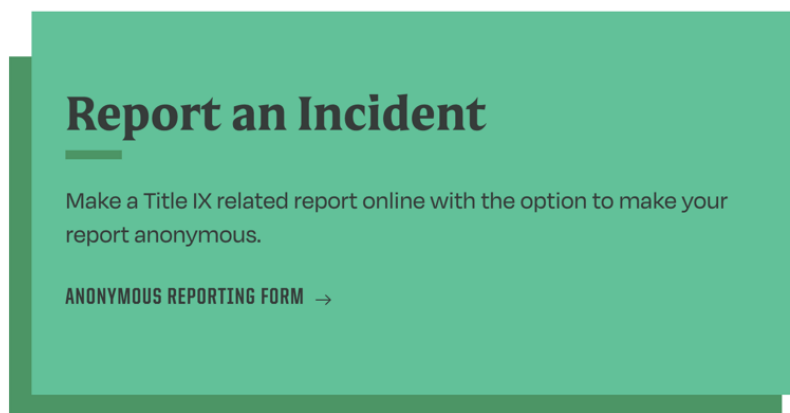


Photo Credit: Screenshot of Title IX Overview Page

While the Overview page does contain a link to the “College’s Title IX policy,” the actual policy itself is known as the “Trinity College Policy on Sexual Harassment.”²¹ This comprehensive policy covers various aspects, including incidents of sexual assault, domestic violence, dating violence, stalking, and retaliation.

Information on the Investigation Process

Within Trinity’s Policy on Sexual Harassment, there is a helpful overview section that provides a high-level summary of the College’s resolution process. According to the policy, the focus of this process is on “providing a prompt, thorough, equitable, and impartial resolution of all reported violations of this policy.”²² To do so, the College has developed both a formal and an informal

²⁰ *Title IX*, Trinity College Title IX Information Page, <https://www.trincoll.edu/title-ix/> (last accessed Apr. 6, 2024.)

²¹ *Trinity College Policy on Sexual Harassment*, Trinity College on Title IX, <https://www.trincoll.edu/wp-content/uploads/2021/03/Trinity-College-Policy-on-Sexual-Harassment.pdf> (last accessed Apr. 6, 2024.)

²² *Id.*

resolution process for resolving all reports of sexual harassment.²³ The informal framework is one that includes informal or restorative options for resolving reports that may involve disciplinary action against a Respondent, but typically do not. The formal procedures, however, are those that involve an investigation, adjudication and the imposition of sanctions, where appropriate.

Further, the policy makes clear that in all formal and informal resolution processes, the College will treat Complainants and Respondents equitably by offering Supportive Measures to a Complainant when the College has notice of potential sexual harassment and by following either the formal or informal resolution process before the imposition of any disciplinary sanction against a Respondent. Upon receipt of a report, the College will conduct an initial assessment of the available information and consider the Complainant's stated interests, as well as the College's compliance obligations, in determining how to proceed. The Policy also makes clear that the Complainant always is entitled to reasonably available Supportive Measures, regardless of whether a formal or informal resolution process is initiated.

The Policy indicates that at a high-level, the formal resolution process through investigation will be conducted as follows:

*The College will conduct a prompt and equitable investigation to gather information relevant to the determination of whether there is sufficient information, by a preponderance of the evidence, to determine that a policy violation occurred. The investigation will be impartial and will be conducted by trained investigator(s) who have no actual bias or conflict of interest for or against the Complainant or Respondent.*²⁴

With specific regard to fact finding through witnesses, the Policy states that both the Complainant and Respondent have the option to provide names of any potential witnesses to the investigator(s). These witnesses can be provided for many reasons, not just in the event that they witnessed the incident at issue. According to the policy, witnesses are individuals who may have information relevant to the incident; They may have observed the acts in question, but they also may be able to provide contextual information or have other information related to the incident, the disclosure, the parties, or related matters. In the event that witnesses are interviewed as part of the investigation, the name of the witness and the information gathered in the interviews will be included in the written investigation report, which the parties will have the opportunity to review at the conclusion of the investigation. Additionally, the Policy makes clear that witnesses may be asked to participate in the hearing in response to the information gathered by the investigator(s).

²³ *Id.*

²⁴ *Id.* at 27.

Beyond providing witnesses, both the Complainant and the Respondent are also permitted to provide other relevant evidence to the investigator(s). Evidence includes any facts or information presented in support of an assertion and under the Policy, evidence may include text messages, email exchanges, timelines, receipts, photographs, etc. Further, any documentation shared by the Complainant or the Respondent with the investigator(s) will be provided to the other party.

Finally, the Policy states that the College will not restrict the ability of either party to gather and present relevant evidence. Under the Policy's guidelines, in general, the investigator(s) have the discretion to determine the relevance and probative value of information proffered or received. Then, the investigative process will proceed to a live hearing, if necessary. The live hearing will be conducted before an Administrative Hearing Panel comprised of three members, two of whom must be College Employees. The Title IX Coordinator is responsible for selecting the Panel members, and the employee members of the panel will be drawn from a pool of College employees who have received specialized training on Title IX. According to the Policy, each member of the panel will receive annual training on issues related to sexual and gender based harassment, sexual assault, dating violence, domestic violence, and stalking; the scope of the College's education program or activity; how to conduct a hearing and adjudicate in a manner that is fair and impartial by avoiding prejudgment of the facts at issue; technology that will be used at a live hearing; and issues of relevance of questions and evidence.

Resolutions and any sanctions will be determined by the Administrative Hearing Panel at a later date after the live hearing has taken place. Further, the Title IX Coordinator will provide the panel with a summary of the judicial/disciplinary history (date, charge, and disciplinary action) of the Respondent, if applicable, along with any available sanctioning precedents in similar cases. The Administrative Hearing Panel will consider all of the documents and information provided in determining an appropriate sanction, which should be made in writing and provided to both parties no later than ten (10) business days from the decision.

In general, this investigatory process seems comprehensive, fair, and reasonably effective in resolving complaints of sexual misconduct. Initially, I had concerns regarding the selection process for the Administrative Hearing Panel, especially the portion mandating two of the three adjudicators to be College employees. At such a small school, there is a strong likelihood that of knowing one or both of those employees. However, after reading through the Policy in full, the Policy makes clear towards the end of the section that all members of the Administrative Hearing Panel must be free from conflicts of interest and bias for or against either party. While I am interested to learn further on what qualifies as a conflict of interest or bias in these cases (e.g., is having one of the students in class that semester a conflict of interest?), the Policy does allow

either party to notify the Title IX Coordinator at any time if they believe that any member of the Administrative Hearing Panel has a conflict of interest or bias, and the Title IX Coordinator will determine at that point if a designee should be appointed. This process, if presented to students clearly, would seem to mitigate those concerns of conflicts.

Retaliation

Trinity's Policy does have a section on retaliation. The policy prohibits intimidation, threat, coercion, or discrimination against an individual for the purpose of interfering with any right or privilege secured by Title IX or its regulations or because the individual has made a report or formal complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in any investigation, proceeding, or hearing under Trinity's policy.²⁵ The method to report retaliation under Title IX, however, involves the same process as reporting sexual misconduct.

Clery Act Statistics

Trinity's 2022 Clery Act statistics include two rapes on campus, one of which was in on-campus housing.²⁶ Trinity also had one case of fondling reported off campus.²⁷ Trinity had three stalking cases and four domestic violence cases on campus in 2022.²⁸ By comparison, the statistics available on End Rape on Campus are only from 2018-2020.²⁹ However, it lists 33 rapes, 20 fondlings, 12 dating violence, and 12 stalking.³⁰ These statistics are between three and six times the national averages in their category, a staggering result for a school so small. This data, especially by comparison with the reported data for 2022, is concerning. While Trinity is in a high-crime area of Hartford, it is gated and patrolled heavily by campus security and local police, so the 2018-2020 numbers are still very surprising to me.

PREGNANCY

Trinity College lacks a specific pregnancy policy for its students. Although I would assume that students and employees are able to request accommodations through the Disability Resources and

²⁵ *Id.*

²⁶ *Trinity College*, Campus Safety and Security U.S. Department of Education, <https://ope.ed.gov/campusafety/#/institution/details> (last accessed Apr. 18, 2024.)

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Trinity College*, End Rape on Campus <https://endrapeoncampus.org/school-locator/?schoolsearch=Trinity%20College> (last accessed Apr. 18, 2024.)

³⁰ *Id.*

Services office, there is no dedicated policy or website explicitly informing them how to do so. There is no information anywhere affirming that they are entitled to accommodations, either. Notably, when searching "Trinity College Title IX pregnancy" on Google, the top hit listed for each respective search is Trinity's Title IX Overview page – which provides no explicit resources for pregnant students or employees. There is no separate page for any type of pregnancy support at Trinity College, and the only mention of the words “pregnancy” or “pregnant” seem to be with respect to victims of alleged sexual misconduct and access to medical care.³¹ Additionally, the Title IX policy does not explicitly include pregnancy protections; it only prohibits discrimination on the basis of sex and calls out gender-based harassment. Further, there are no resources available to guide students or employees on this matter, and the Title IX policy does not even advise pregnant students or employees to contact the Title IX office with questions or for further information. Despite the lack of information and resources available however, I was unable to find any reported cases against Trinity brought by pregnant students or employees.

LGBTQIA+

There are no written policies on protections for LGBTQIA students at Trinity College. Trinity did create a Queer Resource Center, however, which is referenced on the College's Title IX homepage. Similar to my concerns with pregnancy protection issues, the Title IX page makes no reference of protection from discrimination on the basis of a student's sex or sexuality. Further, the Queer Resource Center webpage also makes no mention of Title IX at all, despite being linked to in the “other resources” section of the College's Title IX Overview page.³² Without any mention of Title IX protections in place or any substantive explanation of how Title IX safeguards may protect LGBTQ+ individuals, students and employees may be unaware that Title IX even applies in this area. Consequently, the absence of college resources addressing the comprehensive scope and relevance of Title IX to these specific issues is an area for immediate concern.

That being said, the Trinity College Queer Resource Center does provide a list of helpful services for LGBTQ+ students, including services dedicated to changing the use of a chosen name and/or pronouns on campus records, gender inclusive restrooms and housing services, maps for finding gender inclusive restrooms, other LGBTQ+ health information, and more.³³

³¹ *Trinity College Policy on Sexual Harassment*, Trinity College on Title IX, <https://www.trincoll.edu/wp-content/uploads/2021/03/Trinity-College-Policy-on-Sexual-Harassment.pdf> (last accessed Apr. 6, 2024.)

³² *Queer Resource Center*, Trinity College, <https://www.trincoll.edu/lgbtqlife/> (last accessed Apr. 6, 2024.)

³³ *Queer Resource Center*, Trinity College – Student Services, <https://www.trincoll.edu/lgbtqlife/student-resources/> (last accessed Apr. 18, 2024.)

RECOMMENDATIONS

This review of Trinity College's Title IX policies and programs has identified many key findings of shortcomings in several different areas. While many of these shortcomings were addressed in the recent compliance audit of the College's athletic program, there were several that I believe should be added to address the shortcomings in areas beyond athletics in the years to come.

As previously mentioned, one of my main concerns is how difficult it is to access information on the College's Title IX program, especially for those that are seeking specific information for instances not involving sexual misconduct. For anyone seeking information outside the area of sexual misconduct, there is almost no information provided. For the areas that have separate webpages discussing Title IX in another area, the information provided is elusive and disorganized, with absolutely zero consistency. This quickly can lead to confusion or frustration for students or employees. Further, the College fails to make clear how and why Title IX applies to areas outside of sexual misconduct, especially for matters related to pregnancy and LGBTQIA+ related issues.

Specific to athletics, the gender equity audit of the Trinity athletics program conducted last year presented the following findings and recommendations, in summary³⁴:

1. **Enhancing the facilities for the women's sports teams, specifically with regard to the Softball, Field Hockey, and Lacrosse fields.** Here, the audit revealed that the lack of lighting provided on these fields, as well as the field quality itself, were areas of inequality for women. Additionally, the lack of accessibility to bathrooms for spectators was also a concern.
2. **Gender equity in participation.** Here, the audit revealed an inequity in the proportionality of student-athletes to the respective full-time undergraduate enrollment. This resulted in the report's recommendations to balance the number of male student-athletes through reduction in male numbers, or the addition of sport offerings for both genders and the possibilities of additional women's sports teams.
3. **Compensation.** The study also revealed inadequate balances in the coaching staff's compensations through salaries and benefits for staff of mirrored sports. In its recommendation, the audit suggested a new compensation rubric be developed by Human Resources that provides greater structure and standardization of the compensation process.
4. **Support Services and Office Spaces.** The findings revealed an inequity in the assignment of offices and shared spaces across the athletics departments as a whole. Because of the

³⁴ For the full letter, see Trinity College, Title IX Audit for Compliance in Athletics at https://bantamsports.com/documents/2023/4/12/Title_IX_Audit_for_Athletics_FindingsB_1_27_23.pdf

pre-existing planned athletics expansions, the audit recommended helping to review the renovation and expansion plans to help ensure that the College is allocating the spaces and offices equitably.

Although the audit had several other suggestions and concerns, the above were the key recommendations made. In addition to these recommendations in athletics, I would recommend the following:

5. **Making the Title IX webpage clearer in its explanation of who Title IX covers and protects, beyond the protections provided for instances of sexual misconduct.** Currently, the website does a great job at providing resources and information for students and employees concerning sexual misconduct. However, the College should do a better job at clearly articulating that this policy is aimed at prohibiting discrimination on the basis of gender, sex, sexuality, athletics, etc. To do this, I think the College can add language to their existing webpages that state that these policies also apply to discrimination on the basis of a person's pregnancy, or persons identifying as LGBTQIA+.
6. **Creating dedicated Title IX websites that address pregnant persons and LGBTQ+ persons at Trinity College.** The addition of two more webpages to their already existing Title IX page: (1) one that specifically addresses protections and accommodations in place for pregnant persons and includes contact information for who to reach out to with questions or concerns, and (2) another that specifically includes information on how Title IX applies to LGBTQIA+ persons and includes resources in place for someone facing this kind of discrimination and how to report issues would be incredibly helpful.
7. **Creating a dedicated Title IX website that addresses athletics measures in place at Trinity College.** While the 2021-2022 audit was a great starting place for implementing changes for women in sports, there needs to be a clear page located on the athletics website that includes information on Title IX as it applies to Trinity Athletics. One should not have to Google search and guess to find out that the College does have a deputy coordinator for student-athletes with Title IX concerns. That information should be readily available and easily accessible to female student-athletes at Trinity College.